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STRATEGIC
DOSSIER

157-B

THE ROLE OF WOMEN
AND GENDER
IN CONFLICTS

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Instituto Español de Estudios Estratégicos

SPANISH INSTITUTE FOR STRATEGIC STUDIES
GRANADA UNIVERSITY-ARMY TRAINING AND DOCTRINE
COMMAND COMBINED CENTRE



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**THE ROLE OF WOMEN AND GENDER
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INTRODUCTION

THE ROLE OF WOMEN AND GENDER IN CONFLICTS

Soledad Becerril Bustamante

The Ministry of Defence's Instituto Español de Estudios Estratégicos (the Spanish Institute of Strategic Studies) has been publishing reports into various aspects of defence since 1978. These reports have addressed military strategy, aspects of national and international security, international conflicts, documents relating to international resolutions and the outlook for peace in various parts of the world.

In this paper, the IEEE will be examining a different field. We shall analyse and highlight the conditions in which women suffer the consequences of war. We shall also be examining the role of women in the Armed Forces, their military careers, their professional opportunities at present, and their roles in NATO and other European Union countries, particularly Spain. These matters are a relatively new field as far as these studies are concerned, but are of the utmost importance at the present time.

This paper is one of those documents, books and films that allow us to reflect on the condition and status of women in areas where there are conflicts, wars, refugee camps, displaced persons fleeing from the horrors around them, and the customs and practices that relegate women to a position of absolute inferiority compared to men, even going so far as to deny them the right to an education.

These situations are quite alien to countries with democratic traditions, where the principle of equality between men and women is recognised in law, and is policed and enforced when breached, making this an everyday reality. In other countries that have achieved democracy more recently, the principle of equality in law and living conditions for women are changing and have become objectives that are being openly pursued.

The studies in these pages have been written by people whose backgrounds demonstrate their knowledge of and research into these matters. They know the areas they are talking about, and their expertise is amply proven. Today, we can see the conditions in which women live in areas of conflict on television and in newspapers and magazines. However, these are, in general, fleeting images and often only partial, given the difficulties in the areas where they are taking place; they cannot therefore capture the full reality of what is happening or, most importantly, the consequences thereof.

The studies in this paper therefore focus on getting to the heart of these problems, understanding the statistics and describing the circumstances and atmosphere in which they take place. Reading these accounts carefully, particularly those relating to the poor conditions for women in some areas and how they are mistreated, may make us feel sad and pained and may even lead us to ask ourselves, living in our democracies, how it is possible that these

things are happening; that they are known about and yet we are not capable of stopping them.

In this paper we will look at the different roles played by women based on their cultures and practices and the customs of the societies in which they live. This leads us to the importance of the presence of women in the Armed Forces, as it is easier for women to understand the needs of other women and to serve as mediators in conflicts.

United Nations Resolution 1325, approved by the Security Council in October 2000, represents a landmark in the problems addressed in this paper. It reaffirms the role that women play in preventing and resolving conflicts and in consolidating peace; it underlines the importance of women participating equally in maintaining peace and security; it encourages an increase in the presence of women at all levels of decision making relating to preventing and managing conflicts, increasing their role and contribution on the ground in all United Nations operations. It also highlights the responsibility of all states to bring an end to the impunity of those involved in sexual violence, rape and other abuses during armed conflicts, and to bring them to trial. It further asks us to provide the training required to protect women, including providing information on HIV/AIDS.

The first chapter, by the director of the University of Granada Women's Study Institute, Nuria Romo Avilés, and the University of Granada professor of Constitutional Law, M.^a Concepción Pérez Villalobos, is entitled "Equality and Gender. Basic concepts for application in the area of security and defence". This analyses the development of the concept of gender, from its earliest legal definitions, and the development of women's rights. It examines the various currents that have resulted in inequality between men and women, coming right up to the 20th century, highlighting the resolutions, agreements and international conferences that underpin the principles of equality. They then examine the use and significance of the much-discussed term "gender", which today has become so widely used. Gender-based violence continues to exist, and is highlighted by the authors. Official figures show the high number of deaths resulting from such violence - even in Spain - something we hear a lot about it in the media and which continues to be a serious social and political problem.

The authors argue that gender-based violence reaches extraordinary levels during conflicts and wars, even though this has only recently been recognised. Equality of rights for men and women only began to be recognised following the creation of the United Nations, which has done much to promote the rights of women. This includes the Convention on the Elimination of all Forms of Violence against Women, approved by the General Assembly in 1979. The

authors detail the rights contained in the International Covenant on Economic, Civil, Political, Cultural and Social Rights.

A number of international conferences organised by the United Nations have discussed violence against women, highlighting the lengths to which this has gone and showing that it still continues, detailing the degrading treatment women receive in many countries.

The second chapter, "Integrating the perspective of gender into analysis of armed conflicts and safety", was written by Beatriz Frieyro de Lara, professor of Contemporary History at the University of Granada, and Margarita Robles Carrillo, associate professor of International Public Law and International Relations at the University of Granada. This chapter examines the situation of women in armed conflicts. It once again highlights the aforementioned United Nations Resolution 1325.

This study is an exhaustive review of the role of women and the changes wrought by wars and army operations. Whilst the majority of victims in combat up to the First World War were combatants, today most casualties are civilian.

The authors examine conflicts in countries including Sierra Leone, Guatemala, Iraq, Afghanistan, Sudan, Angola and Liberia in depth, describing what happened to women in the cities, displaced persons camps and refugee areas. The authors also examine how today's combatants intermingle with women and children. Rape, sexual abuse, forced prostitution and female mutilation frequently go unreported because of fear of reprisals, or due to a fear of shame in the community. The study also examines the case of Japan during the Second World War, when thousands of young women were forced to be sex slaves for the Imperial Japanese Army in what were called "Comfort Stations".

The authors examine the situation in countries such as Burma and Pakistan, and discuss reports into and commissions examining violence in some South American countries, such as Guatemala and Paraguay. They also analyse the situation in both Bosnia and Rwanda, through the reports of Amnesty International and Human Rights Watch.

They further extend their study by examining gender in the international security model, using the latest theories that gender equality means fewer military actions by States to resolve international conflicts, although this is not universally accepted.

The Second World War showed us the behaviour of the Soviet army, for example, in Berlin. Neither of course can we forget the conditions in

concentration camps for women and children, obliged to live and work in subhuman conditions, before being slaughtered in the gas chambers. The evidence of atrocities against Jewish people in the Second World War has been brought to us by the dramatic stories of survivors, and we have been able to see where these events took place, and cinema has exposed us to this cruellest of realities. Numerous studies and narratives have revealed even more about the genocide and horrors in Germany following the opening up of the archives of the former Soviet Union.

The third chapter of this Paper, "Women, NATO and the European Union" by Colonel Gil Ruiz, focuses on the role of women in the Armed Forces and in conflicts and wars, as well as analysing and drawing conclusions concerning the consequences of the presence and involvement of women.

The author finds that questions of gender are today clearly recognised in the military sphere, particularly in military operations. There have been a number of stages in the integration of women within NATO. The first phase began with debates as to the function of women in the Alliance armed forces whilst the second, following Resolution 1325, began with consideration of gender in peace keeping. The third was the major step forward resulting from application of the aforementioned Resolution and the fourth was the November 2010 Lisbon Summit, which confirmed NATO's commitment to improving the inclusion of gender issues in its policies and missions.

Prior to the United Nations Resolution, NATO had already analysed issues relating to the incorporation of women into military careers at a number of international conferences, assessing their contribution in areas of military conflict and in military interventions. However, as already stated, approval of the Resolution was definitive and it was immediately implemented throughout NATO's structures.

Colonel Gil Ruiz looks at changes to the number of women in the military under NATO command, plans to increase this participation and the progress made so far; however, this does not yet seem to be sufficient.

With regard to the commitments that the European Union has acquired in this area, the agreements state the need to increase female representation at all levels of command, to increase dialogue with local and international women's groups, to give special protection to women and children in conflict zones and to promote gender issues in the Common Security and Defence Policy. In summary, the EU has made efforts to incorporate the United Nations Resolution into the CSDP, but we cannot regard what has been achieved as being either satisfactory or sufficient.

The fourth chapter in this Paper is "The female soldier in the armed forces" by Pilar Gallardo Rodríguez, a captain and psychologist in MADOC's Research and Lessons Learnt Subsection. This chapter examines the role of women in Spain's Armed Forces, particularly from the 1990s onwards when women began to play a more significant role. The author offers interesting comparisons with the role of women in other countries, including Germany, Austria, Switzerland, Italy, France and the UK. The author describes how legislation and regulations have changed over recent decades, opening up Spain's Armed Forces to women, and how restrictions have disappeared and their scope for action has increased as well as examining the reasons why these reforms were considered necessary.

Incorporating women into the various military specialities has been very positive, as has been demonstrated in studies, although participation rates remain low and some fields remain closed. This study finds that women have broken through many barriers to their careers in the armed forces, and that their participation will probably continue to increase.

The study encourages a continuing increase in the participation of women, with women attaining the highest level of responsibility in the near future, given their capabilities - their skills as mediators in conflicts and their ability to understand the situation of millions of women suffering in conflicts and wars.

The conclusion of this work is that the value of women should be exploited more in Spain's Armed Forces, until they are fully regarded as normal colleagues, rather than exceptions among senior military commanders.

The "Gender in military operations" chapter by General Gil Ruiz focuses on specific experiences with gender politics in Afghanistan. The author is an expert in this field, and argues that the position of women in Afghanistan is the worst in the world. In Afghanistan, expressions such as "women's rights" are totally alien and are imported from abroad; even following approval of the Constitution in 2004, the current Government and Parliament has resisted equality for women and female development, and has avoided questions relating to improving quality of life for women. Despite the 2004 Constitution prohibiting all forms of discrimination, a number of its other provisions contradict this prohibition. Nevertheless, the Afghan Government has now developed a number of plans to achieve or improve gender equality, backed by the international community.

The international forces deployed in Afghanistan are receiving special training and making real efforts to contact women without provoking rejection by their communities or families. The situation in Afghanistan is very complicated as the new Constitution sits alongside Islamic law, and traditions play a very

important role. Human Rights Commissions and the United Nations' special programmes for gender issues in the country are faced with rural communities that scarcely have access to information, and where ancestral customs provide resistance to any efforts to change the position of women and girls, who are treated as objects to be exchanged, subjected to the marriages arranged by their families and exposed to all kinds of violence.

The work of the international community and ISAF's (International Security Assistance Force) Female Engagement Teams (FETs), specially trained to help change the situation, to understand the most pressing needs of women in the country and to help them obtain justice, requires specialist knowledge. This chapter explains the important role that they are playing in a situation that is difficult to change and which has already cost many lives, but which the international community cannot simply abandon to its fate.

The chapter "The education of women in Afghanistan" was written by Humaira Haqmal a professor and researcher at Kabul University's Law and Political Sciences Faculty. The author focuses on understanding the factors that impede women from accessing education, presenting the results obtained by various national and international bodies so that they might continue with their efforts to extend education to all women, enabling them to be involved in the progress of their country. Whilst the study focuses on Kabul province, it constantly refers to other parts of the country, examining developments in female education throughout the 20th century. During this period, there were times when this was regarded as important and efforts were made to get women into education by opening schools and education centres and training female teachers for them. However, at other times this process was reversed, with schools being closed and women returning to the home, receiving no education and dedicating their lives to their homes and children, always under the command of men.

In the author's opinion, education is the key question for the position of women in the country today. The first problem is the lack of safety for women, as just going to school may in itself be a risk. The traditions and culture that relegates women to an inferior place may also be more influential than any plans or programmes, more so even than the 2004 Constitution and its prohibition on discrimination.

Professor Humaira Haqmal is right to insist that the international community should understand the situation of women in Afghanistan today, and should not abandon them to their fate. Her work, and that of her assistants, reveals the situation today, and the great difficulties there will be in overcoming obstacles that women in the western world are not aware of. We are very lucky that there are people out there reminding us about the situation of women in Afghanistan,

living among them and who are putting enormous effort and commitment into helping them.

In "Women in armed conflicts and wars", the charity worker Pilar Estébanez describes the situation for women in war zones and conflicts, and how they are left to their own devices to maintain their homes and children. Women and children are often the major victims of wars in many countries, according to the author. She also explains how rape has been used as a weapon and form of aggression in confrontations in Sierra Leona, Rwanda, Liberia, Congo and the former-Yugoslavia. In her study she also looks at illnesses and their consequences for women, and the added problems of being the head of the family.

The author studies aspects such as maternity in adolescents and rape and its psychological consequences, in countries such as Afghanistan, Iraq, Haiti, Chad, Somalia, Liberia and Sierra Leona. She also examines data provided by the World Health Organisation in relation to sexual abuse, the spread of HIV/AIDS in Africa, and UNICEF estimates of the use of children as soldiers. The author quotes FAO data on hunger and food scarcity that is truly shocking, and also reminds us of the situation in Haiti following the earthquake, where very little reconstruction has been done.

Pilar Estébanez's chapter exposes us to a terrible reality, using data, figures and specific case studies to present the situation in countries that she knows well, having worked in most of them; her descriptions are of exceptional value. This chapter is worth reading and re-reading in order to thoroughly understand everything that she is describing. Our gratitude to these charity workers will always be scant reward for the hardships of their work and the help that they provide, often in extremely difficult conditions.

I have left thanking General Ballesteros for asking me to write the Introduction to this Paper to the end. I have only had a minor role compared to the authors of the chapters. But their work has opened my eyes to many aspects of social and cultural issues, human rights, international politics and the actions of Armed Forces in situations of war and conflict. I hope that it will do so for many others too. In particular, their work helps us to appreciate the value of the tasks performed by the international community and Spain's Armed Forces and Ministry of Defence in these areas.

This Paper has been made possible by the coordination work of Blanca Palacián de Inza, who revised all of the texts, and encouraged us to carry on, despite the difficulties of some of the authors with their day-to-day work, geographical distances and the problems of preparing chapters with extensive bibliographies and up-to-date information.

The authors have done an excellent job that deserves my appreciation and gratitude. I must also recognise their efforts, research and, in some cases, work in places that are very distant - not just physically, but also in terms of culture, traditions and customs - from our stable countries, with our constitutions and laws establishing equality between men and women, and the lack of armed conflicts. I would like to thank all of them for their contributions to this Paper, published by the Spanish Ministry of Defence's Instituto Español de Estudios Estratégicos.

A while ago I met a young man in the United States who had been violently dragged out of school - together with other boys from his class - and taken to a military training camp when Afghanistan was occupied by the Soviets. Incredibly, he escaped and managed to make it to the Pakistan border, from where, thanks to the Red Cross, he managed to get to the United States and begin a new life. His story was incredible. It would have made a very moving film, and I understood why today he felt so proud to be an American citizen.

For the first time, a judge has passed a sentence for the crime of recruiting children to fight in armed conflicts; the judge was Adrian Fulford at the International Criminal Court in the Hague, passing sentence for offences in the Congo in 2000-2002. This gives us hope that such crimes will be prosecuted in future, and that the sentences will show that the international community is committed to fighting this problem.

The 2011 Nobel Peace Prize was awarded to three women: Liberian President Ellen Johnson Sirleaf, her compatriot and peace activist Leymah Gbowee and the Yemeni Tawakkul Karman. The chairman of the Nobel Committee declared that the awards were "for their non-violent struggle for the safety of women and for women's rights to full participation in peace-building work".

These examples give us cause for hope that the lives of women and children in areas of conflict can be improved.

CHAPTER ONE

EQUALITY AND GENDER. BASIC CONCEPTS FOR APPLICATION IN THE FIELDS OF SECURITY AND DEFENCE⁽¹⁾

M^a Concepción Pérez Villalobos
Nuria Romo Avilés

ABSTRACT

Gender is one of the main structuring factors in human society, differentiating men from women and turning these differences into unequal hierarchical relationships. The concept of gender has been widely used in social sciences over recent decades in questioning established wisdom and recovering people and spaces ignored by history, usually related to women. The purpose of this is to demonstrate that "biology is not destiny", and that the socio-symbolic identities assigned to women in their relationships with men, and the organisation of life in society, being cultural, are variable and can therefore be changed. If we look at the reality for women in Spain, we would have to say that, despite formal equality, real inequality continues to exist. The mechanisms maintaining this inequality are very subtle and manifest themselves through issues such as gender violence and gender inequality in health.

⁽¹⁾ The first four epigraphs have been edited by Professor Romo Avilés. The following epigraphs were edited by Professor Pérez Villalobos.

Women's rights are an essential, integral and indivisible part of human rights in general, and their recognition and international development will make a decisive contribution to eradicating discrimination against women worldwide, whilst simultaneously contributing to world peace. Since the inception of the United Nations, the international perspective on women has focused on achieving equality. A new model of society needs to be created in which a culture of peace and gender equality are fundamental values.

Key words:

Gender, formal equality, gender inequality, women's rights, human rights

■ FUNDAMENTAL CONCEPTS FOR UNDERSTANDING THE PERSPECTIVE OF GENDER AND THE STRUGGLE AGAINST INEQUALITY FOR WOMEN. INTRODUCTION

Women are very active socially in western countries, and are no longer exclusively restricted to the private sphere, playing active roles in social and political life. Nevertheless, they often lack economic and political equality.

Globalisation has resulted in increased social and economic inequality affecting women, particularly in the poorest countries. The gender perspective seeks to understand the reasons behind inequality between men and women; to this end, it deconstructs and reconstructs knowledge, resignifying and reinterpreting what we know about the everyday life, health and political power of women. The gender perspective interacts with social class and ethnic identity to highlight the real inequality affecting women.

It is difficult in just a few pages to summarise this theoretical and methodological construct: it covers a range of scientific fields, and involves examining the concept of gender, its historical development and related issues, such as patriarchy, sexism and nature/culture, that might help us to understand the sex-gender system and its social dynamics.

In this article we focus on some of the main definitions in the gender perspective and, from a legal perspective, we study the principle of equality as the legal basis for the development of women's rights and the international consideration of this in terms of human rights. The formal principle of equality under the law, with no distinction between men and women, often implies hidden discrimination against women, as *de jure* equality in the social roles of men and women *often* results in *de facto* discrimination. Women's rights are an inalienable, integral and indivisible part of universal human rights. Recognition and development of women's rights internationally makes a decisive contribution to eradicating the causes of discrimination against women globally, whilst contributing to maintaining peace and security.

From the outset, the feminist movement has sought to transform human relations. The concept of gender grew out of the controversial debate as to whether masculine and feminine traits are innate or acquired. The notion of gender dates back to the 17th century and the work of Poulain de la Barre, a writer who argued against those proclaiming the inferiority of women. Poulain de la Barre's central idea was that social inequality between men and women is not the result of some natural inequality; on the contrary, it is this social and political inequality that leads to theories of female inferiority.

"In the 18th century, individuals began to discover individually and collectively that inequality is a historic, rather than a natural, fact. Jean Jacques Rousseau's Discourse on the Origins and Basis of Inequality Among Men was a radical challenge to social, political and economic inequality"⁽²⁾. But this challenge was not just taken up by men; women also became aware of their oppression. At the same time as becoming the champion of political and economic equality, Jean Jacques Rousseau also became the theorist of feminine issues. His work is one of the central theoretical pillars in the construction of feminine identity, assigning women a natural task - that of wife and mother - and a natural space, the home.

Rousseau believed firmly that the human species was divided into two sexes, and that society should therefore be divided into two spaces. He therefore assigned public space to males and private and domestic space to females⁽³⁾.

Following this, Rosa Cobo (1995) moves on to the 19th century, a difficult and ambivalent century for women and feminism. On the one hand, the rebellious cries of feminist revolutionaries during the French Revolution having been silenced, Rousseau's concepts of the feminine became embedded in romantic misogyny. On the other hand, this was also the century of one of the hardest fights for women to achieve suffrage.

The 20th century saw a number of key moments in the history of the feminist movement, and its progress towards more sophisticated theoretical and methodological positions. Many works left their mark on the history of feminism, including, perhaps most significantly, Simone de Beauvoir's 1949 *The Second Sex* in which she says "One is not born, but rather one becomes a woman. No biological, psychological, or economic fate determines the figure that the human female presents in society; it is civilization as a whole that produces this creature... which is classified as feminine".

de Beauvoir thus highlights the importance of the cultural and social construct of "being a woman", minimising the importance of biological determination. Throughout history, women have been regarded as the "second sex", "the other" of men. This hierarchical concept was a patriarchal invention to legitimise masculine authority. Man was the measure of all things: "humanity

⁽²⁾ COBO BEDIA, Rosa, *et al. 10 palabras claves sobre mujer* Editorial Verbo Divino. Estella, Navarra: 1995, pp. 2-3.

⁽³⁾ VALCÁRCEL, A. *Sexo y filosofía*. Sobre mujer y poder, Anthropos. Barcelona: 1991. Rousseau's concepts were refuted by Mary Wollstonecraft in a ground-breaking book, *Vindication of the Rights of Women*, in which she denounces the patriarchal philosophy of Rousseau and others who regarded women as artificial beings.

is male and man defines woman not in herself but as relative to him... He is the subject, he is the absolute – she is the other"⁽⁴⁾.

Kate Millet's *Sexual Politics* is another 20th century classic. Millet writes that "we are not accustomed to associate patriarchy with force. So perfect is its system of socialisation, so complete the general assent to its values, so long and so universally has it prevailed in human society, that it scarcely seems to require violent implementation". Nonetheless, she continues "just as under other total ideologies (racism and colonialism are somewhat analogous in this respect) control in patriarchal society would be imperfect, even inoperable, unless it had the rule of force to rely upon, both in emergencies and as an ever-present instrument of intimidation"⁽⁵⁾.

In 1963, Betty Friedan published a book revealing the dissatisfaction of American women with their lives, creating a new theoretical impact on the feminism of the period. Post-war American culture had returned women to their domestic role, and had left them without the symbolic resources to enable them to name their difficulties. Dissatisfied with their traditional role of wives and mothers, their independence or control of their lives was incompatible with the feminine ideology or "mystique". This problem had not previously had a name, but feminism would give it one.

There were a number of theoretical developments in feminism during the 20th and 21st centuries from the feminism of equality or difference in the 1970s and 1980s to the contributions of contemporary feminism, which through the contributions of the theoretical developments of the *queer* theory have led to new conceptualisations of sexual difference, and the cultural construction of the body, affecting sexual inequality⁽⁶⁾.

■ The gender perspective: what do we mean when we use the term "gender"?

The origins of the term "gender" can be traced back to John Money, the first person to talk about "gender roles" to refer to forms of behaviour, ways of expressing oneself and acting, and preferences for topics of conversation and games characterising male and female identity. Money argued that gender identities were set at eighteen months old, as the culmination of a biological

⁽⁴⁾ BEAUVOIR, S. de. (1949). *The Second Sex* (trans. H. M. Parshley). New York. Knopf, 1952, (Spanish trans. *El Segundo Sexo*, Buenos Aires: Siglo XXI).

⁽⁵⁾ MILLET, K. *Sexual Politics*, Aguilar. Mexico: 1975, pp. 58.

⁽⁶⁾ A fuller account of this stage in the development of feminist theory can be found in the special edition of the magazine *Feminismo/s*. The magazine of the University of Alicante's Women's Study Centre, number 15, June 2010, entitled: "¿Feminismo de la igualdad y feminismo de la diferencia?" (The Feminism of Equality and the Feminism of Difference?), analysing the latest developments in feminist theory.

and social process. The impact of his research in social sciences was due to the importance he gave to cultural factors, compared to biologically-based arguments which see differences, and even inequality, as being an expression of the opposite nature of the sexes⁽⁷⁾.

The concept of gender has been widely used in social sciences over recent decades in questioning established wisdom and recovering people and spaces ignored by history, usually related to women.

The term "gender" has been of central importance to feminist theory and politics since the 1970s, in the struggle against the sexist, andocentric "common sense" that prevailed in society and in western academia. The purpose of this is to demonstrate that "biology is not destiny", and that the socio-symbolic identities assigned to women in their relationships with men and the organisation of life in society, being of a cultural nature, are variable and can therefore be changed. The epistemological debates provoked by the concept of gender are linked to the conventional opposition between nature and culture, which feminist theories have now transcended⁽⁸⁾.

Virginia Maquieira argues that gender is a structure that crosses socio-structural determinations, such as class, age, position in the world order and sexual orientation. Gender plays a structuring role in human societies, converting these differences into relationships of inequality. This construction is deeply embedded in a culture that legitimises and protects unequal social relations and oppression of women, promoting the defence of cultural difference and counterpoising this against gender equality, and interpreting any change for women as a threat to cultural identity and tradition⁽⁹⁾.

Whenever categories such as ethnicity, gender or sex are subjected to historical analysis, we find a trend in society to regard these as if they were based on immutable natural differences. The purpose of this naturalisation is to legitimise and consolidate social inequality⁽¹⁰⁾.

In 2011, the World Health Organisation proposed a definition that can lead us syncretically to an operating formulation of this concept. In this proposed definition, the concept of gender refers to the stereotypes, social roles, acquired conditions, positions and behaviour, activities and appropriated attributes that each society individually assigns to males and females. In turn, such inequalities

⁽⁷⁾ PULEO, Alicia H. (ed.). *El reto de la igualdad de género. Nuevas perspectivas de ética y filosofía política*. Madrid: Biblioteca Nueva, 2008.

⁽⁸⁾ STOLKE, Verena. "Estudios Feministas". *Florianópolis*, 12(2), pp. 77-105, May-August/2004.

⁽⁹⁾ MAQUIEIRA, Virginia (ed.). *Mujeres, globalización y derechos humanos*. Barcelona: Cátedra, Feminismos collection, 2006.

⁽¹⁰⁾ STOLKE, Verena (2000). "¿Es el sexo para el género lo que la raza para la etnicidad... y la naturaleza para la sociedad?". *Política y Cultura*, 014, pp. 25-60.

can lead to inequities between men and women in both health status and access to health care⁽¹¹⁾.

Teresa Ortiz argues that the concept of gender has been impoverished and over-simplified many times in scientific and medical literature, but also in feminist literature on health and other issues. She gives some examples of how the concept of gender often loses its meaning, and that can help us to understand how it should be applied. For example: a) Using gender for sex. This subverts the concept of gender, loading it with a form of cultural determinism. Furthermore, this usage contributes to neglecting sexual and bodily differences between the sexes, and reinforces andocentrism and the invisibility of women. Many feminists prefer to always use "sex" to also talk about social and cultural (expressions such as sexual politics and social relations between the sexes). b) Using gender for women. We can understand this as a way of depoliticising research, implying the disappearance of the subject, who is substituted (supposedly) by the method; however, there is often no analysis from a gender perspective, and the research simply talks about women. c) Using gender for feminism or feminist. This can also be a depoliticisation strategy imposed by the medical system and academia that over-simplifies by identifying feminist theory with one of its most successful and useful - but by no means its only - categories of analysis. d) The idea that gender relations are sometimes understood as a complementarity of roles, rather than as relationships of domination. This loses the hierarchical component of gender relationships, ignoring the fact that gender relationships are asymmetrical with women in unequal social positions. e) References to the (two) genders (feminine and masculine) contribute to essentialising differences, enshrining dichotomies and reinforcing asymmetries, as they impose an obligation in the sex/gender relationship that is more than a little questionable, ignoring the complexity of sexual/social identities: gay, lesbian, transsexual, transvestite, men and women outside the dominant models of femininity and masculinity... and this is also ethnocentric, as there are cultures with more than two genders. f) Focusing analysis solely on the gender category whilst ignoring the other categories that inform of social relationships and cultural forms, such as class, ethnic identity and race; this clouds and trivialises the realities of women, who share gender oppression at all levels and in all cultures, even though this is manifested differently, but in which women are always agents who act and create⁽¹²⁾.

The critical and resignifying perspective involved in the inclusion of gender has generated areas of research and debate in various scientific fields. From the 1970s feminist theories began to be noticed in Spanish universities. Since then

⁽¹¹⁾ World Health Organisation. <http://www.who.int/topics/gender/en/index.html> (As of 21 January 2012).

⁽¹²⁾ ORTIZ GÓMEZ, T. "El papel del gender en la construcción histórica del conocimiento científico sobre la mujer". In Elvira Ramos (ed.), *La salud de las mujeres: hacia la igualdad de gender en salud*. Madrid: Ministry of Employment and Social Affairs. Instituto de la Mujer, 2002, pp. 29-42.

there has been considerable academic consolidation of feminist, women's and, increasingly, gender studies. Gender studies have focused on two directions: firstly, they have critically analysed patriarchal theoretic constructions to extract the story of silenced voices demanding equality between the sexes and female emancipation; secondly, by providing a new way of assessing reality, feminist theory opens up new analytic categories in order to explain aspects of reality that had not been considered prior to the social aspect of genders being unveiled. Gender studies have therefore sprung from an idea that gender is a cultural construction that has historically presented itself as masculine domination and feminine subjection⁽¹³⁾.

■ DIFFERENCE AND INEQUALITY. AN EXAMINATION OF THE SITUATION OF WOMEN

If we look at the reality for women in Spain, we would have to say that, despite formal equality, real inequality continues to exist. The mechanisms that sustain this inequality are extremely subtle.

Gender sociology has repeatedly asked why the system of patriarchal domination is universal; in other words, why it has existed from the earliest history in all cultures right up to the present. Radical feminism has developed the concept of patriarchy to explain the existence of a system based on sex-gender, independently of other systems of domination. This consumed the autonomy of a movement that had previously been subsumed into the class struggle and classified as a "secondary contradiction". "Patriarchy has kept women out of power. Power is a network of relationships due to its dispersed nature. It is not something you have; it is something you exercise: it is not an essence or a substance. Power never belongs to individuals, but to groups. From this perspective, patriarchy can be defined as a system of inter-class pacts between males"⁽¹⁴⁾. The patriarchy system presents its own, distinct forms of oppression and legitimisation. These are not just related to inequality in the public sphere, but also - fundamentally - to practices in the private sphere. Radical feminists stretch the concept of politics by extending it to all types of relationships structured by power, such as those between males and females⁽¹⁵⁾.

This series of inter-class pacts between males are the result of inequality between the sexes. The importance of patriarchy may reside in its universality and longevity. It is more firmly rooted than social class, due to how it successfully bases itself on nature as a justification. Celia Amorós critically

⁽¹³⁾ COBO BEDIA, Rosa, *et al. Op. cit.*, pp. 9 .

⁽¹⁴⁾ COBO BEDIA, Rosa, *et al. Op. cit.*, pp. 7 .

⁽¹⁵⁾ DE MIGUEL ÁLVAREZ, A. "El movimiento feminista y la construcción de marcos de interpretación: el caso de la violencia contra las mujeres" *Revista Internacional de Sociología*, third volume, n.º 35, 2003, pp. 127-150.

examines a theoretical construction, the purpose of which is to legitimise the inferiority of women: the conceptual association of the female with nature and the male with culture. She argues that by conceptualising women with nature, they are excluded from individuality. Males are conceptualised by patriarchal ideology as individuals as they are creators of culture, and are capable of rising to abstraction. However, femininity is conceived by patriarchy as an inseparable mass that is incapable of producing individualism.

Patriarchy managed to keep women's rights invisible until practically 1960, with the exception of limited inclusion of women in social issues and their promotion from 1975 through a number of international United Nations conferences, such as those in Mexico, Copenhagen, Nairobi and Beijing, and through the work of the Council of Europe and the European Union⁽¹⁶⁾.

Despite circumstances having changed surprisingly for women in Spain over the last 25 years, we are still a long way from true equality between men and women. Raquel Osborne points out that there has never been a higher percentage of women in positions of political power than in the last legislature (2004-2008), when women accounted for half of the government. Whilst women now make up more than half of all career civil servants (52.16 %), only 25% were at level A in 2003, and fewer than 20% of managers in the public administration and companies with more than 10 salaried employees were women. In terms of occupation rates, women account for only 37.72%, whilst men make up the remaining 62.17%; women also earn 30% less⁽¹⁷⁾.

This has led to talk of a "glass ceiling" and, more recently, a "sticky floor", in reference to these invisible barriers that stops women achieving equality. The extent of gender inequality can be seen in various aspects of women's daily lives, such as violence, health, political participation, education, access to new technology, and so on.

■ VIOLENCE AGAINST WOMEN: THE STRUGGLE TO MAKE INEQUALITY VISIBLE

Gender violence affects millions of women around the world. It is very widespread, resulting in high mortality, morbidity and cost, making gender violence a major social problem.

Violence against women was defined by the Beijing Platform for Action as a manifestation of historical inequality in power relationships between males and

⁽¹⁶⁾ MAQUIEIRA, Virginia (ed.). *Women, globalización y derechos humanos*. Barcelona: Cátedra, Feminismos collection, 2006.

⁽¹⁷⁾ OSBORNE, Raquel. "Desigualdad y relaciones de gender en las organizaciones: diferencias numéricas, acción positiva y paridad". *Política y Sociedad*, Vol. 42, Issue. 2, 2005.

females, leading to domination and discrimination against women, hampering their development⁽¹⁸⁾.

The Ministry of Health, Social Services and Equality estimates that there were 606 fatalities as a result of gender-based violence in Spain between 1 January 2003 and 31 December 2011. As both a theory and a social movement, feminism has come a long way, overcoming many obstacles, to define violence against women as a social and political problem. This is a type of culturally-justified violence that, as Ana de Miguel argues, oscillates between being regarded as normal and necessary in the natural sense, based on the natural differences between the sexes and their personal relationships, and being a pathological problem in the most serious cases⁽¹⁹⁾.

Since the 1970s, what is known as the "second wave" of feminism began to understand that one of the ways women are controlled is through violence or threats. Increased media interest in gender violence in Spain in the 1990s resulted in reports of women's deaths from male violence appearing in the "serious" press and on the television and radio news. It has taken a long time for the importance and seriousness of violence against women to be recognised. A specific case has been the difficulty of understanding gender violence as a strategy used in state policies to defeat an enemy during wartime. Terrasson argues that although rape was regarded as a war crime in 1914, it was not included in wider interpretations as it was not considered to be a systematically-practised terror⁽²⁰⁾.

Whilst it is true that there was talk of victims, there was always the suspicion that women may have consented, leading to notions of stains, dishonour and even social death - as a logical conclusion for raped women, who often had children as a result of being raped - and suicide. The Commissions – one British and one French – that condemned these acts treated them as individual excesses, but they were incapable of considering them in the context of the greater atrocities committed by the enemy. As a result, without a systematic interpretation of the issue, coupled with the discomfort of talking about sex at a time when the violence and hatred involved in sexual aggression against women had not been "discovered", the question was – repeatedly – forgotten. It was not until the Balkan conflict –in the early 1990s– that the seriousness of such aggression was recognised. It is not as though there was no known data on sexual abuse of women during armed conflicts; however, either this

(18) EUROPEAN COMMISSION: *European Institute for Gender Equality Annual Report 2010*. Luxembourg, Publications Office of the European Union, 2010.

(19) DE MIGUEL ÁLVAREZ, A. *Op cit*, pp. 127-150.

(20) TERRASSON, B. "Las violaciones de guerra y las mujeres en Francia durante el primer conflicto mundial: 1914-1918". In Nash, M. and Tavera, S. (eds.). *Las mujeres y las guerras. El papel de las mujeres en las guerras de la Edad Antigua a la Contemporánea*. Barcelona: Icaria, 2003, pp. 306-325.

information was ignored by public opinion or, even worse, such aggression was actually tolerated⁽²¹⁾.

The experience of violence has a close correlation with women's health. The WHO has found that women who are mistreated are four to six times more likely to need psychiatric treatment.

Lorente found that 60% of mistreated women have mild to serious psychological problems. And other authors, such as Polo report that 28.1% of women needing Mental Health Services had suffered physical mistreatment, and 75.9% suffered psychological mistreatment⁽²²⁾. Carmen Jiménez Casado studied the difference in the abuse of women in the general population and women using mental health services in Seville. In the general population, 8.33% of women are subject to physical violence, and 21.66% to psychological violence⁽²³⁾.

An unequal organisation of society results in worse health for women. The inclusion of the gender perspective in health shows that it is unusual for biology to be the sole cause of health inequalities. This provides a critical viewpoint that reveals the gender stereotypes and bias in the construction of the scientific-medical discourse, incorporating the perspectives of male and female patients, and taking into account the social contexts surrounding health processes and illnesses and their implications⁽²⁴⁾.

There may be significantly different health outcomes for men and women in any socio-economic group. Tubercular infection profiles differ for poor men and women, as do coronary cardiopathy profiles for rich men and women. Therefore, social factors exacerbate biological vulnerabilities. In reality, in many circumstances, social disadvantages are fundamental determining factors in unfair health outcomes. For example, the lower social autonomy of women and their structural disadvantages aggravate their biological sensitivity to the immune-deficiency virus. However, it should be remembered that scientists believed until very recently that there were differences in cerebral capacity due to race and gender, and that social classes had innate hereditary capacities⁽²⁵⁾.

⁽²¹⁾ OSBORNE, Raquel. "Desigualdad y relaciones de gender en las organizaciones: diferencias numéricas, acción positiva y paridad". *Política y Sociedad*, Vol 42, Issue. 2, 2005.

⁽²²⁾ LORENTE ACOSTA, M. *Mi marido me pega lo normal*. Editorial Crítica. Barcelona: 2001 and POLO USAOLA, Cristina. "Violencia de gender y maltrato psicológico". Course: Gender violence: General. Psychological and legal aspects. Madrid: 16 April 2007. www.institutodevictimologia.com/Formacion19f.pdf

⁽²³⁾ JIMÉNEZ CASADO, C. *Mistreatment in marriage of women in the Seville area*. Instituto Andaluz de la Mujer. Seville, 1995.

⁽²⁴⁾ GIL GARCÍA, Eugenia; ROMO AVILÉS, N. "Reflexiones en torno a la importancia de la perspectiva de gender para comprender los procesos de salud y enfermedad". Book: *Igualdad de Oportunidades y Conciliación: Una visión multidisciplinar*. University of Jaen, 2007, pp. 33-44.

⁽²⁵⁾ Cited by SEN, G, GEORGE, A, OSTLIN, P. *Engendering health equity: A review of research and policy from the Working Paper Series*. Harvard Center for Population and Development Studies, Harvard School of Public Health. 2005. 12.

Scientific-medical discourse displays gender bias in applied research when it wrongly assumed that health problems and risks are equal for men and women, or when it is assumed that there are biological and psychological differences when actually there are similarities, or in the assumption that health problems are only caused by cultural and social discrimination, ignoring other effects based on biological differences⁽²⁶⁾.

The gender bias perceives women to be more psychologically unstable. Coordinated research by the University of Granada has shown that women receive more anxiety medication and anti-depressants than men, and that they are more readily diagnosed with anxiety and depression. Medical discourse expresses the belief in a subjective female psychopathology based on the biological characteristics of being a woman, rather than as a consequence of social roles and behaviour⁽²⁷⁾.

Inclusion of the gender perspective requires research results to be put into context to understand the influence of sex-gender on the illness process, symptoms and the diagnosis of these symptoms by healthcare professionals. Many studies have identified the health effects of productive and reproductive tasks, and the consequences of the carer role, usually performed by women, and the real drama of violence against women⁽²⁸⁾.

■ HUMAN RIGHTS: PROGRESS TOWARDS EQUALITY FOR WOMEN

The principle of equality that has developed in political systems since the French Revolution, forming the spine of constitutional democratic systems, was established internationally in the second half of the 20th century with the creation of the United Nations, being one of the basic principles of its 1945 Founding Charter. The creation of the UN⁽²⁹⁾There began a gradual international commitment to the principle of equality, as the UN was founded on "faith in fundamental human rights, in the dignity and worth of the human person, in the equal

⁽²⁶⁾ ANGELL, Marcia. "Caring for women's health - What is the problem?" *New England Journal of Medicine*, vol. 329, 1993, pp. 271-272.

⁽²⁷⁾ ROMO AVILÉS, Nuria; VEGA, Amando; MENESES, Carmen; GIL GARCÍA, Eugenia; MÁRKEZ, Iñaki and POO, Mónica. "Sobre el malestar y la prescripción: un estudio sobre los usos de psicofármacos por las mujeres". *Revista Española de Drogodependencias*. Valencia: University of Valencia, 2004, 372-379.

⁽²⁸⁾ ARTACÓZ, Lucía; MOYA, Carmela; VENACLOCHA, Hermelinda and PONT, Pepa. "La salud de las personas adultas". *Gaceta Sanitaria. SESPAS 2004 report*. Vol. 18, n.º 1, pp. 56-68.

⁽²⁹⁾ The United Nations Organisation was created on 24 October 1945 by 51 countries with the aim of keeping peace through international cooperation and collective security. Today almost every country in the world is a member of the United Nations: in total it currently has 192 member states. Spain has been a member since 14 December 1955.

rights of men and women"⁽³⁰⁾. States become members of the United Nations by signing the United Nations Charter, which contains the fundamental principles of international relations and establishes rights and freedoms that must be respected and protected irrespective of race, sex, language or religion. It creates obligations for all member states, but it does not catalogue the rights to be respected or even specify how they should be applied. The commitment of all the member states has resulted in a protection system that has become ever stricter, and which has been committed to at the highest level⁽³¹⁾.

The struggle for equality between women and men that was begun in the 19th century by feminist movements in the context of domestic struggles within states, was still in its early stages when the United Nations was created in 1945⁽³²⁾. Of the original 51 member states, only 30 gave women the right to vote, and they did not allow them to occupy public positions. However, the writers of the Charter had the foresight to refer deliberately to "the equal rights of men and women"⁽³³⁾. Initially, the United Nations' work on behalf of women focused

⁽³⁰⁾ See: Preamble to the United Nations Charter.

⁽³¹⁾ In 1948 the UN General Assembly approved the Universal Declaration of Human Rights, listing a set of interrelated, independent and inalienable rights for human beings, with no distinction of nationality, place of residence, sex, national or ethnic origin, religion, language or any other difference. The General Assembly subsequently approved the Civil and Political Rights Covenant which came into effect in 1976. In parallel to the development of these regulations, the United Nations has also created a number of specific bodies to protect and promote human rights and to combat discrimination. Its main body is the Commission on Human Rights, which was created in 1946 by the Economic and Social Council. –Its mission is to examine questions relating to human rights, and to prepare and codify international standards, making recommendations to Governments– and the Commission on Human Rights. This was established under the Civil and Political Rights Covenant. The United Nations High Commissioner for Human Rights, a position created in 1993 to strengthen the UN's human rights mechanisms, is another important figure in this area. In 2006, the UN created the Human Rights Council as a better organised and more effective body to replace the Commission. In addition to these structures, the UN has also created other bodies to fight discrimination in specific areas.

⁽³²⁾ When women's rights and suffrage movements moved from the domestic into the international sphere, women were organised through the International Women's Congress and the International Alliance of Women for Suffrage, channelling a large peace movement. In fact, the League of Nations created by the Treaty of Versailles following the First World War, and the precursor to the United Nations, was created in part because of women's struggle for peace in the feminist-pacifist movement, under the The Women's International League for Peace and Freedom (WILPF), was founded in 1919. There is a story in this feminist-pacifist movement that when US President Wilson presented the fourteen points for "peace without victory" in 1918, as subsequently adopted in the Treaty of Versailles, he took an old screwed-up piece of paper out of his pocket with exactly the same handwritten points penned by Jane Addams. See: ALONSO, H. H. "Los inicios de la construcción del movimiento pacifista-feminista". In DÍEZ JORGE, E and SÁNCHEZ ROMERO, M. (eds.) *Género y Paz*. Icaria, 2010, p. 93.

⁽³³⁾ We now know that this was due to the intervention of Eleanor Roosevelt, the wife of the then US President and a leading feminist and supporter of human rights. She was responsible for the reference to the equal rights of men and women, and for the change of title from the traditional "Declaration of the Rights of Man" to the United Nations' eventual choice of the "Declaration of Human Rights".

on codifying the legal and civil rights of women and on collecting data on their legal and social conditions. This received a boost with the signature of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and with the creation of a number of institutions - starting with the Commission on the Status of Women (CSW) in 1946 - and other support bodies. These have brought pressure to bear through a number of international conferences. The most recent of these being in Beijing, which introduced the principle of gender *mainstreaming* in all public policies.

■ THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

The Convention on the Elimination of All Forms of Discrimination against Women is one of the most important international treaties in promoting equality between men and women internationally. Many consider it the International Charter of Human Rights for Women, as it covers all international regulations in this area⁽³⁴⁾. Acting in the same way as the United Nations, the Convention does not limit itself to establishing legal regulations; rather, it establishes areas of action for states, and these have to report on progress to the Committee from time to time to ensure that women's rights are being respected⁽³⁵⁾. This obligation on states is not limited to the public sphere, but extends to discrimination by any individual, company or organisation.

The CEDAW lists the protected rights and the commitments that States make to protect women. The introductory articles condemn all forms of discrimination against women. They emphasise the need for changes to the socio-cultural behaviour of men and women, guaranteeing the principle of equality and enjoyment of the rights enshrined in the International Covenant on Economic, Civil, Political, Cultural and Social Rights. It states the following rights expressly:

1. The right to non-discrimination (Art. 2 and 5).
2. The right to personal safety (Art. 6).
3. The right to take part freely in political life; to vote and be elected; to form their own organisations; to take part in the formulation and implementation of public policies; and to represent their government internationally (Art. 7 and 8).

⁽³⁴⁾ The Convention was adopted by the General Assembly in 1979 and came into effect in 1981. Spain ratified the CEDAW in 1984.

⁽³⁵⁾ Spain's Equality Minister presented the country's latest report to the Committee for the Elimination of All Forms of Discrimination against Women in 2009. This report details the legislative, legal and administrative actions carried out by the Government of Spain, including Organic Act 3/2007 on Equality and National Equality Plans, which we discuss in more detail below.

4. The right to acquire, keep or change nationality, independent of their marital status, with equal rights with regard to their children (Art. 9).
5. The right to education under equal conditions (Art. 10).
6. The right to work and equal pay, provisions and training (Art. 11).
7. The right to health (Art. 12).
8. The right to family benefits, to take out bank loans, mortgages and other forms of credit; to take part in leisure activities, sports and cultural life (Art. 13).
9. The right to equality for rural women (Art. 14).
10. Equality before the law (Art. 15).

■ **WOMEN AND THEIR CONTRIBUTION TO PEACE: GLOBAL CONFERENCES ON WOMEN**

Since the creation of the United Nations, the international perspective on women, their protection and their place in the world has been dominated by the struggle to achieve equality. Over the last twenty-five years, the international agenda has been driven by a need to create a new model of society where a culture of peace and gender equality provides the foundations.

The way in which women have traditionally been seen in wars and conflicts has remained very consistent throughout history and throughout societies. Women have usually been passive subjects of war, often invisible and always victims of the conflict⁽³⁶⁾, compared to male combatants. Women have often played the role of peace mediators, trying to bring the conflict to an end⁽³⁷⁾; and they have, of course, been responsible for caring for children and injured war victims. In other situations, in the midst of the horrors of war, women have had to take over the roles that society usually attributes to men, returning to their traditional roles at the end of the conflict, probably because these societies are not ready to confront the challenges of gender equality. Occasionally, their role as providers, carers and social and political administrators of their communities during wartime and post-war reconstruction has been recognised. But whilst women care for surviving male combatants, women do not receive the same care, either for their health or their rights. However, if we want post-war reconstruction to result in lasting peace, women should receive special attention and be fully incorporated into the peace process. The strategy of the

⁽³⁶⁾ Today, the majority of victims of wars are civilians (women and children) rather than soldiers. In particular, women and girls are victims of rape, often on a massive scale, as this is used as a "weapon of war" between the combatants, with the resulting physical, moral and social harm to the female victims. This resulted in the International Criminal Court declaring rape to be a "war crime", in the context of the genocide in Rwanda. See: TURSHEN, M. and TWAGIRAMARIYA, C. (eds.), *What Women Do in Wartime*. Zed Press, 1998, Passim: United Nations Reports, United Nations Development Fund for Women (UNIFEM). New York.

⁽³⁷⁾ Cf: FERRIS, E. *Women, War and Peace*, Life and Peace Research Report 14. Uppsala: 1993.

United Nations has therefore focused on working with women for peace, and on developing a gender perspective in establishing peace. We can therefore say that armed conflicts have a significant gender aspect. Gender analysis dismantles the traditional vision of armed conflicts as neutral realities, questioning the fact that the genesis of armed conflicts is independent of gender power structures in a particular society. Conflicts often arise because of the form of these power structures, which exclude a major part of society, namely women. Secondly, this also raises serious doubts about statements that seek to standardise the consequences of conflicts without taking gender and inequality into account⁽³⁸⁾.

This situation has been regarded in this way since the first International Women's Conference and, in particular, the United Nations' Fourth World Conference on Women, which stated:

"On the threshold of the 21st century, a dynamic movement towards a culture of peace derives inspiration and hope from women's visions and actions (...) Women's capacity for leadership must be utilised to the full and to the benefit of all in order to progress towards a culture of peace. Their historically limited participation in governance has led to a distortion of concepts and a narrowing of processes.. In such areas as conflict prevention, the promotion of cross-cultural dialogue and the redressing of socio-economic injustice, women can be the source of innovative and much needed approaches to peace-building.

"Women bring to the cause of peace among people and nations distinctive experiences, competence, and perspectives. Women's role in giving and sustaining life has provided them with skills and insights essential to peaceful human relations and social development. Women subscribe less readily than men to the myth of the efficacy of violence, and they can bring a new breadth, quality and balance of vision to a joint effort of moving from a culture of war towards a culture of peace"⁽³⁹⁾.

The global conferences organised by the United Nations since 1975 have brought the whole international community together in support of the objectives of the equality action plan to promote women's rights in all countries and all areas of public and private life. It is no longer sufficient to make a formal declaration of equality and to enshrine this in law; states must now prepare action plans and strategies to avoid discrimination⁽⁴⁰⁾.

⁽³⁸⁾ *Passim*, *Alerta! Informe sobre conflictos, derechos humanos y construcción de paz*, Escola de Cultura de Pau. Icaria Editorial, in particular 2005, pp. 131 and subsequent pages; 2006, pp. 125 and subsequent pages; and 2008, pp. 136 and subsequent pages

⁽³⁹⁾ See: Beijing Declaration. <http://www.unesco.org/cpp/sp/declaraciones/women.htm>

⁽⁴⁰⁾ Cf. BALAGUER CALLEJÓN, M. L. *Mujer y Constitución*. «La construcción jurídica del gender". *Op. cit.*, p. 53.

International conferences on women have been held in Mexico (1975), Copenhagen (1980), Nairobi (1985), Beijing (2000) and New York (2000 and 2005)⁽⁴¹⁾. These action plans have developed from the earliest versions that considered women in terms of their development needs, to now recognise the fundamental and essential contribution they can make to the whole development process, empowering their roles and promoting their right to participate fully at all levels of human activity.

The United Nations' First Global Women's Conference was held in Mexico in 1975. This was the first meeting of women to adopt a multi-year action plan featuring international gender equality strategies. This conference resulted in the creation of the Entity for Gender Equality and the Empowerment of Women (INSTRAW) and the United Nations Development Fund for Women (UNIFEM) and approved the Convention on the Elimination of all Forms of Discrimination against Women, CEDAW (1979).

This first conference coincided with International Women's Year in 1975. This gesture aimed to remind the international community that discrimination against women remained a problem in large parts of the world. One of the Conference's most significant achievements was to push the General Assembly to make a general commitment to gender equality. Five months later, the General Assembly proclaimed the United Decade for Women (1976-1985), launching *aplan* that would examine a series of factors to be considered in studying the legal and social situation of women⁽⁴²⁾. The main obstacles identified related to three objectives on which the United Nations undertook to work to benefit women:

- full gender equality and the elimination of discrimination based on gender;
- the integration and full participation of women in development;
- an ever greater contribution by women to strengthening world peace.

The Conference represented a change in the way that women were perceived, so that they were now seen in terms of full equality with men, with the same rights, resources and opportunities. It was not enough to wait for a people to develop in order to achieve equality; rather, direct participation by women was essential for development. This resulted in women taking a leading role in the Conference and in guiding the debates. 113 of the 133 member state

⁽⁴¹⁾ See: <http://www.un.org/spanish/conferences/Beijing/Mujer2011.htm> (Last checked, March 2011).

⁽⁴²⁾ The Conference encouraged governments to prepare national strategies and goals and priorities to promote fair participation by women. By the end of the United Nations Decade for Women, 127 states had established some form of domestic mechanism and institutions responsible for the development of policies, research and programmes to promote the rights of women and boost their participation in development. *Ibidem*.

delegations to the Conference were led by women. Women also organised a parallel forum for non-governmental organisations⁽⁴³⁾.

The United Nations' 2nd World Conference on Women was held five years later in Copenhagen, in 1980. The resulting Action Programme required stronger national measures to protect the ownership and control of assets by women, and the strengthening of women's rights in relation to inheritance, custody of children and loss of nationality. A new Action Plan was established to be assessed and reviewed at the 3rd World Conference, which was to be held five years later in Nairobi.

The World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace was held in Nairobi in 1985: the 3rd World Conference on Women. This took place at a time that the movement to achieve gender equality had finally obtained real international recognition⁽⁴⁴⁾. Many commentators have described this meeting as "the birth of world feminism". On finding that the objectives set in Mexico City had not been adequately achieved, the 157 participating governments adopted the *Nairobi Strategies*⁽⁴⁵⁾ to promote the rights of women by the year 2000⁽⁴⁶⁾. Its main innovation was the declaration that all issues were women's issues⁽⁴⁷⁾.

The 4th World Conference on Women was held in Beijing in 1995 and represented a turning point in the treatment of gender. Following Beijing, it was considered that any change in the situation of women affected society as

⁽⁴³⁾ However, the participants had different priorities that revealed the realities facing women in different parts of the world: whilst women from countries in the east were most interested in problems of peace, western women prioritised equality. This made a decisive contribution to the creation of a unified international women's movement (with over 4000 participants) and to the United Nations opening up to non-governmental organisations; this gave women a voice in the Organisation's policy development process. *Ibidem*.

⁽⁴⁴⁾ On this occasion, 15,000 representatives of non-governmental organisations (NGOs) took part in a parallel non-government forum.

⁽⁴⁵⁾ The reports submitted to the Conference found that the Action Plans agreed had not been implemented by the states, or only very partially; a wide-range of measures were therefore agreed, including the need to promote reform of employment law; to promote more active education policies; and to boost institutional feminism through the creation of government women's offices.

⁽⁴⁶⁾ One of the first results of the Nairobi Conference was the transformation of the Fund for the United Nations Decade for Women into the United Nations Development Fund for Women (UNIFEM, now part of UN Women). See: <http://www.unwomen.org/es/> UN Women merged four existing United Nations agencies. The decision to create it was adopted by the General Assembly in July 2010, merging the United Nations Development Fund for Women (UNIFEM), the Division for the Advancement of Women (DAW), the Office of the Special Advisor on Gender Issues and Advancement and the Entity for Gender Equality and the Empowerment of Women (INSTRAW). This new body is responsible for accelerating progress in gender equality and the empowerment of women. It came into operation on 1 January 2011, under the presidency of Michelle Bachelet, the former-President of Chile.

⁽⁴⁷⁾ See: <http://www.un.org/es/globalissues/women/#1325>

a whole, considering that women could not be treated as an isolated sector, but rather than they should be an integral part of all state policies⁽⁴⁸⁾.

The conference unanimously approved the Declaration and the Platform for Action, including a new mechanism for action called *gender mainstreaming*. This *mainstreaming* involves including the gender perspective as a common tool in the design, implementation and assessment of public policies, whatever their area of application or content. Incorporating a gender perspective involves an examination of society as a whole to reveal and analyse the fundamental causes and structures of inequality. Therefore, this does not just focus solely on women and their legal and social situation; rather, it aims to reorganise institutions and to adopt political decisions that promote equality affecting society as a whole.

"The fundamental transformation that took place in Beijing was the recognition of the need to bring gender perspectives to the centre of attention in policies and programmes for women, recognising that the whole structure of society and all relations between men and women within this structure would need to be reassessed. It will only be possible to fully empower women to take their due place as equal partners with men in all aspects of life through a fundamental restructuring of society and its institutions. Such a change represented a reaffirmation that the rights of women were human rights, and that gender equality was an issue of universal interest and of value to all"⁽⁴⁹⁾.

In the latter regard, the Conference defended the rights of women as human rights, undertaking to take specific action to ensure that these are respected worldwide. The most important consequence of this declaration was the organisation of the 2nd International Conference on Human Rights, held in Vienna in 1993⁽⁵⁰⁾.

171 states took part and proclaimed the "legitimate concern of the international community". This involved a fundamental change, as it accepted under the

⁽⁴⁸⁾ Non-governmental organisations and associations now took the lead. The Conference was a global meeting of a large number of feminists and women's association from around the world.

⁽⁴⁹⁾ See: <http://www.un.org/es/globalissues/women/#1325> In order to monitor performance of the Beijing commitments, the United Nations' Commission on the Legal and Social Status of Women held three further meetings at its New York headquarters: in June 2000 (Beijing+5), in February 2005 (Beijing+10) and in March 2010 (the Beijing+15 revision). These reaffirmed the commitments made at the 4th Conference, but did not represent a breakthrough on the scale of Beijing. <http://www.cinu.org.mx/temas/mujer/confmujer.htm> (Last checked, 7 April 2011).

⁽⁵⁰⁾ "The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on the grounds of sex are priority objectives of the international community", Vienna Declaration, Art. 18.

prompting of women that human rights could be enjoyed both in public and in private, and that they could therefore be breached in both of these. This was a radical development as, previously, the system had been based on breaches by states and only related to the political and social spheres. *Thus, for the first time, acts by individuals in private could also be the responsibility of the state*⁽⁵¹⁾.

■ HUMAN SAFETY: CONCEPTUAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF WOMEN

In October 2000, the United Nations Security Council approved Resolution 1325 dealing with armed conflict and women. This has been of the utmost importance in developing gender policies and promoting the equality of women. This document is entirely dedicated to development of the gender perspective on armed conflict and peace building. It therefore deals with two of the most serious issues for women globally: firstly, the impact of armed conflicts on women and girls, and, secondly, the role that women can play in peace building, which could involve training women in peace keeping, giving them access to the structures of power: "peace is inextricably linked to equality between men and women; in other words, there can be no human safety without gender equality".

Since approval of the Resolution, there have been a range of initiatives to promote their application throughout the United Nations, and to encourage member states to get involved and be aware of their responsibilities. In response to the request from the General Assembly, the secretary general prepared a report entitled "Gender mainstreaming in peacekeeping activities", which gave the following definition: "Gender mainstreaming in peacekeeping activities is the full incorporation of gender perspectives into all peacekeeping activities, from the initial stages of ceasefire negotiations and the establishment of mandates for peacekeeping operations, to post-conflict situations". As a result, two responsibilities were established for the United Nations Department for Peacekeeping Operations (DPKO):

- To incorporate the gender perspective into its work.
- To help the efforts of the affected population to incorporate the gender perspective into their national structures as an essential element for increasing security in post-conflict societies.

⁽⁵¹⁾ See: CANÇADO TRINDADE, A. A. "El proceso preparatorio de la Conferencia Mundial de Derechos Humanos" (Vienna 1993). *Instituto Interamericano de Derechos Humanos Magazine*, 1993. and "Balance de los resultados de la Conferencia Mundial de Derechos Humanos" (Vienna, 1993). *Instituto Interamericano de Derechos Humanos Magazine*. Estudios Básicos de Derechos Humanos, volume III, pp. 17.

This means that human security must be used to improve conditions for women in their families and communities, as human security based on individuals does not necessarily imply a gender-sensitive approach. Very frequently, this implies a neutral approach which ends up excluding women.

The Commission on Human Security⁽⁵²⁾ (CHS) has defined this as "protection of the vital nucleus of all human lives, in order to increase human freedom and personal realisation" (CHS 2003:1)⁽⁵³⁾. This definition provides a new focus for the traditional concept of human security, moving away from the security of states through military aggression and focusing on the security of individuals and their protection and empowerment. It also focuses on the multiple threats that affect various aspects of our lives, highlighting the connection between security, development and human rights. This results in a new integrated and coordinated approach centred on people working towards peace, security and development both within and between countries (CHS 2003: 4).

"Human Security complements state security, strengthens human development and enhances human rights" (CHS: 2003: 2), but whilst state security focuses on direct threats to the State, mainly in the form of military attacks, human security shifts the focus of attention to a wider range of threats to individuals and communities (CHS 2003:6). The specific situation of women and incorporation of the gender perspective is of fundamental importance in understanding what human security really means. As part of the United Nations' efforts to promote peace, the human rights of women and human development, we can note some aspects that have a direct impact on security:

1. Violence against women is one of the mechanisms through which women are kept subordinate to men; this is true whether exercised in the home or tolerated socially, as during armed conflicts; this is one of the major factors in human insecurity.
2. Inequality in power and decision making. Both CEDAW and the Beijing Action Platform have called for increased participation by women in formulating policy and in access to governmental and non-governmental power structures. Likewise, in peace building processes, Resolution 1325 highlights that the position of women is fundamental both for the the impact of armed conflict on women and because of the role they can play in peace processes as active and capable agents. These capabilities all too often go unnoticed; it is therefore necessary to promote an increased female presence and greater recognition of their work in formal and informal instances of transformation of conflicts.

⁽⁵²⁾ The Commission on Human Security was created in January 2001 as a result of a call by the UN secretary general at the 2000 Millennium Summit.

⁽⁵³⁾ Commission on Human Security report 2003.

3. Inequality in access to, and control of, resources, as limitations on women may affect land, private property and inheritance, stopping them from maintaining themselves and their families and communities, when it has been shown that they play a key role in the economic development of societies.
4. Global implementation of the rights of women in education, health, employment, personal safety and special protection against trafficking, exploitation, sexual abuse, prostitution etc.

Over the last decade, women's movements have taken an active role in a large number of issues related to recognition of human rights for women, ensuring that these have become part of the mandate of the International Criminal Court. For the first time in history, the Rome Statute mentions criminal offences against women. For example, Art. 7.1 deals with sexual slavery, rape, forced prostitution, forced pregnancy, forced sterilisation and any other form of sexual violence, which today are regarded as crimes against humanity. Women's movements are also promoting the human rights of women at the national level. For example, they have managed to change the law so that women can now inherit land from their dead husbands in order to maintain themselves; furthermore, it is now illegal to beat women and certain polygamous practices are also prohibited.

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Therefore, no human security objective can be achieved without taking into account protection and respect for the human rights of women, which must become a priority on the human security agenda. However, this does not mean abandoning state protection against external threats and internal security conflicts, due to the fact that, as we have argued, human security does not replace state security. The two, in fact, are complementary: "human security and state security are mutually reinforcing and interdependent. There can be no state security without human security, and vice versa" (CHS: 2003: 6).

There is a second landmark in the mainstreaming of gender in terms of human security: Resolution 1820, of 2008. This pays particular attention to the use of gender-based violence as a weapon of war in armed conflicts⁽⁵⁴⁾. The Security Council has condemned such practices many times, instructing the parties to end them and to respect international standards for the protection of civilians during armed conflicts. UNIFEM has done significant work in this field, and held a seminar in the UK in June 2008 entitled "Women Targeted or Affected by Armed Conflict: What Role for Military Peacekeepers?"⁽⁵⁵⁾ which opened

⁽⁵⁴⁾ This includes sexual violence, rape, mutilation, forced marriage, forced abortion, denial of the use of contraceptives and sexual slavery. Gender inequality tends to increase during armed conflicts, worsening existing patterns of violence. Women are used as strategies and weapons of war to break up families and communities, for ethnic cleansing, as rewards for soldiers, to break the resistance of a community, to apply political pressure etc.

⁽⁵⁵⁾ UNIFEM. *Women Targeted or Affected by Armed Conflict: What Role for Military Peacekeepers?* United Kingdom: UNIFEM/DPKO, 27-28 May 2008.

a pointed and very necessary debate, mainly for countries contributing troops because of its impact on the ground, but also in training⁽⁵⁶⁾.

The *Addressing Conflict-Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice* publication (United Nations Department of Peacekeeping Operations, UNIFEM and the United Nations' Campaign against Sexual Violence in Conflicts, June 2010) will form the basis of a training programme based on hypothetical situations to be used prior to deployment of peacekeeping personnel to improve their abilities to prevent sexual violence⁽⁵⁷⁾.

The following table prepared by the Escola de Cultura de Pau⁽⁵⁸⁾ summarises the main actions and practices that can help to combat sexual violence as a weapon of war in peacekeeping missions (Table 1.1).

In 2010, Resolution 1960 was approved on sexual violence against women in armed conflicts, setting out the actions of armed forces in peacekeeping processes.

⁽⁵⁶⁾ UNIFEM. United Nations Department of Peacekeeping Operations, UN Action against Sexual Violence in Conflict. *Addressing Conflict-Related Sexual Violence – An Analytical Inventory of Peacekeeping Practice*, UNIFEM, United Nations Department of Peacekeeping Operations, UN Action against Sexual Violence in Conflict, 2010. http://www.unifem.org/attachments/products/Analytical_Inventory_of_Peacekeeping_Practice_online.pdf

⁽⁵⁷⁾ Other entities have also prepared instruments and directives to provide support for incorporating the gender perspective into peacekeeping and the humanitarian actions of the United Nations. For example, the Inter-Agency Standing Committee published the *Manual on gender questions in humanitarian actions. Women, girls, boys and men. Different needs - equal opportunities* (2006), which helps in planning, implementing, monitoring and assessing programmes from a gender perspective. In 2009, UNICEF produced a Manual to coordinate interventions in the event of gender-based violence in humanitarian situations (available at <http://www.humanitarianreform.org/Default.aspx?tabid=453>).

⁽⁵⁸⁾ <http://escolapau.uab.cat/>

Table 1-1

Tasks and tactics in the fight against sexual violence	Elements ensuring an effective response
Preventive physical protection: armed patrols and escorts	Leadership backed by a strong command and control structure
Joint civilian-military protection teams	Systematisation of ad hoc <i>responses</i>
Rapid impact projects	Understanding of the relationship between sexual violence and the re-establishment of peace and security, by means of mandates that are clear, attainable and sufficiently robust
Tasks of dissuasion, by means of visible presence	Willingness and resources to patrol and operate in non-conventional spaces (in the vicinity of villages, barracks, fields and woods) in response to non-conventional and often barely visible threats
Cordon and search operations	Consultations with all segments of society, including women, to gather intelligence information, build trust and provide information on protection activities
Community outreach	Incentives that acknowledge and reward successful initiatives for combating sexual violence, and recognition of their contribution to the overall success of the mission
Security in the distribution of humanitarian aid	Effective co-ordination between the military and others with responsibility for protection
Design and management of camps for displaced persons and refugees from a gender perspective	Codes of conduct and training in order to leave a legacy of security for women and girls
Public information: supervision, reporting and communication aimed at changing attitudes	Gender balance in recruiting and deployment of forces
Electoral security for women	
Disarm, Demobilise and Reintegrate (DDR)	Demilitarisation and supervision of gender-sensitive ceasefires
Reform of the gender-sensitive security and justice sector	
Non-combatant evacuation operations	
Anti people-trafficking operations	
Improving conditions for detained women	

SOURCE: Escola de Cultura de Pau. Barometer 24 on the gender dimension in peace building.

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CHAPTER TWO

INTEGRATION OF THE PERSPECTIVE OF GENDER INTO THE ANALYSIS OF ARMED CONFLICTS AND SECURITY

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ABSTRACT

The integration of the perspective of gender into international security is the result of a historic and socio-political process that officially took form with Resolution 1325 and its successors on women, peace and security. In the context of armed conflict, women have become a military target due to an increasing and generalised recourse to gender violence as a weapon of war. This criminal action has unfortunately thrived because of its very invisibility, the frequency with which perpetrators escape punishment and its devastating effects. However, it is an international crime that can and should be pursued using the legal instruments provided under domestic and international law. This should be accompanied by a decisive effort to increase information, education and training on this issue, increasing the awareness of politicians, the military and public opinion in general.

Key words:

Women, armed conflict, gender, international security

■ WOMEN AND ARMED CONFLICT

■ Introduction

Sexual violence in the context of armed conflicts is recognised today as an international security issue. Extreme gender violence has taken place throughout history on all continents, but has now reached the scale of "femicide". Since 2000 it has been a priority objective for the United Nations, which in Resolution 1325 declared that "peace is inextricably linked to equality between men and women".

As we will see, systematic rape, extended periods of sexual slavery, murder of victims of sexual assault, the silence and suffering of women and the impunity of the perpetrators of these crimes recur frequently in many of the armed conflicts in today's world. In this regard, Resolution 1325 and its successors have specifically addressed gender issues and security, in pursuit of two main objectives: firstly, to prevent gender violence in armed conflicts and protect women and girls from its effects; and secondly, to increase the role of women in peace processes. Despite the vagaries of this process since it was initiated by the Security Council in 2000, the combination of these two objectives is a revolutionary approach to the status of women: it recognises the unbreakable connection that must be established between gender violence and the increasing role of women in preventing and resolving conflicts, peace building and reconstruction.

■ The prevalence of gender in armed conflicts

The profound changes that swept through Europe in the age of revolutions at the start of the contemporary age altered the nature of wars, as was inevitable. However, the essential factors remains the same: its brutal effect on the population, the profound changes to the economic structure of the parties in conflict, the negation of values, etc. However, in the course of the 19TH and 20th centuries, the appearance of mass armies, the professionalisation of the armed forces and the application of the industrial revolution –and subsequently technology– to conflict resulted in a progressive change in the nature of conflicts, for example, in the type of victims of wars. So, whilst in the First World War soldiers accounted for around 95% of victims, in more recent conflicts this ratio has been completely inverted, with non-combatant civilians now accounting for the vast majority of victims, being displaced, exiled, attacked, tortured, injured, killed or disappearing.

Some of the most shocking recent cases of civilian society becoming the specific objective of armed conflicts include the mutilation of civilians in Sierra Leone, torture in Guatemala, Iraq and Afghanistan, forced displacement

of people in Sudan, Angola and Liberia, anti-personnel mines in Angola and Cambodia, destruction of homes in Palestine, suicide attacks on buses in Israel, recruitment of child soldiers in Sri Lanka, Colombia and Uganda and sexual violence against women and girls and their enslavement in Paraguay, Congo, Darfur and Libya.

However, we have also seen parallel developments in international humanitarian law to defend the civilian population in armed conflicts, and women in particular, who have been afforded protection since the Geneva Convention⁽¹⁾.

Nevertheless, studies of the effects of armed conflicts on the civilian population find that a substantial part of wartime violence is gender-based. The changes wrought by war therefore affect not just gender relations, but also the roles played by men and women. The fact that war provokes increased violence against women by fomenting an increase in the discriminatory behaviour already present in society should not distract from the fact that wars also generate violent conduct specifically targeted at women. However, integrating the gender perspective into analysis of armed conflicts does not mean we are just treating women as victims and men as the absolute and sole perpetrators of violence. The assumption of this principle by the United Nations has resulted in the political role of women during armed conflicts being reassessed. In other words, on the one hand protective measures have been put in place, and on the other the scanty political role women have traditionally played has been reconsidered, with the need to increase their role in resolving conflicts. This will guarantee that gender will be treated as a priority question, reducing the extreme risks for women in conflict zones.

Women play an important part in family structures in all societies. When the family's men leave for combat or are arrested, disappear, die, are hidden, displaced or exiled, women take on many additional responsibilities. Not only do they have to take on much greater responsibility for caring for their own children and less-mobile relatives who are elderly or ill, they also become more involved in food production and other economic activities.

The absence of so many of their companions increases the insecurity of the women and children who have been abandoned. War brutally ruptures the community's traditional support mechanisms, leading to many women fleeing the war. ACNUR's research has confirmed that the majority of the world's displaced people and refugees are women and children.

Despite this, many women do not flee from combat or the threat of hostilities, partly because they believe that they will be afforded greater protection from

⁽¹⁾ Article 27 of the Geneva Convention states "Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault".

the aggressors because they are women. However, the opposite is the truth. Women suffer seriously from the direct and indirect effects of combat, and are subject to bombardments and indiscriminate attacks on their communities. Their movements are restricted, limiting access to water supplies, food and drink and medical care. They are often placed in hazardous situations and subject to threats to their safety and that of their children. This increases the risk that they will suffer abuse, including sexual violence, which can sometimes affect a huge number of women of all ages⁽²⁾.

War heightens the traditional exclusion of and discrimination against women. There have been systematic attacks on the female population of all ages throughout history and on every continent. This is a global phenomenon with devastating effects, not just on the victims, but also on the whole community. Despite this, such violence has historically been sidelined as a regrettable, and yet inevitable, consequence of war. This has been attributed to the unstoppable sexual desire of combatants, who have spent a long time without the company of women and who are removed from the usual social sanctions against rape by the very logic of war. Sometimes such social sanctions are simply ignored.

However, sexual abuse is not limited to rape; it also includes sexual slavery, enforced prostitution, enforced sterilisation, female genital mutilation, enforced pregnancies and "transactional sex" i.e. sexual favours in exchange for protection, food, documentation or money. Nevertheless, the most devastating form of sexual violence is probably the systematic rape of women, a war crime that is said to be practically invisible. In fact, until very recently this was not even regarded as a serious violation of international humanitarian law. It only began to be regarded as such from the 1990s with the genocide in Rwanda and the war in Bosnia, when sexual violence began to be treated as a war crime.

Since then, sexual violence has been considered a weapon of war. This means that extended and brutal attacks on women by armed militias are now regarded as having a military objective. Such attacks are not accidental. They aim to achieve a specific objective, such as spreading terror and displacing large populations, destroying whole communities, eliminating a race or ethnic group or rewarding troops. According to Amnesty International⁽³⁾,

"The attack may be highly gendered - while men are killed, women are subjected to rape and other forms of sexual assault. Women are attacked to destroy their mental and physical integrity. They are attacked publicly to demonstrate the powerlessness of men to defend the community. And they are attacked as bearers of the next generation: their reproductive capacity is

⁽²⁾ LINDSEY, Charlotte. "Women Facing War". *International Red Cross Magazine*, n.º 839, 2000, pp. 561-580.

⁽³⁾ AMNESTY INTERNATIONAL. *Lives Blown Apart. Crimes Against Women in Times of Conflict*. 2004.

either destroyed or harnessed through forcible impregnation to carry the child of the enemy. Rape as part of an attack on a community can be an element of genocide. When killings and other crimes, including rape, are committed with intent to destroy in whole or in part a national, ethnic, racial or religious group, whether in peace or war, then the crimes constitute genocide".

However, we are not only dealing with sexual violence. In general, gender-based violence –in both war and peace– is a strategy for perpetrating the patriarchal system. We can succinctly define the term "patriarchal system" as a global culture of discrimination that denies women equality with men. It is a series of social, political and religious norms that establish women as the property of men, for example, identifying female chastity with the honour of the family or even the whole community. Gender-based violence is one of the fundamental pillars of this patriarchal system in all contexts, serving to perpetuate it as the dominant system of social structure.

■ The Legacy of the Contemporary Age

The contributions of the contemporary period to the art of war are not limited just to the application of technology, the arms race or the "style" of total war extending global confrontations to a wider theatre of operations than ever before, harnessing all of the nation's resources in the service of the confrontation. The legacy of this period also includes violent and excluding nationalism which have poisoned whole generations over the last two-hundred years, and the ferocious colonialism and imperialism of the final decades of the 19th century, which persisted until after the Second World War, and to which the roots of most of today's wars in Africa and Asia can be traced. This is our heritage and, in Europe, is also a debt to our former colonies.

The history of war subsequent to the cataclysm of 1945 is that of a false *impasse* during the Cold War, which saw the outbreak of what were euphemistically known as "low-intensity conflicts". Over recent decades, more localised armed conflicts have increasingly become the norm, spreading their impact all over the world and affecting the civilian population in particular.

Whilst direct participation of women in armed conflicts has been relatively rare throughout history, it has not been exceptional and it is aggravated by global confrontations. Whilst Kerensky's "Battalion of Death" had 2,000 volunteer Russian female soldiers, in 1941 up to one million women enlisted in the Soviet army. The same can be said of the resistance in Yugoslavia, the partisans in Italy, the US Women's Army Corps (WAC) and the 400,000 British women in the armed forces and its war industry. Despite the reluctance of some allied countries such as France to send women to the front line, and the significant participation of the German "*Blitz Madels*" and

the Finnish *lottas* in administration and passive defence, there were a number of female participation strategies in relation to the ideological hegemony of the belligerent nations. In general, the the Pact of Steel countries were more reluctant than the allies to use women, as they did not consider the war to be sufficient justification to break the policy of sexual segregation, or "separate spheres", imposed in the bourgeois revolutions of the 19th century.

The first call to the female population was to replace men as labour as they went to the front. In rural areas, this was pretty much what had always happened. The participation of women in the war industry reached its peak in the Second World War, and *Rosie*, the nickname initially used in the USA for riveters and welders, spread to female workers in factories in general, becoming an icon in every country, although to differing degrees.

Some of the largest volunteer corps created at the time were the Finnish *lottas*, the "grey mice" in Germany and the *marinettes* in France. These groups usually carried out administrative tasks, nursing, stores, supply and provision management, driving and vehicle maintenance, communications, air surveillance and passive defence tasks. In Great Britain alone, at the end of the Second World War, there were more than four-hundred thousand women serving in the military forces, almost 10% of the total armed forces.

Since the end of the Second World War, women have been taking a much larger part in armed conflicts. Women today are taking an active part in many conflicts throughout the world; many of these are volunteers, but others are enforced.

Women have taken an active role in post-1945 conflicts, for example during the wars of national liberation, particularly in Vietnam, where hundreds of thousands of women were involved in combat between 1946 and 1975, first against the French occupation forces and then against the USA and South Vietnam. It was also true of the guerrillas in the Zimbabwe African National Liberation Army, who fought against the racist Salisbury regime in what was then Rhodesia, and which had four thousand women soldiers - 6% of its military forces. It is estimated that 30% of the armed forces of the Tamil Tigers who fought the government of Sri Lanka for decades were women⁽⁴⁾.

It is estimated that 3% of the professional soldiers in the world are women. However, in reality, these figures cloud the situation a little by taking a global average. This practice is much more widespread in Western armies than elsewhere in the world. For example, Spain started to allow women to join its army as troops in 1988. Since then, Spain has extended and facilitated the integration of women into its Armed Forces; with women now accounting for some 12% of its military personnel, and 18% of its troops. At present, there is

⁽⁴⁾ HERRMANN, Irène; PALMIERI, Daniel. "Between Amazons and Sabines: a historical approach to women and war". *International Review of the Red Cross*, vol. 92, n.º 877, 2010, p. 23-25.

an ongoing debate in Western armed forces about the need to restrict, or indeed expand, access for women to combat posts, although it does not seem that this will have much effect in Spain.

Other women serve in the armed forces involuntarily, such as the many women forced to perform military service, sometimes in armies that are at war, for example in the Israeli armed forces.

Women also played a significant part in 20th century guerrilla movements in Latin America. Some armed forces also enlist children, both boys and girls that are not always volunteers and are not always free to stop fighting.

There are also women supporting the combat operations of armed terrorist groups. One significant example of this is the Chechen women who call themselves *Shakhidki*, and who contribute most of the suicide bombers in the current conflict between Russia and the Chechen Republic. In the Middle East, women account for 7% of Palestinian suicide bombers and 1% of suicide bombers in Iraq. Girls are also used as suicide bombers in these conflicts.

However, although the role of women in wartime has been changing, particularly following the two world wars, increasing the number of women soldiers and their presence in the theatre of war in general, this does not mean that women are the protagonists in these wars, or that they always have active or agency roles. The majority of women do not enrol voluntarily, and nor do they attend emergency courses for workers, helpers or nurses. Many suffer the war and all its consequences, without this empowering them as the head of family or owners of their destiny for the first time in their lives. Quite the contrary occurs, a large part of the female population is objectified as a military target and/or recreation for soldiers. These women are the victims of gender-based violence and repression. The hundreds of thousands of documented rapes in theatres of war form part of "scorched earth" policies.

There were thousands of rapes during the Second World War. One of the worst cases in the 20th century was that of the Japanese "Comfort Stations", where thousands of women, many very young, were forced to serve as sexual slaves for the Imperial Japanese Army for many years. Although the real numbers will never be known, it has been estimated that around fifty thousand women were raped by Japanese troops during the Nanking massacre. These Comfort Stations proliferated throughout the entirety of the Second World War, spreading to China, Taiwan, Borneo, the Philippines, many Pacific Islands, Singapore, Malaysia, Burma and Indonesia. It has been estimated that around two-hundred thousand women were kidnapped and subjected to a brutal regime of enforced prostitution, including torture, brutal punishments, rape, sterilisation and enforced abortions. The majority were young Koreans from poor families, who endured years of brutal punishments. It is believed that at least half of these "comfort women" were killed, although to date the Japanese

Government has not revealed the true scale of this extensive system of sexual slavery or accepted responsibility for this crime⁽⁵⁾.

Meanwhile, many Berliners have horrendous memories of the end of the war, when the Soviet army "liberated" the city. The British historian Antony Beevor calculates that around two and a half million women and girls were raped by Russian troops in the final months of the Second World War, including around one hundred thousand in Berlin alone. His research reveals some aspects of the actions of Soviet troops in European territory that contradicts the theory of the Russian hordes taking vengeance for the sins of the Nazi party. Not only did they rape hundreds of thousands of German women, but they also raped women from their own country who had been desperately awaiting liberation, including young Ukrainians and Russians who had been taken to Germany as slaves and prisoners freed from concentration camps⁽⁶⁾. Beevor concludes that the reaction of the Soviet authorities to evidence of mass rapes –which they clearly tolerated– was never to reinforce the discipline of Red Army soldiers, and that they never showed any sign of wanting to prevent these actions by their men⁽⁷⁾.

At the end of the Second World War, both sides in the conflict accused the other - with some justification - of mass rape. However, neither the Tokyo nor Nuremberg Tribunals addressed the crime of sexual violence. And although the Geneva Conventions pointed in the right direction, it would be decades before we became aware of the huge risks that women face because of their gender in armed conflicts. Throughout this time, and continuing today, there have been repeated systematic flagrant violations in armed conflicts.

In Central Asia, systematic rape was a very common practice in the wars of national liberation. According to various studies, around seventy-thousand women may have been victims of sexual violence during the partition of the Indian subcontinent⁽⁸⁾. Many others died in order to avoid becoming victims of sexual violence, either by committing voluntary or enforced suicide – often induced by their own families–, or killed by their own families or communities in order to ensure that the honour of the community was not tainted. Furthermore, thousands of women were kidnapped and sexually abused. The official figures recognised that at least fifty-thousand Muslim women were kidnapped in India, and at least thirty-three thousand Hindus and Sikhs were kidnapped in Pakistan, during partition. After a number of inter-government

⁽⁵⁾ CHUNG, Haeng-Ja, "The Comfort Women: Sexual Violence and Postcolonial Memory in Korea and Japan". *American Anthropologist*, vol. 112, n.º 2, 2010, pp. 337-338. HICKS, George. *Comfort Women, Sex Slaves of the Japanese Imperial Forces*. Silkworm Books, 1995.

⁽⁶⁾ BEEVOR, Antony. *Berlin: The Downfall, 1945*. Barcelona: Ed. Crítica, 2002.

⁽⁷⁾ BEEVOR, Antony. Interview with Beevor at <http://www.jetcer.com/?p=42> Last checked on 12 December 2011.

⁽⁸⁾ ESCOLA DE CULTURA DE PAU. *Alerta 2010! Informe sobre conflictos, derechos humanos y construcción de paz*. Barcelona: Icaria, 2010.

agreements, around twelve thousand five hundred women in India and six thousand two hundred in Pakistan who had been taken prisoner during the conflict were "recovered"⁽⁹⁾.

There were also shocking abuses of women in Bangladesh in 1971, by all the armed groups and in all ethnic groups. The victims belonged to different religions, social classes and ethnic groups. The exact figures will never be known, but it has been estimated that between two hundred thousand and four hundred thousand women were victims of sexual violence. The majority of these were Bengali women attacked by Pakistani soldiers in what was, according to many analysts, an organised strategy to spread terror in the population of East Pakistan⁽¹⁰⁾.

Burma, in south-east Asia, has been ruled by a dictatorship since 1964. Politically isolated from the rest of the world and governed with an iron fist by a Military Junta, Burma has –together with Sierra Leone– the lowest GDP *per capita* in the world. The main purpose of the repression imposed by Burma's military regime was to suppress ethnic minorities trying to resist its rule, in particular the *Karen*, the *Shan* and the *Mon*, although this also affected the *Mien*, *Akha* and *Lisu*. Over the decades, this persecution resulted in a major refugee crisis in neighbouring countries. Among the many attacks on the civilian population, there has been systematic and selective rape of women and girls. There is even a group of soldiers detailed specifically to carry out the mass rape of women belonging to certain ethnic minorities. They are known by the public as the "rape battalions". They were created to terrorise, demoralise, repress and control these ethnic groups and, ultimately, to encourage them to go into exile⁽¹¹⁾. According to ACNUR, these units operate by touring Burma's towns and selecting very young girls, who they kidnap and send to their barracks, where they are forced to parade in front of the soldiers so that they can choose which one they want to rape. And this happens every night until they decide to kill or free their victims. Surviving victims almost always know the name, rank and barracks of their attackers, and they often bump into them. There is no way of finding out how many women are suffering from the Burmese regime's rape policy, as there is obviously no way for the victims to report the assault, often leading them to suicide as the only way to escape their trauma. Another alternative is to leave, thus achieving the military objective of the systematic rape policy.

⁽⁹⁾ BHASIN, Kamla and MENON, Ritu (1998). *Borders and Boundaries. Women in India's Partition*, New Jersey: Rutgers University Press; Butalia Urvashi (2000), "Margins", in *The Other Side of Silence: Voices from the Partition of India*. Duke University, pages 233-272.

⁽¹⁰⁾ SAIKIA, Yasmin. "Beyond the Archive of Silence: Narratives of Violence of the 1971 Liberation War of Bangladesh", *History Workshop Journal*, vol. 58, n.º 1, 2004, pp. 274-286. SAIKIA, Yasmin, *Women, War and the Making of Bangladesh: Remembering 1971*. Duke University Press, Durham: 2011.

⁽¹¹⁾ Amnesty International (2004), *Stop Violence against Women*.

Latin America was also a region in conflict during the Cold War: civil wars, interstate conflicts and authoritarian political systems directly controlled by the military, in many of which attacks on women were a common practice.

A prime example of this is the civil war in Guatemala. This has been going on for over thirty years, and has resulted in at least one hundred thousand women being raped, many of them from indigenous communities. 99% of sexual crimes during the war were committed by members of Guatemala's army, civil patrols and the so-called civil self-defence patrols, paramilitary forces created by the government⁽¹²⁾.

The establishment of the Comisión de Verdad y Justicia (Truth and Justice Commission) in Paraguay in 2003 uncovered the crimes committed during the dictatorship of General Stroessner between 1954 and 1989. During this period, thousands of people were victims of serious abuses, such as arbitrary detention, torture, disappearance, enforced exile and murder. Some of these crimes were committed in the context of Operation Condor, a coordinated plan involving the military governments of Argentina, Bolivia, Brazil, Chile, Uruguay and Paraguay to eliminate their opponents during the 1970s and 1980s. These human rights violations included violence against women, in particular subjecting girls to long periods of sexual slavery, and were used to reward the soldiers. The girls were kidnapped from their own homes and forced to serve senior officers. Following years of captivity, some were killed when they became 15 or 16 years old. The Commission's work has revealed the pressures and threats faced by women who testified.

The thousands of rapes during the war in Bosnia and the genocide in Rwanda raised the profile of sexual abuse in wartime on the public agenda, opening the way for it to be recognised fully as a war crime, based on a series of United Nations resolutions relating to gender and security. Unfortunately, increased public interest and legislative progress has not resulted in greater protection for women in areas of armed conflict or for survivors.

In Bosnia and Rwanda, systematic rape was considered an act of genocide. What happened is well known. In Bosnia, thousands of women were raped by Serbian paramilitary groups with the explicit intention that they should become pregnant with a Serbian child. Many of those who became pregnant as a result of rape were imprisoned until at least the seventh month of their pregnancy to ensure that they did not have an abortion. In Rwanda, systematic rape of thousands of women and girls, mostly *Tutsis*, was used as a biological weapon, deliberately planned to infect the enemy population with the AIDS

⁽¹²⁾ COMISIÓN PARA EL ESCLARECIMIENTO HISTÓRICO (1999). *Guatemala, Memoria del Silencio. Report of the Comisión para el Esclarecimiento Histórico (the Commission for Historical Clarification) into violations of human rights and violent acts suffered by the people of Guatemala*. Guatemala, F&G editores, volume XII. Commission documents.

virus⁽¹³⁾. The United Nations calculates that there may have been between two hundred and fifty thousand and five hundred thousand cases of rape during the genocide. Furthermore, in Rwanda, as in many other parts of the world, strict cultural norms made the victim feel she was guilty of her own disgrace. Even today, thousands of women and girls who were raped by *Hutus*, and as a result abandoned by their parents or husbands, are subject to brutal social rejection in their communities; and this rejection spreads to the children that resulted from the rape.

The huge defects in the legal systems in both of these countries mean that the victims have not been able to gain redress⁽¹⁴⁾. This perpetuates the trauma for the victim, which is passed on to the next generation. In Bosnia, many of the victims do not want to return to the land they were expelled from, thus making the ethnic cleansing of certain regions a reality. It has been calculated that around ten thousand rapists remain free, most of which are Serbs, although some are Bosnians. In both the war in Bosnia and the conflict in Rwanda, very few people have been put on trial for rape, despite international criminal courts being established *ad hoc*. Based on testimony, victims who placed their faith in the international legal system did not, in general, find this a positive experience.

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And the situation has only got worse since the 1990s. In fact, in many of the wars underway at present, sexual attacks on women are now habitual and are just one more aspect of the struggle; they have become a widespread practice that, in certain scenarios, can be regarded as being endemic. This explains the increasing concern in certain parts of the international community that led to the adoption of Resolution 1325 and its successors by the Security Council; this gave rise to what has been called the gender *securitization* process.

■ THE GENDER *SECURITIZATION* PROCESS

■ The concept of security

The classic concept of security, based on the existence, independence and territorial integrity of a state, remains dominant, but now coexists with other security paradigms that refine the classic concept to give it a broader scope –economic security, ideological security, food security and environmental security– that chimes more with contemporary reality, or which directly aspire to replace it, such as the concept of human security.

⁽¹³⁾ HUMAN RIGHTS WATCH. *Rwanda: Lessons Learned. Ten Years After the Genocide*. 2004.

⁽¹⁴⁾ AMNESTY INTERNATIONAL. *Whose Justice? Bosnia and Herzegovina's Women Still Waiting*. 2009; NOWROJEE, Binaifer (2003), "Your Justice is Too Slow: Will the ICTR Fail Rwanda's Rape Victims?" Boston Consortium on Gender, Security and Human Rights, *Working Paper*, n.º 105.

The internationalisation of social life that has developed since the second half of the 20th century and the socio-political characteristics of the Cold War has obliged us to move beyond the territorial model of security to include ideological, political and economic dimensions which, being different in each bloc, represented a threat to security. Defence of the economic, ideological and political model is a consequence of the realisation that threats to state sovereignty and integrity are not limited to territorial aggression. The state has to protect its ideology, its political and social organisation model and its economic structure just as much as it has to defend its territory. The new threats - with their different and more complex nature - require a re-conceptualisation and reorganisation of security to include aspects that were, until recently, irrelevant. Gender is one example of this⁽¹⁵⁾. Sexual violence in the context of an armed conflict is now generally recognised as an international security problem.

From a different perspective, but also justified by attempting to explain and adapt security for the current context, the objective is not to broaden the traditional notion but to replace it. The search for a common and comprehensive security model that is multidimensional and interdependent, integrating and globalising, as proposed from various currents of thought, has led to the development of a new concept - "human security" - which regards the person as the ultimate focus of security, not the state⁽¹⁶⁾. The basic pillars of human security are: freedom from threats – dangers to life –, absence of needs – social vulnerabilities – and, as far as possible, freedom from natural disasters and their devastating social consequences. Human security combines freedom from basic needs and freedom from fear. Its components include personal security, meaning lack of violence, and community security, with the individual protected by the community. Gender security, relating mainly on women, fits naturally into this concept of security.

This refinement of the traditional security model, expanding it and even gradually replacing some of its content, incorporates gender issues. Beyond theoretical debates and the still limited viability of the second option, in practice, the concept of security has evolved as a result of the appearance of new threats and changes to perceptions of their nature. The sovereignty, independence and territorial integrity of states is no longer interpreted historically, politically and legally as it was until relatively recently. The right of a people to free determination, humanitarian interference and the responsibility to protect are principles that interfere in the application of these fundamental security categories. For example, Johan Eriksson uses the example of Turkey and the Kurds to demonstrate that a traditional approach would involve implacable

⁽¹⁵⁾ Aoláin argues that "there is a broad concept of security that encompasses physical, social, economic, and sexual security". (AOLÁIN, Fionnuala. "Women, Security, and the Patriarchy of Internationalized Transitional Justice", *Human Rights Quarterly*, vol. 31, 2009, p. 1065).

⁽¹⁶⁾ KRAUSE, K. and WILLIAMS, M. C. *Critical Security Studies: Concepts and Cases*. 1997. London: UCL Press, pp. 43 and subsequent pages

defence of Turkish sovereignty against the threat of Kurdish independence, ignoring the scale of the humanitarian crisis⁽¹⁷⁾. Kosovo and Libya are recent examples of a new and controversial security model in which defence of sovereignty is no longer an absolute; the same also applies to Syria, the paradigm of the contradictions in the system⁽¹⁸⁾.

These contradictions in the system are the result of a complex combination of conflicting factors. However, there are two main elements to this: the impossibility of objectively defining in absolute and timeless terms what a security problem is; and the variable or contingent political nature of such a decision⁽¹⁹⁾. In more practical terms, the classification of an issue as a security problem authorises priority treatment and recourse to extraordinary measures to resolve it; however, these are not always legitimised, if they are the result of a decision of an arbitrary political nature. For example, defining immigration as a security question obviously has differing consequences from defining it as a social, political or humanitarian problem. Likewise, the extension of the concept of security may paradoxically generate insecurity, to the extent that issues develop into threats needing priority, special or extraordinary action when, in principle, they should not be considered as such. Crises related to energy supply may at some point be classified by politicians as a threat to security, justifying recourse to special actions or measures. Considered individually, states may use uncertainty about the concept of security to legitimise exceptional actions such as the use of military force⁽²⁰⁾.

In the international context, unlike the internal context of the state, this issue is offset, and to some extent minimised, by two circumstances. Firstly, decentralisation of political power reduces the viability of a unilateral declaration of a security issue and limits its consequences as a political act. A system based on equal sovereignty of states requires a minimum level of consensus in order for a particular issue to be regarded as a security issue, making it impossible to impose such a definition, as might occur internally in a specific country⁽²¹⁾. Competence to classify something as an issue of international

⁽¹⁷⁾ ERIKSSON, Johan. "Observers or Advocates? On the Political Role of Security Analysts". *Cooperation and Conflict*, N.º 34, 1999, p. 313.

⁽¹⁸⁾ The opposition of Russia and China - permanent members of the Security Council - has to date hamstrung the adoption of measures by the Security Council, despite the consensus of the other members and support from the Arab League.

⁽¹⁹⁾ Sweden has adopted the broad concept of security proposed by the Copenhagen School (ERIKSSON, *op. cit.*, 316).

⁽²⁰⁾ Recent examples of this practice include the fight against immigration by some states, action against drug trafficking by the USA, and the US concept of legitimate preventive defence, contrary to the legal regime for legitimate defence established in general international law. The most obvious historical example is Nazi Germany considering the Jews a threat to its existence.

⁽²¹⁾ A government might decide that the struggle against immigration, drug trafficking or terrorism in its territory is a question of national security demanding the use of military resources. The declaration of a state of emergency in Spain in December 2010 due to the air traffic controllers' strike is an example of such a measure.

security rests with the United Nations Security Council. However, this body has restricted and unequal membership, even though it is legitimised for such purposes under the United Nations Charter. Legal regulations act in the face of the ambiguity and relativism of the concept of security to determine the competence and procedures for defining a situation as being an issue of international security. The Security Council has taken this approach in gender issues since Resolution 1325 was adopted in 2000.

■ Gender and security

The introduction of gender into the international security model is the result of developments in the scientific framework of international relations from a range of theoretical perspectives, including - because of its global, multidisciplinary and comprehensive scope and explanatory power - the theory of *securitization*. This theory was developed by the Copenhagen School, which defines *securitization* as the discursive process through which an inter-subjective understanding is constructed within a political community to treat something as an existential threat, enabling a call for urgent and exceptional measures to deal with the threat⁽²²⁾.

Once this phenomena has been accepted theoretically, security and gender can be explained from two distinct perspectives that are, to a large extent, counterbalancing. Most of the theory analyses this linkage by applying a generic axiom that increased gender equality results in less violence. Mary Caprioli argues for this approach stating that increased gender equality resulting in equal political, economic, and social power for women, will result in more peaceful foreign policy behaviour⁽²³⁾. In her opinion, increased gender equality will result in reduced military action by states to resolve international disputes. The main point of this approach is that gender equality is not just a question of social justice, but also one of international security, because of its capacity to predict the international aggressiveness of states⁽²⁴⁾.

⁽²²⁾ This is "an intersubjective process in the sense that it is only when the audience accepts a securitizing actor's speech act that an issue will become *securitized*". When an issue is securitized, it becomes prioritized as regards 'normal politics' and 'extraordinary means' are necessary to address the problem". (MACKENZIE, Megan. "Securitizing Sex?", *International Feminist Journal of Politics*, vol. 12, n.º 2, 2010, p. 204).

⁽²³⁾ "Increased gender equality, resulting in women's equal political, economic, and social power, will result in more pacific foreign policy behavior. The inclusion of women as equal members of society will, therefore, result in fewer and less violent militarized international disputes". (CAPRIOLI, Mary. "Gendered Conflict". *Journal of Peace Research*, vol. 37, n.º 1, 2000, pp. 53-68).

⁽²⁴⁾ "Gender equality is not merely a matter of social justice but of international security in predicting state aggressiveness internationally". She develops her theory in the following theoretical publications: CAPRIOLI, Mary, "Gender Equality and State Aggression: The Impact of Domestic Gender Equality on State First Use of Force". *International Interactions*, vol. 29, n.º 3, 2003, pp. 209; CAPRIOLI, Mary and BOYER, Mark, "Gender, Violence and International Crises". *The Journal of Conflict Resolution*, vol. 45, n.º 4, 2001, pp. 503-518); CAPRIOLI,

Eric Melander offers a similar approach, but using a different perspective based on essentialist and constructivist theories. According to the first of these, it is reasonable to expect the empowerment of people who are more averse to violence to result in less internal conflict within society. Based on constructivism, gender equality can be expected to be associated with less collective violence, including fewer, less intensive and shorter conflicts⁽²⁵⁾.

The opposing, minority, position is supported from another theoretical sector, whose leading proponents include Tessler and Warriner; these authors argue that there is no connection between gender and behaviour in war and peace⁽²⁶⁾. Samantha Godec 's theories are more radical. Having analysed Bosnia, Afghanistan, Iraq, Sudan, Somalia and Kosovo, she argues that military intervention may be counterproductive for the rights of women, and disproportionate from the perspective of international law on the use of force⁽²⁷⁾. Laura Sjoberg offers an alternative reading along the same lines, arguing that protecting women is just a "beautiful soul narrative" that, in reality, only serves as a justification for the war⁽²⁸⁾. Anne Oxford also criticised what she terms the Security Council's muscular interventionism, when Resolution 1325 introduced gender into the international security model created under the San Francisco Charter⁽²⁹⁾.

However, irrespective of theoretical approaches to the positive and negative aspects of the relationship between gender and security, there is an essential element that in itself justifies and legitimises this linkage: this is the struggle against sexual violence in armed conflicts, which is the main objective of Resolution 1325 and its successors.

Mary. "Primed for Violence: The Role of Gender Inequality in Predicting Internal Conflict". *International Studies Quarterly*, vol. 49, 2005, pp. 161-178.

⁽²⁵⁾ "It seem reasonable to expect that the empowerment of people who are more averse to violence would translate into less internal armed conflict within a society". "Gender equality can be expected to be associated with less collective violence, including fewer, less intensive, and shorter internal armed conflict". (MELANDER, Eric, "Gender Equality and Intrastate Armed Conflict". *International Studies Quarterly*, vol. 49, n.º 4, 2005, p. 697).

⁽²⁶⁾ "A connection between gender and attitudes toward war and peace was found to be absent in diverse political, economic, and social environment". (TESSLER, Mark and WARRINER, Ina. "Gender, Feminism, and Attitudes toward International Conflict: Exploring Relationships with Survey Data from the Middle East". *World Politics*, vol. 49, n.º 2, 1997, p. 280).

⁽²⁷⁾ "Such a response would be counterproductive for women's rights, and disproportionate in terms of the international law governing the use of force". (GODEC, Samantha. "Between rhetoric and reality: exploring the impact of military humanitarian intervention upon sexual violence – post-conflict sex trafficking in Kosovo". *International Review of the Red Cross*, vol. 92, n.º 877, 2010, pp. 235-257).

⁽²⁸⁾ SJOBERG, Laura, "Women fighters and the beautiful soul narrative". *International Review of the Red Cross*, vol. 92, n.º 877, 2010, pp. 53-68.

⁽²⁹⁾ OXFORD, Anne. "Muscular Humanitarianism: Reading the Narratives of the New Interventionism", *European Journal of International Law*, vol. 10, n.º 4, 1999, pp. 679-711.

■ The Resolution 1325 model

The Security Council has the primary responsibility for the gender *securitization* process, based on its competences for peace keeping and international security; it has adopted a number of resolutions relating to women, peace and security in which it classifies gender as an international security problem.

Resolution 1325 resulted from consensus among states at the global conferences on women held in 1975 and initiatives and proposals from some countries and international bodies particularly concerned with the issue of women in armed conflicts⁽³⁰⁾. Tryggestad argues that four main factors contributed to the Resolution being adopted: the changed international security architecture, the changing nature of conflict, the widening of the concept of security and the increasingly influential role of NGOs in international relations⁽³¹⁾. In the Resolution, the Security Council declares that "peace is inextricably linked to equality between women and men" and that "effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security".

Resolution 1325 is the first Security Council Resolution specifically to address gender and security⁽³²⁾. It sets out two general objectives: (1) The prevention of gender violence and the protection of women and girls, and (2) Increasing the contribution of women to peace processes⁽³³⁾. The combination of these two objectives represents a truly original approach to the status of women. Historically, women were considered victims, vulnerable groups or passive; this concept would have continued on the legal front, if the Resolution had only referred to gender violence in the context of armed conflict. However, by introducing the concept of increasing the participation of women in peace processes, the Resolution is the first occasion on which the Security Council has focused on women exclusively as the subject of rights in the context of

⁽³⁰⁾ For more information on the context in which Resolution 1325 (2000) was adopted, refer to HILL, Felicity; ABOITIZ, Mikele and POEHLMAN-DOUMBOUYA, Sara. "Nongovernmental Organizations' Role in the Build-up and Implementation of Security Council Resolution 1325". *Signs*, vol. 28, n.º 4, 2003, pp. 1255-1269.

⁽³¹⁾ "A changed international security architecture, the changing nature of conflict, and the widening of the concept of security, together with the increasingly influential role of NGO in international relations". (TRYGGESTAD, Torunn. "Trick or Threat? The UN and Implementation of Security Council Resolution 1325 on Women, Peace and Security". *Global Governance*, vol. 15, n.º 4, 2009, p. 542).

⁽³²⁾ BELL, Christine and O'ROURKE, Catherine. "Peace Agreements or Pieces of Paper? The Impact of UNSC Resolution 1325 on Peace Processes and their Agreements". *International and Comparative Law Quarterly*, vol. 59, n.º 4, 2010, pp. 941-980.

⁽³³⁾ TACHOU-SIPOWO, Alain-Guy. "The Security Council on Women in War: Between Peace-Building and Humanitarian Protection". *International Review of the Red Cross*, vol. 92, n.º 877, 2010, pp. 197-219.

conflict⁽³⁴⁾. In addition to recognising women as active subjects or agents for peace, this objective also includes the need to obtain acceptable levels of identification within society and representation. The contrast with the reality in society is evident when women do not have a significant presence in the armed forces and in peace-keeping missions and operations⁽³⁵⁾. In certain societies and communities, the absence of women limits the capacity of armed conflict as a potential catalyst for the transformation of gender roles and the redefinition of the traditional roles of women in conflict and in society. As Reilly explains, Resolution 1325 is important not just because it recognises the specific and disproportionate impact of conflict on women, but also because it highlights the undervalued role of women in peace processes⁽³⁶⁾.

Resolution 1325 is the source of the legal linkage between gender and security on the legal basis of the peace and security competences assigned to the Security Council in the United Nations Charter. However, recourse to this legal mechanism presents two basic sets of problems. Firstly, in terms of authority, it was issued by one of the United Nations' main bodies, but one which has a restricted and unfair composition for adopting acts with compulsory legal effect, in accordance with Article 25 of the Charter, which is imposed on the members of the Organisation without necessarily having their consent⁽³⁷⁾; it has been attributed security competences that it has interpreted extensively, leading to a debate on the democratic deficit and legitimacy⁽³⁸⁾. Secondly, because of its nature it has been classified as a *soft law* or merely a declaration, as it recognises a series of rights and affirms principles and sets out objectives, but has no specific mechanisms to ensure its effectiveness. Furthermore, the model created by the Resolution is considered to be discriminatory in terms of

⁽³⁴⁾ REILLY, Niamh. "Seeking Gender Justice in Post-Conflict Transitions: Towards a Transformative Women's Human Rights Approach". *International Journal of Law in Context*, vol. 3, n.º 2, 2007, p. 166.

⁽³⁵⁾ Harris and Goldsmith argue that "the very legitimacy of these missions will be influenced by how gender relations are modelled". (HARRIS, Vandra and GOLDSMITH, Andrew. "Gendering Transnational Policing: Experiences of Australian Women in International Policing Operations". *International Peacekeeping*, vol. 17, n.º 2, 2010, pp. 292-306) .

⁽³⁶⁾ Reilly argues that "the resolution is important not only for recognising the disproportionate and gender specific impact of conflict on women but also highlighting the undervalued role of women in the prevention and resolution of conflicts and in peace-building and post-conflict reconstruction". (REILLY, *op. cit.* 166). In effect, the participation of women in negotiations offers greater guarantees of the inclusion of gender perspectives in peace agreements and the design of the post-conflict society. (SHOEMAKER, Jolynn. "Women and Wars Within Status: Internal Conflict, Women's Rights and International Security". *Civil Wars*, vol. 4, n.º 3, 2001, pp. 1-34).

⁽³⁷⁾ See WILLETT, Susan. "Introduction: Security Council Resolution 1325: Assessing the Impact on Women, Peace and Security". *International Peacekeeping*, vol. 17, n.º 2, 2010, pp. 142-158.

⁽³⁸⁾ The continuing extension of the powers of the Security Council "poses a problem in terms of a democratic deficit" according to Tachou-Sipowo, although the author argues that "this is now rectified by the near complete consensus on its responsibility to protect". (TACHOU-SIPOWO, *op. cit.*, 206).

its principles⁽³⁹⁾, outdated⁽⁴⁰⁾ and excessively based on stereotypes of women⁽⁴¹⁾, that are inadequate for a reality in which we have to distinguish between "women at war [participating in war] and women in war [affected by war]"⁽⁴²⁾. From this perspective, there are two key issues: firstly, the need to consider the plurality of women's experiences in conflicts⁽⁴³⁾, and secondly, the importance of distinguishing between combatants and civilians based on "what they are doing, rather than *who* they are"⁽⁴⁴⁾.

Whilst there is no unanimity regarding the doctrine, the majority are critical of Resolution 1325 for a number of reasons:

- a. the concept that forms the background to the Resolution is seen as representing the liberal ideology of western countries⁽⁴⁵⁾;

⁽³⁹⁾ Sivakumaran argues that it is discriminatory as the Security Council has only occasionally addressed "the issue of sexual violence in situations of armed conflict at a general level", i.e. also recognising sexual violence against men and boys, despite this being a serious issue, even if not as widespread as sexual violence against women and girls. (SIVAKUMARAN, Sandez. "Lost in translation: UN responses to sexual violence against men and boys in situations of armed conflict". *International Review of the Red Cross*, vol. 92, n.º 877, 2010, pp. 259-277).

⁽⁴⁰⁾ GARDAM, Judith and CHARLESWORTH, Hilary. "Protection of Women in Armed Conflict". *Human Rights Quarterly*, vol. 22, n.º 1, 2000, pp. 148-166; GARDAM, Judith. "Protection of Women in Armed Conflict". *Human Rights Quarterly*, vol. 22, n.º 1, 2000, n.º 1, p. 160; GARDAM, Judith. "Women and the Law of Armed Conflict: Why the Silence". *International and Comparative Law Quarterly*, vol. 46, 1997, pp. 55-80; GARDAM, Judith. "The Neglected Aspect of Women and Armed Conflict – Progressive Development of the Law". *Netherlands International Law Review*, vol. 52, 2005, pp. 197-219; BENNOUNE, Karima. "Do We Need New International Law To Protect Women in Armed Conflict", *Case Western Reserve Journal of International Law*, vol. 38, n.º 2, 2006-07, p. 372

⁽⁴¹⁾ THOMPSON, Margaret, *et al.* "Feminist media coverage of women in war: You are our eyes and ears to the world". *Gender & Development*, vol. 15, n.º 3, 2007, pp. 435-450.

⁽⁴²⁾ HERRMANN and PALMIERI, *op. cit.*, 19.

⁽⁴³⁾ In effect, we have to consider "the plurality of women's experiences in war, including as female heads of households, as victims (and survivors) of sexual violence, as community leaders, and as armed combatants". (HAERI, Medina and PUECHGUIRBAL, Nadine. "From helplessness to agency: examining the plurality of women's experiences in armed conflict". *International Review of the Red Cross*, vol. 92, n.º 877, 2010, pp. 103-122). Also, NORDSTROM, Carolyn, "Women, economy, war", *International Review of the Red Cross*, vol. 92, n.º 877, 2010, pp. 161-176; KARAM, Azza. "Women in War and Peace-building". *International Feminist Journal of Politics*, vol. 3, n.º 1, 2001, pp. 2-25; DURHAM, Helen and O'BYRNE, Katie. "The dialogue of difference: gender perspectives on international humanitarian law". *International Review of the Red Cross*, vol. 92, n.º 877, 2010, p. 51.

⁽⁴⁴⁾ CARPENTER, Charli R. "Women, Children and Other Vulnerable Groups: Gender, Strategic Frames and the Protection of Civilians as a Transnational Issue", *International Studies Quarterly*, vol. 49, 2005, p. 296. For the capacity to perform different roles, see HOW, Nicole. "Women's participation in the Rwandan genocide: mothers or monsters?", *International Review of the Red Cross*, vol. 92, n.º 877, 2010, pp. 69-102.

⁽⁴⁵⁾ Many G-77 countries have criticised the Resolution because "they perceive it as being representative of a larger package of liberal ideas primarily promoted by the affluent countries of the North". (TRYGGESTAD, *op. cit.* 539-557). In a subsequent article, the author quotes a member of this group who argues that: "we (the G-77) do not have a problem with including language on gender or women. I think we all agree that women's involvement in peace building

- b. the terminology used is characteristic of *soft law*, helping to underline the weakness of the commitments made by the states⁽⁴⁶⁾;
- c. the nature of the act, not being an international treaty, does not have the legal capacity and legitimacy needed to work effectively;
- d. the lack of positive and effective measures to guarantee the application of the resolution and mechanisms to enforce responsibility for non-compliance⁽⁴⁷⁾;
- e. the lack of operating consistency and coordination in application of the Resolution, and the excessive bureaucracy and fragmentation resulting from actions⁽⁴⁸⁾;
- f. the lack of adequate finance⁽⁴⁹⁾.

There are a number of potential solutions to these deficiencies; however, the most appropriate of these would require sufficient consensus to incorporate the commitments in Resolution 1325 into a legal text accepted by the states. An initial option would be to adopt an international treaty with the same content as the Resolution and its successors. A second possibility would be to modify international humanitarian law to unify the legal regime for gender violence in the context of armed conflicts. A third route would be to maintain the legal basis in the Security Council Resolutions, whilst establishing mechanisms to ensure their application. This is the main objective of the subsequent resolutions adopted in this area.

■ The legal development of Resolution 1325

Resolution 1325 was adopted in 2000, and was continued in Resolutions 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010). The main aims of these subsequent Resolutions were:

1. To prioritise the objective of combating sexual violence, in detriment to the proposal to increase the participation of women in the peace process⁽⁵⁰⁾. This approach was mainly based on two arguments: a) the increasing use of gender violence, now almost universal, as a tactical weapon or strategy in conflicts, and b) the greater legal, objective and ethical relevance of the struggle against sexual violence in armed conflicts, to the extent that they are defined as war crimes, crimes against humanity and acts of genocide.

is important. However, we do not want any references to a resolution coming from the Security Council"). (TRYGGESTAD, *op. cit.*, 167). Similarly, see BARROW, Amy. "It's like a rubber band". *Assessing UNSCR 1325 as a gender mainstreaming process*". *International Journal of Law in Context*, vol. 5, n.º 1, 2009, p. 66.

⁽⁴⁶⁾ SWAINE, *op. cit.*, 409.

⁽⁴⁷⁾ See PUECHGUIRBAL, Nadine. "Discourses on Gender, Patriarchy and Resolution 1325: A Textual Analysis of UN Documents". *International Peacekeeping*, vol. 17, n.º 2, 2010, pp. 181-182; REILLY, *op. cit.*, 167.

⁽⁴⁸⁾ WILLETT, *op. cit.*, 156.

⁽⁴⁹⁾ WILLETT, *op. cit.*, 142-143.

⁽⁵⁰⁾ Bell and O'Rourke argue that the exclusion of women from peace processes in itself represents a threat to peace (BELL and O'ROURKE, *op. cit.*, 943).

With the exception of Resolution 1889, which is mostly concerned with empowering women, all of these Resolutions focus on combating sexual violence.

2. Sexual violence falls into two basic legal categories: firstly, it is a serious breach of the fundamental principles of international humanitarian law protecting the person during armed conflict and international human rights law, with international responsibility and individual criminal responsibility obliging all parties to act in accordance with international resolutions; and secondly, offering a new dimension to the problem. Since Resolutions 1820 (2008) and 1960 (2010), systematic and generalised sexual violence has been recognised as a threat to peace and international security, for which the Security Council has the main responsibility, justifying the adoption of the measures provided for in the United Nations Charter, including Chapter VII measures. This involves accepting the capacity of sexual violence, used as a tactic of war or to attack the civilian population, to aggravate a conflict and impede the establishment of peace and international security⁽⁵¹⁾.
3. The Resolutions on women, peace and security have gradually perfected and maintained the commitments and obligations of the parties involved in its application, in the following categories: Member States, the States that send contingents, the parties to the conflict, participants in negotiations and the application of peace agreements; UN agents and bodies and the United Nations Secretary General, whose functions were increased considerably through these Resolutions. This *ad hoc* approach through the successive accumulation of tasks is not as transparent, operational or efficient as an organised and coherent model planned in advance would be, where each actor has clear functions within a global system.
4. The Resolutions on women, peace and security complete the model created in Resolution 1325, which set out National Action Plans as the main instruments of action, through the establishment of organic mechanisms or procedures to ensure the effectiveness of its provisions. There were, basically, two of these: The creation in Resolution 1888 of the Special Representative on Sexual Violence⁽⁵²⁾ and a team of experts in the subject designated by the UN Secretary General⁽⁵³⁾, and the provision by Resolution

⁽⁵¹⁾ JENKINS, Robert and GOETZ, Anne-Marie. "Addressing Sexual Violence in International Mediated Peace Negotiations". *International Peacekeeping*, vol. 17, n.º 2, 2010, pp. 261-277.

⁽⁵²⁾ The Special Representative is appointed by the Secretary General to provide coherent and strategic leadership, with the following main functions: a) to work on strengthening the UN's existing coordination mechanisms; b) to initiate actions that promote the need to act against sexual violence between states, the parties to the conflict and civil society; c) to promote cooperation between the parties involved, particularly through "United Nations Action Against Sexual Violence in Conflict". To this end, the Security Council established that the Special Representative would be supported by all the parties to this body and all other UN bodies

⁽⁵³⁾ The team of experts on sexual violence is also appointed by the Secretary General and is called upon to deal with situations that are particularly worrying on the ground and to help national authorities. Its main tasks include: a) working with national jurists and civil servants to fight impunity, b) detecting deficiencies in national responses and promoting an integrated approach to sexual violence, c) preparing recommendations to coordinate and reinforce the capacity of national

- 1889 of a system of global indicators to monitor the application of this Resolution, serving as a common basis for all the agents involved.
5. There is no uniform conception of the basis for the model established through the Security Council Resolutions. Resolutions 1325 and 1889 deal with women as active subjects and agents for peace, whilst Resolutions 1820, 1888 and 1960 regard women more as passive subjects or victims requiring protection. Some theorists regard this as a backward step towards seeing women in the triple perspective of "women as vulnerable, women as mothers and women as civilians" and it has been strongly criticised⁽⁵⁴⁾.

■ Scope and nature of the obligations of States

Security Council Resolutions on women, peace and security have created a complex network of obligations mainly aimed at States, and which are grouped based on their status and function in the context of conflicts.

States are, in general, obliged to comply with these resolutions, and have a number of specific responsibilities that we can classify into four categories.

1. Legal obligations: a) to put on trial those guilty of genocide, crimes against humanity, war crimes and other crimes against women, excluding the possibility of an amnesty set out in Resolutions 1325 and 1820⁽⁵⁵⁾, b) to undertake the legal and judicial reforms required to ensure access to justice, protection and dignity for victims, and the bringing to justice of those responsible for acts of sexual violence, as established in Resolution 1888 and c) to guarantee access to justice and legal protection for women recognised in Resolution 1820.
2. Commitments relating to promoting and raising awareness of gender questions: a) ensuring a general increase in the representation of women in all stages of the peace process, in accordance with Resolutions 1325 and 1889, and ensuring that the empowerment of women is taken into account in assessing the needs and post-conflict planning provided for in the latter, b) incorporating the gender perspective into all sectors pursuant to Resolution 1889, c) presenting national candidates for a central and periodically updated list to increase the number of women in UN actions and missions (a commitment established in Resolution 1325), and d) increasing financial, technical and logistical volunteer support for training activities to raise awareness of gender issues, as established in Resolution 1325.

authorities for action and d) working with UN missions and bodies and the Special Representative, particularly with regard to application of the measures required under Resolution 1820.

⁽⁵⁴⁾ PUERCHGUIRBAL, Nadine. "Discourses on Gender, Patriarchy and Resolution 1325: A Textual Analysis of UN Documents". *International Peacekeeping*, vol. 17, n.º 2, 2010, pp.172-187. Also: SWAINE, Aisling. "Assessing the Potential of National Actions Plans to Advance Implementation of United Nations Security Council Resolution 1325". *Yearbook of International Humanitarian Law*, vol. 12, 2009, pp. 403-433; CARPENTER, *op. cit.*, 295-334.

⁽⁵⁵⁾ BELL and O'ROURKE, *op. cit.*, 942-943.

3. There are two main assistance functions: a) providing general assistance to victims pursuant to Resolution 1820, and b) increasing and improving access to health and legal care, and psycho-social support and socio-economic reintegration services for victims, pursuant to Resolution 1888.
4. Educational commitments are set out in Resolution 1889, which stipulates that States must guarantee access to education.
5. *States that supply contingents* to operations and missions have to adopt preventative awareness raising measures, requiring responsibility from their personnel, if involved in such actions, and measures for the protection of civilians, the struggle against violence and the deployment of a larger number of women⁽⁵⁶⁾.

In addition to the general obligations, *States that are parties to conflicts*, have a number of specific additional responsibilities:

1. A basic principle established in Resolution 1325 is respect for all regulations in international humanitarian law and regulations protecting the rights of women, in particular the provisions of the Rome Statute of the International Criminal Court.
2. The adoption of specific measures to protect women from gender-based violence, as established generically in Resolution 1325, was converted through Resolutions 1820, 1888 and 1960 into an obligation to bring all acts of sexual violence to an "immediate and absolute" end and to assume specific commitments in defined time periods to combat such actions. This includes the issuing of unequivocal orders through the chain of command and the prohibition of such actions in military codes of conduct, manuals and regulations.
3. Measures to prevent acts of sexual violence and to guarantee investigation of all complaints are incorporated in order to combat the impunity that is a characteristic of such actions during armed conflicts.
4. Respect for the civilian and humanitarian nature of refugee camps and settlements is set out in Resolutions 1325 and 1889.

Participants in peace negotiations must: 1. consider and include the special needs of women in repatriation, settlement, rehabilitation, reintegration and reconstruction, 2. support peace initiatives from local women and local peace processes, 3. guarantee the protection of the human rights of women in political, legal and social reorganisations and 4. consider the specific needs of gender in disarmament, demobilisation and reintegration processes⁽⁵⁷⁾.

⁽⁵⁶⁾ CARTER, K. R. "Should International Relations Consider Rape a Weapon of War?", *Politics & Gender*, vol. 6, 2010, pp. 341-371.

⁽⁵⁷⁾ Refer to HUMPHREYS, Marccartan and WEINSTEIN, Jeremy. "Demobilization and Reintegration". *The Journal of Conflict Resolution*, vol. 51, n.º 4, 2007, pp. 531-567; KANDIYOTI, Deniz. "Between the hammer and the anvil; post-conflict reconstruction, Islam and women's rights". *Third World Quarterly*, vol. 28, n.º 3, 2007, pp. 503-517; KALUNGU-

■ REFLECTIONS

■ Women, military targets

Without wishing to understate the value of the commitments made by the United Nations since 2000, we have to recognise that the effectiveness of the mechanisms established has been very limited. In particular, the measures adopted for the eradication of sexual violence in wartime have been shown to be insufficient in all regards. Figures show that in many armed conflicts over the last twenty-five years, extremely brutal sexual attacks have been and continue to be committed systematically on a large part of the female population, of all ages and conditions.

This recourse to systematic rape by armies in many past and present armed conflicts is partly explained by its extreme effectiveness as an instrument of terror. Three factors have made a considerable contribution to systematic sexual aggression in recent and current wars.

Firstly, rape is a crime that is hardly ever reported in wartime. We could go so far as to say that it is *invisible*. There are many reasons for this. There are often powerful cultural, social and religious taboos against rape that mean women are afraid to report an attack. Many women feel ashamed and fear being rejected by their husbands, families and communities, if they report being raped. Women's economic and social dependence on men in many societies contributes to their silence. Women who become pregnant as a result of rape are likely to suffer the worst abuses of their rights. In addition to the trauma of the rape itself, they have the difficulty of raising a child who is the product of violence.

This invisibility also results in tremendous difficulties in quantifying the true scale of sexual violence in armed conflicts. In general, we cannot give more than estimates for these crimes, as many of the victims do not survive, and the majority never report that they have been raped. It is difficult to obtain reliable statistics, and the figures that are available are often based solely on figures for victims who seek medical help. For example, patients who go to Medecins Sans Frontieres and other health centres are seeking the medical help they need at great cost to themselves, overcoming their shame, fear, stigmatisation and many other obstacles. However, in many places, the victims do not, or cannot, say that they have been sexually assaulted, and neither can they seek help, due to a well-founded fear of being rejected by their community. The lack of reliable official statistics and the fear involved in reporting such crimes makes it difficult to assess the real scale of the problem. The statistics that

BANDA, Agnes. "Post-Conflict Programmes for Women: Lessons from the Kosovo Women's Initiative". *Gender & Development*, vol. 12, n.º 3, 2004, pp. 31-40; DURHAM, Helen; O'BYRNE, Katie. "The dialogue of difference: gender perspectives on international humanitarian law". *International Review of the Red Cross*, vol. 92, n.º 877, 2010, pp. 31-51.

are available do not clearly indicate cases of sexual violence against women and girls that might be related to armed conflict. Even when a woman has the courage to report that she has been raped or sexually assaulted, such reports are seldom investigated effectively.

However, the fact that the real scale of the problem is difficult to quantify should not present an obstacle to establishing measures to defend potential victims and survivors; this is particularly true in those places where the situation is unsustainable, where systematic rapes are well documented by the various agencies working on the ground.

Secondly, this type of violence has a dual, *devastating* effect. The terror caused by sexual abuse destroys the physical and psychological integrity of the victim. Many women who are victims of sexual violence during a war also become sexual slaves for the combatants, perpetuating the sexual violence over time, and robbing the victim of any shred of personal or sexual autonomy. However, it also has a significant collective dimension, as the intention is to humiliate the whole enemy community, not just the woman who is assaulted, as in a sense, women who are victims of sexual violence demonstrate the power that the enemy has over the enemy society.

Thirdly, the *impunity* of the perpetrators of such violence is essential to understanding the extent of this problem. This impunity also perpetuates the invisibility of the crime and inhibits the recovery of victims, multiplying the obstacles they have to face to overcome what happened to them, partly because impunity restricts the social support that victims can rely on. In fact, the element with the most impact on the continuance of sexual aggression during wartime is the absolute impunity with which women are assaulted in conflict zones, making such extreme violence a highly effective instrument of war. Many factors contribute to this. The main factors include threats and reprisals against those who report such abuses, fear of ostracism, social rejection, the existence of special national laws that stop the judging of crimes committed during wartime, amnesty laws in "peace agreements", and, in general, the lack of reporting and general indifference to the various forms of violence against women. In short, there is tacit acceptance that rape and other forms of sexual violence are inevitable in wartime. Although mistaken, this idea contributes enormously to the perpetuation of such crimes.

Faced with this situation, there are two main reasons for the extremely limited effectiveness of laws in the eradication of sexual violence in conflict zones. Firstly, the nature of war which, by creating instability and altering social, economic and political organisations and infrastructure, overturns traditional roles and worsens the disadvantaged position of women. Secondly, the multitude of conditioning factors and limits imposed by tradition, culture,

religion, the level of socio-economic development and the legal-political systems in different countries. It is not easy at present, or even possible, to equate the content of UN Resolutions with, for example, the status of women in places such as Afghanistan and Darfur.

One of the UN mechanisms - the National Action Plan - is original and valuable at a theoretical level because it acts by offering "a *comprehensive approach* to the implementation of 1325, *enhancing coordination* among the relevant actors, *raising awareness* among stakeholders, *creating ownership* among those responsible for its implementation, and instilling a culture and system of *accountability*"⁽⁵⁸⁾.

Despite this, there are no common standards and their authorship, method, content, scope implementation methods and financing vary enormously. However, the main problem today is that more than ten years after they were proposed, only thirty-three states have approved an action plan. Most of these are countries in which there is no real risk of armed conflict and where there is a sufficient level of democratic consolidation to exclude such a possibility and what it would imply in gender terms⁽⁵⁹⁾.

The lack of efficiency of these plans, due to their limited application and heterogeneous nature, was reflected in Security Council Resolution 1889 (2009). This created a set of indicators at the global level to monitor the application of Resolution 1325. In the 6 April 2010 Report by the Secretary General of the United Nations, these indicators were defined as landmarks that would help to determine the *status quo* and measure change and progress towards achieving the objectives. The preparation procedure included defining a thematic framework and a consultation process that led to the proposal of 26 indicators grouped into four categories: prevention, participation, protection and support and recovery. This was used as the basis for approving the Strategic Framework on Women, Peace and Security for 2011-2020, which aims to support national initiatives and to strengthen the basis for action to improve national and international cooperation.

⁽⁵⁸⁾ "A comprehensive approach to the implementation of 1325, enhancing coordination among the relevant actors, raising awareness among stakeholders, creating ownership among those responsible for its implementation and instilling a culture and system of accountability" SWAINE, Aisling, *op. cit.*, 413.

⁽⁵⁹⁾ The States that have approved an Action Plan include many EU members (Austria, Belgium, Denmark, Spain, Slovenia, Estonia, Finland, France, Italy, Holland, Portugal, the UK and Sweden), six other European countries (Bosnia-Herzegovina, Croatia, Iceland, Norway, Serbia and Switzerland), three American countries (Argentina, Chile and Canada), a number of African countries (Ivory Coast, the Republic of Guinea, Guinea-Bissau, Liberia, the Democratic Republic of the Congo, Rwanda, Senegal, Sierra Leona and Uganda) and the Philippines and Nepal. The USA has recently approved its Plan, and Ghana, Ireland, Jordan, Kenya and South Korea are currently preparing their Plans (as of February 2012).

However, going beyond legal instruments and the continuing and constant efforts of the UN, regional organisations, the States, NGOs and civilian and military personnel involved in the struggle against sexual violence and the parallel promotion of the human and socio-political rights of women, the resolution of these issues also demands information, education and training, and raising international public awareness, which can no longer ignore the scale and seriousness of international crimes for reasons of gender.

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CHAPTER THREE

WOMEN, NATO AND THE EUROPEAN UNION

Jesús Ignacio Gil Ruiz

ABSTRACT

The objective of United Nations Security Council Resolution 1325 on Women, Peace and Security, of October 2000, is to integrate gender considerations into every aspect of security. This includes the participation of women in resolving conflicts and in peacekeeping operations. It also aims to increase the representation of women at all levels of national, regional and international decision making and to enhance consultation with local and international women's groups. In this document, we analyse the impact of this and subsequent related Resolutions on such significant bodies as the North Atlantic Treaty Organisation (NATO) and the European Union (EU). The Resolution regards incorporating gender perspectives into the doctrines and missions of these organisations as essential tasks to achieving a more stable security context in conflicts, working with other domestic, international and state parties.

Firstly, we focus on the commitments undertaken by NATO from an institutional and operational point of view to ensure the spread of knowledge and to achieve its mandates, particularly in the field of crisis management.

Secondly, we analyse EU actions to promote and defend the rights of women and girls in conflicts in all areas of politics, including the Common Security and Defence Policy (CSDP).

Finally, we conclude by offering an assessment of the achievements of both organisations over recent years and the challenges remaining for the successful implementation of Resolution 1325.

Key words:

NATO, EU, Common Security and Defence Policy, gender, consensus, partnership, empowerment of women, gender perspective, integrated approach, action plan, gender advisor

"NATO has adopted UNSC Resolution 1325 with an energy that could easily pass for enthusiasm. A glance at its website will show 47 documents relating to the topic. A multi-media exhibition has been mounted showing NATO's contribution to implementation of the Resolution. There are pleasing photos of young women in army fatigues carrying babies, waving to children. NATO even celebrates International Women's Day. Apparently standing shoulder-to-shoulder with the women's movement, Secretary General Anders Fogh Rasmussen asked, on 8 March 2010, 'Would a world in which women enjoyed rights equal to those of men be safer and more stable? It is difficult to say, but ultimately a lasting peace in many of the world's most troubled areas may depend upon the answer'⁽¹⁾.

Cynthia Cockburn, feminist researcher and writer on gender studies and peace and conflicts.

■ INTRODUCTION

United Nations Security Council (UNSC) Resolution 1325 on Women, Peace and Security (WPS), of October 2000, recognised the disproportionate effect of conflicts on women, and underlined the essential function of women in preventing these and their contributions to post-conflict peace building and peacekeeping efforts. The purpose of the Resolution is to integrate considerations of gender into all aspects of security. This includes participation in conflict resolution and peace processes, peace keeping, disarmament, demobilisation and reintegration, reform of the security sector and the protection and rights of women. It also aims to achieve better representation of women at all levels of national, regional and international decision making, and increased consultation with local and international women's groups.

Three additional resolutions have been adopted since 2000:

⁽¹⁾ No to War – No to NATO. Annual Meeting. Dublin. 15-17 April 2011. *Contribution to the Working Group on "Feminist Critiques of Militarization". Snagged On The Contradiction: NATO, UNSCR 1325, and Feminist Responses.* Cynthia COCKBURN. http://www.wloe.org/fileadmin/FilesEN/PDF/no_to_nato/women_nato_2011/NATO1325.pdf NATO has adopted UNSC Resolution 1325 with an energy that could easily pass for enthusiasm. A glance at its website will show 47 documents relating to the topic. A multi-media exhibition has been mounted showing NATO's contribution to implementation of the Resolution (September 2010). There are pleasing photos of young women in army fatigues carrying babies, waving to children. NATO even celebrates International Women's Day. Apparently standing shoulder to shoulder with the women's movement, Secretary General Anders Fogh Rasmussen asked, on 8 March 2010, 'Would a world in which women enjoyed rights equal to those of men be safer and more stable? It is difficult to say, but ultimately a lasting peace in many of the world's most troubled areas may depend upon the answer'.

- United Nations Security Council Resolution 1820, of 2008, which complemented Resolution 1325, focusing on the prevention of and response to sexual violence in armed conflicts and post-conflict situations.
- Resolution 1888 (2009), reinforcing Resolution 1820, in particular through the appointment of a UN Special Representative to work toward ending sexual violence in armed conflicts.
- Resolution 1889 (2009), which, based on Resolution 1325, improves the supervision and presentation of reports, also highlighting the importance of assigning resources.

In this document we analyse the impact of these resolutions on international organisations such as NATO and the European Union (EU). We also examine how the introduction of a gender perspective into the doctrine and mission of these organisations is essential for achieving the objectives set out in the above Resolutions, working with other domestic, international and state bodies to create a more stable security situation in conflicts.

Firstly, we examine the commitments undertaken by NATO, from an institutional and operational point of view, to ensure the spread of knowledge and its mandates, particularly in crisis management.

Secondly, we analyse EU actions to promote and defend the rights of women and girls in conflicts in all areas of politics, including the Common Security and Defence Policy (CSDP).

Finally, we conclude by assessing the achievements of both organisations over recent years and the challenges remaining for the successful implementation of Resolution 1325.

■ WOMEN AND NATO⁽²⁾

The United Nations Security Council adopted Resolution 1325 on Women, Peace and Security on 31 October 2000.

Twelve years later, the importance and relevance of gender is clearly recognised in the military field, particularly in operations. As the former chairman of NATO's Military Committee, the current Italian Defence Minister Admiral Di Paola, has repeatedly stated: "gender is an asset for improving operating efficiency and a multiplier that helps win hearts and minds".

In today's complex security scenario, the complementary capabilities of male and female personnel are essential for NATO's operational efficiency,

⁽²⁾ This website offers a multimedia library focusing on Women, Peace and Security in NATO. <http://natolibguides.info/content.php?pid=158866&sid=1344311>

particularly given the increasing complexity of civilian-military interaction, public relations and obtaining intelligence.

Why do we need to incorporate gender matters into NATO's policies and regulations? What has changed to make gender an essential issue that we must take into account in all actions that the organisation may wish to carry out? We will try to answer these two questions in this chapter.

The gender perspective is increasingly being applied as an essential tool for assessing the impact of the policies of states and organisations. This is so important that the North Atlantic Treaty Organisation integrated this perspective into its agenda as one of its main priorities as soon as it grasped the importance of the principle of real equality in our societies and understood that political actions and decisions impact directly on society, affecting people differently depending on their gender.

Before we continue, it is worth going into the background to NATO's decision making processes, particularly for those who are not familiar with the Alliance.

■ What is NATO?⁽³⁾

NATO is an alliance of 28 countries in North America and Europe committed to the objectives of the North Atlantic Treaty signed on 4 April 1949.

This Treaty establishes that NATO's fundamental role is to safeguard the freedom and security of its Member States by political and military means. NATO provides a forum in which Member States can discuss security issues and adopt joint measures to address them.

The Alliance is committed to the defence of its Member States from aggression or threats, and to the principle that an attack on one member is an attack on all members.

■ Decision making process

NATO's decision making process is very important, as it requires consensus at all levels of the Organisation.

The North Atlantic Council (NAC⁽⁴⁾) is the main political institution and decision making body, with effective political autonomy and significant decision-making powers.

⁽³⁾ http://www.nato.int/cps/en/SID-C4489535-9BA056B3/natolive/what_is_nato.htm

⁽⁴⁾ http://www.nato.int/cps/en/natolive/topics_49763.htm

The Council meets at the level of ambassadors and permanent representatives at least once a week. It also meets twice a year at the Foreign Minister level, three times a year at the Defence Minister level and occasionally at summit level with ministers and heads of state or government. The Council's meetings are chaired by the NATO Secretary General.

The Council's work is prepared by a number of subordinate committees responsible for specific political areas. These subordinate committees are supported by the divisions and offices of the International Staff (civilian), whose function is to provide political recommendations to the Council.

The Military Committee⁽⁵⁾ is the highest military authority in NATO, under the political authority of the Council, to which it provides military advice. The Military Committee is also responsible for providing guidance to NATO's Strategic Commands, which I discuss below. The members of the Military Committee are national Military Representatives who meet in permanent session twice a week representing their Chiefs of Defence, who usually meet three times per year.

The Military Committee is supported by the International Military Staff, which provides an essential link between the Alliance's decision making bodies and the Strategic Commands, also maintaining close relations with the International Staff.

There are two Strategic Commands⁽⁶⁾: the Supreme Allied Commander Europe (SACEUR), based in Mons (Belgium) which is responsible for managing all NATO military operations, and the Supreme Allied Commander Transformation (SACT) based in Norfolk (USA), responsible for promoting and supervising the ongoing transformation of Alliance forces and capabilities. They both advise the Military Committee as to its command responsibilities.

However, NATO consists of more than just its 28 Member States, as it also has many *partners*⁽⁷⁾, which meet in different forums, such as:

- the Euro-Atlantic Partnership Council (EAPC), which includes 50 nations, 22 of which are NATO members. This is a multilateral discussion and consultation forum for political and security issues. It provides the global political framework for NATO's cooperation with partner countries in the Euro-Atlantic area, and for bilateral relations between NATO and each member country under the Partnership for Peace programme.

⁽⁵⁾ http://www.nato.int/cps/en/natolive/topics_49633.htm

⁽⁶⁾ http://www.manw.nato.int/page_structure.aspx

⁽⁷⁾ http://www.nato.int/cps/en/natolive/topics_50349.htm

- The Mediterranean Dialogue was launched in 1994 and currently includes seven NATO members: Algeria, Egypt, Israel, Jordan, Mauritania, Morocco and Tunisia.
- The Istanbul Cooperation Initiative, including Bahrain, Qatar, Kuwait and the United Arab Emirates.
- Other "global partners" - also known as "contact countries" - such as Australia, Japan, South Korea and New Zealand, which share the Alliance's strategic concerns and core values.

■ Gender in NATO. Stages

Gender issues and, more specifically, women became part of NATO's agenda as a logical result of social changes since the Second World War. In the mid-20th century, the dominant pattern of the sexual division of labour began to dissolve. This pattern had exclusively involved men working in factories, offices and other professional workplaces, and women being responsible for the family and the home. However, this pattern was becoming less representative as women began to formally join the labour market, giving them the economic and personal independence that is referred to theoretically as⁽⁸⁾ "*the empowerment of women*".

This change spread to all organisations, including the Armed Forces, as they were supported by and reflected the transformation and modernisation of society.

We can identify four stages in the integration of the gender perspective into NATO:

- The first stage began with debates concerning the role of women soldiers in the Alliance.
- The second began with approval of Resolution 1325 and recognition of gender considerations in all aspects of peacekeeping.
- The third stage coincided with the Strasbourg-Kehl NATO summit in 2009, which enhanced the application of Resolution 1325, particularly in peacekeeping operations.
- Finally, in November 2010, the Lisbon Summit confirmed NATO's commitment to improving the inclusion of gender issues in the Organisation's policies and missions.

■ Gender perspective

Before we go any further, I would like to clarify a concept that is repeatedly referred to in this document: the term "integration of the gender perspective".

⁽⁸⁾ <http://www.beta.undp.org/content/undp/en/home/ourwork/womenempowerment/overview.html>

The gender perspective is a tool that enables us to assess the effects of day-to-day decisions on men and women.

This perspective is based on feminist theories of difference and real equality. Gender enables us to identify the functions and behaviours that a society ascribes to men and women. It enables us to observe how the principle of equality is interpreted for males and for females. As we are all aware, the needs of men and women differ in various parts of the world. For this reason, the concept of equality cannot be conceived as a closed concept that can be assimilated by everyone; rather, it has different degrees as a consequence of the customs of different societies, creating more or less equal societies. The gender perspective takes on its full importance and meaning in the policies and actions that organisations implement to achieve real and authentic equality.

Therefore, we can say that incorporating the gender perspective is the process of assessing the consequences of a planned activity on men and women in all areas and at all levels. This strategy aims to make the concerns and experiences of women -and men- into an integral aspect of the conception, implementation, monitoring and assessment of strategies and programmes in all political, economic and social spheres, so that men and women benefit equally and inequality is not perpetuated.

It is important that the gender perspective should not focus exclusively on women, even though women are usually the main objectives and beneficiaries of integration efforts, due to their disadvantaged position in many areas. We could say that seeing issues through the gender perspective is a way of facilitating gender equality.

Men and women obviously often see things differently. This is no secret, but it can help us see a situation from different angles. This theory is known as "the gender perspective". For example, in Afghanistan, members of a Provincial Reconstruction Team (PRT) were trying to identify what a village needed for its development. Everyone they interviewed said that they needed access to water so that women would not have to walk many kilometres every day to collect it. However, they only interviewed men. If they had talked to the women, they would have discovered that for many of them collecting water enabled them to get out of the house for a while and talk with other women. The women's priorities were different. They were more interested in having health centres and schools for their children.

This means that it is important to involve both men and women in finding solutions to problems in order to include all perspectives and identify all potential solutions.

■ Gender in NATO before Resolution 1325

The adoption of Resolution 1325 on Women, Peace and Security was a watershed for the incorporation of the gender perspective into the NATO agenda.

The first official NATO Conference on Women took place in Copenhagen in 1961, with delegations from Denmark, Holland, Norway, the UK and the USA. It focused on issues relating to the *status*, organisation, employment conditions and career opportunities for women in Alliance armed forces. The delegates agreed to organise future conferences, unanimously expressing the hope that NATO and national authorities would consider incorporating a larger number of women into their armies.

Five years later, in 1966, NATO's Information Service organised the Directors' Conference of Senior Women Officers, which was attended by representatives of seven NATO countries.

These first two conferences were very important in terms of sharing experiences relating to women in the armed forces, helping to facilitate the transformation process in the allied forces.

An *ad hoc* Committee on Women in the NATO Forces (CWINF) was created in November 1973 at the NATO Conference of Women Officers held in Brussels. The delegates, representing some 100,000 female soldiers adopted a resolution agreeing that women should have the opportunity to serve in all types of employment, excepting those involving combat, as this was considered the competence of national politics. This committee was formally recognised by the Military Committee in July 1976.

The 1985 CWINF conference attracted 57 representatives from 13 NATO countries, with Spain attending for the first time.

In 1996, the chairwoman of the CWINF, in cooperation with the director of the International Military Staff, argued for the creation of a full-time Military Staff post dedicated to gender issues.

As a result, in 1998 the Office of Women in the NATO forces was created, to act as a link to the Military Representatives and their staff, and enabling the very necessary continuity of the CWINF's objectives.

At this time, NATO forces were involved in missions in the Balkans. To a certain extent, this regional scenario developed into the first real test for assessing the roles of women soldiers in peacekeeping operations.

In summary, it could be said that, prior to Resolution 1325, the gender perspective focused on a debate on the incorporation and integration of women into the armed forces.

■ **Gender in NATO following Resolution 1325**

When the UN approved Resolution 1325 in 2000, the international community recognised that most of the people affected by armed conflicts are civilians, particularly women and children.

The effects of 1325 were immediately apparent in NATO's institutional structures and operations. Some of the competences of its committees were expanded, and new mechanisms were created to apply the Resolution. The first political guidelines and recommendations for including gender aspects in all military operations were also approved, in cooperation with all Alliance members and partners.

■ **The CWINF following Resolution 1325**

After the adoption of 1325, the CWINF celebrated its twenty-fifth anniversary at its meeting in Rome in May 2001.

Since 2002, it has cooperated actively with the Partnership for Peace nations, and since June 2003 it has invited the seven member countries of the Mediterranean Dialogue to attend its annual meetings.

There can be no doubt that one of the Committee's most important meetings was that held in Berlin in June 2007, when it approved the *Committee on Women in the NATO Forces guidance for NATO Gender Mainstreaming*⁽⁹⁾ report. This was the Alliance's first major contribution from a perspective of mainstreaming gender into military operations, particularly in three areas: operational planning, education and training and assessment.

In May 2009, the Committee and the Office changed their names to the "NATO Committee on Gender Perspectives"⁽¹⁰⁾ (NCGP) and the "NATO Office on Gender Perspectives"⁽¹¹⁾ (NOGP).

The Committee's main missions are:

- To advise and support NATO's Military Committee on gender issues.

⁽⁹⁾ *Committee on Women in the NATO Forces Guidance for NATO Gender Mainstreaming*. http://www.nato.int/issues/women_nato/cwinf_guidance.pdf

⁽¹⁰⁾ *NATO Committee on Gender Perspectives*. http://www.nato.int/issues/women_nato/2011/HANDBOOK_2011.pdf

⁽¹¹⁾ *NATO Office on Gender Perspectives*. http://www.nato.int/issues/women_nato/owinf.html

- To promote the gender perspective as a strategy involving the concerns and interests of both men and women, making these into a core element in the preparation, implementation, monitoring and assessment of policies, programmes and military operations.
- To facilitate the sharing of information on gender perspectives in policies among NATO countries in the command structure, particularly in NATO headquarters in Brussels.
- To act as a link with international bodies and other parties interested in the integration of gender perspective into military operations.
- To be a NATO contact point for the collection, analysis and distribution of information through the Office.

Special mention should be made of the 4th "Soldado Idoia Rodríguez, Mujer en las Fuerzas Armadas" award presented by the Spanish Defence Minister, Carme Chacón Piqueras, on 30 November 2011⁽¹²⁾ to NATO's Committee on Gender Perspectives, in recognition of its support for the incorporation and integration of women into the Spanish and allied armed forces. The award recognised the Committee's work in applying the various UN Security Council resolutions relating to Women, Peace and Security in the heart of the Alliance.

■ Organisation of the Gender Perspectives Committee and Office

The Committee consists of military officers and their civilian equivalents from every NATO nation, who are charged with ensuring familiarity with the latest gender-related developments in their country. This is managed by an Executive Committee and is supported by the Office.

The Executive Committee consists of a chairwoman, a chairwoman-elect and two vice-chairwomen. The chairwoman and chairwoman-elect are designated at national level and must be women officers on active service. This means that NATO's Committee on Gender Perspectives is the only International Military Staff committee to be chaired by a woman.

The Committee on Gender Perspectives meets at NATO's Brussels headquarters at least once a year, or when summoned by the chairwoman.

The Office on Gender Perspectives is a permanent focal point for the collection, supply and sharing of information on national programmes, policies and procedures relating to gender. The head of the Office is appointed from members of the Committee on Gender Perspectives, acting as a contact point within NATO headquarters.

⁽¹²⁾ http://www.nato.int/cps/en/natolive/news_82538.htm

■ **Application of Resolution 1325. EAPC⁽¹³⁾ 2007**

The annual meetings of the Committee on Gender Perspectives have concluded that Resolution 1325 has been incorporated inconsistently by Member States over the last decade. Some states have developed plans and guidelines effectively, and have even organised training and education sessions prior to deployments and in the field, whilst other countries have hardly begun to consider the issue.

However, in 2007, the North Atlantic Council approved the NATO/EAPC policy on application of Resolution 1325 on Women, Peace and Security⁽¹⁴⁾, which it did openly and transparently with the support of all partner countries. This policy is a starting point for Alliance military authorities to comply with the objectives of 1325. According to this Resolution, military authorities should entrust Member States with the task of proposing measures to apply 1325, subject to constant review, and to monitor and report on work by the UN, the OSCE and the EU in incorporating gender issues into peacekeeping operations. The object, as far as possible, is to ensure the compatibility of efforts that could lead to the sharing of experiences and the development of best practices. The military authorities must consult with NGOs working on the ground to establish links to those with experience in areas where NATO is deploying its forces.

The North Atlantic Council and the Euro-Atlantic Partnership Council are charged with constantly monitoring and reviewing its application, reporting annually.

The Euro-Atlantic Partnership Council recognises that the complexity of NATO's missions and operations (with fifty thousand personnel deployed from the Balkans to Afghanistan) requires a consistent approach to incorporating gender issues, and underlines the need for the knowledge of all parties involved in areas of conflict, including civilians, of course. This is what is known as a comprehensive approach within the Alliance.

One of the lessons learnt from the application of the document was the need to respect national politics. This effectively excludes the possibility of, for example, imposing a quota on the number of women in national armed forces.

■ **Application of Resolution 1325. BI-SC Directive 40-1-2009**

The April 2009 NATO summit in Strasbourg-Kehl, represented the start of a new era in the application of Resolution 1325. Paragraph 36 of the Declaration includes a firm commitment by heads of state and government, as follows: "We

⁽¹³⁾ The Euro-Atlantic Partnership Council

⁽¹⁴⁾ NATO/EAPC policy on implementing UNSCR 1325 on WPS.

remain actively engaged with our Partners in supporting the implementation of UNSCR 1325 on women, peace and security, with the aim of having a comprehensive set of measures in place by autumn 2010".

Continuing with this policy, the director of the International Military Staff instructed the Strategic Commands to develop practical proposals and guidelines for the application of 1325. This led to Directive Bi-SC 40-1, of 2 September 2009, coordinated by both Strategic Commands (Operations and Transformation), entitled: *Integrating the 1325 and Gender Perspectives in the NATO Command Structure including measures for protection during armed conflicts*⁽¹⁵⁾.

This directive is now the core document for the incorporation of gender perspectives into NATO's organisations and military operations and is consistent with the policies of the UN and the EU and with National Action Plans. It provides a number of guidelines giving the Alliance and its operations the ability to include a gender perspective, paying particular attention to women. This promotes a gender policy and recognises an obligation on all NATO members and their partners to comply with UN resolutions protecting women and girls during armed conflicts. These resolutions include: 1261 and 1314 on children and armed conflicts, 1674 on protection of civilians in armed conflicts, and 1820 on Women, Peace and Security, as well as the 1949 Geneva Convention, relating to protection of civilians in wartime and Article 77 of the 1977 Additional Protocol, relating to the protection of the victims of international armed conflicts (Protocol I).

The document recognises that the complementary capabilities of men and women are essential for the efficiency of NATO operations. This issue is recognised as applying across its entire structure.

Directive Bi-SC 40-1 applies to all International Military HQs and every other organisation operating in Strategic Command chains of command.

The gender perspective should become routine through consistent application of this Directive, whilst always considering operational needs in order to improve operational effectiveness. In this context, the gender perspective represents the process of recognising and incorporating the role played by gender in a range of NATO operating missions. As we stated earlier, the gender perspective is not exclusively related to women. However, it is also the case that women are usually the objectives and beneficiaries, due to their disadvantaged position in so many communities. Women should also be seen as participants whose activity in all stages of the crisis or conflict guarantees a sustainable peace.

⁽¹⁵⁾ http://www.nato.int/nato_static/assets/pdf/pdf_2009_09/20090924_Bi-SC_DIRECTIVE_40-1.pdf *Integrating the 1325 and Gender Perspectives in the NATO Command Structure including measures for protection during armed conflicts.*

There are a number of new aspects to consider in the Directive:

- It aims to increase the functions of women at all levels of operations and missions and to increase their representation throughout NATO's command structure.
- Integration of the needs of women during planning (medical needs, supplies, accommodation etc.).
- Training of personnel before and during deployment in issues such as: the protection, rights and needs of women and girls, the importance of the participation of women in operations and missions and cultural communication to understand the specific gender context in the area of operations.
- It includes standards for behaviour during operations, missions and exercises, considering the diversity of Alliance nations, with personnel with differing educational and training levels.
- It analyses the measures available in operations to protect against sexual violence, particularly rape and other forms of sexual abuse and violence in situations of armed conflicts, promoting contacts between female NATO personnel and the local population.
- It created a post that is becoming key to the development of all aspects of gender in operations: *Gender Advisors*. These advisors are responsible for ensuring the integration of Resolution 1325 and can be assigned to NATO's fixed HQs and HQs in operation, mission or exercise zones. Their functions and responsibilities include:
 - a. Directly supporting the Command in planning, conducting and assessing operations through integration of the gender perspective and 1325 in operational processes and procedures.
 - b. Providing advice and information on guidelines related to Resolution 1325
 - c. Support for updating of information on the number of, and posts occupied by, women deployed on operations and missions.
 - d. Establishing and supervising an education and training system to raise awareness of gender issues (in garrisons and in deployments).
 - e. Establishing and maintaining permanent contact with the NATO Committee on Gender Perspectives and other organisations such as the UN, the OSCE, the EU, the International Committee of the Red Cross and NGOs, together with local and international women's groups, to promote the sharing of information in peacetime and during crisis operations and exercises.
 - f. Supporting the Command and the legal advisor with any investigation of breaches of NATO behavioural regulations.

The final declaration following the NATO Defence Ministers meeting in June 2010, approved the *Report on Mainstreaming UNSCR 1325 into NATO-led Operations and Missions*⁽¹⁶⁾. This report was prepared in consultation with

⁽¹⁶⁾ *Report on Mainstreaming UNSCR 1325 into NATO-led Operations and Missions.*

non-NATO countries belonging to ISAF (the International Security Assistance Force) and KFOR (the Kosovo Force). The idea was to: (1) provide the additional resources and capabilities for mission commands and to improve their chances of success, (2) help win local support, both in operations and internationally and (3) reach the half of the population that in some circumstances is practically inaccessible. The latter is particularly important when faced with counterinsurgency, as is the case with NATO in Afghanistan. Although some areas for improvement remained, including the need to incorporate these efforts into daily operational planning and into practice, the Report identified some areas in which NATO is achieving the objective of integrating 1325 into its operations and missions. These include:

- In pre-deployment training courses. Some nations organise specific training courses for gender advisors.
- The assignment of gender advisors in the Allied Command Transformation (ACT), KFOR, the ISAF General Command, ISAF Joint Command and the general commands in Operations, and in Provincial Reconstruction Teams (PRT) in Afghanistan.
- The establishment of a multifunctional working group led by the Supreme Allied Commander Europe to assess the resources being used in incorporating Resolution 1325 into operational planning and implementation.
- The creation, training and use of Female Engagement Teams (FETs) in the ISAF Operation. The objective of these female teams, directly supporting battalion and company commanders, is to build contacts with the local population, and to create confidence in the Afghans, particularly women living in rural areas. The FETs consist of approximately five soldiers, together with medical and linguistic personnel, all of whom are women and accompany the soldiers on patrols.

The report concluded with a recommendation to the North Atlantic Council to prepare an action plan for the Lisbon Summit (November 2010), detailing how Resolution 1325 should be integrated into NATO operations and missions.

Finally, among other decisions, the NATO/EAPC forum was opened to countries from the Mediterranean Dialogue countries, the Istanbul Cooperation Initiative and the Contact Countries in June 2010.

■ National Action Plans (NAPS)

Despite the comprehensive nature of Directive 40-1, in 2010 the NATO Gender Perspectives Committee found that there were some difficulties in its application. To deal with these difficulties, the Committee prepared *Recommendations on Implementation of UNSCR 1325*⁽¹⁷⁾. One of the most

⁽¹⁷⁾ *Recommendations on Implementation of UNSCR 1325*. http://www.nato.int/issues/wo men_nato/pdf/2010/BrochureGender.pdf

important recommendations of this was that the countries should develop an action plan and guidelines for application of Resolution 1325. Countries without a national action plan were advised to improve their coordination mechanisms and to consult other parties, such as NATO's International Staff and international organisations and research bodies involved in gender issues. These plans must be reviewed and updated to ensure that they remain valid.

The main leaders and commands must be committed to the plan. Responsibilities should be assigned, in order to increase commitment to the plan. Commanders must be aware that gender multiplies the effects of efforts for success of the operation. Goodwill and support are not enough; active participation is required. Commitment at the highest level is a key factor in the effective application of UNSCR 1325.

It also stated that education and training are catalysts for improving awareness of gender issues and for the successful application of a gender perspective to operations. Nations were therefore recommended to develop their training programmes. NATO should provided "training for trainers" to meet standardisation and interoperability requirements.

A centralised database should also be created, together with a network of gender contact points for the exchange of best practise and to share experiences and lessons learnt from successes and failures.

Being an advisor, the gender advisor should be integrated into the military structure in order to support the Command.

Communication is another key factor. Communicating and sharing information on gender issues is an important way of raising gender awareness and improving education and training.

NATO and the nations must provide adequate financing, time and staff resources.

■ 10 years of Resolution 1325

In January 2010, NATO joined in the celebrations of the tenth anniversary of the approval of Resolution 1325. To celebrate this event, the secretary general Anders Fogh Rasmussen addressed the European Commission on *Empowering women in peace and security*⁽¹⁸⁾. The Secretary General discussed the "ongoing victimisation of women in conflict situations and the marginalisation of women in matters of peace-building", issues with a deep impact on global security and one of the "key security issues of our time". He stated that "NATO has heard this call. Our military authorities have developed guidelines for the integration

⁽¹⁸⁾ http://www.nato.int/cps/en/natolive/news_61039.htm

of gender issues into all NATO planning and operations" and that "we have studied carefully the significance of gender issues to the success of our operation in Afghanistan". However, there are some areas of activity where the response to Resolution 1325 must be examined more closely. One of these is the number of female soldiers under NATO command. The Secretary General stated that the percentage of women in member state armed forces varied considerably, with some countries as low as just 3% and others as high as 18%. "I firmly believe that these figures are too low", he said. NATO's objective is to increase the proportion of women in the armed forces of its member countries.

In September 2010, NATO held a multimedia exhibition at its Brussels headquarters entitled *Women, Peace and Security: NATO's contribution to 10 years of UN Security Council Resolution 1325*⁽¹⁹⁾. At the opening ceremony, the Acting Assistant Secretary General for Public Diplomacy, Stefanie Babst, said "NATO's contribution to the implementation of UNSCR 1325 is a very good and important story - but one which has yet to be told". She also discussed "NATO's efforts to protect women and girls in conflict zones, its peace-keeping operations that have started to include gender perspectives, and its commitment to empowering women to play their rightful role in shaping peace and security" –she added that– "while the international community, including the Alliance, has made some progress in the past, we still have some way to go".

Deputy Secretary General Bisogniero then explained the specific steps taken by NATO to promote the participation of women in peace and security, including: developing guidelines to integrate gender issues into all levels of planning and operations, establishing a code of behaviour for all military personnel, deploying gender advisors at NATO headquarters in Kosovo and Kabul, and employing gender experts in several provincial reconstruction teams in Afghanistan.

He went on to say that "senior civilian and military leadership also have key roles to play in promoting the participation of women at all levels of decision-making" and that "We have already made some significant progress - but I hope that the 10th anniversary of this landmark resolution will provide an inspiration for all of us to contribute even more - as an organization, as Allies and as Partners"

■ The Lisbon Summit: a road map for the future

At the November 2010 Lisbon Summit, NATO leaders adopted a new Strategic Concept that will serve as a route map for the Alliance over the coming decade, reiterating the commitment to defend itself against attack from all modern threats in a changing world.

⁽¹⁹⁾ http://www.nato.int/cps/en/SID-87562DFF-935217E3/natolive/news_66157.htm?selectedLocale=en

Although Resolution 1325 and gender commitments were not included in the new Strategic Concept, the gender perspective was on the agenda for the negotiations.

Point 7 of the Summit's Declaration⁽²⁰⁾, which lists all the issues dealt with and the decisions adopted by the heads of state and government, states⁽²¹⁾:

"We welcome the 10th Anniversary of UNSCR 1325 on Women, Peace and Security. Guided by the Policy that we developed together with our Partners in the Euro Atlantic Partnership Council, we have already taken significant steps to implement it and its related Resolutions. We have today endorsed an Action Plan to mainstream the provisions of UNSCR 1325 into our current and future crisis management and operational planning, into Alliance training and doctrine, and into all relevant aspects of the Alliance's task. We are committed to the implementation of this Policy and Action Plan as an integral part of our work to improve the Alliance's effectiveness, and today we endorsed recommendations to this end. We have tasked the Council to provide a progress report to our Foreign Ministers in December 2011 and at the next Summit".

This plan is entitled the "NATO Action Plan to mainstream UNSCR 1325 into NATO-led Operations and Missions"⁽²²⁾ will be updated every six months, and was approved by the nations contributing to the KFOR and ISAF operations. This Action Plan will provide a list of objectives and proposals for actions and the authorities that will lead them. It will also include a schedule to guide the implementation of these actions.

The Lisbon Summit also approved the *Comprehensive report on the NATO/EAPC policy on the implementation of UNSCR 1325 on WPS and Related Resolutions*⁽²³⁾. This details what had already been achieved and made practical recommendations for the future based on internal NATO and external resources. We can summarise it in five points:

- First, the gender perspective is considered essential in all policies, programmes and documentation, meaning that Resolution 1325 should

⁽²⁰⁾ http://www.nato.int/cps/en/natolive/official_texts_68828.htm

⁽²¹⁾ "We welcome the 10th Anniversary of UNSCR 1325 on WPS. Guided by the Policy that we developed together with our Partners in the Euro Atlantic Partnership Council, we have already taken significant steps to implement it and its related Resolutions. We have today endorsed an Action Plan to mainstream the provisions of UNSCR 1325 into our current and future crisis management and operational planning, into Alliance training and doctrine, and into all relevant aspects of the Alliance's tasks. We are committed to the implementation of this Policy and Action Plan as an integral part of our work to improve the Alliance's effectiveness, and today we endorsed recommendations to this end. We have tasked the Council to provide a progress report to our Foreign Ministers in December 2011 and at the next Summit".

⁽²²⁾ "NATO Action Plan to mainstream UNSCR 1325 into NATO-led Operations and Missions"
⁽²³⁾ *Comprehensive report on the NATO/EAPC policy on the implementation of UNSCR 1325 on WPS and Related Resolutions.*

be incorporated into all of NATO's activities at all levels. It should slowly yield a change in mindsets and behaviours, and to that end decision-making bodies have been given responsibility to take forward implementation in their own domains of expertise.

- Second, cooperation with international organisations and civil society. Initiatives have been undertaken to identify synergies and areas for cooperation and exchange of best practices. NATO seeks to avoid duplicating efforts with bodies such as the UN, EU, OSCE, OECD (Organisation for Economic Cooperation and Development) and the International Committee of the Red Cross, as they often use the same resources.
- Third, education and training for civilian and military staff is an essential tool for raising awareness on UNSCR 1325 and for contributing to the effectiveness of operations and missions. This is a long-term investment that is not always visible. NATO has notably made use of its own institutions to support UNSCR 1325, such as the NATO Defence College and the NATO School in Oberammergau, in addition to NATO Headquarters itself, including the NATO Committee on Gender Perspectives.
- Fourth, Operations, the integration of which has demanded a comprehensive and robust policy. The application of Directive Bi-SC 40-1 has already yielded positive results, particularly through the introduction of behaviour guidelines and the deployment of gender advisors at the ISAF Central Command from October 2009. These efforts can be considered a great success in three areas: 1) full integration into ISAF HQ staff while simultaneously enhancing situational awareness, 2) establishment of a network with Regional Commands, Provincial Reconstruction Teams, NGOs and women's organizations, improving trust and rapport with the civilian population and 3) recognition that mainstreaming gender perspectives requires a continuous and shared effort until it becomes the norm. A Gender Perspective Working Group was created to carry out this work by the SHAPE (Supreme Headquarters Allied Powers Europe) Chief of Staff in May 2010, endeavouring to implement UNSCR recommendations and operational lessons identified in all aspects of NATO-led operations.
- And fifth, Public Diplomacy. Since 2010 NATO has adopted a dual approach, taking into account the strong influence of the media on the perception of the role of women in society, culture and the military life: 1) communicating through the NATO TV Channel on the Internet and its website, and 2) engaging through direct exchanges, visits to NATO HQ, discussions and events.

The final section of the Report features a list of recommendations for the North Atlantic Council and the civilian and military authorities of NATO. One of the Secretary General's tasks is to prepare an annual report on the application of UNSCR 1325 in NATO.

■ **Review of the 2007 "NATO/EAPC policy on the implementation of Resolution 1325 on Women, Peace and Security"**

As previously mentioned, in 2007 the North Atlantic Council and the partner countries approved the NATO/EAPC policy on the implementation of Resolution 1325. This policy was updated in June 2011, taking into account the four pillars of the UN for Resolution 1325: prevention, protection, participation, and relief and recovery⁽²⁴⁾, in the context of a comprehensive strategy for application of the policy, to which a new element was added. This declared that national initiatives are essential for its success, particularly through the development and implementation of national action plans and other strategic national initiatives.

In the current version of the NATO/EAPC policy⁽²⁵⁾ it was decided to carry out a two-yearly review of the document through the Political and Partnerships Committee, approved by the North Atlantic Council. The new version is supported by an Implementation Plan, which provides the overall framework for practical implementation of UNSCR Resolutions. This identifies goals, concrete actions, action authorities, measurement of progress, timelines and status of work. This Plan is the tool for reporting on progress in the six tracks of the NATO/EAPC policy, to be reviewed on an annual basis in June.

■ **Conference with international bodies and NGOs at NATO headquarters on "Lessons learnt from the implementation of la Resolution 1325"⁽²⁶⁾**

The debates attracted many leading speakers from a range of organisations from all over the world. More than 65 representatives from the United Nations, the European Union, the Organization for Security and Co-operation in Europe and NATO, as well as from the world of academia and a number of NGOs, discussed issues such as the mainstreaming of UNSCR 1325 into education and training programmes. They also considered the effectiveness of protection, prevention and participation in all phases of armed conflicts and reconstruction efforts and the role of women in international security reforms.

Through this conference, NATO reaffirmed its commitment to promoting the role of women in peace and security. The Conference's conclusions included the need for these bodies to cooperate to ensure that they do not produce contradictory results.

Furthermore, the international community is not adequately meeting its commitment to women and girls in terms of cooperation between international bodies, NGOs and civil society. Some international bodies have gender

⁽²⁴⁾ Prevention, protection, participation, and relief and recovery.

⁽²⁵⁾ http://www.nato.int/cps/en/natolive/official_texts_76395.htm?selectedLocale=en

⁽²⁶⁾ http://www.nato.int/cps/en/SID-E9B13D19-F6147EB1/natolive/news_81808.htm?selectedLocale=en

advisors who are not committed full-time, and where the gender perspective is still very scanty among military personnel.

At present, women are excluded from the highest levels of decision making, as well as from peace processes and reconstruction. However, we can state that there is a correlation between the participation of women, security in society and the reduction of sexual violence. There has been some progress at an institutional level, but this has not been mirrored in practice, as there is still a shortage of women in operating and tactical posts. The problem can be summarised as one of lack of commitment, knowledge, training, willingness and capacity.

■ Gender balance and diversity in NATO⁽²⁷⁾

We will now look at the representation of the sexes at NATO's Brussels headquarters. At the 2002 NATO Prague summit, the Member States agreed to carry out a study to improve the balance of the sexes in civilian staff. A Task Force was formed which worked closely with the national delegations, the International Staff and the International Military Staff to define a number of guiding principles: guaranteeing fairness in recruitment and promotion, ensuring the high quality of NATO personnel, and respecting the diversity of all Alliance members.

The Task Force agreed not to set quotas, as NATO recruitment is based on merit, whilst also proposing to increase the overall number of women employed.

To substantiate these decisions, NATO adopted an Equal Opportunities and Diversity Policy in 2003, applicable to its bodies and agencies. Since then, six annual reports and two monitoring reports have described achievements, trends and new recommendations on this issue.

At present, 37.1% of the approximately 1,200 International Staff and 43.7% of the International Military Staff are women.

■ Achievements, road map and conclusions

In addition to the decisions and significant documents adopted, there has been substantial progress in the application of Resolution 1325, particularly:

- Security Council Resolutions on Women, Peace and Security have been integrated into NATO activities as a priority, particularly in Afghanistan.
- Gender perspective reports are included in the periodic assessments of the ISAF mission, the Afghan government and the Provincial Reconstruction Teams. For example, we know from one of its most recent reports that women account for 9% of ISAF's overall personnel.

⁽²⁷⁾ http://www.nato.int/cps/en/natolive/topics_64099.htm

- We are also seeing an increased in the number of women in the armies of countries where there is more limited freedom. Afghanistan is a classic example - when the Taliban governed the country, women and girls were hardly permitted to step foot on educational premises. Today, there are over one thousand women in the Afghan army, with more than two and a half million girls enrolled in schools, whereas there were virtually none just ten years ago.

The road map for the future can be set out as follows:

- Improve cooperation with the UN, EU, OSCE and NGOs.
- Continue revision of NATO/EAPC policy and its applicability.
- Consolidate a high level of commitment, paying attention and reacting to the NATO Secretary General's annual report into implementation of Resolution 1325.

The most important conclusions are:

- NATO has adhered strictly to the UN's objectives for promoting gender, particularly in crisis situations. This commitment has been shown through the adoption of specific measures at all levels of the Organisation.
- Implementing this policy will always present great challenges, but inclusion of the principles of Resolution 1325 and its additional resolutions is essential to the success of NATO missions, as has been shown by NATO's experience in Afghanistan.
- There are not enough gender specialists –male or female– to meet all current and potential requirements for NATO operations. Some of these deficiencies arise from the military traditions of the member countries, and will only be overcome in the medium term.
- NATO and its partner countries have brought together a number of international bodies to contribute to the efforts of the international community in support of the principles of Resolution 1325. Palwasha Kakar, the Vice-Minister for Women's Issues in Afghanistan, recently declared that Afghan women can only serve their country and work effectively for peace and security with the committed backing of the international community.
- There is increasing recognition that women perform a crucial function in society, and that they have special skills for contributing successfully to 21st century security challenges.

■ WOMEN AND THE EUROPEAN UNION

"The European Union launched its first crisis management operation in 2003. Since then we have deployed over 20 military, police and rule-of-

law operations on three continents. The experience we have gained from earlier and ongoing operations feeds into those currently at the planning stage. For example we have learned that including Human Rights and Gender approaches in all of our missions makes our operations more effective⁽²⁸⁾.

Javier Solana (2008), former Secretary General of the EU Council and High Representative for Common Foreign and Security Policy.

"Today's human rights violations are the causes of tomorrow's conflicts".

Mary Robinson, former High Commissioner for Human Rights.

"Working with a gender perspective inside a military force clearly supports the work and results of the operation. In particular, it improves collection and gathering of information and intelligence and supports the objective of gaining credibility among the local population. It is crucial to win the 'hearts and minds' of the local population so that they feel trust and credibility in us and our work. In this context, it is vital to work towards the local female population, which has not always been the case in previous missions⁽²⁹⁾.

Former gender advisor for EUFOR, Democratic Republic of the Congo.

■ INTRODUCTION

In the previous chapter we examined the inclusion of the gender perspective in NATO's agenda and its importance. In this chapter we assess the progress that the European Union has made in this area. We take as our starting point that this is an international body involved in and committed to the principles of freedom, human rights and democracy, aspects which have been central to the EU since it was founded by the signing of the Maastricht Treaty in 1992. We have therefore included consideration of United Nations Security Council Resolution 1325 on Women, Peace and Security, in the Common Security and

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Defence Policy⁽³⁰⁾ (CSDP) (previously known as the European Security and Defence Policy, ESDP), developing the Lisbon Treaty, which has remained in force since 2009.

The EU has launched a wide-ranging Women, Peace and Security policy, covering humanitarian aspects, development, security and foreign relations, from crisis management to long-term reconstruction. This is financed by a range of bodies, such as the European Instrument for Democracy and Human Rights and the Instrument for Stability. The EU considers that its policy on women, peace and security must be pursued comprehensively, through multilateral action (particularly within the UN) and the local efforts of Member States.

We will now examine how the gender perspective has been included in CSDP operations and missions.

■ **EU policy for the integration of human rights and gender in CSDP operations and missions**

- *EU political commitments*

The 2010 revised consolidated version of the Treaty on European Union⁽³¹⁾ states in Article 2 that:

"The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail".

Article 6 of the Treaty refers to the Charter of Fundamental Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms. Article 21 and Article 3.5 refer explicitly to human rights in relation to the EU's foreign policy.

The European Security Strategy⁽³²⁾, adopted in September 2003, identifies protection of human rights as one of the best ways of consolidating the

⁽³⁰⁾ The EU covers the full spectrum of possible missions and operations. The Common Security and Defence Policy (CSDP) in its current form is a recent EU policy. It was launched in 1999 as an integral part of the Common Foreign and Security Policy (CFSP). It was not until 2001 that the European Union declared its European Security and Defence Policy (ESDP). In 2003 The General Affairs and External Relations Council (GCORE) declared that the EU has a operational capability across the globe (EUPA's strategy). It has attached 24 missions to the CSDP. It has developed the first specific EU strategy for identifying and responding to the most serious threats to international security. This strategy, adopted in 2004, is the EU's regional security strategy, replacing the strategy developed in 2003, related to security throughout the spectrum of crisis management, military operations, reform of the security sector and governability, policing and the rule-of-law. In this sense, the EU's defence strategy is complementary to that of NATO and other international organisations.

international order⁽³³⁾. The 2008 Report on the application of this strategy (Providing Security in a Changing World) reiterates the importance of incorporating human rights into CSDP missions⁽³⁴⁾.

Furthermore, the EU's annual reports on human rights, together with numerous conclusions from the European Council and EU/CSDP policy documents have all focused on gender aspects.

- *Key commitments in the common security and defence policy*

In June 2001, two years prior to the EU launching its first CSDP operation, the Council of the European Union⁽³⁵⁾ (the main decision making body of the European Union, consisting of 27 national ministers) defined four core elements for democratisation and human rights in the Union: consistency between community action and its Common Foreign and Security Policy, opening of enhanced dialogue between the European Parliament and civil society, definition and periodic review of priority actions, and the incorporation of human rights and democratisation into the EU's policies.

With regard to these, since 2005 the EU has developed a set of political measures on the incorporation of human rights and gender issues into the CSDP⁽³⁶⁾. These included the need to include human rights and gender in all

⁽³³⁾ "The quality of international society depends on the quality of the governments that are its foundation. The best protection for our security is a world of well-governed democratic states. Spreading good governance, supporting social and political reform, dealing with corruption and abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order".

⁽³⁴⁾ "We need to continue mainstreaming human rights issues in all activities in this field, including ESDP missions, through a people-based approach coherent with the concept of human security. The EU has recognised the role of women in building peace. Effective implementation of UNSCR 1325 and UNSCR 1612 on Children and Armed Conflict is essential in this context".

⁽³⁵⁾ http://europa.eu/about-eu/institutions-bodies/council-eu/index_en.htm

⁽³⁶⁾ A. Mainstreaming Human Rights and Gender into ESDP, compilation of relevant documents (2008).

B. Mainstreaming human rights into ESDP (doc 11936/4/06).

C. Mainstreaming human rights across CFSP and other EU policies (doc 10076/06).

D. Comprehensive approach to the EU implementation of the UNSCRs 1325 and 1820 on WPS (doc 15671/1/08).

E. Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP (doc 15782/3/08).

F. Check-list for transitional justice (contained in doc 10674/06).

G. Draft General review of the Implementation of the Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP Operations (9822/08).

H. Update of the EU Guidelines on children and armed conflict (10019/08).

I. EU guidelines on violence against women and girls and combating all forms of discrimination against them (16173/08).

J. Implementation of UNSCR 1325 and UNSCR 1820 in the context of training for the ESDP missions and operations - recommendations on the way forward (13899/09).

phases of CSDP operations and missions, ensuring availability of the technical know-how needed in terms of staff and training. This policy includes specific commitments in relation to the rights of children, whilst with regard to gender issues, emphasis is placed on applying Resolutions 1325 and 1820.

Based on these measures, the EU has decided to adopt questions of gender in the planning and implementation of its international crisis management missions under the CSDP.

The challenge is substantial, as it involves raising awareness and developing respect for the implications of gender in operations, in order that these can be put into practice and mainstreamed into day-to-day mission activities.

The objective of applying Resolution 1325 through the CSDP is to ensure that this policy is consistent with gender equality in the EU.

The need to integrate a gender perspective was set out explicitly by ministers responsible for gender equality⁽³⁷⁾ in February 2005. The General Affairs and External Relations Council later confirmed that the EU should develop measures to integrate Resolution 1325 into the CSDP. This formed the basis of a debate in 2005 on gender and security or, more precisely, on Resolution 1325 and the CSDP.

The first reference to the gender perspective was made by the Secretary General of the European Council in *EU Generic Standards of Behaviour for CSDP Operations*⁽³⁸⁾ (May 2005). These guidelines aim to set out an ethical code for the behaviour of the personnel involved in operations and missions. This document also specifies that "pre-deployment training of personnel, carried out nationally as well as by the EU, should include training and education on defined standards of behaviour. Particular attention should be given to international law, including international humanitarian law and human rights issues, gender issues and child rights issues".

The General Secretariat was subsequently tasked with preparing an operational document on the *Implementation of UNSCR 1325 in the context of ESDP*⁽³⁹⁾ (September 2005). When the Secretariat prepared this document, it was based on the structure of Resolution 1325 and contributions from some Member

K. Checklist for working with civil society (doc 10056/1/04).

L. Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations (doc 15091/10).

⁽³⁷⁾ http://www.eu2005.lu/en/actualites/documents_travail/2005/02/04pekin-declmin/index.html

⁽³⁸⁾ *EU Generic Standards of Behaviour for ESDP Operations*. <http://register.consilium.europa.eu/pdf/en/05/st08/st08373-re03.en05.pdf>

⁽³⁹⁾ *Implementation of UNSCR 1325 in the context of ESDP*. http://www.eulex-kosovo.eu/training/hrji/docs/170707implementationunscr_en.pdf

States. However, some Member States expressed their reticence as they did not understand why "the EU" should, for example, take an interest in questions relating to recruitment and training of men and women in national security forces, when this is a national competence. However, the general reaction was positive.

Given the different levels of application of Resolution 1325 by EU Member States, it would have seemed difficult to develop the ambitious action plan that some were seeking. Nevertheless, as the States were able to agree on a project including a number of non-binding measures, the document was approved by the Political and Security Committee and the European Council in November 2005.

The document addressed practical measures such as:

- Striving to improve the representation of women at all levels of decision making.
- Increasing dialogue with local and international women's groups.
- Protecting women and girls suffering in conflicts.
- Incorporating a gender perspective into CSDP operations.
- Ensuring gender training and awareness raising.
- Promoting cooperation, the sharing of knowledge and best practices among Member States and with other international organisations, such as the UN, the OSCE, NATO, the International Committee of the Red Cross and NGOs.
- Promoting gender issues in public information relating to the CSDP.

These measures cover all the planning and implementation processes from pre-conflict and through the conflict, representing a step forward towards more systematic integration of a gender perspective into the EU's foreign relations.

The activities carried out to date include, for example, voluntary sharing of best national practices between Member States. One key element in the analysis of this sharing (which took place in spring 2006) was that there was increasing awareness of the need to incorporate a gender perspective into security and defence, together with a clear interest in the measures some States were adopting. Although the structure of the EU might facilitate the process, compliance with the commitments of Resolution 1325 is a joint responsibility for all parties involved, i.e. all Member States individually.

Given the need to comply with the mandate, some of the national ministries involved created an inter-ministerial working group and other offices and units for issues related to gender. All of these activities were set out in the National Action Plans⁽⁴⁰⁾ developed by some Member States. In particular, it is crucial that Member States apply a gender perspective and Resolution 1325

⁽⁴⁰⁾ <http://www.peacewomen.org/pages/about-1325/national-action-plans-naps>

to their national policies in CSDP missions. They are also responsible for pre-deployment personnel training.

To carry this out in practice, a checklist has been prepared for the aspects to be included relating to the gender perspective, such as definition of the mandate, training, lessons learnt, scenarios etc. The objective of this checklist is to facilitate inclusion of a gender perspective in initial CSDP operation planning. The idea of having a gender advisor or contact on each mission was also introduced.

The result of the sharing of best practices was *A check list to ensure gender mainstreaming and implementation of UNSCR 1325 in the planning and conduct of ESDP Operation*⁽⁴¹⁾, of July 2006, which is used in combination with the document *Implementation of UNSCR 1325 in the context of CSDP* by Member States' civilian and military planners, and the Secretariat of the Council.

The Council also tasked the EU's Institute for Security Studies with studying the incorporation of a gender perspective in the specific cases of the CSDP in Bosnia-Herzegovina, Operation Althea, the EU Police Mission (EUPM) and the EU Special Representation. The results of this study were included in the report *Gender mainstreaming: Implementing UNSCR 1325 in ESDP missions*⁽⁴²⁾, which was presented to the Political-Military Group in July 2006, with the following recommendations:

- Gender mainstreaming should start at the top. It requires the commitment of EU Member States at the highest level and should not merely be included in Operations at the last minute.
- Gender advisors in ESDP missions must be located in the Office of the EU Special Representative, with the level of Deputy Head of Mission.
- In November 2006, the Council adopted a ten point document prepared by the General Affairs and External Relations Council, *Council conclusions on promoting gender equality and gender mainstreaming in crisis management*⁽⁴³⁾ (doc. 14884/1/06).

This document recognises that being aware of the implications of the application of the gender perspective contributes to greater operating efficiency

⁽⁴¹⁾ http://www.eulex-kosovo.eu/training/hrgi/docs/Check_list_to_ensure_gender_mainstreaming_12068_06en.pdf

Check list to ensure gender mainstreaming and implementation of UNSCR 1325 in the planning and conduct of ESDP Operation.

⁽⁴²⁾ <http://www.iss.europa.eu/uploads/media/analy152.pdf> *Gender mainstreaming: Implementing UNSCR 1325 in ESDP missions.*

⁽⁴³⁾ http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news144.pdf *Council conclusions on promoting gender equality and gender mainstreaming in crisis management.*

"The Council expresses its determination to put in practice the decisions taken to promote gender equality in the context of ESDP and the related checklist, which seek to ensure gender mainstreaming and implementation of UN Security Council Resolution 1325 (2000) from the early planning to the conduct and evaluation of ESDP missions and operations".

and stipulates that a gender advisor should be assigned to all EU missions and operations.

Furthermore, the Council establishes that gender equality training should extend to all levels. In particular, it emphasises a policy of zero tolerance to exploitation, sexual abuse, sexual violence and prostitution, and demands punishment for any breaches thereof (although as stated previously, this is the responsibility of Member States).

According to the *Final Report on Gender Work inside EUFOR RD Congo*⁽⁴⁴⁾ (December 2006), the Operation established a successful and important precedent with the first-ever deployment of a gender advisor in an EU operation. Moreover, extra time was dedicated to training and awareness of gender issues than in previous missions. The soldiers deployed carried a "soldier's card" setting out "best practices for soldiers", including a reference to gender perspectives and zero tolerance to any behaviour representing sexual violence in the EUFOR.

Also in this operation, native women had the opportunity to give their point of view on the situation in the Congo, and to receive information on situations that might affect them. This was considered to represent substantial progress in the idea of empowering local women, as indicated in Resolution 1325, and an excellent way to support and improve the credibility of the forces deployed in the eyes of the local female population.

However, according to the January 2009 document, *Note: European Parliament and Gender Mainstreaming as it relates to ESDP*⁽⁴⁵⁾,

"Whilst there is a veritable oasis of political reflection and practical recommendations on improving gender mainstreaming at the conceptual, decision-making, implementation, operational, and lessons learned levels; there remains however a serious problem in systematic implementation of these ideas and recommendations in ESDP operations and peace-building activities".

In this regard, we can state that, whilst it is true that ever more gender advisors are being appointed, this is not the result of an authentic gender policy, i.e. a policy designed to resolve security aspects. And, accordingly, there continues

⁽⁴⁴⁾ http://www.honvedelem.hu/files/9/8008/eu_operation_headquarters_final_gender_report_eufor_rd_con.pdf "Working with a Gender perspective contributed to the achievement of the overall operation's objectives. Working with Gender improved the acceptance of EUFOR and also contributed to the effectiveness and success of the Operation. One example of this was information and intelligence brought to the Operation via the work on Gender".

⁽⁴⁵⁾ http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/afet_21012009_esdp_gender_2008_/afet_21012009_ESDP_Gender_2008_EN.pdf *Note: European Parliament and Gender Mainstreaming as it relates to ESDP.*

to be a lack of proportional gender representation at all levels of missions. Faced with this situation, in 2008 it was concluded that until there was a general awareness of the gender perspective among all personnel, and how this applies on the ground in operations, it would never be possible to achieve or apply Resolution 1325 or other EU Council documents.

This resulted in April 2007 in the first training course on gender and the CSDP, organised by Hungary and supported by the German Presidency at the time.

■ The EU strategy on Resolution 1325

There has been significant progress on gender issues in the EU over the last three years.

On 8 December 2008, the Council adopted two very important, and mutually complementary documents: *Comprehensive Approach to the EU Implementation of UNSCR 1325 and 1820 on Women, Peace And Security*⁽⁴⁶⁾ (henceforth, the *Comprehensive Approach*) and *Implementation of UNSCR 1325 as reinforced by 1820 in the context of ESDP*⁽⁴⁷⁾.

On the same day, the Committee adopted *EU guidelines on violence against women and girls and combating all forms of discrimination against them*⁽⁴⁸⁾, in which the EU undertook a long-term political commitment relating to the rights of women. This action against gender violence had three interrelated objectives: to prevent violence, to protect and support victims and to put suspects on trial.

By focusing on violence against women and girls, the EU was taking effective measures against one of the worst breaches of human rights in today's world.

The Comprehensive Approach establishes a common European framework for application of Resolutions 1325 and 1820, complementing the existing situation set out in National Action Plans and strategies. The objective of this was to guarantee coordination of the Union's external actions with all parties involved or participating in the missions. This aimed to achieve a "comprehensive" approach combining civilian and military aspects, together with coordination of governmental and non-governmental organisations working on the ground.

This approach also makes it possible to assess the EU's existing policies and establish a set of definitions for challenges and basic principles, and to set out specific measures agreed and accepted by the European Commission and

⁽⁴⁶⁾ http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news187.pdf *Comprehensive Approach to the EU Implementation of UNSCR 1325 and 1820 on WPS.*

⁽⁴⁷⁾ <http://register.consilium.europa.eu/pdf/en/08/st15/st15782-re03.en08.pdf> *Implementation of UNSCR 1325 as reinforced by 1820 in the context of ESDP.*

⁽⁴⁸⁾ <http://www.consilium.europa.eu/uedocs/cmsUpload/16173cor.en08.pdf> *EU guidelines on violence against women and girls and combating all forms of discrimination against them.*

Council to be implemented by the EU as a whole and the parties involved in particular. These measures are:

- Political support for Resolutions 1325 and 1820⁽⁴⁹⁾.
- Training in issues related to women, peace and security.
- Sharing of information and best practices: the Comprehensive Approach establishes a working group on women, peace and security which we deal with in more detail below.
- Action at the national and regional level, including the commitment to mainstream gender into the programming and implementation of the EU's financial instruments for conflict prevention, crisis management and post-conflict situations.
- Integration of issues relating to women, peace and security into all activity in the sector, including security, good governance and civil society, economic security, health, education and humanitarian aid.
- Cooperation with the UN and other international bodies.
- Monitoring and assessment, including the commitment of the recently created women, peace and security working group to developing indicators of progress in relation to the protection and empowerment of women in conflicts.

As we have already mentioned, the Comprehensive Approach is complemented by the document *Implementation of UNSCR 1325 as reinforced by 1820 in the context of CSDP* which can be seen as the main Community political tool relating to gender in the CSDP, the objective of which is specifically to ensure that a gender perspective is included and that Resolutions 1325 and 1820 are applied at all stages of missions and operations, both strategically and operationally. This contains a revised version of the previous operational document on the "Application of UNSCR 1325 in the context of CSDP" and the 2006 list, and on the gender perspective and the application of Resolution 1325 to the planning and performance of ESDP operations. It includes the need to increase female representation at all levels of decision making and the subsequent application of Resolution 1325 in a more general context (forward planning, operational planning, force generation, etc.).

Having said this, the Comprehensive Approach, as with most of the National Action Plans, sometimes lacks the key elements needed to help ensure the

⁽⁴⁹⁾ "The EU considers peace processes to be opportunities to promote the empowerment of women and gender equality, and to incorporate gender perspectives and respect for women's rights into resulting peace accords. In its actions, it aims to ensure that these issues are integrated into and prioritised in subsequent peace building and post-conflict reconstruction. The EU will seek to support the participation of women in peace processes, through both diplomacy and financial support. The EU shall strive to achieve a larger number of women as lead negotiators and mediators, recognising that women's efforts for peace at local and national level are also valuable resources for conflict resolution and peace building. The EU will support these organisations in their participation in peace processes, whilst involving women in all levels of decision making".

application of the Resolution on Women, Peace and Security, such as a clear timetable and resources. In general, greater attention is paid to the progress of processes than to changing the reality for women in areas affected by conflicts. Other problems that arise are: considering the gender approach a magic formula, the relatively small number of personnel that the EU has designated to work full time on gender issues in the European External Action Service, the lack of specific resources for implementation of the gender perspective and the small number of women in high-level positions in the EU, as only one of the ten Special Representative appointments so far has been a woman (Rosalind Marsden was appointed EU Special Representative for Sudan and South Sudan on 11 August 2010).

■ **EU task force on Women, Peace and Security⁽⁵⁰⁾**

Building on the Comprehensive Approach, an EU Task Force on Women, Peace and Security was created in Brussels to increase inter-institutional coordination and to promote a coherent approach to gender issues, encouraging sharing of information among the parties involved without prejudice to the chain of command. The Task Force consists of personnel working in the Gender Equality and Security Issues Section of the General Secretariat of the Council and the Commission, and is open to participation from all EU Member States. It is also in ongoing contact with organisations in civil society.

Over the last three years, Task Force meetings and coordination with NGOs in Brussels have resulted in this becoming the main driver in the application, exchange, development and compilation of indicators and best practices relating to the application of Resolution 1325. The Task Force is led by the Human Rights Unit of the European External Action Service⁽⁵¹⁾ which is made up of ten people. Despite being small in size, the Task Force works in close cooperation with the Commission and the European External Action Service, and other bodies such as the UN, representatives of civil society, NGOs, researchers and NATO. However, its capacity has been seriously limited by a lack of human resources.

The Task Force is an informal body but has been meeting on a regular basis since early-2009.

One of its responsibilities, under Article 43 of the Comprehensive Approach, is to develop indicators of progress on protecting and empowering women in

⁽⁵⁰⁾ http://www.eplo.org/assets/files/2.%20Activities/Working%20Groups/GPS/FOLLOW_UP_TO_10_POINTS_IN_10_YEARS_UNSCR_1325.pdf and http://www.eplo.org/assets/files/2.%20Activities/CSDN/Policy%20Meetings/Women%20Peace%20and%20Security%20in%20CSDP%20Missions/EPLO_Background_Paper_CSDN_Meeeting_WPS_in_CSDP.pdf http://www.consilium.europa.eu/uedocs/cms_data/librairie/PDF/WPSnew032011_EN.pdf

⁽⁵¹⁾ <http://eeas.europa.eu/>

conflict and post-conflict situations. The July 2010 document *Indicators for the Comprehensive Approach to the EU Implementation of UNSCR 1325 and 1820 on Women, Peace and Security*⁽⁵²⁾ facilitates monitoring and assessment of the Comprehensive Approach.

In its deliberations, the Task Force aims to produce a set of key indicators that are achievable, directly quantifiable, specific and relevant, and that can be used by EU institutions and Member States.

■ **EU policy since 2008. Training, a key instrument in incorporating the gender perspective**

In September 2009, the Council recognised the need to consolidate training as a key tool for applying UNSCR 1325. To this end it approved *Implementation of UNSCR 1325 and UNSCR 1820 in the context of training for ESDP missions and operations: recommendations on the way forward*⁽⁵³⁾. The objectives of this are:

- **Implementation.** Improving the quality and consistency of training through standardised courses (as promoted by the Foreign Affairs and Defence Ministries of Spain and Holland, which organised the first two pilot courses on "A Comprehensive Approach to Gender in Operations"⁽⁵⁴⁾, certified by the European Security and Defence College (ESDC), in June and December 2011). Experts and experienced organisations provide their support in preparing and delivering the training. Such personnel must be thoroughly familiar with Resolutions 1325 and 1820, and EU policy. Member States will include pre-deployment training activities in their action plans. These courses aim to develop capabilities related to all aspects of the gender perspective, and to integrate the common and shared efforts of both civilian and military personnel into the operations in which they are to participate. This creates indirect links between the organisations that are subsequently involved on the ground (EU, NATO) through course participants, creating a collaborative culture that is very desirable in such missions.
- **Availability and access.** States must demonstrate their availability for training and to receive training through the means offered: online gender courses, Internet-based distance learning and EU websites as a source of training information, links and news.
- **Strengthening links between awareness-raising, training and deployment** is of fundamental importance: this includes incorporating gender into Civilian Response Teams and reform of the security sector, updating of EU documents on training requirements, ESDC training, EU training guides, post profiles and selection processes.

⁽⁵²⁾ http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news272.pdf

⁽⁵³⁾ <http://register.consilium.europa.eu/pdf/en/09/st13/st13899.en09.pdf>

⁽⁵⁴⁾ A Comprehensive Approach to Gender in Operations.

- And finally, improving knowledge of the gender perspective to promote operational efficiency, improving gender training from top to bottom through heads of mission and operational command conferences.

■ Gender advisors

The document has been used as a reference source for gender advisors and the General Secretariat of the Council. This document binds the Comprehensive Approach to the EU's mechanisms and raises awareness in heads of mission⁽⁵⁵⁾.

The Council Secretariat organised the first meeting of gender advisors and CSDP contacts in Brussels in November 2009. The objective of this was to create links and to share experiences, best practices and knowledge acquired in missions and operations, and to identify new requirements for action on the ground. The most interesting relations were created around international and regional bodies (the UN, OSCE, NATO and the African Union took part as experts). Since then, gender advisors for CSDP missions have met annually in Brussels. At the second meeting, the report into *Lessons and best practices of mainstreaming human rights and gender into CSDP military operations and civilian missions*⁽⁵⁶⁾, approved by the Council in December 2010 was presented, resulting in:

- Active participation by women at the peace negotiating table and in democratisation processes and the work of political parties and elections, which, according to Resolution 1325, is of vital importance for reconstruction of social and political structures. CSDP operations and missions have to meet groups of women to hear their concerns, complaints and demands, so as to incorporate these issues, as appropriate and relevant, into mission planning.
- It also deals with sexual violence as an illegal warfare tactic, with profound social implications. Among its efforts to combat this, the EU may try to reform the security sector and pursue the trial of criminals, working with local police, prosecutors, courts and prisons, and with international courts. The main role of local security forces should be based on protecting the population. Training is therefore essential at all levels of the security services. Impunity for sexual offences must be brought to an end, and

⁽⁵⁵⁾ "Comprehensive Approach documents determine that the gender perspective should be incorporated into the training at the European Security and Defence College (ESDC), and that pre-deployment training should be continued through training during the mission. And, as stated in paragraph 1 of document No 15782/3/08 REV 3, in general, in addition to basic training, the commanding head of mission/operation must be informed by the Commission's services of the EU's policies and approach to application of Resolutions 1325 and 1820 prior to taking command".

⁽⁵⁶⁾ https://www.civcap.info/fileadmin/user_upload/Working_Group/CIVCOM_LessonsLearned.pdf *Lessons and best practices of mainstreaming human rights and gender into CSDP military operations and civilian missions.*

the responsibility of Governments for preventing people trafficking and mistreatment must be made clear.

- The responsibility of command and operation personnel for perspective must be emphasised. It must be ensured that the operation or mission is consistent with the objectives of EU foreign policy and it must be clear how this integration increases operational effectiveness.
- The gender advisors and contact points must be close to the command of the operation, and must be able to participate in strategic meetings.

Furthermore, in an attempt to coordinate short and longer-term policies and actions, the Commission's Directorate Generals, in consultation with the Council, prepared the "EU Action Plan on Gender Equality and Women's Empowerment in Development for the period 2010-2015⁽⁵⁷⁾" in March 2010, incorporating elements relating to armed conflicts.

The objective of this plan is to accelerate compliance with the Millennium Development Goals, particularly with regard to gender equality and maternal health, and to contribute to international development objectives related to gender equality. The Plan proposes actions in areas such as organisation of periodic political meetings to assess progress on the issue, the creation of gender databases and increased participation by civil society.

The Action Plan seeks to be an operating document focusing on a select number of objectives, proposing a series of activities to be carried out by EU Member States from 2010 to 2015. Other improvements have included increased sharing of information and best practices, and improved structures and coordination, particularly through the EU Task Force on Women, Peace and Security.

■ CSDP Missions and operations. Practical examples

Although the majority of CSDP operations now include a gender advisor or contact point, they are still not dedicated on a full-time basis, particularly in smaller operations. However, gender units have been set up in larger missions (EULEX in the Kosovo mission and EUPOL in Afghanistan). The indicators report shows that only four out of thirteen missions have at least one full-time gender advisor.

One major advance is that planning documents for all CSDP missions now have a series of applications to the gender perspective, ranging from a general mention of the gender perspective to more detailed aspects of gender equality: the Operation Plan (Bosnia and Herzegovina Police Mission), police training

⁽⁵⁷⁾ http://www.dev-practitioners.eu/fileadmin/user_upload/EU_GEAP.pdf *EU Action Plan on Gender Equality and Women's Empowerment in Development for the period 2010-2015.*

in the struggle against sexual violence (EUPOL Democratic Republic of the Congo) and local ownership (EUPOL COPPS for the Palestinian territories).

However, the CSDP has made the most progress in training. In 2010, a report for the European Parliament found that "in general efforts and training are efficient; however, more extensive standardised regulations are needed that include obligatory training". This observation remains valid, particularly due to the low level of gender training for heads of mission and personnel in general. However, in 2011, the Swedish "Folke Bernadotte" Academy created a standard gender module for use by Member States and the European Union in internal training and training subsequent to deployment in missions.

CSDP missions and operations are supporting local NGO initiatives related to implementation of UNSCR 1325 and gender in general, as made clear at the *Gender Awareness in Peace Support Operations*⁽⁵⁸⁾, Conference held at Camp Butmir (Sarajevo) in May 2010. This was attended by delegates from the Defence Ministries of nations participating in Operation Althea, the General Secretariat of the Council, the Diplomatic Corps, the EU Policing Mission, the UN Fund for Women, the International Criminal Court for the former-Yugoslavia, the Office of the NATO High Representative in Bosnia and Herzegovina, the Armed Forces of Bosnia and Herzegovina, NGOs and EUFOR personnel.

However, NGOs with experience of CSDP missions state that there is not yet any joint or periodic participation with the personnel deployed in these missions. They do say however that there are some occasional collaborations, highlighting the need to work with local organisations involved in the gender perspective.

The EUFOR Operation is helping the troops of EU Member States by sending gender advisors to provide pre-deployment training.

CSDP missions are also managing to maintain better relations with local and international NGOs involved in domestic violence and/or people trafficking, in order to be kept informed and to be ready to react appropriately to individual cases.

Some missions advertise their commitment to the gender perspective in magazines and on websites. In this regard, the EU Police Mission in Bosnia and Herzegovina has produced a detailed study into women in the local police, and has undertaken a joint project with a local NGO and the UN Fund for Women. The results of this were compiled in *Participation of Public in Peace Processes. UNSCR 1325*⁽⁵⁹⁾. This includes recommendations on how to raise awareness of this issue among the local police, including:

⁽⁵⁸⁾ http://www.euforbih.org/index.php?option=com_content&view=article&id=1298:com-eufor-opened-the-gender-awareness-in-peace-support-operations-pso&catid=183:hq-eufor&Itemid=150 *Gender Awareness in Peace Support Operations*.

⁽⁵⁹⁾ http://www.euforbih.org/index.php?option=com_content&view=article&id=1037:workshop-for-participation-of-public-in-peace-processes&catid=182:local-community

"Progress has been made in the application of 1325, with determined gender-awareness raising for those responsible for action in cases of violence against women and girls (the police, media, civil society). There has also been progress in reforming the security sector, with punishment for those guilty of violence, and greater female participation in peacekeeping, humanitarian and reconstruction processes".

However, the Report identifies a need to "continue to defend, provide financial and technical assistance and political and legal advice for, and promote the acceptance of, gender equality in international, national and local structures". It also highlights a need to increase international participation and the role of funds guaranteeing human rights for women.

In the CSDP EUFOR Chad/Central African Republic military operation, the gender advisor has been involved in gender training, establishing a network of contact points at all levels, and developing information notes and FAQs on integrating gender issues.

The EULEX Kosovo mission has set up a full-time Human Rights and Gender Office, ensuring that the mission complies with human rights standards, as well as establishing an Internal Research Unit to receive external complaints concerning breaches of the code of conduct. The Office is also giving training in gender perspectives to all personnel who have recently joined the mission.

The EUSEC and EUPOL missions in the Democratic Republic of the Congo share a gender advisor and an expert in Human Rights and children and armed conflicts. EUPOL has a team of experts in sexual violence in the city of Goma, supporting the training of the Congolese police.

In the EUPOL Afghanistan mission, the gender advisor provides advice on gender policy to the Afghan National Police.

■ **Assessment of implementation at the national level. National Action Plans⁽⁶⁰⁾**

Europe provides an interesting example for anyone interested in the efforts being made to apply UNSCR 1325. This is a result of the Action Plans that are being developed to implement it on the old continent. Currently, twenty countries have National Action Plan (Austria, Belgium, Bosnia Herzegovina, Croatia, Denmark, Estonia, Finland, France, Iceland, Ireland, Italy, Holland, Norway, Portugal, Serbia, Slovenia, Spain, Sweden, Switzerland and the UK), fourteen of which are EU members.

involvement&Itemid=150

⁽⁶⁰⁾ <http://www.peacewomen.org/pages/about-1325/national-action-plans-naps>

A recent publication by the European Peace-building Liaison Office⁽⁶¹⁾ entitled *UNSCR 1325 in Europe: 21 Case Studies of Implementation* reaches some important conclusions:

In many European countries that already have a National Action Plan, progress on implementation is based on a combination of factors, including Government commitment, international social pressure (for example, Belgium launched its plan whilst it was a member of the Security Council and France began to develop its plan following an exchange between EU Member States on the application of Resolution 1325, in October 2009), developments in neighbouring countries, the approach of the tenth anniversary of Resolution 1325 and continuing pressure from civil society.

In general, civil servants and/or the people of European countries that do not yet have a plan show little acceptance, priority and/or understanding of gender issues. For example, Germany does not have a specific plan. Its civil servants argue that the gender perspective is already implemented through its gender Action Plan, and that UNSCR 1325 is covered by two other specific plans, one dealing with civil crisis management and the other with the struggle against gender violence.

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In general, Action Plans are prepared by an inter-ministerial team led by the Foreign Ministry, and usually including the Defence, Cooperation and Development, Home Office and Justice Departments. Representatives of civil society are sometimes invited to participate in meetings and to contribute to drafts of the document. For example, in Holland, civil society bodies are an integral part of the Plan drafting process. However, people from countries affected by conflicts are seldom directly involved.

Action Plans have only been prepared over the last few years. It is too early to say whether they have led to changes on the ground. However, gender training modules have recently been launched, with intensive efforts to recruit female personnel for crisis management activities, peace building and conflict prevention, with increased financing for civil society bodies involved in issues affecting women, peace and security in countries involved in conflicts and in Europe.

Most of the plans lack some of the key elements needed for effective application of commitments related to UNSCR 1325. For example, they do not have: specific and realistic objectives and a plan of priority actions, a timetable, budgets, indicators, goals and objectives, clear reporting lines (indicating which unit from which ministry is responsible for each specific commitment) and transparent monitoring of results and assessment mechanisms (with suitable resource assignments).

⁽⁶¹⁾ http://www.eplo.org/documents/EPLO_1325_case_studies.pdf

■ EU institutions and Resolution 1325

• *The European Parliament and Resolution 1325*

Since approval of Resolution 1325, the Parliament has been active through its reports and recommendations. The Parliament issued a Resolution on "Participation of women in peaceful conflict resolution"⁽⁶²⁾ (2000/2025) prior to UNSCR 1325, the main recommendations of which anticipated that of the Resolution. The most significant areas of this included: I. Protection of populations affected by war, II. International efforts to prevent and resolve armed conflicts and III. Participation based on prevention and resolution of armed conflicts.

Over the last ten years, the Parliament has issued a further four resolutions⁽⁶³⁾, the latest of which, dated 25 November 2010, is the "Resolution on the 10th anniversary of UN Security Council Resolution 1325 (2000) on Women, Peace and Security"⁽⁶⁴⁾ (2010/2968). This urges the High Representative of the European Union, Catherine Ashton, to strengthen the EU Task Force on this issue, and to entrust a group of experts to review approval and application of National Action Plans. Furthermore, it seeks an increase in the number of women in missions, with at least one gender advisor in each mission and the assignment of specific and significant financial, human and organisational resources for the participation of women in foreign policy and security.

Regulation 1922 of the European Parliament and Council created the European Institute for Gender Equality on 20 December 2006⁽⁶⁵⁾, which is responsible for collecting and analysing information and raising awareness of gender equality issues among the public in the EU. There are some interesting possibilities for collaboration between the Institute, the Council of European Municipalities and Regions and national associations belonging to the Council of European Municipalities and Regions to support application of the European Charter for Equality of Women and Men, through data collection and analysis relating to the assessment of local equality actions.

• *The EU Presidency, Member States and Resolution 1325*

⁽⁶²⁾ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P5-TA-2000-0541+0+DOC+XML+V0//EN> "Participation of women in peaceful conflict resolution".

⁽⁶³⁾ 1 Jun 2006: Resolution on "Women in armed conflicts and their role in post-conflict reconstruction" (2005/2215). 16 Nov 2006: Resolution on "Women in International Politics" (2006/2057). 7 May 2009: Resolution on gender mainstreaming in EU external relations and peace-building/nation-building (2008/2198).

⁽⁶⁴⁾ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2010-0439&language=EN> "Resolution on the 10th anniversary of UN Security Council Resolution 1325 (2000) on Women, Peace and Security".

⁽⁶⁵⁾ <http://eige.europa.eu/> European Institute for Gender Equality

The various EU Presidencies and Member States have promoted Resolution 1325. The German, Portuguese and Slovenian (2007-2008) Presidencies produced a handbook on incorporating gender and human rights into the CSDP⁽⁶⁶⁾. In 2009, the French Presidency focused on gender-based sexual violence, whilst the Swedish and Spanish Presidencies in 2010 and the Hungarian Presidency in 2011 addressed training and preparation for CSDP missions. In 2010 the Belgian Presidency prepared to celebrate the anniversary of UNSCR 1325 and creation of the indicators. Of these, the French Presidency focused more specifically on recommendations for the CSDP and produced two reports examining progress on gender issues in the Kosovo and Democratic Republic of the Congo missions.

The Lisbon Treaty set out that Member States no longer had a leading role during EU Presidencies, thus losing the ability to encourage application of Security Council Resolutions through inclusion on the agenda for their Presidency and the incorporation of human resources through the representative staff of the Member States. However, the 2010 transition Presidencies (Spain and Belgium) had a certain catalyst effect. The work of States therefore now falls within the bilateral remit, with some States working closely with the External Action Service.

At the celebration of International Women's Day in Brussels in 2010, Andris Piebalgs, the European Commissioner for Development, stated "Improving the lives of women around the world will be one of my priorities" and "The EU is the world's biggest aid donor so we have to show leadership in putting gender equality on the top of the EU political agenda. This is extremely urgent, as two of the Millennium Development Goals are dedicated to women and maternal health, and these objectives are lagging behind. We must improve our capacity to help countries to meet their gender commitments and support the efforts of women's groups and networks in the struggle for greater equality".

- *Events to mark the 10th anniversary of Resolution 1325*

The tenth anniversary of UNSCR 1325 called for high visibility and political support. These were the effects of the event organised by NATO and the EU held in Brussels on 27 January 2010, on *Women, Peace and Security. Empowering women in peace and conflict*⁽⁶⁷⁾. The conference was a unique event as it was the first time that the EU and NATO had combined their efforts on this issue. The event was attended by the former European Commission Vice-President, Margot Wallström, the former US Secretary of State, Madeleine Albright, NATO Secretary General Anders Fogh Rasmussen and the former First Vice-President of the Spanish Government, María Teresa Fernández de la Vega. The event approved a number of recommendations with

⁽⁶⁶⁾ http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news144.pdf

⁽⁶⁷⁾ http://consilium.europa.eu/uedocs/cmsUpload/Women_Peace_Security_outcomes_ENG.pdf *Women, Peace and Security. Empowering Women in Peace and Conflict.*

the participation of NGOs and political, civilian and military witnesses. The conference attracted a large media presence, successfully raising awareness of the issues in question.

The EU and the Belgian Presidency also organised a high-level meeting in Brussels on 9 September on *The 10th anniversary of UN Security Council Resolution 1325: Ensuring Women's Participation in Peace and Security*⁽⁶⁸⁾. The meeting was attended by the EU High Representative for Foreign Affairs and Security Policy, Catherine Ashton, and the Belgian Foreign Minister, Steven Vanackere, and was addressed by speakers including the UN Special Advisor on Gender Issues, Rachel Mayanja and the recently appointed (February 2010) UN Special Representative of the Secretary-General on Sexual Violence in Conflict, Margot Wallström, together with other leading figures such as Alain Leroy, Head of the UN Department for Peace Keeping Operations, Admiral Giampaolo Di Paola, president of NATO's Military Committee and 2003 Nobel Peace Prize Winner Shirin Ebadi.

■ Recommendations

The EU has a great deal of documentation, and has developed a range of indicators used by personnel involved in gender issues and by gender advisors on the ground. The EU's main deficiency is a shortage of staff resources in Brussels. There are many reports and recommendations stating that the European External Action Service has to further improve its activities. There is no need for new comprehensive policies or more guidelines. Nevertheless, more human and financial resources are needed to further application of EU documents and to continue the monitoring and assessment of indicators.

Despite the hard work and enthusiasm of the gender advisors resulting in substantial progress, their support must be increased and improved, eliminating dual dependence and ensuring that they are embedded close to the head of mission.

It is also important for the Member States, particularly if they are part of the United Nations Security Council, to continue their support and to strengthen the UN's sanctions and the international justice system to remove the impunity of perpetrators of sexual abuse and violence.

■ CONCLUSIONS

⁽⁶⁸⁾ http://www.consilium.europa.eu/uedocs/cms_data/librairie/PDF/WPSnew032011_EN.pdf *The 10th anniversary of UN Security Council Resolution 1325: Ensuring Women's Participation in Peace and Security*.

The European Union has made decisive efforts to incorporate Security Council Resolutions into its Common Security and Defence Policy and to improve respect for human rights and gender in the security context.

The EU has also taken decisions to incorporate gender policies into the CSDP. However, whilst the framework for gender policies has been well developed, the application of this to the context of civilian and military crisis management operations remains a real challenge.

The gender perspective policy can only be successful if it is implemented rigorously and systematically from the operation planning stage through to the lessons learnt stage, and not just at the EU level, but also in all Member States.

Operation mandates must be given specific gender objectives in order to improve the gender perspective of operations in the short-term. Gender experts must have direct access to operation commanders and heads of mission with responsibility for their implementation. This should be set out in the guidelines relating to gender advisors.

Even so, there has been a substantial change in the understanding of the relationship between Gender and Security, and the advantages and benefits of this for missions.

The EU has a collective responsibility to ensure that available tools and knowledge are used more effectively and efficiently. Developing political documents is not enough. There is an on-going need to monitor application of Resolution 1325 and ensure that the personnel involved in a crisis have the deepest possible knowledge.

Part of the problem with the limited knowledge of the gender perspective is that the EU can only issue guidelines for gender training and awareness raising, but training as such is the responsibility of Member States.

It is also important to combat prejudice and ignorance relating to these issues, and to highlight the importance of realising that gender is not a "women's issue", and that gender problems include experiences, challenges and perspectives that affect men, women, boys and girls equally.

Following the Lisbon Treaty, the EU has undergone significant structural and personnel changes. It is therefore not possible to fully assess the implementation and impact of the Comprehensive Approach to date. Nevertheless, the fact that the EU is now developing and promoting indicators for Resolutions 1325 and 1820 and collecting data is in itself a success. We can also say that meetings of the Task Force for Women, Peace and Security have been consolidated, improving the meetings of Member States and gender advisors and improving training.

The holding of a session for EU heads of mission in Brussels focussing on gender, including discussion of the application of EU documents on gender and debates on procedures for the work of gender advisors has been an important development. In general, this meeting was positive, highlighting the EUTM Somalia, EUPOL Afghanistan and EUSEC/POL Democratic Republic of the Congo missions as good examples of the application of gender in missions, whilst also highlighting personnel limitations.

■ CLOSING WORDS

It is obvious that real application of Resolution 1325 at the national level in Europe has not yet been achieved. Europe is at the forefront for actions plans and strategies. However, many of the key elements needed to ensure real application, such as clearly defined objectives, timescales, budgets, responsibilities and monitoring and assessment, are not included in the plans or strategies for implementing Resolution 1325. When considering its application in the EU, we need to recognise the leading role of Member States, as they are responsible for deciding on the candidates to present for high level EU postings, mission mandates, troop training, etc.

Twelve years of Resolution 1325 have only resulted in limited application. Sexual and gender violence as weapons of war continues to increase. There are still very few women involved in peace talks as official negotiators, mediators or observers; likewise, few women are involved in disarmament, demobilisation and reintegration processes and other post-conflict processes. And the funds assigned to women's associations working on the ground remain very precarious.

Finally, we should underline the importance of cooperation between the EU and NATO in the short term, if we wish to see Resolution 1325 implemented fully. These two organisations provide an ideal combination of civil capabilities from the EU and military capabilities from NATO. This civilian and military cooperation will result in a truly *comprehensive approach* to international operations.

■ ACRONYM LIST

Bi-SC	Both Strategic Commands (SACEUR and SACT)
CSDP	Common Security and Defence Policy
CWINF	Committee on Women in the NATO Forces
EAPC	Euro-Atlantic Partnership Council
ESDC	European Security and Defence College
ESDP	European Security and Defence Policy
EU	European Union
EUFOR	An EU force
FET	Female Engagement Teams
GA	Gender Advisors
HQ	Headquarters
ICRC	International Committee of the Red Cross
IMS	The International Military Staff of NATO
IS	The International Staff (civilian) of NATO
ISAF	International Security Assistance Force
KFOR	Kosovo Force
MA	The Alliance Military Authorities
MC	NATO's Military Committee
NAC	North Atlantic Council
NAP	National Action Plans
NATO	The North Atlantic Treaty Organisation
NCGP	NATO Committee on Gender Perspectives
NCS	NATO Command Structure
NGO	Non-Governmental Organisation
NOGP	NATO Office on Gender Perspectives
OECD	Organisation for Economic Cooperation and Development
OSCE	Organisation for Security and Cooperation in Europe
PfP	Partnership for Peace
PRT	Provincial Reconstruction Team
SACEUR	NATO Supreme Allied Commander Europe
SACT	NATO Supreme Allied Commander Transformation
SG	NATO Secretary General
SHAPE	Supreme Headquarters Allied Powers Europe
UN	United Nations
UNSCR	United Nations Security Council Resolution
WPS	Women, Peace and Security

CHAPTER FOUR

THE FEMALE SOLDIER IN THE ARMED FORCES

Pilar Gallardo Rodríguez

ABSTRACT

The adoption of Resolution 1325 by the United Nations was a milestone in the recognition of the disproportionate impact of war on women and children. The Resolution prompted reflection on the importance of the role of women as mediators and negotiators in conflict resolution. Currently, in the Afghanistan theatre, the awareness-raising activities and commitment to Afghan women of ISAF forces (International Security Assistance Force) is a key factor in the success of the mission. The cultural characteristics of Muslim countries mean that women must be approached by female personnel. In this operations scenario, women soldiers from allied countries have added a very important additional role to their tasks in their respective units. Women have now been in the Armed Forces for over twenty years and this has inspired us to review the process of integrating women into the armies of various countries in Europe, the USA and Israel. Analysis shows that, although most armies began to have mixed units from the mid-1990s onwards, female representation remains below 12% at present and women are still not represented in all units or in all posts. Although some countries still limit access for women to combat units and submarines, they are starting to adapt their policies to enable women gradually to enter these units if they so wish, once they have passed the selection and training processes; this has particularly been the case since late 2011.

Key words:

Women soldier, Armed Forces, Female Engagement Team, Combat units, close combat

■ INTRODUCTION

Armed conflict, war and peace have been ever present since the dawn of human society. Since time immemorial, the myths, works of art, literature, imagination and fantasies of society have almost always associated the masculine figure with war and the feminine figure with peace⁽¹⁾.

Although men have always been in the majority in wars, women have been in militias in many cultures dating back at least four thousand years into antiquity, whether wielding weapons, helping the soldiers, or just throwing stones, like the Iberians for example⁽²⁾ or the female warriors in the Peloponnese. War has been a source of concern and positioning for women throughout history, both individually and collectively.

And many women have taken part in open combat using a male name, for example the US soldier Deborah Sampson⁽³⁾ who enlisted in the Continental Army during the War of Independence under the name Robert Shurtliff.

There have been a number of important examples in Spain, such as Agustina de Aragón⁽⁴⁾, who defended Zaragoza during the sieges in the Spanish War of Independence and other less well known examples, such as Ana María de Soto⁽⁵⁾, a woman from Cordoba who served in the Marines from 1793 to 1798 under the name Antonio María de Soto.

Whatever the various roles played by women in armies in the past, the role of women in the Armed Forces, particularly in combat, continues to be controversial. It is only recently (particularly from the 1990s) that women have started to play a more prominent role in the Armed Forces.

Whilst this chapter was being written, there have been substantial changes in the integration of women into practically all army units and specialities. CNN

⁽¹⁾ "Peace has been represented as a woman throughout western history. Peace was born with a female body and attributes in ancient Greece, incarnated in the goddess Eirene. "Las mujeres y la paz en la historia". Cándida MARTÍNEZ LÓPEZ. 2000. In Francisco MUÑOZ and Mario LÓPEZ (ed.) *Historia de la Paz. Tiempos, espacios y actores*. Granada: Instituto de la Paz y los Conflictos.

⁽²⁾ Cándida MARTÍNEZ (1986). "Las mujeres en la península Ibérica durante la conquista cartaginesa y romana". In E. GARRIDO. *La mujer en el Mundo Antiguo*. SEM-Universidad Autónoma de Madrid, pp. 387-396.

⁽³⁾ See: WEATHERFORD, D. (1994). *American Women's History*. Prentice Hall General.

⁽⁴⁾ QUERALT DEL HIERRO, María Pilar. *Agustina de Aragón, la mujer y el mito*. Madrid: La Esfera de los Libros, 2008.

⁽⁵⁾ PARENTE RODRÍGUEZ, G. (2010). "Una mujer en la Infantería de Marina del XVIII". *Revista Española de Defensa*, 259, 56-57.

has reported that the Pentagon⁽⁶⁾ was preparing to allow women to participate in certain combat units⁽⁷⁾. In addition, the UK is now permitting women to serve on board its submarines for the first time⁽⁸⁾ and France is preparing to remove all remaining restrictions on women in its Armed Forces⁽⁹⁾.

The adoption of United Nations Security Council Resolution 1325 in October 2000, calling for an end to the traditional inequality between men and women in peace building, was an important milestone in recognising the disproportionate effect of wars and conflicts on women and children.

This also led to reflection on the role of women as mediators and negotiators in conflict resolutions, not only as a right recognised under international law, but also because women's values, opinions and actions are essential for the success of the solutions adopted. This is the case because women represent nearly half of the population in current theatres of operations (particularly Afghanistan) and because traditionally, whether because of maternity or socialisation processes, they have prioritised the values of dialogue and conflict resolution, putting human security before violence⁽¹⁰⁾.

"We need to be aware that they [Afghan women] are important in their families, as they are throughout the world... as the central figure in the family, women play a fundamental role in educating children. We want those children to grow up on the correct path, not to go and join the insurgents"⁽¹¹⁾. This benefits operations.

In December 2007, NATO and its partners agreed to implement Resolution 1325 and to expand the role of women in United Nations operations, particularly as military observers and civilian police. This was set out in the report *CWINF Guidance for NATO Gender mainstreaming*. This document was the Alliance's first contribution to developing a general gender perspective for its military operations. It was the start of a new role for female soldiers in allied countries in conflict scenarios, in which,

⁽⁶⁾ On 24 October 2011, Lance M. Bacon reported this initiative in the magazine *Your Army*, as a project of the new Chief of Staff, General Odierno. In BACON, L. M. "Odierno: "We need their talent"". October 24, 2011, 17-18.

⁽⁷⁾ ATENEA DIGITAL (10 February 2012). "El pentágono anunciará cambios en la política sobre mujeres en unidades de combate".

⁽⁸⁾ "Women to be allowed to serve on submarines". A Defence Policy and Business news article. 8 December 2011. [Online]. Available at: <http://www.mod.uk/DefenceInternet/DefenceNews/DefencePolicyAndBusiness/>

⁽⁹⁾ Story reported by ONDA Cero Radio on the afternoon of Friday, 10 February 2010.

⁽¹⁰⁾ ALAÑIZ MOSCARDÓ, M. (2009). "La presencia de las mujeres en la resolución de conflictos armados: mediación y capacitación". *Información psicológica*, 96, 43-53.

⁽¹¹⁾ Ella van den Heuvel is a lieutenant commander in the Dutch navy. She was deployed as part of a Dutch Provincial Reconstruction Team in Afghanistan's Baghlan province in 2005-2006 and has since worked as a gender advisor in operations. She has also taught a number of courses in her own country and in Spain. NATO. "Changing Gender Perspective" (8SEP2010).

in addition to their basic roles, they could also be communicators with and influencers of, the female segment of the host nation, particularly in Muslim cultures. For the first time since women joined the Armed Forces, there is a military field based on gender.

This has led to the emergence of Gender Advisors in Operations, who are responsible for preparing specific gender action plans for each NATO operation and for the Female Engagement Teams (FET)⁽¹²⁾.

FETs consist of female soldiers who have received specialist training to work with female communities in Afghanistan that are not accessible by conventional means. They collect and spread information that may be applied in any part of the counterinsurgency (COIN): for example, influencing the local population in developing awareness and acceptance of the force. In addition to contributing to peace building, this also helps to protect allied troops and facilitates their actions⁽¹³⁾.

The experiences of the USA and the UK have demonstrated that the ISAF's women soldiers have greater opportunities to get involved with Afghan women and their families. This is particularly relevant in areas where the Government of the Islamic Republic of Afghanistan does not allow foreigners to communicate freely with local women.

Few professional careers have resulted in such social, political and media debates as the role of women in the Armed Forces. There is no need to go deeper into such debates after over twenty years of soldiers of both sexes working together. For the first time, in current operations these differences can benefit everybody and being a women soldier can offer added value. It therefore seems appropriate to go on to describe the current scenario for female soldiers in some Western European countries, noting how their roles have evolved and the changes made to these armies since women joined their ranks to defend their countries. We will also be offering some information on the female presence in the Armed Forces of the USA and Israel, two countries with extensive experience of combat and inclusion of women in their ranks.

⁽¹²⁾ The FET is an initiative implemented in 2010 by the US Marine Corps, leading Operation Enduring Freedom in Afghanistan. This begins with sending teams of women to forge links with Afghan women who, because of their social customs, would seldom have any dealings with male soldiers. The FETs have had significant impact in some areas, leading local governors to comment on the importance of their work in improving the lives of Afghan people. Colonel Pratt describes how, in a meeting, a district governor went so far as to say that local elders and men should be ashamed of not getting involved to help their communities, as American women had no fear of doing so. See: "Empowering Afghan women" (NATO) http://www.nato.int/cps/en/natolive/news_76542.htm?selectedLocale=en

⁽¹³⁾ An increasing number of units operating in Afghanistan and on the Pakistan border are using FETs, with the primary objective of involving the local female population and demonstrating that coalition forces are sensitive to their needs. Some female soldiers perform other roles in their units but are also involved in the FETs as necessary.

■ GERMANY



When the Bundeswehr – the Unified Armed Forces – was created in 1955, women were expressly excluded from participation by Article 12a of the Constitution. As the Constitution established a clear separation between the civil and military administration of the Armed Forces, women were initially limited to civil administration of defence⁽¹⁴⁾.

On 19 February 1975, the German government approved a proposal from its Defence Minister to accept female soldiers as medics, dentists, vets and pharmacists in the Bundeswehr's health services. The first five women joined the army's health service in October that year. This exception was justified on the basis that soldiers involved in health are not considered combatants under the laws of war and they are not authorised to fight with weapons except in *self-defence*. These women were given basic weapon handling instruction and training, in case this need for self-defence should arise.

In 1988 women were allowed access to other corps, such as Musicians and their involvement in health services became routine. For the first time in the history of the German armed forces, in April 1994 a woman was employed as a general doctor.

There was a major change in this regulation in 2000, as a result of a ruling from the⁽¹⁵⁾ European Court of Human Rights on a case lodged by Tanja Kreil. In its ruling, the Court argued that German regulations excluding women from serving under arms was contrary to the principles of equality between men and women. As a result, on 1 January 2001, women were allowed to participate in all parts of the Bundeswehr, with no limitations. This required changes to Article 12a of the Constitution⁽¹⁶⁾, which was drafted as: "Women shall not be obliged to serve under arms under any circumstances".

There are at present some 17,500 women in the Bundeswehr, of whom 2,800 are officers (accounting for 9% of professional and temporary military personnel).

⁽¹⁴⁾ In 2003, 49,700 women were involved, just over a third of the total civilian employees.

⁽¹⁵⁾ "11 January 2000 Court Ruling: Tanja Kreil v Bundesrepublik Deutschland. - Reference for a preliminary ruling: Verwaltungsgericht Hannover - Germany. - Equal treatment for men and women - Limitation of access by women to military posts in the Bundeswehr. - Case C-285/98 [online]. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:61998J0285:EN:HTML> This European Court ruling has been implemented since 1 January 2005 under the Implementation of Gender Equality in the Bundeswehr Act. Germany's Constitutional Court issued an opinion that there was no contradiction between this regulation and the fact that only men were obliged to do military service.

⁽¹⁶⁾ Germany. Basic Law for the Federal Republic of German, 23 May 1949 (*Official Federal Gazette*, I, page 1).

There are no limits for women on any specialities in the Bundeswehr, nor on the posts they can occupy in German contingents in foreign operations⁽¹⁷⁾.

An April 2011 report by the German Federal Government⁽¹⁸⁾ highlights a number of relevant issues, such as the under-representation of women in command positions, the scarcity of facilities suitable for female personnel, the need for uniforms more suitable for women soldiers and the low percentage of female soldiers, below the 15% target (Tables 4-1, 4-2 and 4-3)

Table 4-1. Distribution of personnel in the German Armed Forces by corps (as of April 2011)

Branch	Men	Men %	Women	Women %	Total:
Common corps*	75,033	92.5	6,126	7.5	81,159
Topography	527	90.9	53	9.1	580
Specialists	11,106	98.1	217	1.9	11,323
Military musicians	886	87.6	125	12.4	1,011
Health	10,392	59.0	7,234	41.0	17,626
Arms	73,106	95.0	3,829	5.0	76,935
Total	171,050	90.7	17,584	9.3	188,634

* In the German Armed Forces, this refers to all specialities other than those under arms.
 Source: In house, based on data provided by Spain's military attaché in Germany and provided by the German government in response to a parliamentary question (20 April 2011) asked by the members of parliament Katja Keul, Marieluise Beck and Volker Beck.

⁽¹⁷⁾ Figures provided by the German Defence Ministry in the name of the German Federal Government in response to a parliamentary question (Report Ref. 17/5664, 20 April 2011) asked by the members of parliament Katja Keul, Marieluise Beck and Volker Beck . The figures for female participation in the Bundeswehr can still be regarded as reliable, with the sole exception that the current reform of the Bundeswehr has suspended compulsory military service, partially replacing it with a new volunteer system, which is open to women. As this new system has only been implemented recently, we cannot yet draw any conclusions on its impact on female participation in the German Armed Forces.

⁽¹⁸⁾ Reference 15.

Table 4-2. Distribution of personnel in the German Armed Forces by rank (as of April 2011)

Rank	Men	Men %	Women	Women %	Total:
Officers	34,485	92.4	2,835	7.6	37,320
Career non-commissioned officers	61,608	91.5	5,706	8.5	67,314
Non-commissioned officers on contracts	37,094	86.9	5,615	13.1	42,709
Troops and sailors	37,863	91.7	3,428	8.3	41,291
Total	171,050	90.7	17,584	9.3	188,634

Source: In house, based on data provided by Spain's military attaché in Germany and provided by the German government in response to a parliamentary question (20 April 2011) asked by the members of parliament Katja Keul, Marieluise Beck and Volker Beck.

Table 4-3. Distribution of personnel in the German Armed Forces by service (as of April 2011)

Service	Men	Men %	Women	Women %	Total
Army	105,880	90.8	10,694	9.2	116,574
Air Force	46,788	91.0	4,646	9.0	51,434
Navy	18,382	89.1	2,244	10.9	20,626
Total	171,050	90.7	17,584	9.3	188,634

Source: In house, based on data provided by Spain's military attaché in Germany and provided by the German government in response to a parliamentary question (20 April 2011) asked by the members of parliament Katja Keul, Marieluise Beck and Volker Beck.

AUSTRIA 

Women began serving in the Austrian Armed Forces in 1998. Austria's Armed Forces are based on compulsory military service, which women can volunteer to take part in, with no limits on specialisations. The Army draws its commanders from professional soldiers and others belonging to militias. Temporary contracts are also permitted for a few specialities. Women are able to participate in all areas under equal conditions to men. This also applies to participation in operations, although this has only happened very occasionally.

There are currently around 360 women in Austria's Armed Forces, 2% of total personnel, ignoring reservists⁽¹⁹⁾ (Table 4-4).

Women officers are divided 50:50 between medical services and units under arms, with the highest rank reached by a woman being Colonel Doctor. In other corps, the highest ranks reached have been commander in logistics specialities and captain in weapons specialities.

There are currently six women from the Austrian Armed Forces taking part in missions abroad⁽²⁰⁾.

Table 4-4. Number of female soldiers in the Austrian Armed Forces (as of 7 December 2011)

Rank	Women
Officers	69
Non-commissioned officers	125
Troops	131
Recruits	35
Total	554

Source: In house, based on figures provided by Spain's military attaché in Germany.

Despite the initial excitement in the country about the opening up of the Armed Forces to women and following an initial increase, figures for new enlisting have stalled. The Ministry of Defence does not know why Austrian women are not interested in enlisting. The Federal Government has launched a recruitment campaign specifically targeted at women⁽²¹⁾.

■ SWITZERLAND 

Women first began to join the Swiss army in 1977. Since then there have been a number of changes, with the current set up - known as "Women in the army" - dating from 1995; under this, female personnel can only join logistics

⁽¹⁹⁾ A further 2,500 women are involved in civilian posts with the Ministry of Defence, bringing total female representation to around 12%.

⁽²⁰⁾ As of 7 December 2008.

⁽²¹⁾ In the Spring this year, the Government wrote to all Austrian women born between 1983 and 1993 to remind them that they could join the army, giving them a permanent position in the public service, career opportunities and the possibility of missions abroad. Minister of Defence Darabos recently insisted on the need to increase the number of women, to bring this into line with other European countries.

and support units, being excluded from armed units. The introduction of the "21st century army"⁽²²⁾ in 2004 represented a radical change in one regard, as it established gender equality, opening the way to female participation in all corps and all army specialisations.

Switzerland still has compulsory military service, as in Austria, with voluntary service for women. On reaching the age of 18, Swiss women are invited to an information day at which they are informed of the options regarding joining the Armed Forces, career paths etc.

The country currently has 1,020 female soldiers, 0.5% of the total. They are involved in combat and rescue units, as aircraft pilots and they are also involved in logistical and health functions (Table 4-5).

Table 4-5. Distribution of female soldiers by rank in the Swiss Armed Forces

Rank	Women
Officers	262
Non-commissioned officers	263
Troops	495
Total	1,020

Source: In house, based on figures provided by Spain's military attaché in Germany.

■ ITALY

Allowing women into the Armed Forces has been the subject of debate in Italy since 1963, when a draft bill raised this possibility for the first time⁽²³⁾.

Changes in public opinion and developments in society and the international environment resulted in women being allowed to take up a military career following approval of Act 380, of 20 October 1999⁽²⁴⁾, empowering the

⁽²²⁾ The "21st century army" reform was adopted in a popular vote in 2009, replacing the previous "Army 95" model and reducing the number of personnel from 400,000 to 200,000. Of these, 120,000 are active soldiers and 80,000 are reservists.

⁽²³⁾ Italian women have been able to work in the Armed Forces in all civilian professions and public offices, with the exception of the Military Defence of the State since 1919. In 1992, the Italian army carried out an experiment with a sample of 29 Italian women, in which they lived in barracks for 36 hours and were involved in all the normal activities of the military functions of the "Montebello" Lancers at their HQ in Rome.

⁽²⁴⁾ Italy. LEGGE 20 ottobre 1999 n.380 Delega al Governo per l'istituzione del servizio militare volontario femminile. Published in the *Gazzetta Ufficiale* (255), of 29 October 1999 [online]. Available at: http://www.difesa.it/Legislazione/Norme_in_rete/Pagine/urn_nir_parlamento_legge_1999-10-20_380_2003-06-0901_06_2011_15_08_22.aspx

Government to set up military volunteering for women and enabling them to enter the Armed Forces and Guardia di Finanza. However, it was not until 4 January 2000⁽²⁵⁾, with publication of the first access notices in the *Official Gazette*, that women joined the ranks of the Italian army. Initially women only entered officer academies. They accessed all other jobs subsequently as their entry coincided with the ending of compulsory military service and the need for reform of both infrastructure and regulations.

On balance, the presence of female personnel was positive for their colleagues, particularly as the merit of both men and women was judged on their individual qualities and skills⁽²⁶⁾.

Women can now access all military categories and ranks (officers, non-commissioned officers and troops), once they have passed the entrance tests, in which there are different scales for men and women. Women work in all types of units, including combat and combat-support, excluding special forces - as a result of their demanding physical requirements - and submarines, where space is very restricted and they have not yet been prepared for female personnel.

Units on tour in theatres of operations abroad employ all the personnel assigned to the mission in all activities, with no gender distinctions or limitations on the number of women.

There are 11,413 women in the Italian Armed Forces (3% of the total), with 7,264 in the Army, 1,879 in the Navy, 915 in the Air Force and 1,355 in the Carabinieri⁽²⁷⁾ (Table 4-6).

The Italian Armed Forces were the last in Europe to incorporate women into their ranks. However, they present this as an advantage that enables them to benefit from the lessons learnt in other countries.

Other Acts and related regulations: Legislative Decree 24/2000 pertaining to provisions on recruitment, legal status and promotion. Decree of the President of the Council of Ministers of 112/2000. Modifications - Defence Minister Decree 114/2000 on Regulations on Suitability for Military Service. Health Director General Directive of 19 April 2000. Selection Criteria for Female Personnel, 27 May 2005. Specifically, Decree 112 of the Chairman of the Council of Ministers of 16 March 2000, setting height limits for recruitment of Armed Forces personnel: for officers, non-commissioned officers and volunteers, not less than 1.65 (men) or 1.61 (women) and not taller than 1.95. Navy pilot officers and normal fleet officers and special Air Force officers: not less than 1.65 or taller than 1.90. Carabinieri officers: not less than 1.70 (men) or 1.65 (women). [Online]. Available at: www.difesa.it

⁽²⁵⁾ There was massive demand for places: there were 22,692 applications, of which 54.91% came from women.

⁽²⁶⁾ Report by Major General Gianfranco MARINELLI. (June 2002). "Analysis of the initial results in the Italian Armed Forces" following incorporation of female personnel. [Online]. Available at: http://www.difesa.it/Approfondimenti/ArchivioApprofondimenti/Servizio_femminile/Pagine/Donne_nelle_forze_armate.aspx

⁽²⁷⁾ Figures for 30 September 2011, provided by the Italian Defence Military Staff.

Table 4-6. Distribution of female personnel in the Italian Armed Forces by service (as of 11 September 2011)

	Officers	Non-commissioned officers	Troops	Total
Army	244	94	6,926	7,264
Air Force	167	115	633	915
CEMM Navy	245	122	755	1,122
CP Navy	136	32	589	757
Carabinieri	197	487	671	1,355

Source: In house, based on figures provided by the Italian Ministry of Defence and Spain's Defence Attaché in Italy.

At the proposal of the Chief of the Defence Staff and the Commandant General of the Guardia de Finanzas, a Committee was set up to help the Ministry of Defence and Guardia di Finanza in their planning, coordination and assessment of the training and retention of female personnel. The Committee, created for a two year period on 9 June 2011, will help to increase the number of female soldiers and will monitor their conditions. The Committee will study aspects such as the integration of female personnel into training and operations departments and it will develop specific actions for the support of children and other potential needs of both men and women⁽²⁸⁾.

Working with the local female population is of vital importance in achieving the objectives of current operations, particularly in Afghanistan. As a result, 27 female Italian soldiers completed the first Herat "Female Engagement Team" (FET) course⁽²⁹⁾ in December 2011. The objective of the course was to provide soldiers who are going to work in Provincial Reconstruction Teams (PRT) in Afghanistan with the tools needed to foster cooperation with Afghan women.

■ **FRANCE⁽³⁰⁾** 

The 11 July 1938 Act on Organisation of the Nation in Times of War⁽³¹⁾ provided for female recruitment to the Armed Forces in case of need,

⁽²⁸⁾ Servizio Militare Femminile. Document dated 13 September 2011. [Online]. Available at: http://www.difesa.it/Primo_Piano/Pagine/Serviziomilitarefemminile.aspx

⁽²⁹⁾ First course *Herat Female Engagement Teams*. December 2011. [Online]. Available at: http://www.difesa.it/Primo_Piano/Pagine/HERATFemaleEngagementTeams.aspx

⁽³⁰⁾ Source: MONRIQUE, M. (2004). *Placer Des Femmes dans la Professionnalisation des Armées*. Notes d'Iéna. Informations du Conseil Économique et Social, (148). [Online]. Available at: http://www.femmesaeeana.com/pdf/reperes/armees_monrique_2004.pdf

⁽³¹⁾ France. Loi du 11 juillet 1938 dite Paul Boncour, portant sur l'organisation de la Nation en temps de guerre.

enabling many women to take part in the defence of their country during the Second World War, with civilian status. These formations were dissolved by the occupying forces and women ceased being involved in the defence of the nation. In 1951, women were once again allowed to enlist in all of the armed services in peacetime, but as part of the Female Personnel Corp⁽³²⁾. This gave them similar status to men, but with different personnel management and careers.

The first decisive step towards the access of women to the Armed Forces came in the 70s and 80s, when women were accepted as volunteers in military service⁽³³⁾. This was an experiment, at the end of which the women were able to continue their military career as ranking military personnel.

The 13 July 1972 Act on the General Status of Military Personnel⁽³⁴⁾ removed the distinction between military personnel based on gender, with both male and female personnel serving under the same system with the same obligations and rights. Women have access to all jobs and may even join the reserves, even though they belong to specific women corps, for example, as nurses and members of the Female Naval Officers Corp.

A Decree dated 23 March 1973 established that women can potentially access all military careers up to the grades stipulated for first employment in the General Officers Scale. This also created the Female Personnel Defence College (EIPMF⁽³⁵⁾) to ensure common military training for students from all three armed services. The Decree further regulated access of women to different corps than men, establishing annual percentages for personnel of both sexes and regulating specific questions related to the functions or work to be performed by women.

Between 1975 and 1979, all statutory differentiation between men and women was phased out. The 22 December 1975 Decree⁽³⁶⁾ on the status of officers and non-commissioned officers in the armed services and the Decree of 18 February 1977, on Statutory Provisions applicable to the Female Defence Officer Corp, replaced the 1973 statute and all specific female corps were phased out in 1976. In the Land Army, women cannot serve in armed corps, but can serve in technical and administrative corps (with 40% of posts reserved for women) and administration (with 15% of posts reserved for women). Nevertheless, access to combat corps - such as Army Infantry and Artillery - is limited⁽³⁷⁾ and in the Navy they are prohibited from postings on warships.

⁽³²⁾ Personnels des cadres militaires féminins (PCMF).

⁽³³⁾ Service national volontaire (SNV).

⁽³⁴⁾ France. Loi du 13 juillet 1972 portant statut général des militaires.

⁽³⁵⁾ École Interarmées du Personnel Militaire Féminin.

⁽³⁶⁾ France. Loi de 1975 relative aux statuts particuliers des corps des officiers et des sous-officiers de Gendarmerie.

⁽³⁷⁾ In 1977, 150 women enlisted in the army.

From 1977, female officers undertook mixed training with men at the Cherbourg Technical and Administrative Corps College. Non-commissioned officers join the Navy in the mobile branch of the Non-Commissioned Officers Ports Corp and in the Military Staff Specialities and Services Group. Nevertheless, they only occupy land destinations and perform functions such as secretaries, aeronautics and signals, computer programmers and air-traffic controllers.

In the Air Force, women have access to various corps that were, until recently, reserved for men, except for pilot officers, with an annual quota limit of 15%. Women only join flight crews as air nurses. Women may also become career non-commissioned officers. This opens up access to air traffic control, electronic, radio and radar equipment, IT management and administration and signals.

The Prospective Study Committee for Female Soldiers was established in 1982. The objective of this was to unify military training for men and women at the Grandes Écoles Militaires, enabling access to most specialities in the various armed services, including combat pilots and removing the letter "F" (*femme*) which had been appended to their names, whilst also developing infrastructure to facilitate childcare.

When the Female Personnel Defence College closed in 1983, training of non-commissioned officers became mixed in all the armed services. All branches of the Army are open to female non-commissioned officers; however, there are annual quotas on recruitment, set at 3.5% for Infantry, Armoured Vehicles, Cavalry, Artillery and Engineering, 7% for light weapons (material, training) and 2.5% for Signals.

In 1983, the Special Military College and the Defence Military College opened to women with a 5% annual limit. In 1984, women were allowed to enter the Officer Corps, with places limited to a maximum of 5% and access to a range of posts: support, logistics, command and intelligence. All other specialities related to "direct and prolonged combat with hostile forces" (combat in the infantry, armoured vehicles, engineers and artillery) are closed to female personnel. Women started to be recruited to the Air Force in 1984, as contracted crew and pilots for logistics transport or connections. The annual quotas range from 10% to 20%, depending on the speciality. In 1986, the first woman officer entered the Air Warfare School and women were allowed to become fighter pilots for the first time.

We can identify three important milestones for women in the French Armed Forces: 1) in 1997, the 28 October Act reforming the national commitment to the professionalization of the armed services resulted in a significant increase in female personnel in all military roles and specialities, 2) finally, in 1998, Decree 86 and Order 29, eliminating the quotas restricting access for women to certain positions, gave women the opportunity to serve in almost all posts, except

"those which by the nature of the post and its demands justify the exclusion of female soldiers" and 3) the Order of 12 December 2002, modifying the 29 April 1998 Order, limiting the access of women to submarines in the navy due to lack of space, the mobile subdivision of the Gendarmerie (anti-disturbance) and operational roles in the Foreign Legion.

In the Navy, the majority of officers are recruits under contract, particularly in the Signals, Air Traffic Control, IT and Administration specialities. Colleges are mixed and recruitment and course progress requirements and training processes are identical for men and women. The first woman officer joined the Naval Warfare College in 1987. In 1986 women entered the Port Supplies Non-Commissioned Officers Corps and the Fleet Crew Senior Officer Corps.

The posting of women on warships was officially established in 1993, following a trial from 1983 to 1987. Women were able to enter specialities such as Manoeuvring and Piloting, Naval Mechanic and Weapons Electrician, although there was a 10% access quota and female personnel had to be represented in all roles and ranks on board. The principle of equality of treatment for employment and services on board was maintained and women were permitted to carry out all technical and military functions, although not all ships had to have mixed crews at the outset.

Subsequently, in January 2004, the number of ships with mixed crews was increased, including the "Charles de Gaulle" aircraft carrier. A total of 445 women could be onboard (4.4% of the personnel onboard), out of almost 5,000 women belonging to the Navy. However, these figures were insufficient and the number of women onboard was increased in 2005 to 700 through an increase in the ships accessible to female personnel, and the percentage of women on board grew from 10% to 15%.

In 1999 the restriction on women in the crews of onboard aircraft was lifted. 2000 and 2001 saw the opening up of posts in the Army's Foreign Legion and the specialities of onboard fighter pilot and Commando Fusilier in the Navy. In both the Army⁽³⁸⁾ and the Air Force all posts are open to women. In 1999, a woman became a fighter pilot in the French Air Force and nine other women joined special operations commandos. Since 1 January 1999, any woman who joins the Navy can be posted onboard ship, irrespective of her family situation⁽³⁹⁾, with the exception of specialities involving being onboard submarines, women can now access all specialities in the Navy. Today, there

⁽³⁸⁾ In 2006, 1.7% of combat infantry soldiers were women. Source: CAWKIL, P, ROGERS, A, KNIGHT, S. and SPEAR, L. (2009). "Women in Ground Close Combat Roles: The Experience of other Nations and a Review of the Academic Literature". Human Systems Group Grenville Building Information Management Department. DSTL Portsmouth West Fareham.

⁽³⁹⁾ Mothers can however request to be posted ashore.

are female naval fusiliers and some "Atlantique" aircraft pilots and pilots of onboard fighter aircraft.

Women today account for 19% of military personnel and are represented in nearly every corps, including combat infantry (where they represent 1.8%), with the exception of anti-disturbance gendarmerie and submarines. However, less than 5% hold senior officer rank (Table 4-7).

The percentage of female personnel in the French Armed Forces increased from 10% in 2000 to over 19% in 2010, with medical and Air Force specialities having the highest proportion of female soldiers⁽⁴⁰⁾.

HOLLAND 

The Dutch Armed Forces are a voluntary professional organisation. Dutch women have been integrated into units since 1944, serving under the same rules and regulations as men and with the same performance and discipline requirements.

Table 4-7. Number of female personnel by category and armed service (2010)

Service	Women soldiers				Total	%
	Officers	Non-commissioned officers	Troops	Volunteers		
Army	1,333	5,259	6,359	138	13,089	10.5
Navy	591	3,135	1,198	280	5,204	13.1
Air Force	816	5,380	4,756	267	11,219	21.4
Other Ministry Services ¹	1,757	3,685	145	330	5,917	33.4
Total	4,497	17,459	12,458	1,015	35,429	15.1
%	12.2	16.4	14.0	32.6	15.1	

Source: In house, based on information published in: BILAN SOCIAL 2010. [Online]. Available at: <http://www.defence.gouv.fr/sga/le-sga-en-action/ressources-humaines/hommes-et-femmes-de-la-defense/bilan-social-2010>

⁽¹⁾ These services include health and other Ministry of Defence Secretariat specialities.

⁽⁴⁰⁾ Although we have not been able to find precise figures, French sources suggest the percentage of female personnel is stabilising at around 15%. It would seem that although demand is increasing, women are leaving the Army at earlier stages of their military careers.

Women are integrated into all corps, with the same opportunities for promotion and advancement in their careers, except for Marine Special Operations and Submarines. These units have remained closed to women because of their physical demands, combat effectiveness requirements and for reasons of space in the case of submarines. There are almost fifty thousand people in the Dutch Armed Forces, of whom some one thousand three hundred are women.

Women are involved in international peace-building missions under the same conditions as men⁽⁴¹⁾ and have the same obligations, if they are mobilised. Currently, almost 7% of personnel involved in operations abroad are women.

Holland incorporated the gender perspective into its Armed Forces in 2001⁽⁴²⁾. This includes a commitment from above to create a Gender Policy with clear objectives and responsibilities and knowledge of the appropriate resources and instruments for getting the most out of each gender.

Holland was one of the first countries to stress the importance of mixed teams, "as they can offer better performance, particularly in the light of current international policy, which defends the introduction of gender into the doctrine and missions of NATO, the EU and OSCE".

Between 2005 and 2007, the Dutch Ministry of Defence implemented an *EU-funded Gender Force Project* to accelerate and intensify the gender policy process in its Armed Forces. The objective of this was not just to increase the number of female personnel and to improve their promotion prospects, but also to recognise the significance of cultural and social gender differences, removing barriers and making maximum use of these differences and associated competences.

Despite women having the opportunity to serve in combat units, very few women work in these areas. The majority of women deployed in the theatre of operations serve in logistical combat support units. Around 13% of all female soldiers in the Army are in combat units, whilst the proportion is much higher in the Navy and the Air Force (33% and 21%, respectively).

The Netherlands has recognised that women have psychological abilities such as negotiating and communication skills in compliance with United Nations Resolution 1325, which aims to promote the role of women in conflict resolution through integration of the gender perspective into Peacekeeping Operations.

⁽⁴¹⁾ However, women with one or more children under the age of five are not posted abroad, unless service requirements make this unavoidable.

⁽⁴²⁾ *Government Viewpoint on Gender Mainstreaming, a strategy of quality improvement.* Netherlands Ministry of Social Affairs and Employment. June 2001.

In fact, gender is considered fundamental in analysis and planning processes for Provincial Reconstruction Teams in Afghanistan⁽⁴³⁾.

■ THE UK

Women have played an important part in the UK Armed Forces, particularly since the Second World War, occupying a large variety of posts related basically to supporting the Forces.

The first women to join the British Army entered the Women's Royal Army Corps (WRAC) between 1949 and 1992⁽⁴⁴⁾, with the exception of medics, dentists, vets and chaplains, who belonged to mixed units, and nurses who joined the female Queen Alexandra's Royal Army Nursing Corps.

The WRAC was created in 1949 by order of the Army as the successor to the Auxiliary Territorial Service (ATS), which had been founded in 1938. Throughout most of its existence, its members were involved in logistical tasks (mainly as cooks, telephone operators and waitresses) and administrative work. However, in 1992, the WRAC was dissolved and its members were transferred to those corps most suitable for their professional knowledge and experience. This fully integrated women into mixed combat support units.

The Women's Royal Air Force (WRAF) was founded in 1918 as the female branch of the air force, to work as mechanics and free up men during the First World War. This body was dissolved in 1920, but the organisation saw huge advantages in the work of these women as volunteer drivers and mechanics and providing other support services for the Forces in wartime. This resulted in the creation of the Women's Auxiliary Air Force (WAAF) in 1939, as the auxiliary female Royal Air Force, reaching its peak with 2000 personnel in 1943. Women were integrated into the Royal Air Force (RAF) in 1994⁽⁴⁵⁾.

The female branch of the Navy was created as the Women's Royal Naval Service (WRNS), more commonly known as the *Wrens*. This branch of the Royal Navy included cooks, telegraph operators, *radar plotters*, weapons analysts, electricians, flight assessors and mechanics. It was founded in 1917

⁽⁴³⁾ VAN DEN HEUVEL, E. and MEIJER, M. "Gender Force in the Netherlands Armed Forces". RTO-MP-HFM-158. [Online]. Available at: <http://www.ftprta.nato.int/public//PubFullText/RTO/MP/.../MP-HFM-158-02.doc>

⁽⁴⁴⁾ The WRAC motto was: "Fortiter in re, suaviter in modo" (Resolutely in action, gently in manner). The first women to join the Armed Forces were welcomed with similar words, when a colleague said "have an iron fist in a velvet glove".

⁽⁴⁵⁾ See: ESCOTT, Beryl. *Women in Air Force Blue*. Patrick Stephens, 1989, MANNING, Mick. *Taff in the WAAF*. Janetta Nutria-Barry Libros (Frances Lincoln), 2010, RICE, Joan. *Sand In My Shoes: Coming of Age in the Second World War: Wartime Diaries of a WAAF*. Harperpress, 2006 and YOUNGHUSBAND, Eileen. *One Woman's War*. Candy Jar Books, Libros Candy Jar, 2011, ISBN 978-0-9566826-2-8 2011

during the First World War and had 5,500 members by the end of the war, of whom 500 were officers. It was disbanded in 1919.

The idea was resurrected at the outbreak of the Second World War in 1939, in order to release men from these tasks and make them available for the fleet. 3,000 women were recruited, also performing new functions, such as radio operators, weather forecasters and shell range markers. The service reached its peak in 1944, when 75,000 women were enlisted. It continued in existence after the war, being integrated into the Royal Navy in 1990.

In the 1990s, women were gradually integrated into all corps and units. The proportion of women in the UK's regular forces has risen considerably over the last decade, increasing from 8.0% in 2000 to 9.6% in 2011. As of 1 April 2011, women accounted for 12.3% of officers and 9% of other ranks. The Air Force has the highest percentage of female personnel (13.8%), followed by the Navy (9.4%) and the Army (8.0%) (tables 4-8 and 4-9).

Table 4-8. Personnel in the UK Armed Forces by Armed Service (as of 1 April 2011)

Service	Men	Men %	Women	Women %	Total
Army	97,750	92	8,480	8	106,230
Air Force	36,620	86.2	5,840	13.8	42,460
Navy	34,130	90.6	3,530	9.4	37,660
Total	168,500	90.4	17,850	9.6	186,350

Source: In house, based on figures provided by the Defence and Air Attaché at the Spanish Embassy in London.

Table 4-9. Personnel in the UK Armed Forces by rank (as of 1 April 2011)

Service	Total officers	Female officers	Female officers %	Total other ranks	Total women in other ranks	Total women in other ranks %
Army	14,760	1,670	11.3	91,470	6,810	7.4
Air Force	9,660	1,510	15.7	32,810	4,330	13.2
Navy	7,410	720	9.7	30,240	2,810	9.3
Total	31,830	3,900	12.3	154,520	13,950	9

Source: In house, based on figures provided by the Defence and Air Attaché at the Spanish Embassy in London.

Despite the increase in the number of women in the UK's Armed Forces, there are still some corps which are closed to them. This is the case with the Household Cavalry and the Royal Armoured Corps in the Army, the Royal Air Force Regiment and the Royal Marine Commandos and Submarines in the Navy, at least in posts where the main objective is to "confront and kill the enemy"⁽⁴⁶⁾, although they can join in logistical posts.

In 1997, the then Defence Secretary announced to Parliament that, following an exhaustive review of women in the Army, a report was to be carried out into the performance and suitability of women for close combat roles, with regard to mission effectiveness, based on the premise that having women in small units could negatively effect the cohesion of the Unit.

As a consequence of this report⁽⁴⁷⁾, and supported by reports from the Chiefs of Staff of the three armed services, the then Secretary of State announced to Parliament on 22 May 2002 the decision not to raise the restrictions in place on women serving in combat. This was because it was not clear whether mixed units would work as well as men-only units in close combat, as there was no empirical evidence and the Armed Forces and the Ministry of Defence were not prepared to take any risks. Women were therefore once again excluded from the Marines, Infantry and Cavalry Units and the Royal Air Force Regiment.

Eight years later, the European Union obliged the Defence Department to at least review this restriction. As a result, a study was carried out in 2009-2010⁽⁴⁸⁾ analysing experience of women in small combat units in other countries. The study also reviewed existing literature on the cohesion of military units and carried out quantitative investigation into the cohesion and functioning of groups in extreme situations using questionnaires with men and women who had been deployed in the theatre of operations, some of whom had experience of close combat.

The study found that women felt less cohesion than men in small combat units, particularly when the unit had three or more women. However, it

⁽⁴⁶⁾ UK legislation (Section 85 (4) of the Sex Discrimination Act 1975 (SDA75) establishes an exemption in order to ensure the combat effectiveness of the Armed Forces. There is a similar provision in Schedule 3, part 4 of the Equality Act 2010. This exemption proposes that women could undermine and degrade combat effectiveness.

⁽⁴⁷⁾ The results of the report are detailed in *Women in the Armed Forces. A Report by the Employment of Women in the Armed Forces Steering Group Report May 2002*. Online: http://www.mod.uk/NR/rdonlyres/A9925990-82C2-420F-AB04-7003768CEC02/0/womenaf_fullreport.pdf.

⁽⁴⁸⁾ The resulting reports are: 51 Report on the Review of the Exclusion of Women from Ground Close-Combat Roles PDF [53.4 KB] Study of Women in Combat – Investigation of Quantitative Data PDF [300.9 KB] Study of Women in Combat – Qualitative Report PDF [308.3 KB] Women in Ground Combat Roles – Experiences of Other Nations and a Review of the Academic Literature PDF [407.9 KB].

also recognised that these different perceptions of cohesion between men and women could not solely be ascribed to questions of gender, as other variables could be involved, such as: the women held lower ranks than the men and they had not worked with the male team members over an extended period and did not know them as well as the men knew each other.

Despite these results not being fully conclusive, to the extent that women may cause difficulties in relations and cohesion among members of small units, women were denied participation in such combat units.

Women in the UK are also limited from being detailed to submarines by the Navy. This is based on a belief that the high levels of carbon dioxide in submarines could be harmful to the female body. However, recent findings from the Institute of Naval Medicine show that there are no reasons to exclude women from service on submarines and that they could be posted from 2013 in Trident-class submarines.

■ SPAIN

The first women joined the army in 1941, in the *Cuerpo de Damas de Sanidad Militar* (the Women's Military Health Corps)⁽⁴⁹⁾ This was founded by Mercedes Milá Nolla. The female volunteers in this corps provided honorary nursing services, for which they received no salary. In order to join the Corps, volunteers took a two-year course in nursing techniques and military skills (including instruction in military drills). They wore military uniforms: khaki, skirt, cap and shoulder bag, with the Military Health Service emblem on the flap. In hospitals they wore nurses' uniforms, but on manoeuvres they wore fatigues and boots just like any other soldier⁽⁵⁰⁾.

The roots of this Corps stretch back to the Civil War, with women who wanted to join the Spanish Red Cross, the *Sección Femenina de Falange*, and women who worked voluntarily but with no qualifications in military hospitals; at the end of the war there were 12,307 nurses and auxiliaries.

In 1977, the *Damas de Sanidad* (Ladies of Health)⁽⁵¹⁾ were divided into two Corps: the *Cuerpo Especial de Damas Auxiliares de Sanidad Militar* (with the status of public servants) and the *Agrupación de Damas Auxiliares de Sanidad*

⁽⁴⁹⁾ The initial bylaws of the *Cuerpo de Damas de Sanidad* were approved by an Order dated 31 July 1941 (DO. n.º 172/5 of August 1941).

⁽⁵⁰⁾ ÁLVAREZ LUQUERO, A. B. *Fuerzas Armadas Unidas*. [Online]. Available at: http://www.ieee.es/Galerias/fichero/revistas/FuerzasArmadasUnidas_CESEDEN315_Alvarez.pdf

⁽⁵¹⁾ One famous "dama de sanidad" was Fabiola de Mora y Aragón, Queen of Belgium, who trained with the Corps in her youth.

Militar (unpaid volunteer workers). Each of these had their own regulations. The "damas auxiliares" reached their peak in 1985, when there were 7,000 Damas in the two Corps, including the veterans and students incorporated at various times⁽⁵²⁾.

Today the nursing speciality, consisting of men and women with the rank of officer, is integrated into the Cuerpos Comunes de Defensa.

With the exception of the Damas de Sanidad, women in Spain could not join the armed forces until September 1988⁽⁵³⁾, at which time they were granted access "with no other difference than their physical condition to perform certain postings".

This began the first selection processes⁽⁵⁴⁾ for women to access the following corps and grades: the Army Legal Corps, the Navy Legal Corps, the Air Force Legal Corps, the Defence Audit Military Corps, the Weapons and Construction Engineers Corps, the Aeronautical Engineers Grades, the Weapons and Construction Technical Engineers Corps, the Aeronautical Technical Engineers Grades, the Army Medical Corps, the Navy Medical Corps (Medicine Section), the Air Force Medical Corps, the Army Musical Directors Grades, the Navy Musical Directors Grades, the Air Force Musical Directors Grades, the Army Auxiliary Technical Medical Assistants Corps, the Health Section of the Basic Naval Non-Commissioned Officers Grades, the Air Force Auxiliary Medical Corps, the Army Non-Commissioned Officers Musicians Corp, the Musicians Section of the Navy's Basic Non-Commissioned Officers Grades and the Musicians Section of the Air Force's Basic Non-Commissioned Officers Grades.

The remaining Corps and Grades in the three services not specified in Royal Decree Act 1/1988 were to remain closed to female personnel until the necessary organisation and infrastructure changes were made.

A year later, Act 17/1989, Regulating Professional Military Personnel⁽⁵⁵⁾ extended the incorporation of women to all corps and grades in all three armed services, although postings could be subject to specific regulations based on particular physical requirements. This Act also included the official names

⁽⁵²⁾ A 1974 Ministerial Order (*Official State Gazette* 180, of 29 July 1974) granted the Damas de Sanidad Militar the status of Auxiliary Clinical Technicians, Professional Training, grade I for health services (a qualification which each dama had to apply for individually), whilst members of the Cuerpo Especial were considered to be civil servants working for the military administration, under Decree 707/1976, of 5 March.

⁽⁵³⁾ Spain. Royal Decree Act 1/1988, of 22 February, on the incorporation of women into the Armed Forces. *Official State Gazette* number 46, of 23 February 1988, p. 5672.

⁽⁵⁴⁾ As in Germany, Italy and France, this aimed to provide an urgent response to a general and specific demand from society.

⁽⁵⁵⁾ Spain. Act 17/1989, of 19 July, Regulating Professional Military Personnel. *Official State Gazette* number 172, of 20/7/1989, page 23129.

for military roles⁽⁵⁶⁾, which will be the same for all members of the Armed Forces. It also included equality of conditions for accessing and progressing in military careers, with no gender distinctions.

Three years later, Royal Decree 984/1992⁽⁵⁷⁾, of 31 July, established that female personnel who are professional troops and sailors can opt for all postings in their military careers, except for tactical and operational roles in the Legion, Special Operations, Paratroops and Paratroop Hunters. It also stated that women could not join landing forces or the crews of submarines or ships where accommodation conditions would not be suitable.

Act 17/1999, of 18 May, removed sex distinctions in postings. This therefore achieved the full integration of women in Spain's Armed Forces. Female personnel now began to take up posts in the Legion⁽⁵⁸⁾, the Parachute Brigade and the Marines Brigade, providing that they could meet the psychological and physical requirements for these units⁽⁵⁹⁾.

Today, women in Spain can join all corps and grades and carve out a professional career, just like a man. Women take part in all missions abroad under the same conditions as men and perform the same functions in their postings and the positions they are assigned to for operational reasons.

In January 2012⁽⁶⁰⁾, 305 female soldiers from the three armed services were involved in missions abroad.

Following necessary conversion work, the first two women were posted to submarines in 2000. The only condition imposed was that there had to be at least two women on board for each manoeuvre or mission. The highest ranking woman in submarines is currently a staff sergeant.

Despite twelve years having passed since women were given access to all corps and grades, there are still some units where women are underrepresented and even some which no woman has yet joined. This is the case with the former Marines Special Operations Unit, the current Reconnaissance Unit and the Naval Special Warfare Unit. These units

⁽⁵⁶⁾ In Spain, the names of military roles are the same for men and women, the only difference is the article preceding the task, which in Spanish varies with gender. In Spanish we therefore say "la capitana", "la sargento", "la comandante" etc. for women.

⁽⁵⁷⁾ Royal Decree 984/1992, of 31 July, approving the Regulations for Professional Troops and Sailors in the Armed Forces.

⁽⁵⁸⁾ In 1990, a female medical officer was posted to the 3rd Division of the Legion (Fuerteventura). In 1993, the first female legionnaire weapons specialist joined the 4th Division (Ronda), and in 1995 five female legionnaires joined the Legion's Logistics Group (Almería).

⁽⁵⁹⁾ However, women have to volunteer to be assigned to posts in fighting units. In other words, if they do not apply, they cannot be assigned to such postings.

⁽⁶⁰⁾ Information provided by the MOP.

require completion of an initial training course that, to date, has not attracted any female Spanish soldiers.

However, five women have passed the course for the Army's Special Operations Group, with two of these women currently serving in this group. The physical and psychological standards required are the same for both men and women in these units.

The Spanish Armed Forces consist of the Army, Navy and Air Force and the Armed Forces Combined Corps (table 4-10).

There are currently over 16,000 women in the Spanish Armed Forces, having increased from 6.6% in 2000 to 12.1% in 2012.

The Armed Forces Combined Corps have the highest concentration of female soldiers, at 19.8%⁽⁶¹⁾ (Table 4-11).

Although women can now perform all military roles, the highest rank achieved by a woman is lieutenant colonel, as no woman has been in service long enough to achieve a higher rank.

Table 4-10. Services and Corps in the Spanish Armed Forces

Service	Corps
Army	General Army Corps. Army Administration Corps. Army Engineering Corps.
Navy	General Navy Corps. Marine Corps. Navy Administration Corps. Navy Engineering Corps.
Air Force	General Air Force Corps. Air Force Administration Corps. Air Force Engineering Corps.
Armed Forces Combined Corps	Military Legal Corps. Military Audit Corps. Military Medical Corps. Military Music Corps.

Source: In-house, based on Act 39/2007, of 19 November, on military careers.

⁽⁶¹⁾ Source: Ministry of Defence Personnel Department. [Online]. Available at: <http://www.defensa.gob.es/areasTematicas/observatorio/estadisticas-enlaces/>

Table 4-11. Number of women by service in the Spanish Armed Forces

Service	Women soldiers			Total	%
	Officers	Non-commissioned officers	Troops	Men and women	Women
Army	252	449	8,776	80,928	11.71
Navy	94	119	2,395	21,547	12.10
Air Force	220	252	2,452	21,537	13.57
Total	556	820	13,623	124,012	12.1
%	6.5	2.7	17	100	

Source: In-house, based on figures from the Ministry of Defence's SIPERDEF database (23/01/2012), the SIEP information system (31/01/2012) and the Army's MAPER EA Personnel Department (31/01/2012). This does not include students in training centres or voluntary reservists.

Spain has some of the most advanced policies of any country to protect women who are pregnant or who have children under one year old. Act 17/1999 allowed for the possibility of a pregnant woman moving to a different organic post to that to which she was assigned, if medical staff consider this appropriate, without losing her posting. This right has been developed and extended in subsequent legislation, so that women now have the right to take leave from their postings for prenatal examinations, prenatal classes and fertility treatment. Women are given 16 weeks of maternity leave, which may be extended in the event of a premature birth or if the baby is hospitalised. They are also permitted an extension of their commitment to the Armed Forces and one hour of leave for breastfeeding of children under 12 months old.

Finally, Royal Decree 293/2009, on measures to protect maternity, grants women who are pregnant, giving birth or post-birth who cannot attend training courses or higher education the opportunity to attend these courses again; this also applies to teacher training courses.

Spain is also a pioneer in its Observatorio Militar para la Igualdad (Military Equality Observatory), which works to achieve the "integration of women under equal conditions in all regards to their male counterparts, until the presence of women in our Armed Forces is an established reality"⁽⁶²⁾.

⁽⁶²⁾ The Observatorio Militar para la Igualdad was recently created by Ministerial Order 51/2011, of 28 July, replacing the Observatorio de la Mujer en las Fuerzas Armadas (Women in the Armed Forces Observatory).

Based on the premise of the importance of "active participation by men and women under equal conditions, the creation of equal opportunities for men and women in our missions and institutions, and the rebuilding of post-conflict societies, is a question of operational efficiency". The Dutch and Spanish Defence Ministries are organising a "Comprehensive approach to gender in operations" course and have held various "Gender Advisor Training Courses for Operations" sessions. Spain organised two of these in 2010 and 2011 at its Mando de Adiestramiento y Doctrina (MADOC - Training and Doctrine Command), training around fifty gender advisors in the implementation of the gender perspective in missions, particularly in Afghanistan.

■ **USA** 

As in many other countries, many American women served during the First World War as nurses in military hospitals and telephone operators⁽⁶³⁾. Over four hundred of these women lost their lives doing their duty. In 1920, the Army Reorganization Act granted official status to Army nurses.

Over seventy thousand women served as nurses in the *Army* during the Second World War (67 were captured in the Philippines).

In 1947, the Army-Navy Nurse Act created the Army Nurse Corps and the Women's Medical Specialist Corps as part of the Armed Forces, giving Army nurses official status.

In 1948, the Women's Armed Services Integration Act⁽⁶⁴⁾ granted women the right to join the Armed Forces as regular soldiers on active service and as reservists. Nevertheless, there were numerous restrictions on postings and numbers, which could not exceed 2% of any troop category - with the exception of nurses, who were unlimited - or officers, who could not exceed 10%. Women were also not allowed to command men.

This Act also permitted women to join the Navy, but only on hospital and transport ships, with the latter having restrictions on postings related to combat aircraft.

Subsequently the National Defense Authorization Act for FY 1992 and FY 1993 removed all specific prohibitions on the assignment of women in the Armed Forces and to aircraft on combat missions. This Act also established that the Chiefs of Staff of the Army, Navy and Air Force could establish the conditions under which female personnel could be assigned to postings.

⁽⁶³⁾ The Army Signal Corps recruited 230 telephone operators.

⁽⁶⁴⁾ Pub. L. No. 80-625, 62 Stat. 356-75 (June 12, 1948).

In April 1993⁽⁶⁵⁾, the Defence Secretary, Les Aspin decided to open up more specialisations and tasks to women, including those related to combat aircraft⁽⁶⁶⁾ and as many ships as possible as allowed under existing legislation, as this prohibited women marines being assigned to ships taking part in combat missions. At the same time, Secretary Aspin instructed the Army and the Marines to examine the possibility of opening up more postings for women. The Directive categorically prohibits women from joining units involved in direct land combat and those with demanding physical requirements or where habitability was not viable.

In November 1993⁽⁶⁷⁾, as part of the National Defense Authorization Act for Fiscal Year 1994, Congress repealed the ban on the assignment of women to combat ships.

In 1994⁽⁶⁸⁾, the Defence Secretary removed the "risk rule" that had previously stopped women from serving in units with a high probability of being involved in combat. This was in part recognition of the changing nature of warfare, as there is no longer any safe place on the battlefield. This resulted in units such as the Military Police and the Logistics Support Battalion and Military Intelligence being opened to women; however, women were still barred from serving in small ground combat units involved in deliberate action against the enemy.

This regulation also included restrictions where there were habitability difficulties due to space issues, such as submarines, minesweepers, mine hunters and patrol boats, wherever units and positions were obliged to seek accommodation with direct Ground Combat Units and in Reconnaissance and Special Operations Units.

This has a permanent effect on career profiles, with 80% of generals coming from the tactical and operational branches that are closed to women: of 100 promotions to Brigadier General in 2010, only one was a woman. Only 24 of the 403 generals in the Army are women⁽⁶⁹⁾, just 6%, even though women represent 15% of the total force⁽⁷⁰⁾.

⁽⁶⁵⁾ Memorandum on Policy on the Assignment of Women in the Armed Forces from the Secretary of Defense to the Secretary of the Army, Secretary of the Navy, Secretary of the Air Force, Chairman, Joint Chiefs of Staff, Assistant Secretary of Defense (Force Management and Personnel) and Assistant Secretary of Defense (Reserve Affairs) (Apr. 28, 1993).

⁽⁶⁶⁾ 8 December 2008 was a historic day for the US Air Force, when a warplane crewed only by female personnel took to the air.

⁽⁶⁷⁾ Pub. L. No. 103-160 § 541, 107 Stat. 1547, 1659 (Nov. 30, 1993).

⁽⁶⁸⁾ Memorandum on Direct Ground Combat Definition and Assignment Rule from the Secretary of Defense to the Secretary of the Army, Secretary of the Navy, Secretary of the Air Force, Chairman, Joint Chiefs of Staff, Assistant Secretary of Defense (Personnel and Readiness) and Assistant Secretary of Defense (Reserve Affairs) (Jan. 13, 1994).

⁽⁶⁹⁾ On 23 July 2008, the promotion of Lieutenant General (LTG) Ann E. Dunwoody to the rank of general (four stars) was confirmed by the US Senate. LTG Carol Mutter, of the US Marine Corps was proposed and chosen as the first woman to receive three stars, in 1996.

⁽⁷⁰⁾ Although the Army's policy until 2012 was that women could not be posted to direct combat units below Brigade level that involve "engaging an enemy with individual or crew-served

Until 2012, 9% of the posts in the Army and 8% in the Marine Corps were barred to women, compared to 6% in the Navy and 1% in the Air Force. All Coastguard posts are open to women. Women detailed to other units often miss out on promotion opportunities in their careers as they cannot be assigned to units or roles that involve direct combat. When this is taken into account, only 70% of posts in the Army and 62% in the Marine Corps are open to women, according to the *Military Leadership Diversity Commission* report of 15 March⁽⁷¹⁾.

Nevertheless, in a 9 February 2012 report, the US Defense Department⁽⁷²⁾ announced changes to its post assignment policy, which makes an additional 14,325 posts available to women. The Defense Department believes that "women are contributing in an unprecedented way to military missions. Through their courage, sacrifice and skills, women have demonstrated their capacity to serve in an ever increasing number of roles, both on and off the battlefield".

The Defense Department notified Congress that it intended to make two changes to the regulations in place since 1994 concerning the service of female Armed Forces personnel: firstly, posts in ground combat units would no longer be closed off to women and secondly, a considerable number of posts would be opened to women at the battalion level. The psychological and physical requirements for men and women will be the same.

The April 2010 announcement by the US Defense Secretary that he wanted to integrate women into submarines was another significant development. A plan is being prepared to integrate the inclusion of three women into the crews of eight attack and ballistic missile submarines. These submarines were chosen based on their sleeping and hygiene facilities, so that few changes would be required.

Currently, 14.5% of the personnel of the US Armed Forces are women. Over twenty-five thousand of them have taken part in operations.

weapons while being exposed to direct enemy fire, a high probability of direct physical contact with the enemy and a substantial risk of capture", three quarters of the women who took part in the 2010 DACOWITS report stated that had been exposed to hostile actions against their person or unit, with half having received hostile fire. Over 259,000 of the 2.2 million soldiers who have served in Iraq and Afghanistan have been women. As of 1 April 2011, 1,758 of these had been injured and 137 killed.

⁽⁷¹⁾ *Military Leadership Diversity Commission*. Tuesday, July 5 2011. [Online]. Available at: <http://www.army.mil/standto/archive/issue.php?issue=2011-07-05>

⁽⁷²⁾ Report No. 092-12 from the US Defense Department (2012). *Department Opens More Military Positions to Women*. [Online]. Available at: http://www.defense.gov/news/WISR_Report_to_Congress.pdf

■ ISRAEL

Women have served in the Israeli Defence Force (IDF) since it was created in 1949 and also served in Israeli defence organisations prior to the creation of the State of Israel⁽⁷³⁾. Every year, over one thousand five hundred female soldiers do military service in the IDF.

Until the 1980s, women were restricted to support and administration (medical, personal etc.) roles. However, many new opportunities opened up for women between the 80s and mid-90s, through both an increase in the number of roles and postings available and through training and preparation for combat.

The Israeli army is the only one in the world with obligatory military service for women. Currently, 34% of compulsory military service personnel and 20% of career soldiers are women.

Although the Israeli army began to integrate women soldiers into combat posts in 1995⁽⁷⁴⁾, only 88% of military posts are open to them. Small close combat units are closed to women - women are not integrated into the Infantry, the Cavalry, the Special Forces and some naval posts.

At present, 2.2% of women serve in specialist areas directly related to combat (Military Occupation Specialties, MOS), even though women volunteer for these units and 6% of women serve in technical and mechanical combat support specialities.

Half of all women taking officer training courses over the last three years have been women (55% of all officers in the Military Staff on the "Officer Training Course", 53% of officers in combat support positions and 3% of all combat officers were women). There has been an increase in the percentage of women combat officers over the last decade. Over recent years, women have achieved high rank in the Israeli Army and have successfully integrated into combat and border protection units⁽⁷⁵⁾.

The IDF has modified the Women's Service Act⁽⁷⁶⁾ to give the same rights to male and female recruits to serve in any position, subject to suitable training

⁽⁷³⁾ Some important figures here include Hannah Senesh and Aaronsohn Sara.

⁽⁷⁴⁾ This occurred when a 23-year old woman named Alice Miller with a pilot's licence from her native South Africa emigrated to Israel and sought work training the Air Force. She was automatically rejected as women were not allowed to serve in combat positions. Alice Miller then appealed to Israel's Supreme Court. As a result of the Supreme Court ruling, an amendment was issued to the Military Service Act stipulating that women have equal rights to men to serve in all positions in the Army, with the exception of posts with such challenging requirements that they would not be able to perform them. As a result, women in the IDF are integrated into some artillery and light infantry roles.

⁽⁷⁵⁾ <http://dover.idf.il/IDF/English/News/today/09/03/0901.htm>

⁽⁷⁶⁾ Amendment 11 of the Women's Service Act, of 3 January 2000.

and with approval from the Committee on Foreign Affairs and Defence. A number of changes are planned relating to the inclusion of women in all services, the creation of an Equality Unit, an increase in women in posts with responsibilities and the creation of a discrimination-free environment.

■ FINAL CONSIDERATIONS

In this chapter we have reviewed how the role of women in the Armed Forces has evolved over time in various countries currently involved in military operations.

Analysing the information in this chapter, we notice a similarity in the female presence in the military, starting with women playing roles traditionally associated with female stereotypes. The first military women were therefore nurses, telephone operators, secretaries, doctors etc.

Subsequently, as recognised by many commentators, the motivation and effectiveness of women has resulted in them joining nearly all specialities, including both combat support and combat itself. In all these cases, the changes have been the result of demands made by women and the opening up of a traditionally masculine institution.

Over the last three years in particular, those countries that still have limitations on their posts and specialities for female personnel have implemented inclusion and adaptation policies to enable the full participation of women in all posts and specialities, including posts involving close combat. The UK has so far been the most conservative country.

This opening up of the Armed Forces to women has been slow and progressive. It has involved not just changing laws and regulations, but also changing installations, equipment and uniforms, among other things. But, above all, there has been social and cultural change - both inside and outside the armed forces - requiring both men and women to adapt to each other.

This progressive debate has not been without social and media-fueled controversy, focusing mainly on the capacity of women to perform the tasks and functions of a soldier effectively. Some of the arguments discussed have related to whether women have inferior physical conditions, their differing hygiene requirements and their potential negative impact on the cohesion of the unit.

Cohesion may be social - the nature and quality of emotional bonds of friendship, affection, understanding and closeness of group members - yet there is another form of cohesion, that of the task, a shared commitment by group members

to achieve goals through collective endeavour. We are therefore dealing with the latter type of cohesion, the set of competences and capabilities that the different individuals in a team contribute to achieving a common objective.

Nevertheless, what is cohesion in military units? In a military culture, we could say that cohesion is the degree that an individual identifies with and is committed to their unit, as a result of their feelings of belonging, confidence, pride and bonds. A cohesive unit will therefore be motivated to coordinate the efforts of the whole team to achieve their mission. The important factor is that the members of the group should share a commitment to achieving objectives with team spirit, feeling of belonging, confidence, pride and unity. These are military values shared by everyone who wears a uniform, irrespective of their sex.

In this chapter, I do not want to go deeper into the discussion about the suitability of one gender or the other. After more than twenty years of mixed armed services, systems are being put in place to foster the design of military careers for each individual, based on their interests, competences and capabilities, subject to the standards and requirements of the organisation and, of course, under the universal premise of serving the defence of your country and all of its people.

But let us look at current theatres of operations. In current overseas missions, military women are playing a very important role that benefits the effectiveness of the operation simply based on them being female. This is building confidence and commitment to the allied forces in women in the local population in the area of operations.

The suitability of women for certain functions carried out by FETs and medics and nurses because of their gender is certainly determined by the culture of the country in which they are operating. In my opinion, this is a fine example of the effectiveness of mixed teams in which the varied characteristics and competences of the team members can be harnessed to the good of the objective or the shared goal of completing the mission.

However, although the FET teams may consist entirely of women, they do not act alone. They are preceded by their male colleagues who, because of their gender, are able to establish contact with the village elder, respecting local traditions, to get authorisation for female soldiers to interact with the local women and the male soldiers also remain on guard outside houses, providing security for their female colleagues.

Despite the opening up of almost all army specialities and units, it is still striking that the percentage of female personnel is still hovering around 13%-

15%, being much lower than this in some cases. It might be thought that this is the percentage of women who are attracted to the military profession. However, it is likely that many other variables are involved, such as the extreme physical and family pressures of a military life, with its frequent changes of posting and location and long periods away from home on manoeuvres or operations, making it difficult to combine a military profession with family life and bringing up children.

Over recent years there have been many studies and questionnaires regarding the suitability of female participation in the armed forces, focusing on whether or not the effectiveness of units with female personnel is impaired.

At present, the debate should be whether the number of women involved is sufficient to meet mission requirements effectively and whether women are sufficiently represented in all specialities.

Numerous studies have tried to forecast possible negative effects of military women on their units, but very few have studied whether their integration into the Armed Forces has benefited the institution.

In my opinion, based on the evolution of army life over the last twenty years and leaving aside operational questions, I consider it essential to mention the advances in fostering a balance between professional and family life that have taken place as a result of the entry of women into the Armed Forces, benefiting both men and women, in Spain and also in other countries.

I also believe that it is time to abandon approaches based on differences between male and female soldiers. Instead, we should concentrate on taking fuller advantage of every team member and their individual qualities to meet the specific requirements of each mission.

Table 4-12. Examples of units and women's posts in the Israeli army

Battalion Signals Officer	As the officer responsible for communications, she is in charge of maintaining and running communications in the battalion and has a crucial combat role.
76th Battalion of the Combat Engineering Brigade	As part of the Combat Engineers Brigade, 76 Battalion is the only battalion with mixed units. Its work consists of real-time neutralisation of chemical, biological and radiological (CBR) threats on the battlefield during combat. These soldiers enter the heart of enemy territory together with other combat troops in times of war and help to protect them against non-conventional weapons.

334th Battalion of the Artillery Corps	The 334th Battalion specialises in Multiple Launch Rocket Systems (MLRS), and has a primary role in all artillery operations. All positions in the Artillery Corps are open to women, including combat roles ² .
Combat soldier in electronic warfare	Women in electronic warfare undergo team-building military tests, advanced combat training and a half-year course in which they acquire the specific skills of their profession.
The Oketz Unit	This canine unit of the Special Forces includes soldiers of both sexes, who are partnered with dogs which they personally train and with which they embark on operational activities. The dogs – together with their handlers – sniff out explosives, track terrorists and neutralise security threats.
Aerial defence system operator	All units in the Aerial Defence System are open to women, who may serve in combat or command and control roles, intercepting aircraft, missiles and rockets. This includes manning the new Iron Dome system.
In-Flight Teleprocessor	These soldiers operate unique telecommunications devices on planes during flights in order to enable communication in remote areas. Female soldiers serving in this position operate during routine activities and during wartime. The position requires great skill and professionalism, and the soldiers work in extremely stressful conditions. They undergo courses in both teleprocessing and paratrooper skills.
Fighter pilot	

(Own work).

⁽²⁾ Women serving in combat units and completing training are integrated in Israel's ongoing security operations and are obliged to continue for 12 months in addition to the compulsory recruitment period, as well as enlisting as reservists.

CHAPTER FIVE

GENDER IN MILITARY OPERATIONS

José Luis Gil Ruiz

ABSTRACT

The The International Security Assistance Force (henceforth, ISAF) operation in Afghanistan has revealed many facets of gender in military operations. Afghanistan is witnessing the greatest cooperation to date on gender issues among military forces, affecting every aspect of operations: Security, Governance and Development. In this chapter we briefly describe the state and progress of each of these aspects, including current efforts to improve them. We detail the achievements and successes in a number of areas, whilst also looking at problems and challenges for the future.

Key words:

Gender, operations, governance, security, development, ISAF

■ INTRODUCTION

It is important that the reader realises that this chapter focusing on current experiences in the Afghanistan theatre of operations deals with a highly complex and extensive subject. Indeed, it is perhaps the most complete and complex in terms of *gender* in military operations. Although every operation is different, many of these experiences will also be useful in other theatres.

In Afghanistan, we are facing a strong, stubborn resistance that is convinced of the inevitability of its ultimate victory and which receives external support. There are multiple versions and degrees of insurgency on the ground, with varying levels of motivation, ranging from merely financial and the search for local power, to a desire to retake control over the whole of Afghanistan, which the insurgents from 1996 to 2001.

The Government of the Islamic Republic of Afghanistan (GIROA)⁽¹⁾ is supported by the international community and the allied military forces deployed in the country (the ISAF and Operation Enduring Freedom). However, it is tasked with both fighting the insurgency and with overcoming some serious issues affecting its own operations and legitimacy in the eyes of the Afghan population. As Katzman told the US Congress:

"The formal power structure, as established through elections in the post-Taliban era, coexists with an ancestral structure of informal power. The informal power structure consists of the informal and frequently arbitrary influencing of government by faction leaders, who are well funded, locally popular and, sometimes, well-armed. In some cases, these faction leaders have been elected or appointed to official posts through constitutional processes, but their influence extends beyond these formal roles"⁽²⁾.

The *faction leaders* (also known as *power brokers*), together with the ill-preparedness of public servants, very widespread corruption, the unprofessional attitude of the police and deficiencies in the rule of law, undermine the legitimacy of the GIROA and foster the insurgency⁽³⁾.

Afghanistan offers some of the worst conditions in the world for women. Women suffer from terrible restrictions on their freedom of movement, access to justice, education, healthcare and participation in public life. But, more significantly, they are also subject to cultural taboos based on pre-Islamic

⁽¹⁾ Acronym list attached.

⁽²⁾ KATZMAN Kenneth, *Afghanistan: Politics, Elections, and Government Performance*. Report for Congress. United States Congressional Research Service. RS21922. 12 December 2011, p. 27.

⁽³⁾ DALE, Catherine. *War in Afghanistan: Strategy, Operations, and Issues for Congress*. Report for Congress. United States Congressional Research Service. R40156. 9 March 2011, p. 12.

patriarchal ideologies that contradict the fundamental principles of Islam, denying women many of the rights that Islam granted them to ensure their freedom and emancipation⁽⁴⁾. The ancestral origins of these practices⁽⁵⁾ long predate the Taliban taking power, and their survival, particularly in rural areas, has been reinforced by ignorance and lack of education⁽⁶⁾. The situation for women in Afghanistan is also inextricably linked to the general situation in the country⁽⁷⁾; this impacts in particular on women, as one of the weakest sectors of the population.

Promoting the rights of women is presented by the Taliban - although not exclusively - as a Western import into Afghanistan, which they say is anti-Islamic. This message is concise and clear, and is very much in line with the damaging and inhuman practices of Afghanistan's traditional culture, particularly in rural areas. This is one of the reasons for increasing resistance to progress on women's rights⁽⁸⁾.

The International Community (IC) has not had the same success in promoting its message. The Taliban message is difficult to counter, as the reality is - as we explain in this chapter - that the IC has been supporting Afghan women in many aspects of their lives, whilst always respecting Islam.

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Despite the clear official commitment of the GIROA and President Karzai, who has made some strong statements on the subject of women's rights, some key members of the Government and the Parliament have expressed their hostility to the development of women's rights. This lack of real commitment to the law and official positions exists at all levels of the Administration, including the Police, particularly in rural areas.

It should be remembered that the ISAF commander (COMISAF) must fulfil the mission and ensure *the success of the operation*, achieving the objectives set by the international community and NATO in the *comprehensive civilian-military counterinsurgency strategy* (COIN). One of the component parts of this comprehensive strategy is the incorporation of gender perspectives and

⁽⁴⁾ AMOR, Abdelfattah. UN Special Rapporteur on Freedom of Religion or Belief. *Study on freedom of religion or belief and the status of women in the light of religion and traditions*. UN. E/CN.4/2002/73/Add, April 2009, p. 7.

⁽⁵⁾ UNAMA. *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*. 9 December 2010. See http://unama.unmissions.org/Portals/UNAMA/Publication/HTP_REPORT_ENG.pdf As of 28 January 2012.

⁽⁶⁾ SHORISH-SHAMLEY, Zieba, PhD. *Women's Position, Role, and Rights in Islam*. See <http://www.afghan-web.com/articles/womenrights.html> As of 28 January 2012.

⁽⁷⁾ *The International Afghanistan Conference in Bonn 5 December 2011. Conference Conclusions*. See http://www.auswaertiges-amt.de/cae/servlet/contentblob/603686/publicationFile/162627/Konferenzschlussfolgerung_engl.pdf As of 3 February 2012.

⁽⁸⁾ OXFAM. *A Place at the Table: Safeguarding Women's Rights in Afghanistan*. 3 October 2011, page 9. See <http://www.oxfam.org/sites/www.oxfam.org/files/bp153-womens-rights-afghanistan-03102011-en.pdf> As of 31 December 2011.

application of UN Security Council Resolution 1325, together with all NATO directives on the implementation of this resolution and related resolutions⁽⁹⁾. The ISAF considers that women are an integral part of the *human terrain*⁽¹⁰⁾ (around 77% of the Afghan population consists of women and children aged under 14⁽¹¹⁾), and as such they are essential to the success of the operation.

Since 2010, the ISAF has been further incorporating gender mainstreaming into every theatre of operations and every level in the planning, execution and assessment of its activities. This has resulted in fuller knowledge of the current situation and the expansion of areas for relations and cooperation, with myriad benefits for all parties and for the operation. The ISAF has issued a number of specific directives and orders to all of its general commands in Kabul and all regional commands to promote and coordinate gender mainstreaming throughout Afghanistan. It has done this through the chain of command, making the commander of each Unit responsible for gender issues, with an obligation to report all such activities and the resulting situation. Furthermore, the roles of certain specific capabilities - such as the Gender Advisors (GA) and Female Engagement Teams (FET) - have been boosted. This has been done in close coordination and cooperation with all bodies involved in gender issues in Afghanistan.

Gender is just one component in ISAF's comprehensive counterinsurgency strategy; it cuts horizontally across all three lines of operations: security, governance and development. *Security* includes aspects such as freedom of movement and the presence of women in the Army and the Police, *Governance* includes the participation of women in politics and access to the rule of law and *economic and social development*, includes economic development, education and healthcare. In all of these areas, the ISAF is involved in specific activities relating to gender, working actively on the planning and execution of such activities with all of those involved, providing all the support it is capable of offering in a number of areas, including security, liaison, intelligence, coordination and relations with multiple parties in each area. The Provincial Reconstruction Teams (PRTs) are particularly involved in this, with ISAF

⁽⁹⁾ Bi-SC Directive 40-1 Integrating UNSCR 1325 and gender perspectives in the NATO Command Structure, including measures for protection during armed conflict (Sept 2009); NATO Action Plan on Mainstreaming UNSCR 1325 into NATO-led missions and operations (Nov 2010), revised NATO/EAPC Policy on the Implementation of UNSCR 1325 and Related Resolutions and an Implementation Plan to underpin that Policy (Jun 2011). The current situation is set out in the NATO Secretary General's report: *NATO Secretary General's Report on Implementing United Nations Security Council Resolution 1325 on Women, Peace And Security, and Related Resolutions* (11 Nov 2011).

⁽¹⁰⁾ The phrase "human terrain" is becoming increasingly common in NATO and ISAF circles, perhaps to reinforce its central role and importance and the overwhelming need for it to be incorporated into the planning and execution of all activities. General Petraeus has said that "in counterinsurgency operations, the human terrain is the decisive terrain".

⁽¹¹⁾ Afghan Public Health Institute, Ministry of Public Health, *et al. Afghanistan Mortality Survey 2010*. November 2011, p. 19.

nations funding multiple projects and activities, whether directly through cooperation agencies such as USAID, through financial organisations such as the World Bank or the Asia Development Bank, or through multinational organisations such as the European Union.

This work is based on the latest documentation, the author's experience and interviews in Afghanistan with a range of Afghan and non-Afghan men and women in 2011⁽¹²⁾.

■ GOVERNMENT GENDER-RELATED ARRANGEMENTS AND STRUCTURES IN AFGHANISTAN

Afghanistan is governed by a mixture of civil law, Islamic law, or *sharia*, and tribal customs, which are still used in resolving many conflicts.

Afghanistan approved a new Constitution in 2004⁽¹³⁾. The preamble to the Constitution states that it observes the UN Charter and Universal Declaration of Human Rights. Chapter Two on the "Fundamental Rights and Duties of Citizens" aims to implement this declaration. Article 22 states "Any kind of discrimination and distinction between citizens of Afghanistan is forbidden. The citizens of Afghanistan, man and woman, have equal rights and duties before the law". Article 43 guarantees education for all Afghans whilst Article 44 establishes that the "state shall devise and implement effective programs to create and foster balanced education for women". Article 54 recognises the family as "the fundamental pillar of the society", urging the Government to adopt the measures required to "attain the physical and spiritual health of the family, especially of the child and mother, the upbringing of children, as well as the elimination of related traditions contrary to the principles of the sacred religion of Islam".

However, some articles of the Constitution are open to contradictory interpretations. Article 3 declares that "No law shall contravene the tenets and provisions of the holy religion of Islam in Afghanistan". Application of this article may contradict other laws and even articles in the constitution. Two further points need to be noted. Article 121 of the Constitution establishes that the Supreme Court (*Stera Mahkama*) is responsible for determining how civil laws in the *Islamic Republic of Afghanistan* are interpreted in accordance with the religious principles of Islam. The Court's decisions in this regard therefore condition the status and rights of women in the country. The concept of *sharia*

⁽¹²⁾ The author was deployed in Afghanistan during 2011 as the DCOS Operations Support for ISAF Joint Command.

⁽¹³⁾ The *Constitution of Afghanistan*. 3 January 2004. Translated by Sayed Shafi Rahel for the Secretariat of the Constitutional Commission. Available at <http://supremecourt.gov.af/en/Documents?DID=126> As of 21 December 2011

is not understood or applied in the same way in all Muslim countries⁽¹⁴⁾. The Afghanistan Constitution does not make clear which specific sources of *sharia* should be used by the Supreme Court, nor how the law should be taken from these sources.

These discrepancies hinder progress on the subject of women's rights, dependent as they are on how future governments and courts interpret Article 3. This article can be used not only to counter other articles in the Constitution, but also to avoid compliance with international obligations.

The Afghan Government, GIROA, has stated the importance of achieving *gender equality* in several important documents. One of these is the *Afghanistan National Development Strategy*⁽¹⁵⁾ (ANDS). This is a significant document reflecting the Government's commitment to resolving the problems and challenges of Afghanistan, with the support of the international community. This is based on the UN Millennium Development Goals and aims to reduce poverty and build a stable and prosperous Afghanistan. The Afghanistan National Development Strategy is based on 3 pillars, which are the same as those of ISAF: 1. *Security*, 2. *Governance, Justice and Human Rights* and 3. *Economic and Social Development*. It also deals with a number of other wide-ranging issues, such as *gender equality*, detailing "the *cross cutting* strategy to achieve gender equality" through actions to "revert the historic inferiority of women in Afghanistan".

The main tool for implementing the objectives of the Afghanistan National Development Strategy in relation to gender is the National Action Plan for the Women of Afghanistan⁽¹⁶⁾ (NAPWA). This was drafted in 2005, and, after almost four years of consultations between the Ministry of Women's Affairs, other ministries, the international community and the NGO Coordination Group⁽¹⁷⁾, was finally approved by Karzai in May 2008⁽¹⁸⁾. This was the first key document dedicated entirely to gender equality. It seeks to achieve "A nation of peace and progress, where men and women enjoy security and equal

⁽¹⁴⁾ SEGURA, Antoni. *El malentendido de la 'sharia'*. See http://www.mundoarabe.org/islam_y_sharia.htm As of 23 December 2011.

⁽¹⁵⁾ Islamic Republic of Afghanistan. *Afghanistan National Development Strategy*. 1387-1391 (2008-2013). *A Strategy for Security, Governance, Economic Growth & Poverty Reduction*. See <http://www.imf.org/external/pubs/ft/scr/2008/cr08153.pdf> As of 28 January 2012.

⁽¹⁶⁾ National Action Plan for the Women of Afghanistan (NAPWA) 2008. See [http://webapps01.un.org/vawdatabase/uploads/National Action Plan for the Women of Afghanistan 2007 to 2017.pdf](http://webapps01.un.org/vawdatabase/uploads/National%20Action%20Plan%20for%20the%20Women%20of%20Afghanistan%202007%20to%202017.pdf). As of 27 December 2011.

⁽¹⁷⁾ The NGO Coordination Group is made up of the Afghan Women's Network (AWN), the Agency Coordinating Body for Afghan Relief (ACBAR) and the Afghan NGO Coordinating Body (ANCB).

⁽¹⁸⁾ HAMID Zarin, *Afghan Women's Network report on UN 1325 Implementation in Afghanistan*. 31 Oct. 2011, pp. 15-16. See <http://www.afghanwomensnetwork.af/LatestUpdates/1325English.pdf> As of 15 December 2011.

rights and opportunities in all spheres of life" with two overall objectives of *gender equality*⁽¹⁹⁾ and *empowerment*⁽²⁰⁾ of women⁽²¹⁾:

The National Action Plan for the Women of Afghanistan is a ten-year plan that develops the three pillars of the Afghanistan National Development Strategy in six areas: security, legal protection & human rights, leadership & participation, politics, economics, work & poverty and health & education. In addition to strategies, it also sets out specific plans, programmes and activities for Ministries, with timescales for their implementation and measurable indicators of progress. All ministries must set up a gender working group with representatives of key departments to ensure implementation⁽²²⁾.

The Ministry of Women's Affairs (MoWA) is responsible for promoting the interests of women. This was created at the Bonn Conference on 5 December 2001, immediately following the fall of the Taliban regime, as part of the interim administration. The MoWA coordinates and works towards implementation of the National Action Plan for the Women of Afghanistan. To this end, it manages and coordinates the annual approach to gender of Ministries, where at least 30% of the budget should go to plans, programmes and activities to promote the position of women, coordinating the sending of reports for each ministry with the results of implementing the National Action Plan for the Women of Afghanistan. In addition, each province has a Women's Affairs Department, which is responsible for the policies and actions of the Ministry of Women's Affairs at the provincial level.

Another key instrument for defending human rights is the Afghanistan Independent Human Rights Commission⁽²³⁾ (AIHRC), which was also created at the 2001 Bonn Conference. Although this is an official GIROA body, it operates outside the structure of the Government. Article 58 of the Constitution establishes that any person whose basic rights have been breached can lodge a complaint with the Commission. The Commission may send cases of human

⁽¹⁹⁾ *Gender equality*: a situation in which men and women can fully enjoy their rights, contributing equally to development and equally enjoying the benefits thereof, and where nobody may impede another from trying to achieve what is fair, good and necessary to live a full and satisfactory life.

⁽²⁰⁾ *Empowerment* is not a term found in the Spanish Royal Academy Dictionary, but it is widely used in this context. . See Diccionario de Acción Humanitaria y Cooperación al Desarrollo. <http://www.dicc.hegoa.ehu.es/listar/mostrar/86> As of 16 December 2011.

⁽²¹⁾ *Empowerment of women*: a situation in which women control and determine the directions of their lives, developing their full potential and exercising a positive influence on the processes, mechanisms and decisions that affect their wellbeing.

⁽²²⁾ Most ministries and independent bodies have a specific Gender Unit. Independent Administrative Reform & Civil Service Commission (IARCSC). *Legal Workshop for Gender Units*. January 2011. See http://www.csc.gov.af/index.php?option=com_content&view=article&id=59&Itemid=79 As of 29 December 2011.

⁽²³⁾ Afghanistan Independent Human Rights Commission (AIHRC). Available at <http://www.aihrc.org.af/en> As of 28 January 2012.

rights breaches to the competent authorities and assist in upholding human rights. It has a Women's Rights Unit, which works on five priority areas and strategic objectives: leadership, education, empowerment, active support, monitoring and research⁽²⁴⁾.

Therefore, some important structural and legal elements are in place that would, at first sight, seem ideal for ensuring that Afghanistan progresses resolutely towards equality for women. But, due to the problems mentioned in the introduction, the reality is very different.

■ ISAF CAPABILITIES SPECIFICALLY DEDICATED TO GENDER

Gender in the ISAF is not exclusively an issue for the gender advisors and female soldiers. Gender orders and guidelines are issued to the commanders of all general commands and ISAF forces. Every ISAF member is involved, actively responsible for issues related to gender in missions. The interaction between the "ISAF woman-Afghan woman" is a first step. There is however much greater potential for man-to-man contact between ISAF and the Afghans.

Gender issues are gradually being incorporated into the education of all groups and organisations involved in operations, particularly training and development in the military sphere, where gender must be treated like any other aspect of operations, forming part of the human terrain. In particular, it is essential that the various levels of the ISAF command and contingents from other participating countries, with their commanders in the lead, include gender issues in preparing deployments for each specific scenario and each rotation, just as they prepare other essential aspects of each operation. It is also extremely important to have codes of conduct in place for how to react in specific situations, with appropriate and inappropriate verbal responses, gestures and attitudes for interacting with the local population.

The ISAF has specific capabilities for this through gender advisors in its General Command in Kabul and in its regional commands⁽²⁵⁾ (RCs) and Provincial Reconstruction Teams (PRT), Female Engagement Teams (FET) in the PRT and in its *Task Forces* (TF).

■ Gender advisors (GA)

There are currently gender advisors in practically all ISAF general commands, although very few of these are dedicated full-time to the role. The remaining gender advisors (sometimes known as Gender Focal Points) normally divide

⁽²⁴⁾ AIHRC Women's Rights Unit. Available at <http://www.aihrc.org.af/en/women-rights/486/women-rights.html> As of 28 January 2012.

⁽²⁵⁾ There are six RCs (Capital, North, East, South, Southwest and West).

their time between these responsibilities and other areas of human rights or civil-military cooperation.

As advisors on their specific area within the general commands, gender advisors should help ISAF commanders and their general commands in operational planning, implementation and assessment activities, ensuring that gender information and aspects are taken into account and coordinating gender activities throughout the theatre of operations, particularly the work of gender advisors in subordinate units.

Gender advisors also interact with many other bodies, with liaison, advice and support functions. This is mainly with the GIRoA and the Ministry of Women's Affairs and other Ministries in Kabul, with Women's Affairs Departments in the Provinces and with the United Nations Mission in Afghanistan (UNAMA), UN Women and other international bodies, and finally with NGOs working in the area of gender and women's issues, such as the Afghan Women's Network (AWN).

In practice, gender advisors are faced with a wide-ranging and complex task. For example, the ISAF Joint Command (IJC) has a full-time gender advisor charged with providing support for ensuring simultaneous planning, whilst at the same time coordinating the work of gender advisors in the regional commands and maintaining a close relationship with many different bodies.

The gender advisors at ISAF's General Commands in Kabul regularly take part in the activities and meetings of the Ministry of Women's Affairs⁽²⁶⁾. ISAF Joint Command's gender advisor passes information received in these meetings to gender advisors in regional commands and the Provincial Reconstruction Teams (PRT), who, in turn, complete the circuit by communicating with the 34 Women's Affairs Departments. One of the problems in Afghanistan is that the flow of information and finance between Kabul and the provinces is very weak, and this system is a way of detecting inefficiencies and helping to find a solution; the solution is then developed in cooperation with the donors and organisations working in each zone, including the Provincial Reconstruction Teams, PRT⁽²⁷⁾.

Outside Kabul, in the regional commands and particularly the Provincial Reconstruction Teams, gender advisors are in close contact and collaboration with *important* women with public functions in the province, such as the Director of the Women's Affairs Department, women elected to the Provincial Council and the Upper and Lower houses of the Parliament in Kabul, women

⁽²⁶⁾ The ISAF does not contribute funds to this Ministry and its GAs are therefore not invited to policy and planning coordination meetings. The ISAF General Command GA had to open up her own path in 2010 by demonstrating her usefulness. Now she is invited regularly.

⁽²⁷⁾ GROOTHEDDE Stephanie Major RNLA. GA of the HQ ISAF Joint Command. Conversation with the author. May 2011.

in the Afghanistan Independent Human Rights Commission (AIHRC) and national aid agencies working on the ground and other organisations. At this level, the work of gender advisors often overlaps -frequently with no continuity- with that of the Female Engagement Teams in the Provincial Reconstruction Teams and the Task Forces (TF)⁽²⁸⁾.

■ Female Engagement Teams (FET)

The FETs are an initiative that has been developed and formalised in Afghanistan; they are now well-established, existing in nearly all ISAF units, following the guidelines from ISAF General Command. The need for these Teams and their value arises from areas in Afghanistan where security is not well established and ISAF personnel are the only people who relate to the local population; given the partial or total segregation of Afghan women, there would be no communication with half of the population, if it were not for the FETs. Given the limited number of women in ISAF forces and that some nations do not include female soldiers in their postings or direct combat activities, many ISAF nations select and deploy teams of women soldiers specifically designed and prepared for this function.

The initiative behind the FETs is attributed to the US Marines, based on their experience with "Lioness" marine teams in Iraq in 2006, checking whether Iraqi women were carrying hidden weapons⁽²⁹⁾ (Iraqi Women's Engagement Team). The term FET was first used by Captain Pottinger and the head of the FET team, Lieutenant Johannah Shaffer, in February 2009⁽³⁰⁾. The concept of how FETs should be used has evolved from simple searches to effective, planned interaction with Afghan women, usually in their own homes.

FETs have specialised in interaction with Afghan women in order to create a relation of confidence and understanding of needs and concerns, passing on information that may be of use in possible opportunities or health issues, using this information to benefit the operation and to provide advice on potential development projects. This is carried out with full respect for local customs. These interactions have multiple benefits and once established, they are usually welcomed by the women and their husbands. Many women (and men, for that matter) are not aware that there is a Constitution and laws to defend their rights, that the Muslim religion grants them rights that they are denied by traditions and

⁽²⁸⁾ In addition to the FETs, the TFs also have other GAs, who at this level are often called *Gender Field Advisors*.

⁽²⁹⁾ Website for *Female Engagement Teams* for the South East Regional Command. See <http://regionalcommandsouthwest.wordpress.com/about/female-engagement-team-usmc/> As of 5 January 2012.

⁽³⁰⁾ FUREY, Eric T. *A Comprehensive Approach to Local Engagement in Afghanistan, That may also mitigate IEDs. Annex E: Female Engagement Teams.* p. 26. *Small Wars Journal*. 24 October 2010. See <http://smallwarsjournal.com/jrnl/art/a-comprehensive-approach-to-local-engagement-in-afghanistan> As of 5 January 2012.

that there is a Ministry of Women's Affairs and a Women's Affairs Department in their own province, as well as women's associations such as AWN.

The best results with these visits have been obtained when male ISAF soldiers first approach Afghan males, starting with local community leaders or *elders* and earn their trust, then asking for authorisation and support for the FET to meet their women and children. By behaving in this way, ISAF soldiers are demonstrating their knowledge of, and respect for, local customs. Afghan men do not feel that their honour is being undermined in public or private, whilst Afghan women can take part in such interaction without fear or threats.

FETs have a difficult job to do and must therefore be dedicated fully to this role with specific training. Interpreters have a fundamental role to play. They are not just interpreters: they are the most important part of the FET and the key to success when trying to enter a house and speak to the women. Some older participants have dared say to the husband "don't get involved in women's discussions".

The FETs have enormous potential. Unlike ISAF men, who can only deal with Afghan men, women from the FETs can interact with both Afghan men and women, who respect them but are not intimidated by them or uncomfortable in their presence. These conversations with Afghan men can take place with less friction and better communication. The marines say that the Afghans consider them a *third sex*. This shows Afghan males and their families - very directly - that there are cultures different to their own, where women have great independence.

However, the FETs are not trying to change Afghan culture or customs. If they were to do so, they could be firmly and immediately rejected, with dreadful consequences for the women they speak to. The sole purpose of this interaction with these women is to contribute to the success of the operation; if carried out tactfully, this can and should be beneficial for both the operation and the Afghan women and their families.

It is usual for Provincial Reconstruction Team and Task Force FETs to forge relationships in each province or zone with important women and the authorities in general. They coordinate this work and overlap with the work of the gender advisors, who are usually responsible for the FET's actions in the Provincial Reconstruction Teams. This interaction extends and empowers the role of the FET.

Some of the activities organised by the FETs include *Women's Shuras*. Despite the restrictions that Afghan traditions impose on women, they are allowed to meet in a *Shura*, as the men do; however, following years of war and Taliban domination, this practice is no longer very widespread. These *Women's Shuras*

have been revitalised by the National Solidarity Program (NSP) of the United Nations Development Program (UNDP) and the Rural Development and Rehabilitation Ministry at the local level, in the context of the Community Development Councils. The gender advisors and FETs have encouraged new *Women's Shuras* both locally and by district and province, involving the Women's Affairs Department and the district, provincial or even regional authorities. The Northern Regional Command organised two of these *Women's Shuras* at a regional level in 2011.

■ GENDER AND SECURITY

■ Women in the Afghan National Security Forces (ANSF)

- *Operational needs*

There are women in the ranks of both the Afghan National Army (ANA) and the Afghan National Police (ANP), as women can perform tasks that men should not. However, the Army and Police have differing needs for women in their units.

Having women in the Afghan Army and Police ensures that nobody can pass through a checkpoint or security controls at the entrance to a facility, a road block or frontier post without being searched in a respectful way. It is becoming ever more frequent for male insurgents to escape or get through checks by disguising themselves with a *burka*. One attack that achieved great media impact took place on 13 and 14 September 2011 in Kabul, when a group of insurgents launched grenades and fired on a number of buildings in the centre of Kabul from a building site; the building's attacked included the US Embassy and the ISAF HQ. The Kabul police chief said that the insurgents had arrived disguised, wearing *burkas*, taking advantage of the lack of police women to search them⁽³¹⁾.

Furthermore, women in the Afghan National Security Forces (ANSF) can interact with other women in any situation and can interrogate female witnesses, gathering more detailed information on events and the situation in general.

The Police (ANP) work more closely with the population and women police officers are crucial for providing women with access to justice. Male police officers frequently get involved when a woman breaches a social norm (not even a law), but they take no action when women report violent behaviour or forced marriages of girls, arguing that these are private affairs⁽³²⁾. Many offences against women are not even reported, because women must not

⁽³¹⁾ This information was reported in the media. See <http://www.bbc.co.uk/news/world-south-asia-14897358> As of 6 January 2011.

⁽³²⁾ UNAMA. *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*. Op. cit. Executive Summary, p. iii.

speak to men outside their family circle and because police stations are not considered safe places for women. Justice is therefore almost impossible for women. Female police officers are indispensable in cases of women accused of offences such as drug trafficking and kidnapping children⁽³³⁾.

To give Afghan women access to the police, in 2005, the Interior Ministry created Family Response Units (FRU), including female police officers, to "deal with a wide range of offences related to the family, including: divorce filings, promissory notes, forced/arranged marriages, fleeing the home, sexual violence, domestic violence, self-immolation, suicide attempts, forced virginity tests, property disputes affecting women, child custody, abandonment and family financial affairs"⁽³⁴⁾.

Family Response Units try to resolve disputes in the traditional way: talking to the parties involved and proposing an agreement that, if accepted, resolves the problem. When violence which has left visible traces is involved, or when the agreement is not accepted, the case is sent to the law courts⁽³⁵⁾. The Family Response Units are a good idea, although they need more development and resources. There are very few of them - in 2011 there were just 83 for the whole of Afghanistan - and very few female police officers for them. Furthermore, these officers are not normally very well-trained⁽³⁶⁾.

- *The Afghan National Army (ANA)*

The Ministry of Defence has set an objective of 10% of the army being women - in other words, 19,500 female police officers - although no timescale has been set for achieving this. In September 2011, the ANA had just 320 women (215 officers, 3 generals and 105 others), unchanged since 2010. Approximately 75% of officers are in healthcare posts, with 50% of those in other occupations being in logistics. Female officers also cover posts in intelligence, human resources, communications, finance, cultural and religious issues and the air force.

- *Situation of the Afghan National Police (ANP)*

In November 2011, the ANP had 1,112 female members (183 officers, 500 junior officers and 429 troops). These were distributed regionally as follows:

⁽³³⁾ WAFA Shogufa, head of recruitment for the Herat Police, according to information from Sharif Sayidi, Institute for War & Peace Reporting. See <http://iwpr.net/report-news/afghan-police-struggle-recruit-women> As of 6 January 2012.

⁽³⁴⁾ NASH, Ray; WARD, Robert (2011). *Afghan National Police Family Response Units and Women's Police Corps*, Bureau of International Narcotics and Law Enforcement (INL), US

⁽³⁵⁾ CRAMER, Sarah. *Women's Perceptions of the Afghan National Police Gender Dynamics of Kabul Women And Police. Preliminary Draft*. Appendix 3, November 2011, Heinrich Böll Stiftung, Afghanistan.

⁽³⁶⁾ BASHIR, Maria, Provincial Prosecutor in Herat. Conversation with the author, 9 September 2011.

Kabul (city) 338, Kabul (province) 250, Central 61, East 26, South 95, South East 31, West 132 and North 179. Therefore, although many are in Kabul, there is some territorial coverage⁽³⁷⁾.

The Interior Ministry has set a target of 5,000 women by 2014⁽³⁸⁾, representing around 3% of the total ANP and increasing by one thousand women each year. Despite this objective being less difficult to achieve than that of the ANA, the Ministry not only failed to achieve its recruitment objective for 2011, but numbers have actually fallen compared to the end of 2010, when there were some one thousand three hundred women.

Unlike the ANA, ANP personnel are usually recruited locally; this makes it easier to recruit women as they can return home every day. They are often widows or married to a very poor or invalid husband; in other cases, they might have the support of their close family. Women police officers often hide their profession from the rest of their family, going to work wearing a *burka* for their own safety.

The presence of female police officers for searches of women and for interaction with other women is a need identified by many police chiefs. Acceptance of these roles by society will be more likely to the extent that they do not interfere with the principles of segregation that are inherent to Afghan traditions.

Recruitment and retention of women by the ANP is difficult for a number of reasons. One of these is the lack of prestige of the Police. Over the last two years (2010 and 2011), with an intense campaign against the insurgency, the key function of the ANP has been to fight the insurgency, whilst growing rapidly, often with illiterate recruits with limited training. It must be recognised that the ANP has achieved this mission with increasing effectiveness and bravery and with numerous casualties. Nevertheless, this focus has hampered its role as a servant and protector of the public. Whilst "protecting the freedoms and rights of the population"⁽³⁹⁾ is certainly one of its functions, it is also charged with "combating moral deviation", providing few guarantees for women, as it does not make clear what is regarded as moral and immoral. The public service functions are part of their agenda, promoting both literacy and general education, together with specific education relating to human rights and the rights of women. However, there is still much to do to reduce corruption and abuses by the ANP, among other reasons because they reflect the attitudes and behaviour of its leaders. For the ANP, as with so many other organisations, having well-prepared, competent and honest leaders makes all the difference.

⁽³⁷⁾ In Qala i Naw there were 20 female police officers in September 2011. Visit of the IJC GA to the Badghis PRT.

⁽³⁸⁾ Afghanistan. Mol Decree 55, of September 2010, set a target of 5,000 women over the following five years, with an annual objective of 1,000 women each year until 2014.

⁽³⁹⁾ GIRoA; Ministry of Justice Official Gazette Police Law, Issue 994, 27 August 2009. *Islamic Republic of Afghanistan Ministry of Justice Official Gazette Police Law*. pp. 7-10.

The result is that many families believe that serving in the Police is undignified and shameful, particularly for women.

Other reasons are the lack of adequate facilities and equipment for women (separate toilets), the fact that 85% of women aged 16 or over are married with children, and, most importantly, local traditions that do not allow women to perform functions regarded as being masculine and which do not allow women to spend the night away from home. If a woman spends two days outside her home, she may be accused of adultery and rejected by her family and community⁽⁴⁰⁾. Moreover, policewomen are often subject to sexual aggression or harassment by their colleagues. Even around the capital Kabul, where traditions are less strict, policewomen are subject to job discrimination and do not have real authority; in many cases they are not assigned to police work, but are given work in the kitchen⁽⁴¹⁾.

- *Progress of women in the Afghan National Security Forces (ANSF)*

The Defence and, in particular, Interior Ministries, assisted by the NATO Training Mission Afghanistan (NTM-A) and the ISAF Joint Command, are redoubling their efforts to increase recruitment and retention of women in the ANSF. This requires facilities that are suitable for Afghan customs.

In late 2011, one of the objectives of the NATO Training Mission was for the Afghan army to send: 1) 60 women to the *Officer Candidate School (OCS)* for a 20-week course - a simplified version of the full officer-training course - with the Malalai Company at the Kabul Military Training Centre, 2) 60 women to the Afghanistan National Military College, also in Kabul (a more complete officer-training course, lasting four-years), starting in March 2012 and 3) 75 women to a simplified junior officer course from December 2011 to March 2012⁽⁴²⁾.

The Interior Ministry's Department of Gender, Human Rights and Children, led by General Shafiqha Quraishi, began a campaign in 2011 involving new

⁽⁴⁰⁾ US Department of Defense. *Report on Progress Toward Security and Stability in Afghanistan*. October 2011, p. 107. See http://www.defense.gov/pubs/pdfs/October_2011_Section_1230_Report.pdf As of 1 January 2012.

⁽⁴¹⁾ In some cases, when a crime is reported and a patrol has to search a house, policewomen are not allowed to use the police car and have to go on foot or pay for a taxi. Men wait for women to arrive and then make them enter the house - out of courtesy or respect for customs, they claim - whilst they remain outside. The women search the home or building and if they find any weapons or drugs, they give them to the men, who take them to the police station and receive the credit and the promotions. Conversation with Joke Florax. Mentor/ Advisor Role of Law, Human Rights & Gender Kabul City Police Justice Projects at EUPOL, Kabul. September 2011.

⁽⁴²⁾ *Special Inspector General for Afghanistan Reconstruction. Quarterly Report to the United States Congress*. October 2011, p. 67. See <http://www.sigar.mil/pdf/quarterlyreports/oct2011/Lores/Oct2011Web.pdf> As of 22 November 2011.

recruitment, training and posting strategies for policewomen, improving infrastructure to provide acceptable living conditions in the workplace, improving the quality of the Police, increasing the proportion of police officers - both men and women - with basic education and human rights, increasing institutional support for the presence of women in Interior Ministry commands and improving information campaigns by explaining that joining the police is an honourable profession and that policewomen have high professional and moral standards.

Many Afghan women, particularly police officers, understand their presence in the Afghan security forces as a genuine and culturally acceptable vocation that is self-affirming in the service of the country and its women.

Progress of women in the Afghan National Security Forces will be slow and will take one or more generations. Nevertheless, the possibility of serving in the Security Forces and a conspicuous female presence will provide a visible and culturally-acceptable model for Afghan women and be a source of inspiration for further education and development. As the transition progresses, combat operations will reduce and women in the ANSF will make an increasing contribution to a more secure and stable Afghanistan.

In 2011, young male and female officers were occasionally seen together at Kabul airport (North area), acting totally normally and talking and even laughing, just like the young people or officers of any country. It must be remembered that young Afghans seldom speak to members of the opposite sex, except within their families. In July 2011, they travelled to the USA⁽⁴³⁾ to complete their training as pilots in the Afghan Air Force. Examples such as this are an inspiration and reinforce the hope that more women will be able to join the ANSF.

■ Freedom of movement for women

Freedom of movement (FoM) is very limited for women in Afghanistan, having reached its nadir under the domination of the Taliban.

There are some restrictions on freedom of movement that affect everybody, not just women, for example, *improvised explosive devices* (IEDs). There is a degree of freedom to move around the streets of Kabul and other major cities where there is a significant police presence and the insurgents have focused their activities on an occasional suicide attack on an important facility or a high-profile assassination. The areas with the tightest security have been extended and the insurgents no longer take on the Afghan National Security Forces (ANSF) or the ISAF there. They now limit themselves to planting

⁽⁴³⁾ SABO, Tracy. *Afghan women hope to break new ground in the sky*. 22 July 2011. See <http://edition.cnn.com/2011/US/07/22/texas.afghan.students/index.html?iref=obnetwork>. As of 5 January 2012.

improvised explosive devices on roads or other routes and carrying out occasional attacks on ANSF facilities, whether through suicide attacks or long-range harassing fire.

In the areas that they still control, or where they can exercise control, the insurgents establish *check-points* where they search everyone passing. If they find anyone with documentation or anything else indicating they are collaborating with the Government, the ANSF or the ISAF, they kill them immediately. These activities seriously curtail freedom of movement and are also often complemented by other threatening activities, such as *night letters*⁽⁴⁴⁾.

However, the most important aspect from the point of view of gender is the lack of freedom of movement, which affects women more than men. This is more complicated and difficult to resolve, as the restrictions on freedom of movement proposed by the insurgents are in line with certain traditional Afghan practices⁽⁴⁵⁾. These affect women and their freedom to leave the home, their freedom to use the roads and freedom to send girls to school. Women were deprived of these rights during the Taliban period, and they remain very restricted even now.

There is a huge difference between rural and urban areas. The freedom of women to leave the home and use the streets has increased considerably and it is common to see women walking around without being chaperoned by a male family member (*mahran*). However, in rural areas, limitations based on ancestral traditions of segregation are much more difficult to overcome and progress will require education, development and time.

Attacks on girls who go to school and on teachers and schools have decreased considerably since late 2010, in parallel to the increase in security. Nevertheless, Antonio Giustozzi and Claudi Franco, of the Afghanistan Analyst Network (AAN), have identified other causes. The local population has reacted angrily to Taliban attacks, and following negotiations with the Education Ministry, the Taliban have agreed to suspend the attacks in exchange for a promise to adapt curriculums to Taliban teachings⁽⁴⁶⁾.

However, in the city of Kandahar, attacks on women in the street have multiplied and now only a few women are seen in the street, all of them wearing the *burka* for their own protection. The Taliban have carried out a campaign of killings against Afghan government workers and anyone else with relationships with

⁽⁴⁴⁾ *Night letters* are posted in public places to impede collaboration with the GIRoA or ISAF and to dissuade any insurgents who might be considering reintegration. These are sometimes posted on the door of someone's home, threatening to kill their entire family, having an immediate and profound effect.

⁽⁴⁵⁾ UNAMA. *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*. *Op. cit.*

⁽⁴⁶⁾ GIUSTOZZI Antonio and FRANCO Claudio. *The Battle for Schools: The Taleban and State Education*. 13 December 2011. See <http://aan-afghanistan.com/uploads/2011TalebanEducation.pdf> As of 5 January 2012.

foreigners, a move which particularly affects women. Hundreds of people have been killed, all by the same procedure: two people on a motorbike, one driving and the other shooting.

In September 2008, one of the most prominent policewomen in the country, the head of the Department of Crimes Against Women, Malalai Kakar, was shot by Taliban militants as she was setting off for work by car. Her son was seriously injured in the attack. In 2009, Sitara Achakzai, a member of the Provincial Council, was killed. On 24 July 2011, at six in the afternoon, two killers on a motorbike killed a twenty-year-old student called Reena with three shots to the head and neck as she was returning home by her usual route through the centre of Kandahar, close to the mansion of the provincial governor⁽⁴⁷⁾. Three weeks later, on 16 August 2011, twenty-two-year-old Rabia Sadat was killed in her car on her way to work, when leaving home at 8:30 am. Her driver was injured to stop him taking her to hospital⁽⁴⁸⁾⁽⁴⁹⁾.

- *Development*

Despite these occasional incidents and thanks to the continuing efforts of ISAF and the Afghan National Security Forces, security and freedom of movement gradually increased in Afghanistan in 2010 and 2011, particularly in the south and south-east - the provinces of Helmand and Kandahar - the heartland of the Taliban insurgency⁽⁵⁰⁾, enabling and sustaining the transition.

However, lack of freedom of movement due to criminality is difficult to eradicate⁽⁵¹⁾. Progress requires movement on many fronts on which the international community, ISAF and the Government are combining their efforts: implementation of the law on the elimination of violence against

⁽⁴⁷⁾ Reena had worked for six months for an Afghan NGO, The Organization for Human Welfare. Her work involved visiting the Dand and Daman districts of Kandahar to teach women about best practices for health and the value of living in peace. MARS DEN William. *Postmedia News*. "Idealistic woman teacher, 20, among latest Afghan victims". 28 July 2011. See <http://www2.canada.com/news/canada-in-afghanistan/idealistic+woman+teacher+among+latest+afghan+victims/5173163/story.html?id=5173163> As of 30 July 2011.

⁽⁴⁸⁾ Rabia worked for the Ministry of Rehabilitation and Rural Development in the National Solidarity Program, to improve the lives of people in rural communities. *ToLoNews*. 16 August 2011. Available at <http://tolonews.com/en/afghanistan/3686-female-worker-shot-dead-in-kandahar> As of 8 January 2012.

⁽⁴⁹⁾ BERNABÉ Mónica. «Asesinada en Kandahar». *El Mundo*. 17.08.2011. See <http://www.elmundo.es/yodona/2011/08/16/actualidad/1313509955.html> As of 8 January 2012.

⁽⁵⁰⁾ US Department of Defense. *Report on Progress Toward Security and Stability in Afghanistan*. October 2011, p. 3, *op. cit.*

⁽⁵¹⁾ Rangina Hamidi (point 5.1), director of "Kandahar Treasure" and daughter of the mayor of Kandahar, returned to the USA in December 2011, a few months after the murder of her father, who, at the urging of Rangina, had left the USA in 2007 to become the mayor of Kandahar, undertaking to fight corruption, irrespective of the threats. Rangina feared for her life and that of her mother and daughter. BERNABÉ, Mónica. "Historia de un desengaño". *El Mundo*, 5 October 2011. See <http://www.elmundo.es/elmundo/2011/10/05/internacional/1317801656.html> As of 16 January 2012.

women; building really effective police and justice systems, including sufficient numbers of suitably trained women; and continuing to foster education and development, two powerful drivers of transformation in society.

■ GENDER IN GOVERNANCE

There are very serious *governance* issues in Afghanistan affecting all Afghans, particularly women which must be addressed in order to build a state that functions and which are therefore essential to the success of the operation. The solutions to these governance issues include making public appointments on merit, a balance of powers, a justice system that works, reduction of impunity, corruption, nepotism and clientelism, good budget management, correct functioning of the rule of law and dealing a power structure of regional and faction leaders and warlords that, though informal, is very real with a direct bearing on everyday life⁽⁵²⁾. For many, transitional justice is a fundamental aspect of the solution⁽⁵³⁾, but expectations of achieving this were frustrated by publication of the Amnesty Act⁽⁵⁴⁾.

This would give Afghan women access to justice and enable them to participate in politics; this is known as *political empowerment*.

■ Access to justice for women

- *Harmful traditional practices in Afghanistan*

The problem of access to justice for women is not just a problem of Afghanistan's justice system or its administration. It is also, and above all, a complex cultural and social problem entwining many factors, including pre-Islamic patriarchal ideologies, combined with lack of education and ignorance⁽⁵⁵⁾.

⁽⁵²⁾ KATZMAN Kenneth. *Afghanistan: Politics, Elections, and Government Performance*. Congressional Research Service. 12 December 2011, p. 27, *op. cit.*

⁽⁵³⁾ Peace, Reconciliation and Justice in Afghanistan Action Plan of the Government of the Islamic Republic of Afghanistan 6-7 June, 2005, also known as the Transitional Justice Action Plan. This Plan was approved by the Afghan government in 2005 to take responsibility for past actions and to start a national reconciliation process, including "truth-seeking, victim recovery, re-integration of the deceived and perpetrators in the society, reparations, the preservation of peace and stability, the strengthening of democracy and the rule of law and the administration of justice". This was never carried out. <http://www.norway.org.af/NR/rdonlyres/C9F4CAA24814924BA760231E37D9BC5/72001/070109TJHandlingsplanenpdf.pdf> As of 22 January 2012.

⁽⁵⁴⁾ The National Reconciliation, General Amnesty and National Stability Act was published in the *Official Gazette* in December 2009, providing a total amnesty for all crimes in past and present conflicts. KUOVO, Sari. AAN. *After two years in legal limbo: A first glance at the approved 'Amnesty law'*. 22 February 2010. See <http://aan-afghanistan.com/index.asp?id=665> As of 22 January 2012.

⁽⁵⁵⁾ SHORISH-SHAMLEY, Zieba, PhD. *Women's Position, Role, And Rights In Islam*. See <http://www.afghan-web.com/articles/womenrights.html> As of 22 January 2012.

Zarin Hamid (of the *Afghan Women's Network*) explains that "Cultural taboos and values objectify women in much of Afghanistan as inanimate objects in an overwhelmingly patriarchal, clan based, male owned and male dominated society, where they should not speak their minds or think for themselves, where they are expected to serve the family and later the husband's family, without a protest"⁽⁵⁶⁾.

Harmful traditional practices in Afghanistan have been well described and documented by the United Nations Mission in Afghanistan (UNAMA) and by the Office of the High Commissioner for Human Rights (OHCHR) in the document mentioned previously: *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*, 9 December 2010⁽⁵⁷⁾. Simplifying somewhat, these include

- forced marriages and marriages of girls, including obliging women and girls who have been raped to marry their rapist, and widows to marry a relative of their husband so as not to harm their inheritance rights and those of their children.
- The giving of girls in compensation to settle disputes (*baad*) and the exchange of girls.
- The payment of a price for giving girls in marriage and buying and selling girls with the pretext or for the purposes of matrimony⁽⁵⁸⁾.
- Killings of women and girls to protect the *honour* of males⁽⁵⁹⁾.
- Restrictions on freedom of movement and participation in public life.
- Finally, and as a result of all of the above, negation of access to education and healthcare.

It is important to highlight the terrible and permanent harm caused by the marriage of young girls: "Child marriage is the most lasting and destructive of these practices in the scale of its consequences. A girl married at 12 years will be unable to continue her education, and may become pregnant when she is a young teenager, physically and mentally unprepared for motherhood"⁽⁶⁰⁾.

⁽⁵⁶⁾ HAMID Zarin. *Afghan Women's Network report on UN SCR 1325 Implementation in Afghanistan*. October 2011, p. 10, *op. cit.*

⁽⁵⁷⁾ UNAMA. *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*. *Op. cit.*

⁽⁵⁸⁾ These payments can reach \$9,000, in a country where GDP per head is only \$528. Parents prefer to marry their daughters to men with high purchasing power, who are normally much older, as they must have worked for many years to be able to pay such a high price, which they then take out on the girls.

⁽⁵⁹⁾ Women and girls who have been victims of rape or sexual abuse, or who have fled from forced or violent marriages, may be killed or horribly mutilated by their husbands, parents or brothers.

⁽⁶⁰⁾ UNAMA. *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*. p. 39, *op. cit.*

According to UN Women 70% to 80% of marriages are forced on the women, and 57% of girls are married before the legal age of 16 (figures for 2008). These girls - many of whom are married before reaching puberty - are expected to start having children immediately this happens, with a high risk of maternal and child mortality, and destroying any prospects for their education.

- *Development*

According to the UN Assistance Mission in Afghanistan (UNAMA), one of the ways of ending such harmful practices is to educate and train *mullahs*, *imams*, *ulemas* and other religious leaders in their knowledge of *sharia* and human rights. These people have great influence and can explain to local communities that these practices discriminate against women and are contrary to the law of Islam, helping to change society's attitudes towards and perceptions of these harmful practices⁽⁶¹⁾.

The international community has focused its efforts in this direction, as described in the *United Nations Development Programme's Afghanistan Gender Equality Project* report⁽⁶²⁾. Amongst other initiatives, in 2010 training was provided to five hundred religious leaders in Herat and Balkh provinces; this included visits to two Muslim countries - Malaysia and Turkey - to increase the course members' understanding of gender issues. On completion of the training, a network was set up with these *mullahs*. The Mullahs then began to preach in their sermons about the Islamic concepts they had learnt about, helping to change the way that their communities think about the status and role of women in society. In addition, a collaboration was organised with the Ministry of the Hajj and Religious Affairs so that its main publications will include articles on Islam and gender, so as to continue training religious leaders in other provinces⁽⁶³⁾.

- *Legal Framework, the Elimination of Violence Against Women (EVAW)*

In general, Afghan men tend to believe that subordination of women to their will is based on the Koran. However, more educated members of the community know that Islam sought to protect women from Pre-Islamic practices⁽⁶⁴⁾ and

⁽⁶¹⁾ *Ibid.* p. 50.

⁽⁶²⁾ United Nations Development Programme. *Afghanistan Gender Equality Project (GEP). Annual Progress Report-2010*. See <http://www.undp.org.af/Projects/Report2011/gep/2011-03-08-AnnualReportofGender2010.pdf> As of 28 January 2012.

⁽⁶³⁾ United Nations Development Programme Afghanistan. *Institutional Strengthening for Gender Equality Project (GEP) Second Quarter Project Progress Report (April 1 to June 30, 2011)*. August 2012. See <http://www.undp.org.af/Projects/Report2011/gep/2011-08-04-SecondQuarterProgressReportofGender.pdf>. As of 12 January 2012.

⁽⁶⁴⁾ UNAMA. *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*. p. 1, *op. cit.*

that many of these harmful practices and breaches of rights directly contradict the principles of Islam⁽⁶⁵⁾ and are therefore illegal under *sharia*.

The current Criminal Code⁽⁶⁶⁾ has been in force since 1976, but contains no prohibitions on rape or other offences against the rights of women. The first law under the Constitution defending the rights of women is the Law on Elimination of Violence against Women⁽⁶⁷⁾ (EVAW). Article 2 of the Law declares that its objectives include "Maintaining Sharia and legal rights and protecting the human dignity of women [...] fighting against customs, traditions and practices causing violence against women and which are against Islamic Sharia".

Article 5 lists twenty-two activities that are considered to be offences: "Rape, Forcing into compulsory prostitution, Recording the identity of the victim and publicizing the identity of the victim, Setting into flames, Spraying chemicals or other dangerous substances, Forcing into self immolation or suicide or using poison or other dangerous substances, Causing injury or disability, Battery and laceration, Selling of women for the purpose of marriage, *Baad* (retribution of a woman for a murder, to restore peace etc.), Forcing into compulsory marriage, Prohibiting from the right of marriage, Marriage before the legal age [16 years old], Abusing, humiliating, intimidating, Harassment or persecution, Forced isolation, Forcing into drug addiction, Dispossessing from inheritance, Prohibiting access to personal property, Deterring from education and work and access to health services, Forced labour, Marrying more than one wife without the observance of Article 86 of the Civil Code and Denial of relationship".

This law was a huge step forward for the rights of women. However, it does have some problems, such as not including violence and killing in the name of "honour" and there being no distinction between rape and consensual sexual relations⁽⁶⁸⁾. However, the most serious problem is that its implementation is still very limited.

Somewhat surprisingly, a few days prior to the EVAW Law being approved, and in the face of objections from the international community, in July 2009 Karzai approved the Shia Personal Status Law. This contains a number of articles which directly contradict Afghanistan's international human rights

⁽⁶⁵⁾ SHORISH-SHAMLEY, Zieba, PhD. *Women's Position, Role, And Rights In Islam*. See <http://www.afghan-web.com/articles/womenrights.html>. As of 1 January 2012.

⁽⁶⁶⁾ See <http://www.asianlii.org/af/legis/laws/clc1976ogn347p1976100613550715a429.txt/cgibin/download.cgi/download/af/legis/laws/clc1976ogn347p1976100613550715a429.pdf> As of 1 January 2012.

⁽⁶⁷⁾ The *Law on Elimination of Violence against Women (EVAW)* was published in the *Official Gazette* (No. 989) of the GIRoA on 1 August 2009.

⁽⁶⁸⁾ UNAMA and OHCHR. *A Long Way to Go: Implementation of the Elimination of Violence against Women Law in Afghanistan*. November 2011, p. 7, section 2.2 "Weaknesses in the EVAW Law". See http://www.ohchr.org/Documents/Countries/AF/UNAMA_Nov2011.pdf As of 15 January 2012

commitments, the Constitution and various national laws, including the EAW⁽⁶⁹⁾.

- *Development*

ISAF and the international community are supporting implementation of the EAW Law. UNAMA/OHCHR has carried out a range of activities, including monitoring its implementation and has published a number of reports. It has also organised training courses and seminars to promote the Law, providing support and assistance to the Ministry of Women's Affairs, which is led by the High Commission for Prevention of Violence against Women, also assisted by UN Women. The International Development Law Organization (DLO) has provided technical assistance and advice to the Prosecutor's Office's Special Violence Against Women Unit, and has also provided training courses for prosecutors in Helmand, Kabul, Kandahar, Kunar, Logar, Nangarhar, Uruzgan and Zabul provinces⁽⁷⁰⁾.

Other organisations involved, including the NATO Training Mission in Afghanistan (NTM-A), the USA's Afghanistan Justice Sector Support Program (JSSP)⁽⁷¹⁾, DynCorp⁽⁷²⁾ and the European Union Police Mission in Afghanistan (EUPOL) have also organised a wide-range of seminars and courses on the EAW Law for people involved in legal services and the police, and for Family Response Unit personnel. Other activities to promote awareness of the EAW Law include discussions and seminars on Islam and human rights with local authorities and community and religious leaders, as well as radio programmes providing information on women's rights and offences under the new law⁽⁷³⁾.

According to a UN Assistance Mission in Afghanistan (UNAMA) November 2011 report judges, prosecutors and the police have started to use the EAW Law in twenty-eight Afghan provinces, but only in a very small number of cases. Herat province is in the lead in this implementation, due to the notable exception of having a woman Provincial Prosecutor, Maria Bashir. The report finds that action was only taken in 26% of all cases to which the EAW Law would be applicable in these twenty-eight provinces, with formal accusations only being made for 7% of incidents (with 44% of these in Herat) and the courts only based their decision on the EAW Law in 4% of the incidents (35% of these in Herat). It would seem clear that prosecutors are more proactive than

⁽⁶⁹⁾ UNAMA. *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*. op. cit. p. 4.

⁽⁷⁰⁾ UNAMA and OHCHR. *A Long Way to Go: Implementation of the Elimination of Violence against Women Law in Afghanistan*. November 2011, p. 7, op. cit.

⁽⁷¹⁾ A Department of State Bureau of International Narcotics Control and Law Enforcement Affairs (INL) programme.

⁽⁷²⁾ US army contractor.

⁽⁷³⁾ UNAMA. *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*, 9 December 2010, p. 52, op. cit.

the courts in applying this Law. The report concludes that "there is a long way to go to fully protect women from violence through the EVAW law"⁽⁷⁴⁾.

These efforts will continue in future, as the Law is designed to be one of the basic pillars in the respect of women's rights. It should be remembered that progress in this area requires a constant effort and commitment on the part of key individuals. Maria Bashir, the competent and committed provincial prosecutor for Herat, has rejected offers of a political career in Kabul, because she believes that her activity as a prosecutor in Herat - although dangerous and with slow results - is the key to a real transformation in society, and a better country for her daughters. To this end, she is encouraging women who complete legal studies at Herat University to join her Prosecutor's Office⁽⁷⁵⁾.

- *The formal justice system*

Justice is a basic component of a functioning state, and has been one of the priorities of the international community in Afghanistan since the 2001 Bonn Summit. Substantial progress has been made and justice has been spread to the provincial capital level and to the centre of most districts. However, serious deficiencies and problems remain for women to access formal justice.

District capitals are a long way from local communities, making them almost inaccessible for women, whose freedom of movement is seriously constrained by traditional practices. Legal personnel do not have the necessary training. Most districts lack some of the infrastructure required, with a quarter of all districts not having a judge, prosecutor or even a *huquq*⁽⁷⁶⁾ or some combination thereof. The danger faced by judges and prosecutors and their low pay makes it difficult to fill posts, making people susceptible to corruption, increasing impunity and decreasing the public's confidence in the formal justice system. Justice has been described as being "slow, corrupt, inaccessible and administered by unqualified people"⁽⁷⁷⁾. In areas outside Government control, many Afghans were in the past obliged to accept the harsh justice of the Taliban and *faction leaders*⁽⁷⁸⁾.

There have also been some significant problems with the application of the EVAW Law. Judges frequently reject the prosecutor's request to apply the

⁽⁷⁴⁾ UNAMA and OHCHR. *A Long Way to Go: Implementation of the Elimination of Violence against Women Law in Afghanistan*. November 2011, p. 1, *op. cit.*

⁽⁷⁵⁾ Conversation with the author. 9 September 2011.

⁽⁷⁶⁾ The *huquqs* report to the Ministry of Justice's Huqooq (rights) Department and are involved in settling disputes over debts, ownership and contracts.

⁽⁷⁷⁾ FEARON, Kate. *Grappling with Legal Pluralism in Afghanistan*. Conference on Customary Justice and Legal Pluralism in Post-Conflict and Fragile Societies. Hosted by: United States Institute of Peace, George Washington University and World Bank. Washington, DC 20052. 17-18 November 2009.

⁽⁷⁸⁾ INTERNATIONAL CRISIS GROUP. *Asia Report N°195 – 17 November 2010. Reforming Afghanistan's Broken Judiciary*. Executive Summary. p. i.

EVAW Law and prefer to apply the Criminal Code or other laws. Furthermore, judges and prosecutors often regard themselves personally as being the law, rather than any written law, and they therefore do not apply the EVAW Law⁽⁷⁹⁾. Police officers are often a woman's first contact with an official of the state. However, they normally lack information on the EVAW Law and the training and awareness to recognise and identify offences against women. Just like the rest of the population, women are not aware of their rights under this law and when they try to escape mistreatment or forced marriages they are charged with "offences against morals and *zina*" (adultery), without being aware of how to defend themselves⁽⁸⁰⁾.

The percentage of cases being settled by mediation and through traditional means, frequently involving local *elders*, after being passed by the police to prosecutors remains too high. Women are generally in an inferior position when negotiating a settlement. In such cases, women tend to withdraw their complaints. The EVAW Law permits mediation for 17 of the 22 crimes. Here again, Herat is a positive exception, with a high number of cases not going to mediation⁽⁸¹⁾.

- *Development*

This situation may deteriorate in future, as the Supreme Court recently repeated its official stance that "if the woman goes to a stranger's house, although the reason for running away may be to escape abusive treatment, she exposes herself to crimes such as "adultery (*zina*) and other associated offences"⁽⁸²⁾.

Latifa Sultani, the commissioner of the Afghanistan Independent Human Rights Commission (AIHRC) responsible for women's rights has stated that the number of cases of violence against women recorded in the regional and provincial offices of the AIHRC has increased significantly (around 50% higher in the three months from May to July 2011 than in the same period the previous year). Latifa states that "Women are increasingly resorting to women's rights defence institutions and civil society and justice organisations", as going to the offices of the AIHRC, or one of the few available *shelters* for women⁽⁸³⁾, offers a better chance of not ending up in prison⁽⁸⁴⁾.

⁽⁷⁹⁾ INTERNATIONAL CRISIS GROUP. *Asia Report N°195 – 17 November 2010. Reforming Afghanistan's Broken Judiciary*. p. 17, *op. cit.*

⁽⁸⁰⁾ UNAMA. *Harmful Traditional Practices and Implementation of the Law on Elimination of Violence against Women in Afghanistan*. p. iii, *op. cit.*

⁽⁸¹⁾ UNAMA and OHCHR. *A Long Way to Go*. pp. 21-24, *op. cit.*

⁽⁸²⁾ *Ibid.* p. 17.

⁽⁸³⁾ In 2011 there were only 14 *shelters* in Afghanistan.

⁽⁸⁴⁾ *ToloNews*. «Violence against Women on the Rise: AIHRC». 4 August 2011. See <http://tolonews.com/en/afghanistan/3574-violence-against-women-on-the-rise-aihrc> As of 5 January 2012.

The international community, particularly the USA, in coordination with ISAF is contributing financially and through assistance and advice to offsetting the deficiencies mentioned in infrastructure, personnel, security, training and remuneration.

ISAF has at its disposal the NATO Rule of Law Field Support Mission-Afghanistan and the USA's Rule of Law Field Force, two highly specialist units dedicated exclusively to supporting the GIROA and international organisations responsible for developing the formal justice system⁽⁸⁵⁾.

In July 2011, a draft Afghan National Priority Program (NPP) 5 was circulated: Law and justice for all. This included a strategy to reform the justice sector over the coming three years. The objective of this is to increase the scope of formal justice in the provinces and districts and is expected to be approved by the Joint Management Coordination Board (JMCCB) in March 2012. National Priority Program 5 requires increased compliance with the ERAW Law by the Public Prosecutor, the Supreme Court and the Ministry of Justice.

In May 2011, 140 new judges graduated from the Supreme Court's two-year training programme, with another 57 applicants awaiting acceptance as judges⁽⁸⁶⁾. By November 2011, the USAID Rule of Law Stabilization Program had trained 670 judges, over half of the total, and had extended the Supreme Court training programme to new judges; it also provided support for relations between the traditional justice system and the formal justice system⁽⁸⁷⁾. From 2005 to the end of 2010, the US Justice Sector Support Program trained over 2,000 legal professionals, including judges, prosecutors, legal police, defence attorneys and lawyers for victims of gender offences⁽⁸⁸⁾.

Furthermore, USAID and other agencies from various countries have been working with universities to prepare textbooks and bulletins for law teaching staff and students and to launch *legal clinics* to provide students with practical experience. USAID's support for the Supreme Court has significantly increased the number of judges - particularly women judges - taking part in the Court's two-year training programme⁽⁸⁹⁾.

⁽⁸⁵⁾ US Department of Defense. *Report on Progress Toward Security and Stability in Afghanistan*. October 2011, p. 84, *op. cit.*

⁽⁸⁶⁾ USAID Press Release. 16 May 2011. "Afghanistan's Judicial Training Program Graduates 140 New Judges". See http://afghanistan.usaid.gov/documents/document/Document/1460/20110516_Press_Release_Judicial_Stage_Graduation_English As of 20 January 2012.

⁽⁸⁷⁾ KATZMAN Kenneth, *Afghanistan: Politics, Elections and Government Performance*. Congressional Research Service. 12 December 2011, p. 46, *op. cit.*

⁽⁸⁸⁾ WYLER, Liana Sun; KATZMAN, Kenneth. *Afghanistan: U.S. Rule of Law and Justice Sector Assistance*. 9 November 2010. Report for Congress. United States Congressional Research Service. R41484, p. 29.

⁽⁸⁹⁾ *Special Inspector General for Afghanistan Reconstruction. Quarterly Report to the United States Congress*. October 2011, p. 93, *op. cit.*

- *The traditional system of justice and resolution of disputes*

This is based on the deliberations of a council of *elders*, *jirgas* and *shuras*. It has been estimated that they handle 80% of cases (95% in rural areas). The way they work varies significantly from place to place. Nevertheless, they do share a rapid response time and tend to be restorative rather than retributive, unlike the formal system. The system is based on a request for forgiveness and compensation to the victim for the damage caused, followed by a pardon and reconciliation⁽⁹⁰⁾.

The problem is that this system often breaches Afghan law and seriously violates the rights of Afghan women. Women are excluded from the decision-making processes and are treated as property with a monetary value to be given in marriage to members of the victim's family as payment or compensation to achieve reconciliation and stability in the community⁽⁹¹⁾. The result is that girls are condemned to a miserable life of mistreatment, beatings and hatred for a crime previously committed by others, as the victim's family often takes out its resentment and hate on these girls.

However, the problem does not arise from the traditional justice system itself, but rather from the role assigned to women in the prevalent beliefs and traditions in Afghanistan. In some areas controlled by the Taliban, they provide dispute resolution using the traditional model, whilst in areas disputed with the Government, the Taliban offer their dispute resolution services in competition with formal justice and some people prefer this, particularly if this involves being judged by members of their own tribe or tribal confederation⁽⁹²⁾.

- *Development*

These traditional systems are so widespread and the deficiencies of the formal justice system are so apparent, that the traditional system will last a long time, meaning that we cannot ignore it. Efforts are being made to improve the way it works and make it fairer and, more challengingly, to increase respect for women's rights.

The Afghanistan National Development Strategy stated that the objective was for "the role of traditional dispute resolution in the rule of law [to be] defined and the decisions consistently meet international human rights standards"⁽⁹³⁾.

⁽⁹⁰⁾ *Afghanistan National Development Strategy* (ANDS). (2008-2013), p. 64, *op. cit.*

⁽⁹¹⁾ International Legal Foundation. *The Customary Laws of Afghanistan*. September 2004. *The Customary Laws of the Southern and Eastern Regions*. p. 8-10. See http://www.usip.org/files/file/ilf_customary_law_afghanistan.pdf As of 5 January 2012.

⁽⁹²⁾ WYLER, Liana Sun; KATZMAN, Kenneth. *Afghanistan: U.S. Rule of Law and Justice Sector Assistance*. 9 November 2010, p. 14.

⁽⁹³⁾ *Afghanistan National Development Strategy* (ANDS). (2008-2013), p. 66, *op. cit.*

USAID is leading efforts to improve the traditional justice system through its Rule of Law Stabilization Program, an initiative that helps local councils to improve the way that they work. Amongst other things, this is supporting the creation of a system for written communication of council decisions at the regional level, with sharing of information and promotion and awareness of Afghan laws⁽⁹⁴⁾.

To this end, USAID sponsored 245 events attracting over 10,000 participants between October 2010 and July 2011. These events included conferences with university lecturers in Law and Islamic Law, discussion groups and meetings with groups of *elders* to establish relationships and promote collaboration⁽⁹⁵⁾. According to USAID, these activities have been fruitful and have increased community trust in the Government, creating a good relationship between the formal and traditional justice systems. Furthermore, the *elders* have increased their knowledge of Afghan law and now send cases to court. And likewise, the courts have sent more disputes to the *elders for settlement*.

USAID has organised specific education programmes for *elders*. In these seminars, experts in *sharia* have explained to them that *baad* is illegal under Islamic law. These seminars have been well received and are helping in the suppression of *baad*⁽⁹⁶⁾.

- *Women in prison*

There are around 700 women in prison in Afghanistan, with around 280 of their children sharing prison life with them as they have no other support for their subsistence or education⁽⁹⁷⁾. Of these, around 350 (50%) are accused of adultery, which can just consist of being out of the home for over 48 hours. In the case of girls aged 12 to 18 (around 115), this percentage increases to 80%⁽⁹⁸⁾. These figures could increase rapidly after the Supreme Court took a very conservative position on women fleeing their homes (section 4.1.3.).

⁽⁹⁴⁾ US DoD. *Report on Progress Toward Security and Stability in Afghanistan*. October 2011, p. 86, *op. cit.*

⁽⁹⁵⁾ USAID. "Two Justice Systems Work Together". USAID promotes dialogue between district elders and the state to streamline justice systems. 24 July 2011. See http://afghanistan.usaid.gov/en/USAID/Article/2311/Two_Justice_Systems_Work_Together As of 5 January 2012.

⁽⁹⁶⁾ USAID. *USAID educates elders on finding alternatives to dispute resolution*. 27 November 2011. Nangarhar, Afghanistan. See http://afghanistan.usaid.gov/en/USAID/Article/2423/Education_Helps_Eliminate_Baad As of 1 January 2012.

⁽⁹⁷⁾ Based on a number of sources, including HUMAN RIGHTS WATCH. *Afghanistan: A Decade of Missed Opportunities*. 4 Dec 2011. <http://www.hrw.org/news/2011/12/03/afghanistan-decade-missed-opportunities> and UNODC. <http://www.unodc.org/unodc/en/frontpage/2012/January/house-of-hope-helps-kabul-female-prisoners-to-reintegrate-into-society.html> As of 7 January 2012. Other sources increase the total number of women to 1,500, of whom 620 are girls aged from 12 to 17, with the percentage in prison for adultery or *moral crimes* being up to 95%.

⁽⁹⁸⁾ <http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/8934132/Afghanistans-women-languishing-in-prisons-10-years-after-fall-of-Taliban.html> As of 8 January 2012.

Women's security even in prison is precarious. They are subject to sexual exploitation and abuse⁽⁹⁹⁾. Many of these women do not even know why they are in prison. The living conditions and facilities are, in general, very poor⁽¹⁰⁰⁾. Only a few provincial capitals have prisons exclusively for female inmates - in the rest, they share buildings with male inmates and are not even safe when they go to the bathroom.

There are no places for temporary detention of women. In many districts, female suspects detained by the police must stay in places considered a priori to be safe, such as the homes of influential people, the *elders* of the tribe or the governor's house. In addition to exposing them to the hazard's of this situation, this can make them into criminals, even if they are not. Fauzai Nawabi, of the The Afghanistan Independent Human Rights Commission has stated that if women and girls are found innocent and released after being detained for two days, in some sectors of society they are rejected by their parents and family⁽¹⁰¹⁾.

- *Development*

The utmost effort must be made to ensure that women and girls who are simply fleeing from terrible situations or forced marriages do not end up in prison. The priority option must therefore be to call on President Karzai to release all female detainees (pre-trial and convicted) charged with committing "moral crimes", as demanded by the UN Assistance Mission in Afghanistan (UNAMA)⁽¹⁰²⁾.

The Afghanistan Independent Human Rights Commission (AIHRC) visits the prisons regularly, As a result of this activity, between March 2010 and March 2011 it secured the release of 55 women who were illegally detained⁽¹⁰³⁾.

Furthermore, ISAF countries are working together financially on the provision of prison infrastructure that meets minimum habitability requirements and training courses for prison staff. For example, the UK has already given £2 million for Lashkar Gah prison and will donate a further £900,000 to building blocks for women and children⁽¹⁰⁴⁾. Kabul, Herat and Khost already have

⁽⁹⁹⁾ Radio Free Europe. Radio Liberty. 31 May 2011. See http://www.rferl.org/content/afghanistan_women_prisons/24211153.html?s=1 As of 8 January 2012.

⁽¹⁰⁰⁾ NEIL, Beth. "Inside Lashkar Gah prison". 22 February 2009. See <http://www.mirror.co.uk/news/top-stories/2009/02/22/tragic-story-of-prison-girl-forced-to-wed-at-10-and-beaten-every-night-115875-21145002/> As of 8 January 2012.

⁽¹⁰¹⁾ "Lack of Female Detention Facilities Cause Social Problems". Sunday, 30 October 2011. See <http://bostnews.com/print.php?id=3631> As of 8 January 2012.

⁽¹⁰²⁾ UNAMA. *Harmful Traditional Practices*. p. 56, *op. cit.*

⁽¹⁰³⁾ Afghanistan Independent Human Rights Commission. *Annual Report 1389* (2010/2011). p. 13. See http://www.aihrc.org/2010_eng/Eng_pages/Reports/Thematic/AIHRC_Annual_Report_1389.pdf As of 8 January 2012.

⁽¹⁰⁴⁾ FARMER, Ben. "Afghanistan's women languishing in prisons 10 years after fall of Taliban". *The Daily Telegraph*, 4 December 2011. See <http://www.telegraph.co.uk/news/worldnews/>

women's prisons. Despite the hardships of prison life, the new women's prison in Kabul -Badam Bagh, which houses 160 inmates (as of May 2011), is clean and, above all, the inmates do not live in continuous fear, as they did in the previous prison at Pul-e Charkhi which they shared in atrocious conditions with 5,000 male inmates⁽¹⁰⁵⁾. However, much remains to be done to improve prison infrastructure.

Meanwhile, the US Corrections System Support Program (CSSP) and various NGOs, such as the Afghan Women's Education Center (AWEC), are working to improve the lives of women and girls in prison. The CSSP is working in eight provinces, repairing buildings and improving standards, whilst training prison employees. AWEC and other NGOs are also working to improve the lives of women in prison, providing education, professional training, healthcare, childcare services, relationships with the family, psychological assistance and legal aid⁽¹⁰⁶⁾. This project is financed by the ASDHA⁽¹⁰⁷⁾.

According to Heather Barr of Human Rights Watch, there is a paradox that "many of the women said they were happy in prison because they were temporarily protected from vengeful relatives threatening murder to erase the stain left on their family's honour"⁽¹⁰⁸⁾ and it is true that, after completing their sentences, there are very few *shelters* for women and no safe places for them to go.

■ Participation of women in politics (Political Empowerment)

The quotas established in the Constitution have improved the situation enormously compared to the Taliban period and the presence of women in public life and the media is undeniable, although this presence equates to very limited power.

The Constitution reserves 17 of the 102 seats in the Upper House (Meshrano Jirga or "House of the Elders") and 68 of the 250 seats in the Lower House (Wolesi Jirga or "House of the People") for women. The Wolesi Jirga currently has 69 women members⁽¹⁰⁹⁾ (one more than the quota), almost 28% of the

asia/afghanistan/8934132/Afghanistans-women-languishing-in-prisons-10-years-after-fall-of-Taliban.html As of 10 January 2012.

⁽¹⁰⁵⁾ NAJIBULLAH, Farangis and DIWA Maneesha. *Afghan Women's Prisons Seek To Make Life Behind Bars Less Horrific*. Radio Free Europe. Radio Liberty. 31 May 2011. See http://www.rferl.org/content/afghanistan_women_prisons/24211153.html?s=1 As of 10 January 2012.

⁽¹⁰⁶⁾ AWEC. *Annual Report 2009-2010*. <http://www.awec.info/?page=annualreport2009&language=en> As of 10 January 2012, and author's interview with Hasina Safi.

⁽¹⁰⁷⁾ Associació per als Drets Humans a l'Afghanistan. ASDHA is the only Spanish NGO working in Afghanistan. <http://www.afgancat.org/>

⁽¹⁰⁸⁾ FARMER, Ben. *Afghanistan's women languishing in prisons 10 years after fall of Taliban*. *Op. cit.*

⁽¹⁰⁹⁾ Interparliamentary Union. *Afghanistan Wolesi Jirga ("House of the People")* See http://www.ipu.org/parline-e/reports/2381_A.htm As of 12 January 2012.

total, 8% higher than the global average (20%)⁽¹¹⁰⁾. The Meshrano Jirga has 28 women, 11 more than the quota (27% of the total). In the Provincial Councils⁽¹¹¹⁾ 124 of the 420 seats (29.5%) are reserved for women.

However, this significant presence does not translate into influence. Activists have noted that many congress women are aligned with *Mujahedeen* warlords (who consider women's rights a western import) and vote in accordance with their sectarian interests⁽¹¹²⁾. The women's rights lawyer and member of the Afghanistan Independent Human Rights Commission, Soraya Sobhrang has stated that in some cases female members of parliament have voted against the interests of women: for example, when they had to vote for two candidates for ministerial posts. However, she believes that the quotas have had a positive effect. At least, many Afghans have become used to seeing female members of parliament who appear daily on television screens. This is one way of reducing prejudices and encouraging parents to send their daughters to school⁽¹¹³⁾. Ahmad Behzad, a congress woman from Herat, considers that a significant number of the women in Parliament are better organised and better managers than many of their male colleagues and political leaders and that they are taking advantage of the opportunity to make their voices heard⁽¹¹⁴⁾.

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In February 2012, there were three female ministers in the Government: Husn Bano Ghazanfar, minister for Women's Affairs; Soraya Dalil, Public Health Minister, and Amena Safi Afzali, Minister of Work, Martyrs and Social Affairs. Other women with important positions include Sima Samar, president of the Afghanistan Independent Human Rights Commission (AIHRC), a body of the utmost importance for promoting the rights of women and Habiba Sarabi, governor of Bamyán province. Both of these women had previously held the position of Minister of Women's Affairs

The GIROA has set itself a target of 30% of posts in the administration to be filled by woman by 2013. According to 2009-10 data from the Central Statistics Organization, 25.4% (66,572) of all civil servants (328,977) were women; however, this percentage varied considerably throughout the country,

⁽¹¹⁰⁾ Figures from the Interparliamentary Union. See <http://www.ipu.org/wmn-e/world.htm>. As of 12 January 2012. By way of example, the percentage of women in other parliaments is: Egypt 2%, US Congress 16.8%, Sweden 45%, Finland 42.5%, Holland 39.3%, Spain 36%, Germany 32.8%, Italy 21.3%, the UK 22% and France 18.9%. European average 22.3%.

⁽¹¹¹⁾ There are no regional government bodies in Afghanistan, with the exception of the Military Commands of the Army Corps and Regional Chief of Police Commands.

⁽¹¹²⁾ CORTRIGHT, David; PERSINGER, Sarah Smiles. *Afghan Women Speak. Enhancing Security and Human Rights in Afghanistan*. University of Notre Dame's Kroc Institute for International Peace Studies. October 2010, p. 6. See <http://www.nd.edu/~jfallon2/WomenAfghanistanReport.pdf> As of 12 January 2012.

⁽¹¹³⁾ IHSAN, Fawzia. "The woman factor". *Afghanistan Today*. 11 Dec 2010. See <http://www.afghanistan-today.org/helper/articleprint.php?id=52> As of 12 January 2012.

⁽¹¹⁴⁾ *Ibid.*

from 30% in Kabul, Herat and Balkh to 1-3% in Paktika, Uruzgan Khost, Kunar and Gohr⁽¹¹⁵⁾.

Given the limitations on the power of women in public bodies, the role and influence of women in civil society takes on even greater importance: this includes organisations and groups focusing on a range of issues, including women's rights, law and justice, freedom of the press, business and economics and the environment. Some of the most important of these are organisations of Afghan women, with the most significant of these being the Afghan Women's Network (AWN), a confederation of 880 NGOs for Afghan women.

- *Development*

The improvements achieved are threatened by justice and governance issues and could be lost in any clumsy reconciliation negotiations with the Taliban that might give priority to harmful traditional practices, undermining the Constitution. The key idea is that changes to traditions and culture cannot be imposed on any country from outside. Particularly not Afghanistan. For this reason, as a general rule, ISAF acts with respect towards the culture and the Islamic religion, strongly supporting implementation of the GIRoA's official policy, which, as we have mentioned, contain instruments that enable progress in respect for, and defence of, the human rights of all Afghans, particularly the weakest: women.

What we could and should do is to support Afghan civil society initiatives, including those from women's organisations. In this regard, the main donor countries, with the USA at their head, have the greatest capacity. Progress over the last decade has been due to the combined efforts of Afghan civil society and the international community, supporting the GIRoA. This effort must be continued. When the tenth anniversary of the new political order was celebrated with a second Bonn Conference (4-5 Dec 2011), civil society reiterated its messages and presented options and actions for the future meriting the support of the international community. The donor countries have extended their commitment to a sovereign, independent, democratic, safe and stable Afghanistan.

The Afghan Women's Network led Afghan women in generating initiatives. A few days prior to the Bonn conference, it consulted 500 women, representing 500,000 women in 20 provinces and as a result issued a declaration on 5 December 2011⁽¹¹⁶⁾. These proposals from women in the world of politics, provided the international community and ISAF with specific options for the

⁽¹¹⁵⁾ HAMID Zarin. *Afghan Women's Network report on UN 1325 Implementation in Afghanistan*. 31 Oct 2011, p. 21, *op. cit.*

⁽¹¹⁶⁾ AWN. *Afghan Women's Declaration International Conference on Afghanistan in Bonn*. 5 December 2011. <http://www.afghanwomennetwork.af/Latest Updates/AFGHAN WOMEN'S DECLARATION FINAL-Eng.pdf>. As of 13 January 2012.

future and should be a clear reference point for activities in support of the GIROA, for associations of women and civil society⁽¹¹⁷⁾.

Among other things, Afghan women are demanding stronger measures against corruption and misappropriation of funds in the government; ending the abuses of *tribal commanders* and personal appointees, who control provincial governments and who have a history of violating the rights of women. They are also requesting that security for women should be used as an indicator for assessing the transition process in each zone, and that women should be consulted systematically, both before and during these processes. They are also demanding aid to train more women and increase their participation in legal bodies, a country-wide dialogue and the building of a consensus among all Afghans for *peace and reintegration*, making reintegration a community-based initiative. For the future, they want the Afghan National Security Forces to extend their capabilities as a public service, upholding the laws of the land and the security of the community, whilst protecting women and children against abuse. They are also seeking the support of the international community and protection for groups of women and civil society, who are the main champions of the rights of women, and agents for change for an inclusive democracy that is increasingly threatened.

It is clear that greater political participation by women, particularly in transition processes and peace building and reintegration, as demanded by the Afghan Women's Network, will increase opportunities for peace and stability in Afghanistan.

■ GENDER IN ECONOMIC AND SOCIAL DEVELOPMENT

Social and economic development is a prerequisite for Afghanistan becoming stable and sustainable and is essential for the future work of the boys and girls who are studying today. This is obviously a key factor for both the success of the operation and to improve the economic situation of women and boost their respect in the family and community. Lack of economic and social development affects the weakest in society and therefore women.

An Afghan government that provides health, education, electricity and communications services will earn legitimacy and the support of the public. The Taliban are very efficient at providing order and rapid, brutal justice, but they have not been able to ensure economic development, thus emphasising the value of development to the success of the operation.

⁽¹¹⁷⁾ GIL RUIZ, José Luis. *The Commanders' perspective. NATO Workshop on Gender Perspectives Training in the Context of Mainstreaming UNSCR 1325 in NATO-led Operations and Missions*. Rome, 4 November 2011.

■ Participation of women in the economy (Economic Empowerment)

This brings us up against a cultural problem. Traditionally, men should *support* and *protect* the family, whilst women should remain at home.

However, the reality is very different. Around 56% of women in rural areas work⁽¹¹⁸⁾, with women accounting for 36% of all workers. This percentage is so high because of female participation in agricultural tasks, both in the field and in the home and because 80% of households depend on agriculture to some extent⁽¹¹⁹⁾. Moreover, in many parts of Afghanistan, women work as much as men, if not more so, in activities such as embroidery, crafts, weaving rugs, cleaning Kashmir wool, sewing and even domestic service⁽¹²⁰⁾. These are all activities that tend to take place in the home.

There are a number of key aspects that strongly influence the country's economy. The presence of the international community (including ISAF) accounts for an inflow of funds equal to 97%⁽¹²¹⁾ (World Bank) or 60%⁽¹²²⁾ (Chamber of Commerce) of Gross National Product; therefore, withdrawal of ISAF could result in a serious recession. Budget management is opaque and unsatisfactory, with funds not reaching the project to which they are assigned. Afghanistan is a long way from sustainability and is heavily dependent on funds from the international community. Donors assign the largest part of their funds outside the budget; even so, in 2011 international aid contributed 55.4% of the GIRA budget⁽¹²³⁾. Around 85% of rural areas lack electricity⁽¹²⁴⁾, with 60% being imported. However, 17 million Afghans (around 63% of the population) have mobile phones, with coverage in around 80% of the country⁽¹²⁵⁾.

⁽¹¹⁸⁾ Excluding unpaid domestic work. MALETTA, Hector. *Women at work: Gender, Wealth, Wages and Employment in Rural Afghanistan*. 2002-2003, p. 9. See http://papers.ssrn.com/sol3/papers.cfm?abstract_id=575026 As of 12 January 2012.

⁽¹¹⁹⁾ The World Bank. *Afghanistan National Reconstruction and Poverty Reduction - the Role of Women in Afghanistan's Future*. March 2005, p. 54. See <http://siteresources.worldbank.org/AFGHANISTANEXTN/Resources/AfghanistanGenderReport.pdf> As of 12 January 2012.

⁽¹²⁰⁾ "Although women make up 35.8 percent of the country's labor force, less than one percent has access to financial services. Many women work in the informal sector and are denied access to their own income". USAID. *Gender Fact Sheet December 2010*. See http://afghanistan.usaid.gov/documents/document/Document/1266/Gender_Fact_Sheet2142011 As of 12 January 2012.

⁽¹²¹⁾ Report for the US Committee on Foreign Relations. *Evaluating U.S. Foreign Assistance to Afghanistan*. 112th Congress. 1st Session. 8 June 2011, p. 24. See <http://foreign.senate.gov/download/?id=E8637185-8E67-4F87-81D1-119AE49A7D1C> As of 14 January 2012.

⁽¹²²⁾ HAQJO Mohammad Qurban, Chief Executive Officer of the Afghanistan Chamber of Commerce. Article by FARAMARZ, Abdol Wahed. *Afghans alarmed by economic impact of troop withdrawal*. The Institute for War & Peace Reporting. See <http://mjuneauem.pire.com/opinion/2011-08-28/afghans-alarmed-economic-impact-troop-withdrawal>. As of 12 January 2012.

⁽¹²³⁾ Islamic Republic of Afghanistan. Ministry of Finance. 1390 Budget.

⁽¹²⁴⁾ United Nations Development Programme. National Area-Based Development Program. May 2011. See http://www.undp.org.af/whoweare/UNDPinAfghanistan/Projects/psl/prj_nabdp.htm As of 15 January 2012.

⁽¹²⁵⁾ GIRA. Ministry of Communications & Information Technology. Telecom Statistics End of March 2011. See <http://mci.gov.af/en/page/12> As of 15 January 2012.

In order to prepare for and offset the effects of this recession, the USA and many other donors are planning for a long-term commitment and a reorientation of investment and efforts⁽¹²⁶⁾⁽¹²⁷⁾. This is being used to help the GIRoA to generate revenues and to improve its human capital and budget management, with increased transparency and responsibility, also improving conditions for the private sector to flourish, as well as improving electricity supply and infrastructure⁽¹²⁸⁾.

- *Programmes specifically aimed at women*

A large number of initiatives are specifically targeted at the women of Afghanistan; these initiatives are designed to be compatible with the current situation and to provide subsistence resources and a degree of economic independence. The ISAF is contributing through security and information and by occasionally providing funds specifically for such programmes. Some examples of this are given below.

USAID sponsors the AGSP (Ambassador's Small Grants Program), providing funds to civil organisation contributing to the economic development of women in Afghanistan's 34 provinces. Some programmes provide practical training in how to run a small business, with training in administration, management and other techniques required to run the business. Other programmes help women in rural areas to identify, plan, manage and control their own development projects, training them to make decisions affecting their lives and communities. By June 2011, 1,000 grants had been awarded, totalling 17.2 million dollars, and benefitting 400,000 women in 34 provinces⁽¹²⁹⁾. In November 2011, USAID thoroughly revised its programme to improve its results⁽¹³⁰⁾.

There are a number of programmes focusing on commercialisation of activities that can be carried out in the home, such as embroidery, sewing and

⁽¹²⁶⁾ *The International Afghanistan Conference in Bonn 5 December 2011. Conference Conclusions. Op. cit.*

⁽¹²⁷⁾ World Bank, Islamic Republic of Afghanistan Ministry of Finance. *Transition in Afghanistan. Looking Beyond 2014*. November 21, 2011. See <http://siteresources.worldbank.org/INTAFGHANISTAN/Resources/AFBeyond2014.pdf> As of 3 February 2012.

⁽¹²⁸⁾ For example, TOLONews.com. 20 September 2011. *The Asian Development Bank (ADB) agreed to give Afghanistan \$754 million to help rebuild the country's roads and rail network*. See <http://tolonews.com/en/business/3973-afghanistan-gets-754m-from-bank-for-roads-railway-> As of 15 January 2012.

⁽¹²⁹⁾ USAID. *Ambassador's Small Grants Program (ASGP) to Support Gender Equality in Afghanistan. Fact Sheet*. June 2011. See afghanistan.usaid.gov/documents/document/Document/1735/Fact_Sheet_ASGP_June_2011 As of 16 January 2012.

⁽¹³⁰⁾ USAID. *Evaluation of the USAID/Afghanistan Ambassador's Small Grants Program to Support Gender Equality in Afghanistan*. September 2011. See http://www.usaid.gov/our_work/cross-cutting_programs/wid/pubs/USAID_Afghanistan_ASGP_Evaluation_Nov_2011.pdf As of 16 January 2012.

tailoring, rug weaving, wool processing etc. For example, in 2003, Rangina Hamidi returned from the USA to fund and manage the company Kandahar Treasure, giving work to more than 370 women⁽¹³¹⁾ in *khamak*, one of the oldest and purest forms of embroidery in the world⁽¹³²⁾.

The Fundación ARZU is another significant programme⁽¹³³⁾ (hope in *Dari*), providing women in Bamyán and Faryab provinces who weave rugs and their families with some fixed income and better access to education and health care. ARZU visits villages and negotiates with local leaders and the heads of each household, offering to pay weavers the market price plus a 50% bonus, if the work is high quality. In exchange, the families must agree to send all their male and female children aged under 15 to school, freeing women to go to the literacy classes organised by ARZU since 2004. Women must receive prenatal and postnatal care and give birth in a clinic or receive assistance from one of ARZU's midwives⁽¹³⁴⁾.

Microfinance, the main source of credit for many Afghans, has been an important instrument in the most secure zones in the Centre, North and West. A high percentage of microfinance clients are women⁽¹³⁵⁾. The Finance Ministry's Microfinance Investment Support Facility for Afghanistan (MISFA) controls all the microfinance in Afghanistan, through a number of implementation partners. This sector has grown rapidly, with 230,195 active loan customers (67% of whom are women) having borrowed a total of 112 million dollars as of October 2011. Since the outset, 1.6 million loans have been granted, totalling one billion dollars. There are 3,191 Afghans working in these institutions, 40% of whom are women⁽¹³⁶⁾.

Development programmes to reduce poverty and improve the resources of families implemented by the United Nations Development Program (UNDP) in cooperation with the Rural Development and Rehabilitation Ministry have made a significant contribution to *empowerment* of women in villages and

⁽¹³¹⁾ Presentation by Rangina Hamidi at the conference on *Afghanistan. contradictions of the withdrawal*. Madrid: 31 January 2012.

⁽¹³²⁾ See <http://kandahartreasure.com/> As of 16 January 2012.

⁽¹³³⁾ ARZU website. See <http://www.arzustudiohope.org/content/arzu-story.aspx> As of 16 January 2012.

⁽¹³⁴⁾ CARTER, Carol. *ARZU Changes Lives of Afghan Rug Weavers*. Womenetics. 26 October 2011. See <http://www.womenetics.com/Social-Innovation/arzu-changes-lives-of-afghan-rug-weavers> ARZU STUDIO HOPE - Empowering Afghan Women Through Innovative and Sustainable Job Training and Market Solutions. See <http://www.changemakers.com/es/economicopportunity/entries/arzu-studio-hope-empowering-afghan-women-and-their-fami>. As of 16 January 2012.

⁽¹³⁵⁾ CORTRIGHT, David and PERSINGER, Sarah Smiles. *Afghan Women Speak*. p. 15, *op. cit.*

⁽¹³⁶⁾ Website of The Microfinance Investment Support Facility for Afghanistan (MISFA). See <http://www.misfa.org.af/?page=overview&lang=en#> As of 16 January 2012.

regions⁽¹³⁷⁾. The first of these was the National Solidarity Program (NSP), which focused on villages, whilst the National Area Base Development Program (NABDP⁽¹³⁸⁾) was based on the NSP, but replicated one level higher at district level.

Under this programme, facilitators help the people of the village to elect a Community Development Council (CDC) by secret ballot. Equal numbers of men and women must be elected; however, this is often difficult to achieve and sometimes requires the creation of separate subcommittees for men and women. The people elected receive training and discuss and agree upon the projects or work most needed by the community. At least one project per community must have been proposed by a woman. The Council manages and supervises the project, with the money going directly to the people bringing it to fruition. This works in a similar way at the district level, although here the Council is replaced by a District Development Assembly⁽¹³⁹⁾ (DDA), whose members are elected from among the councils, with two from each council, ideally one man and one woman.

This system has a number of advantages: all council and assembly members are elected democratically and the obligation to elect women has resulted in 37% of assembly members being women⁽¹⁴⁰⁾, with a similar number of women in the councils participating actively in decision making processes⁽¹⁴¹⁾. The procedure is very immune to corruption, with the councils and assemblies being non-official local government bodies. The NSP and NABDP are promoting female participation in community activities and increasing the respect in which they are held⁽¹⁴²⁾. This demonstrates that, even in a difficult and complicated environment, such as Afghanistan, progress can be made if the instruments and procedures are chosen well.

⁽¹³⁷⁾ CORTRIGHT, David and PERSINGER, Sarah Smiles. *Afghan Women Speak*. p. 15, *op. cit.*

⁽¹³⁸⁾ UNDP. National Area Base Development Program. Phase 3: 2009-2014. See <http://www.undp.org.af/Projects/Report2011/nabdp/Project-NABDP-May2011-factsheet.pdf> As of 28 January 2012.

⁽¹³⁹⁾ 96% of districts have a DDA.

⁽¹⁴⁰⁾ In reality, this is a very high number, as it is very difficult for a woman to have the time and resources to travel to the district capital. UNAMA *Making Their Voices Heard*. 24 May 2011. See <http://unama.unmissions.org/Default.aspx?ctl=Details&tabid=1783&mid=1882&ItemID=13703> As of 17 January 2012.

⁽¹⁴¹⁾ AZARBAIJANI-MOGHADDAM, Sippi. *A Study of Gender Equity through the National Solidarity Programme's Community Development Councils*. Final Report. May 2010. See [http://www.nspafghanistan.org/Files/NSP Gender Study Report.pdf](http://www.nspafghanistan.org/Files/NSP%20Gender%20Study%20Report.pdf) As of 1 February 2012.

⁽¹⁴²⁾ World Bank. *Independent Impact Evaluation: National Solidarity Program Enhances Local Governance and Increases Involvement of Women*. 8 May 2010. See <http://www.worldbank.org.af/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/AFGHANISTANEXTN/0,,contentMDK:22573708~menuPK:305990~pagePK:2865066~piPK:2865079~theSitePK:305985,00.html> As of 16 January 2012.

■ Access to education for women

In 2001, girls were not permitted to go to school, with fewer than one million children enrolled. The number of students has multiplied eightfold and there are now over 7.3 million students, 38% of them girls⁽¹⁴³⁾.

This is without doubt one of the major success stories in Afghanistan, a country where 50% of the population is under 15 years old. In 2010, 68% of the population rated the availability of education for children as good or very good⁽¹⁴⁴⁾. ISAF and the international community are aware of the value of education in achieving a stable and sustainable country.

Many donors and organisations have contributed to this success story and must be highly satisfied with the results. However, there is still much to do. Demand for school places is increasing at 700,000 per year; almost half of all children and adolescents (over 60% of girls) are not in school and there are huge disparities between boys and girls, between provinces and between urban and rural areas⁽¹⁴⁵⁾. Education is totally dependent on foreign aid. On average, adults aged over 25 have only had 3.3 years of schooling⁽¹⁴⁶⁾. And the quality of education continues to be limited. Investment has mainly focused on primary education, where the percentage of girls is higher. However, this percentage falls sharply in secondary education, due to girls being married, their limited mobility, the lower value placed on female education in rural areas and shortages of female teachers, who are not attracted by working in the poorest rural areas⁽¹⁴⁷⁾.

It is obvious that educating girls produces numerous public and private benefits: girls marry later and have fewer, but healthier, children; maternal and child mortality decreases, boosting female participation in the world of work⁽¹⁴⁸⁾.

⁽¹⁴³⁾ Ministry of Education of GIRoA. *EFA Global Monitoring Report 2011*. May 2011. pp. 1-2. See http://english.moe.gov.af/attachments/077_GMR_ResponseV_English.pdf As of 17 January 2012.

⁽¹⁴⁴⁾ The Asia Foundation. *A Survey of the Afghan People*. October 2010, p. 61. See <http://asiafoundation.org/resources/pdfs/Afghanistanin2010survey.pdf> As of 22 January 2012.

⁽¹⁴⁵⁾ World Bank, press release, *New ARTF Grant Aims at Further Improving Education Quality and Infrastructure*. See <http://www.worldbank.org.af/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/AFGHANISTANEXTN/0,,contentMDK:22968400~menuPK:305990~pagePK:2865066~piPK:2865079~theSitePK:305985,00.html> As of 18 January 2012.

⁽¹⁴⁶⁾ UNDP. International Human Development Indicators. Afghanistan. See <http://hdrstats.undp.org/en/countries/profiles/AFG.html> As of 18 January 2012.

⁽¹⁴⁷⁾ JACKSON, Ashley. Joint NGO Briefing Paper. *High Stakes. Girl's Education in Afghanistan*. 24 February 2011. Various chapters. See <http://www.oxfam.org.uk/resources/policy/education/downloads/bp-high-stakes-girls-education-afghanistan-240211-en.pdf> As of 18 January 2012.

⁽¹⁴⁸⁾ CORTRIGHT, David and PERSINGER, Sarah Smiles. *Afghan Women Speak*. p. 13, *op. cit.*

The extension of education to secondary level reduces domestic violence and increases income *per capita*⁽¹⁴⁹⁾.

It is noteworthy that 71.8% of girls who are receiving education wish to continue, with 64.1% wanting to go to university, and that 50.8% of parents share these views. 47% of education centres lack sufficient facilities, a percentage which is much worse in rural areas⁽¹⁵⁰⁾. The biggest obstacles to education for girls, limiting the length of their education, are social and economic. Poverty (the largest obstacle, 41.2%) and early matrimony for girls (the second largest obstacle, 39.4%) often combine, with destructive results⁽¹⁵¹⁾.

Other problems include shortages of female teachers, with the added problem that 80% of these are in urban areas, where just 25% of girls live⁽¹⁵²⁾ and the lack of education centres reasonably close by. This distance, together with attending mixed classes and interaction with male teachers, increases the problem as girls approach adolescence⁽¹⁵³⁾.

The decision on whether to send girls to school depends on a complex combination of these factors, which vary depending on the province, district and even family. Social pressures and traditions have a major influence on these decisions and it is not enough to improve just some of these factors⁽¹⁵⁴⁾.

An initiative has been launched for communities without schools (usually located in the most remote and disadvantaged areas), based on identifying and training male and female volunteers who have received an education to work as local public teachers⁽¹⁵⁵⁾.

The Ministry of Education has 98 teacher training institutes in the 32 provinces, with 26,000 students, 16% of which are women⁽¹⁵⁶⁾. There are 19 public universities and some private universities, with 78,000 students, 19.4% of whom are female. University education provides the highest return on investment⁽¹⁵⁷⁾, and is of critical importance in a country that has lost its best

⁽¹⁴⁹⁾ JACKSON, Ashley. Joint NGO Briefing Paper. *High Stakes. Girl's Education in Afghanistan*. 24 February 2011, p. 7, *op. cit.*

⁽¹⁵⁰⁾ *Ibid*, pp. 10-19.

⁽¹⁵¹⁾ *Ibid*, p. 5.

⁽¹⁵²⁾ *Ibid*, p. 21.

⁽¹⁵³⁾ *Ibid*, p. 14.

⁽¹⁵⁴⁾ *Ibid*, pp. 5-16.

⁽¹⁵⁵⁾ PACKER Steve, *et. al. Afghanistan Education Sector Analysis 2010*. "Chapter 11: Community Based Education". Adam Smith International. June 2010, p. 72-75.

⁽¹⁵⁶⁾ Ministry of Education of GIRoA. *EFA Global Monitoring Report 2011*. May 2011, p. 2, *op. cit.*

⁽¹⁵⁷⁾ Ministry of Higher Education. *National Higher Education Strategic Plan 2010-2014*. http://planipolis.iiep.unesco.org/upload/Afghanistan/Afghanistan_HESP_2010-2014.pdf

educated citizens to emigration. In 2010, over 500,000 (58% women) adults attended 21,000 literacy courses⁽¹⁵⁸⁾.

- *Development*

Foreign aid and projects to improve education will continue and focus on resolving the problems mentioned.

The Ministry of Education wants to increase the number of students, particularly girls, and keep them in education afterwards. To this end, it is seeking to employ more male and female teachers in urban centres and offer them incentives to relocate to rural areas, to improve the training of teachers in the provinces and districts and to campaign to promote education for girls⁽¹⁵⁹⁾.

For example, the World Bank announced a package of measures valued at 50 million dollars in July 2011 to increase access to education, particularly for girls. The objectives of this were: to foster learning environments in an additional 2,413 schools, to refurbish and build over 764 school buildings in participation with the community and to improve teacher training and the skills of 100,000 teachers - particularly female teachers - with 3,500 grants for women trainee teachers⁽¹⁶⁰⁾.

The USA is by a long way the largest education donor, working closely with the Ministry of Education and other donors to implement the National Education Strategic Plan For Afghanistan 2010-2014⁽¹⁶¹⁾, with funding of the Ministry of Education budget. By June 2011, it had been involved in providing special training courses to 53,000 teachers (31% women), education for around 104,000 students (68% women) in communities with no school and printing of text and other books⁽¹⁶²⁾.

■ Access to healthcare for women

Decades of war and destruction have led to huge shortages of qualified medical personnel, equipment, health facilities and pharmaceutical products. Women have suffered the worst of this and local traditions have only exacerbated the situation, as these limit medical care to that provided by female medical staff. Under the Taliban, women doctors were allowed to practise, although women were barred from receiving education, hence the

⁽¹⁵⁸⁾ Ministry of Education of GIROA. *EFA Global Monitoring Report 2011*. Page 2, *op. cit.*

⁽¹⁵⁹⁾ *Ibid*, p. 2.

⁽¹⁶⁰⁾ World Bank, press release, *New ARTF Grant Aims at Further Improving Education Quality and Infrastructure*. *Op. cit.*

⁽¹⁶¹⁾ Ministry of Education of the Islamic Republic of Afghanistan. *National Education Strategic Plan for Afghanistan (1389-1393/2010-2014)*.

⁽¹⁶²⁾ USAID. *Fact Sheet June 2011*. See <http://afghanistan.usaid.gov/en/programs/education#Tab=Description> As of 12 January 2012.

current shortage of female medical staff. Another factor is that decisions about providing medical care for women are often taken by the husband and his father (who usually consults the mother-in-law); out of ignorance, they often oppose women giving birth in health centres, which are both expensive and often a long way away⁽¹⁶³⁾. As a result of the limited mobility of women -as both patients and medical service providers - Afghanistan has very high maternal and child mortality rates.

Provision of medical services is important for the operation as this is one of the few interactions between Afghans and their government, as well as providing a source of stability and legitimacy for the Government. Improving the health of mothers saves lives and is an excellent resource for improving quality of life for all Afghans.

Healthcare personnel, particularly women, are in very short supply. The Ministry of Public Health states that there were only 6,158 doctors in the whole of Afghanistan in September 2011, of whom 1,272 were women (26%), and 4,987 nurses, of whom 766 were women (18.1%), in addition to 2,596 community midwives and birth attendants⁽¹⁶⁴⁾.

Vaccination campaigns for measles, diphtheria, hepatitis and tetanus have reached 96% of the population and there is no discrimination between boys and girls aged under 5. 50% of health centres have no female staff, as salaries of 200 to 400 dollars make it difficult to attract qualified medical personnel to rural areas⁽¹⁶⁵⁾.

There were a total of 12,065 health centres in Afghanistan in 2011. From least to highest capacity, there were: 10,277 health posts, 468 health sub-centres, 807 basic health centres, 388 comprehensive health centres, 67 district hospitals, 29 provincial hospitals, 5 regional hospitals and 24 national hospitals⁽¹⁶⁶⁾.

- *Development*

Health service provision has been based on what is known as the Basic Package of Health Services (BPHS), agreed in 2003 by the Afghan Government and the three main donors (USAID, the European Union and the World Bank). The BPHS is the largest programme in both financial and human terms, accounting for 80% of all donor contributions to the Ministry of Public Health, with a network of associated bodies for implementation and supervision. It has been

⁽¹⁶³⁾ COLEMAN, Isobel, *et. al. Maternal Health in Afghanistan Improving Health and Strengthening Society*. The Council on Foreign Relations. September 2011, p. 3.

⁽¹⁶⁴⁾ The author's conversation with the head of the Ministry of Public Health's Gender Unit. 17 September 2011.

⁽¹⁶⁵⁾ *Ibid.*

⁽¹⁶⁶⁾ *Afghanistan Mortality Survey 2010*. p. 7, *op. cit.*

implemented in 34 provinces continuously since 2003. It was most recently updated in 2010⁽¹⁶⁷⁾.

The BPHS sets out in detail the objectives for specific health services agreed by the parties (GIRoA and donors) that finance its implementation. The health of mothers and new-born babies is the first of several elements in the BPHS, setting out in detail all the services to be provided in each type of healthcare centre in terms of: "antenatal, delivery and postpartum care, newborn care and family planning". The other six elements of the BPHS are: "Child health and immunisation, public nutrition, treatment and control of communicable diseases, mental health, disability and physical rehabilitation and regular supply of essential drugs"⁽¹⁶⁸⁾.

Following eight years experience implementing the BPHS, in 2011 there was increasing frustration at the high rates of maternal and child mortality, which did not seem to be improving despite the efforts and investments of the donors. However, following a lengthy preparation period, the *Afghanistan Mortality Survey 2010* (AMS 2010)⁽¹⁶⁹⁾ was published on 27 November 2011. This is an exhaustive and thorough report based on in-depth research by Afghan and international agencies, which found highly significant improvements. As this was so important, the most significant findings are shown in Table 5-1, together with the Millennium Goals for 2015 and 2020 (Table 5-1).

This report shows that the international community's efforts have not been in vain, providing a major fillip to continuing efforts. Life expectancy has increased by 19 years for women, to a level only 2 years below the global average in 2009⁽¹⁷⁰⁾. The fertility rate has fallen considerably, but remains very high (5.1).

Table 5-1. Health indicators in the AMS 2010, compared to the Millennium Development Goals for 2015 (MDG 2015) and 2020 (MDG 2020).

Health indicator	Previous (year)	AMS 2010	MDG 2015 ³	MDG 2020 ⁴
Life expectancy at birth, men	47 (2003)	63.6		
Life expectancy at birth, women	45 (2003)	64.2		

⁽¹⁶⁷⁾ Islamic Republic of Afghanistan. Ministry of Public Health. *A Basic Package of Health Services for Afghanistan – 2010/1389*. Revised July 2010.

⁽¹⁶⁸⁾ *Ibid*. The entire document explains these provisions in detail.

⁽¹⁶⁹⁾ Afghan Public Health Institute Ministry of Public Health Afghanistan, *et. al. Afghanistan Mortality Survey 2010*. November 2011. <http://measuredhs.com/pubs/pdf/FR248/FR248.pdf> As of 18 January 2012.

⁽¹⁷⁰⁾ World Health Organisation. See <http://apps.who.int/ghodata/?vid=710>. As of 18 January 2012.

Health indicator	Previous (year)	AMS 2010	MDG 2015 ³	MDG 2020 ⁴
Maternal mortality per 100,000 births	1,600 (2002)	500	800	400
Infant mortality (1. st year of life) per 1,000 live births	129 (2006)	77	70	46
Mortality of children aged under 5 per 1,000 live births	191 (2006)	97	115	76
Prenatal care (%)	32.3 (2006)	60	25	50
Care during childbirth (%)	18.9 (2006)	34	50	75
Overall fertility rate per woman	7.2 (2008)	5.1	4.7	3.1

⁽³⁾ Millennium Development Goals. Islamic Republic of Afghanistan. Vision 2020. Annual Progress Report 2008. pp. 15-17.

⁽⁴⁾ Ibid

The major decreases in maternal and child mortality rates, together with the increase in prenatal care and care during birth, have been major steps forward for public health, bringing Afghanistan closer to achieving Millennium Development Goals 4 and 5. Afghanistan has already achieved the 2015 mortality goals for mothers and children under 5.

Future challenges should focus above all on providing existing healthcare centres with equipment that can be maintained by Afghans and qualified personnel. The number of healthcare centres is already very high, with a health sub-centre within two hours walk of the majority of the rural population⁽¹⁷¹⁾. Therefore, extending coverage should focus on providing transport, whilst continuing to provide existing centres with staff and equipment.

It is also noteworthy that private health is developing rapidly and increasingly taking responsibility for provision of healthcare services⁽¹⁷²⁾.

■ FINAL COMMENTS

Gender has been integrated into operations as part of the human terrain - "the decisive terrain in counterinsurgency operations" - and will no doubt be essential in future conflicts. For this reason it is gradually being incorporated into the preparation of military forces. There are a number of international courses, such as those organised jointly by Spain and the Netherlands or by Sweden, and there are also a number of national courses.

⁽¹⁷¹⁾ Islamic Republic of Afghanistan. Ministry of Public Health. *A Basic Package of Health Services for Afghanistan – 2010/1389*. p. 3, *op. cit.*

⁽¹⁷²⁾ USAID. *Afghanistan Private Sector Health Survey*. May 2009. See <http://resources.ghtechproject.net/content/afghanistan-private-sector-health-survey> As of 22 January 2012.

The ISAF is working intensively in many areas of gender to help achieve its mission more effectively, working in close coordination with all other parties involved, with the huge volume of international aid being of great importance. Unquestionable progress has been made and the ISAF is very satisfied with the contribution of the achievements made to the success of the operation.

All members of the ISAF General Staff - not just the gender advisors - are responsible for ensuring that all planned activities consider gender questions. The most important aspect in this regard is the involvement of the commander and ensuring they take responsibility for results relating to gender.

The future for gender in Afghanistan will depend on which of the two currently competing models of society finally wins out: the first, the society wanted by civil society and Afghan women's organisations, with the support of the international community and ISAF, seeking a fair society in which the rights of women are respected; or the second, as proposed by the Taliban, the Mujahedeen and ancestral traditions, where women remain at home and are totally submissive to their father, husband and, later, their male children. Without international support, Afghanistan would quickly return to the latter model.

No society will accept a radical change of customs imposed from outside. Progress in legislation on human and women's rights approved by the GIROA and the Parliament has to a large extent, been due to pressure from Afghanistan's civil society, including women's groups such as the Afghan Women's Network (AWN), with substantial support from the international community and the donors. In future, progress on the first model must always be achieved with the support of the official policies of the GIROA and the "initiatives of civil society and Afghan women", so that its advantages are appreciated by the public, minimising resentment or resistance from sectors supporting the second model. Afghanistan's history has several examples of significant regression following progress that was too rapid.

The hoped-for evolution will take time and requires unequivocal commitment from leaders, increased Government legitimacy and improved governance. The international community has announced that it will continue providing financial support for progress in education, health, economic development and justice.

One of the most immediate and most widely advertised risks is the talks with the Taliban on their potential *reconciliation and reintegration*, in which women's rights must not be sacrificed to obtain peace. The opposite is the case. The huge potential of Afghan women must be exploited, supporting the AWN initiatives described above at the end of the section on women's access to justice.

The most important medium and long-term factor is changing the attitudes and improving the training of Afghan leaders, particularly at the highest levels. Education and economic and social development are essential factors in this very necessary transformation, but this will take time, and it is still too early to expect future generations to provide a new way of doing politics.

Meanwhile, current efforts must continue, with the objective of helping to maintain and improve progress in women's rights (and those of all Afghans) following the current redeployment of ISAF forces.

■ ACRONYM LIST

AAN	Afghanistan Analyst Network
AIHRC	Afghanistan Independent Human Rights Commission.
AMS 2010	Afghanistan Mortality Survey 2010.
ANA	Afghan National Army.
ANDS	Afghanistan National Development Strategy.
ANP	Afghan National Police.
ANSF	Afghan National Security Forces.
ASDHA	Asociación para los Derechos Humanos en Afganistán (Association for Human Rights in Afghanistan)
ASGP	Ambassador's Small Grants Program
AWEC	Afghan Women's Education Center
AWN	Afghan Women's Network
BPHS	Basic Package of Health Services.
CDC	Community Development Councils.
IC	international community
COIN	Counter-Insurgency
DDA	District Development Assemblies.
DoWA	Department of Women Affairs.
EUPOL	European Union Police Mission in Afghanistan.
EVAW	Elimination of Violence against Women Law.
FET	Female Engagement Teams.

FoM	Freedom of Movement.
FRU	Family Response Units.
GA	Gender Advisors.
GIRoA	Government of the Islamic Republic of Afghanistan.
IED	Improvised Explosive Devices.
IJC	ISAF Joint Command.
ISAF	International Stability Assistance Force.
KAIA	Kabul International Airport.
MoD	Ministry of Defence
MoE	Ministry of Education
MoI	Ministry of the Interior
MoPH	Ministry of Public Health
MoWA	Ministry of Women Affairs
NABDP	National Area Base Development Program.
NAPWA	National Action Plan for the Women of Afghanistan.
NPP	National Priority Programme.
NSP	National Solidarity Program.
NTM-A	NATO Training Mission Afghanistan.
OHCHR	Office of the High Commissioner for Human Rights.
PRT	Provincial Reconstruction Team.
RC	Regional Commands (Capital, North, East, South, Southwest, West)
TF	Task Forces.
UN Women	UN Women.
UNAMA	United Nations Assistance Mission in Afghanistan.
UNDP	United Nations Development Program.
UNIFEM	United Nations Development Fund for Women.
UNSCR	United Nations Security Council Resolution.
USAID	US Agency for International Development

CHAPTER SIX

THE STATE OF WOMEN'S EDUCATION IN AFGHANISTAN

Humaira Haqmal

ABSTRACT

Under the old order, with its rural patterns and pernicious tribal culture and its harsh, cruel, chauvinistic despotism and precious little to enjoy in the way of culture, Afghan women were, and indeed still are, deprived of the most fundamental social and human rights and freedom. This deprivation in turn deprives society of development, especially as regards consolidating the basic functions of education. Another fundamental reason why women are deprived of their basic human rights is the lack of security and the long-running wars that still drag on in Afghanistan. Even now, warring factions still concentrate their activities on closing down and burning schools, depriving women of their education.

At present, International Security Assistance Forces are deployed in Afghanistan.

When these international forces withdraw, they are unlikely to leave behind them a government that is sound, democratic for all and politically stable, something which is a cause for concern and indeed fear, among Afghans in general, and women in particular.

Key words:

Education, war, security, male chauvinism

■ EDUCATION AND SECURITY FOR WOMEN IN AFGHANISTAN

Education is one of the fundamental topics for discussion in today's societies, and especially in developing societies. The practical subjects of this research seem simple enough, and we can affirm the importance to women of learning science, and education in both dangerous and calm situations, irrespective of the kinds of threats or physical and psychological dangers or of there being the time, opportunities and significant facilities for learning.

Nevertheless, the subject of education is not so simple. It is, however, a right accorded to all persons under national and international law. In practice, research methods differ from one country to another depending on the political, social, economic and cultural circumstances of each. We shall endeavour to apply the rules of Afghanistan, but first of all it is important to distinguish the definitions used in the research.

■ Education

Education is unquestionably the fundamental basis of social work in the community. Education offers a bright future to us all. Access to education is a right of every human being, particularly women, irrespective of race, family, language, social standing, etc. Education represents a change to and an advance in the mental and social ability to investigate, think and practise. According to a famous scientist and doctor from the Islamic world, Abu Ali Sina Balkhi, education means planning the community's activity for the health of the family and the growth of the children in a society throughout life and after death.

We all know that the root of the fine green plant of modernisation is in the soil provided by education. The importance of education in modernising life is so clear that it does not require explanation.

■ The right to education under the rules of Afghanistan

In Afghanistan there are no legal obstacles to women studying. According to Afghanistan's Islamic laws, all persons may study and men and women have the same rights. Women, in fact, are actually granted certain privileges. According to the tenets of Islam, someone who has three daughters or sisters and brings them up well will go to heaven. According to Article 21 of Afghanistan's new constitution, any type of discrimination towards men or women is forbidden; the right to education is the same for all citizens of Afghanistan. Articles 43 and 44 of the Afghan constitution state that all Afghan citizens have the right to education. Article 43 provides for free public

education up to degree level. The government is responsible for providing all educational opportunities to the Afghan people, particularly in the field of teaching national languages. Article 44 of the Afghan constitution focuses on women's education. The government is responsible for promoting education for women, improving education programmes and applying appropriate measures for education and to combat illiteracy in Afghanistan.

It is clear that all Afghans have the right to study, and no-one can deprive them of this right. Regrettably, however, many problems remain, such as the lack of security - a major reason for not being able to exercise the right to study.

Impeding women's right to education is an offence under Article 35 of the constitution, subject to six months imprisonment.

However, in contravention of the Afghan constitution and Islamic law, women encounter many problems due to misguided customs, which prevent them from making proper use of these rights. In the Afghan community nearly 90% of the population is illiterate.

Regrettably, the majority of these are women, and this is the responsibility not only of the Afghan government or the international community, but also of educated women, who must co-operate with their community and help their sisters.

According to its M.D.G. (Millennium Development Goals), the government aims to have 100% of children attending school by 2015, 50% of them girls.

There are many problems in the way of attaining this objective. The ineffectiveness of schools in the country –especially girls' schools–, the lack of security and the lack of facilities are major reasons why girls drop out of school. The effectiveness of schoolteachers may be another reason. The right to education is established in international documents, particularly in the Universal Declaration of Human Rights and the Convention on the Elimination of Discrimination against Women. The introduction to the Convention (of 18 December 1979) notes that the United Nations Charter establishes equal rights for all human beings and the principle of non-discrimination.

To resolve these concerns, the countries signing the Convention decided:

1. To guarantee women's right to equality with men in professional education.
 2. To grant the same rights as to men in the education sector, with the same resources.
 3. To strive to promote training and review of curriculum contents in books and courses.
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4. To enable women to acquire scholarships and educational benefits.
5. To plan for women's education and literacy in order to narrow the education gap between men and women.
6. To commit to reducing the school drop-out rate among girls.
7. To provide information for special education, including family planning.

Also, the Universal Declaration of Human Rights, in Article 26 concerning the right to education, states that all persons have the right to education.

In the second paragraph we read that education must be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.

In conclusion, it can be said that the right to education is the same for both women and men. Nevertheless, for various reasons, Afghan women have been deprived of their rights. In 2000 many obligations relating to girls' and women's access to education were assumed at a worldwide level, in the Dakar World Forum on Education, which was attended by 180 countries. They undertook to ensure that by 2015 all children would be in school.

Since then, much attention has been given to education, but there are nine countries that still lag far behind. One of them is Afghanistan, where only 51% of boys and 44% of girls go to school. According to world reports on Afghanistan, in 2002 37% of boys and 18% of girls attended school, but in 2007 65% of boys and 35% of girls were in school. Regarding the current situation, according to a publication of the Ministry of Education, in 2012, 8.39 million children were in school, and 39% of them were girls.

■ **Definition of security**

Security, according to the constitution, is the absence of violence. John Mars says: "Security means being free of dangerous violence". Arnaldo Wolfar says: "Security is the absence of violence at work".

And in its psychological dimension: "Security is the absence of fear of attacks on the values of life".

Dominic David also defines it as: "creating a space in which someone is not in danger". This can be created with the help of the military. A country's national security is the wish of its peoples. And sincerity and rules are the only way to achieve security. We must not forget that security is the only way to achieve a country's objectives. The results of the existence of rules and objectives are: honesty and progress on the economy and education.

■ Review of the situation regarding women's education to 1978

Afghanistan is an ancient country in which education has been imparted in accordance with tradition and with the prevailing situation at any given time. Girls were not educated at school but by educated persons, mainly family members. This education had no official standing; in other words they were taught in religious centres, at home, in the Royal Court, etc. In the second period of the government of Emir Shir Ali Khan, reforms were undertaken in several areas, and considerable attention was also given to education. Two military schools and a modern civilian school were established. During the reign of Emir Habibullah Khan, only one military school and the Habibia school were active, and they were attended only by boys, while adults studied at home. In some important families, women studied at home under a domestic tutor, father, brother, uncle, etc, learning subjects such as literature, geography, arithmetic, etc, and it was these women who, during the reign of King Amanullah from 1919 onward, were employed as teachers in girls' schools.

During the reign of King Amanullah (1919-1929), much attention was given to women's and girls' education, with central and provincial schools being established and special schools for girls opened. 1923 saw the passing of the country's first constitution, which acknowledged the right to education for all citizens of Afghanistan, and also established that education was free for all and primary education was compulsory.

During this period particular attention was paid to the role of women in social life and development, and the process of liberating women as equal citizens began. To this end the school for girls and the Naswan Association for Married Women were established. The first Naswan school was established in 1921, administered by the King's sister. Queen Soraya (King Amanullah's consort) took on the administration of the school in Kabul with the help of a number of outstanding women. This period also saw the launch of the magazine *Ershadul Naswan*. The Queen also established a special hospital for women in Kabul in 1924. Amanullah Khan, among his social reforms, sent girls to obtain higher education in medicine and nursing in Turkey. He not only prohibited forced marriages and child marriages, but also imposed constraints on the practice of polygamy. He also established minimum ages for marriage: 22 for men and 18 for women.

Despite the problems of the time and the threats that King Amanullah received in his struggle against the traditionalists, the government's programme of reforms was a special achievement for women's rights.

One brave Afghan woman was prepared to go to prison in her quest to free Afghan women from the veil or the *chadori (burka)*, she stood up in the Loya

Jirga and removed her *chadori* from her face, tore it in front of the members of the Loya Jirga and declared the freedom of Afghan women.

This brave woman, who fought throughout her life for the emancipation of Afghan women, especially in the twentieth century, was none other than Queen Soraya, daughter of Mahmoud Tarzi and wife of Emir Amanullah Khan, who, together with her husband, carried out the great reforms offering women relative freedom, such as the establishment of the Naswan Association referred to above, the publication of special magazines for women and the establishment of girls' schools.

Ghobar writes in his book *Afghanistan in the Course of History*, in 1921, that on the day Queen Soraya spoke in a meeting of the women of the world and how far behind the women of Afghanistan were, the women present at the meeting wept in sorrow. And fifty of them volunteered to teach and founded the first school for Afghan women. The Queen was so impressed that she also took on the role of inspector of Mastorat school.

King Amanullah strove to establish modern education for women in the centre and in the provinces of Afghanistan. Finally, the actions of the *reformist king* raised the ire of the traditionalist forces and he was faced with enormous challenges. He passed numerous laws on equal rights for men and women, but unfortunately many of them were repealed after his abdication. Apart from this, in view of the angry reaction of the opposition, subsequent kings took greater care and gave less attention to equality between men and women and the increase in women's activities in social, political, economic and cultural areas.

With the fall of King Amanullah, the promotion of women's advancement faced many threats, and the schools closed their doors to Afghan women and girls. Modern education disappeared with the coup d'état of Emir Habibullah, known as "Bacha Saqaw" (the water-carrier's son). Once again Afghan women and girls were kept out of education.

From 1930 onward, boys' schools began to be opened. Girls' schools, however, were closed. In 1932 girls' schools were opened once more. Education developed little by little, but not in a balanced way. Later, on 10 December 1948, the Afghan government signed the Universal Declaration of Human Rights, which mentions the right to education.

Opportunities for women increased dramatically in the 1950s. They were included in the labour force dealing with the public and in government offices. As regards higher education, they were able to attend university either in Afghanistan or abroad, and during this period they also had opportunities

to take part in Parliament, in government ministries and in drawing up the constitution of 1946, which grants women the same rights as men. Despite these measures, modernisation progressed very slowly. However such progress as was made was strong and effective.

During the presidency of Sardar Mohammad Daud Khan in the 1960s, the education which had begun in the past was developed, and a large number of Afghan girls and boys had access to schools. They studied together at university and went abroad for higher education. Female Afghan teachers taught university students medicine and public health. A large number of women graduated from the Kabul Faculty of Medicine.

Women served the country. In all, hundreds of thousands of educated women and hundreds of thousands of girls were busy learning and educating themselves in freedom and in a democratic atmosphere in the capital and the provinces of Afghanistan. At the University of Kabul thousands of women and girls were busy studying the specialities of medicine, law, literature, journalism, education, economics, science, agriculture, fine arts, religion and other fields of knowledge.

■ The situation regarding women's education following the Revolution of 1978

During the regime of the Democratic Party of Afghanistan, Afghan women were in a worthy position, as they had been during the regime of Mohammad Daud and before. Together with men, women could pay to obtain education, and took part in social, economic, cultural and political activities, playing an effective role in developing the various life processes. At this stage great importance was attached to women's learning and education, and the path to making this vision a reality was very quickly set out. Regrettably, this was followed by undesirable results in the most reactionary sections of the people of this country of traditionalists.

From 1978 to 1992, women played a very positive role, actively participating in manufacturing, education, politics and cultural activities.

In the 1980s women accounted for 70% of teachers and 40% of doctors, as well as 50% of public sector employees.

The Education Programmes gave much attention to women and girls who had dropped out of school, and also to the situation of girls' and women's education. They were allowed to raise their level of education, and encouraged to go abroad to pursue their higher education, as a result of which they gained considerable knowledge and experience. However, for the first time, suspicions arose to the effect that Afghan women were associating

with opposition political groups whose members were being tortured in the country's prisons. Also with the parents, brothers and sisters, husbands and other relatives of girls and women who were in prison accused of political crimes. Persecuted by the current regime and confronted with threats and investigations, women in rural areas, together with other civilians, were subjected to continual harassment.

Further illegal acts, which were followed by civil war, led to women being deprived of the right to participate in the country's social, cultural, economic and political life. Women and children were exposed to attacks with artillery and other weapons including tanks, armed conflicts, kidnappings and rape and lived in a state of extreme stress. Millions of affected Afghans, the majority of them women, regrettably found themselves having to seek refuge in neighbouring countries. Most of them, given the lack of even minimal services for internal migration, were in a desperate state. The civil war had been so terrible that they were obliged to make material and spiritual sacrifices, and most of these were made by women.

In the Islamic system, with the jihadist parties, women and their rights were threatened and put at grave risk. Women suffered more than any one else, not just through losing a husband, brother or son in the war between the Mujahedin factions, but also because they were threatened or taken captive when they left their homes by groups of armed jihadist men who abused them. They suffered insult and humiliation, and if raped alone, being subsequently thrown onto streets or bridges and shot dead. The population witnessed hundreds of thousands of shameful acts and crimes in Kabul committed by the armed groups of the jihadist parties. One is almost too ashamed to write this.

Regrettably, as well as domestic violence against Afghan women, group violence, ethnic, linguistic and religious, in the period of the jihadist regime starting in 1992, is perhaps unique of its kind in the world. Sadly we must remember that, when the jihadist groups entered Kabul starting the internal power struggle, women suffered the most brutal violence at the hands of armed men, which reached a state which words alone cannot describe. In various parts of Kabul, especially in areas such as the narrow and stony Khot-e-Sangi, Karta-e-Chart, Makroreyan and Debory, crates full of women's bodies were seen, body parts were pulled and others were forced to eat them at gunpoint so as to instil terror into the population.

Other crimes committed by armed groups included attacks on women's mental hospitals, whose inmates were raped. In Day Dana, Karta-e-Se and Karta-e-Naw, –the residential areas of Kabul,–there were widespread sexual assaults on elderly women who were protecting their homes, without regard

to their age, and there were reports of many virgin girls committing suicide out of fear of losing their honour to the attacks of the jihadist commanders. In Makruryan-e-Sewom, a girl who had been attacked by one of the jihadist commanders who then wanted to abuse her in her home, committed suicide in order to preserve her honour, throwing herself from the fifth floor of a building. The following day the people protested, and some went to the Professor Rabbani's presidential palace to voice their opposition to these crimes, but gunmen opened fire on the demonstrators, wounding several people and silencing the protest.

The Afghan people, and especially the people of Kabul, will never be able to forget the destruction, murder, kidnapping, robbery and rape perpetrated by the criminals who held power, or the intensification of conflicts over life, property, language and ethnic minorities during the jihadist regime..

Such were the scandals of the jihadists' standards, which lead to the arrival of the Taliban regime, headed by Mullah Muhammad Omar. The Taliban were more fundamentalist than their predecessors such as Professor Rabbani, Professor Saiaf, Sheikh Alhadis Mohseni, the studious Professor Khalili or engineer Hekmatyar. Having seized power, the Taliban applied the rules established during the rule of the Mujahideen in Afghanistan, and made them even stricter.

With the adoption of the rule "amer bil ma'roof wa nahi anel munkar" (doing good and forbidding evil), women found themselves deprived of education and studies, with the doors of schools and universities closed to them.

The Taliban forbade women to leave home unless accompanied by a male relative, and deprived them of the right to work in government or non-government departments. The rules governing the cutting off of a hand and a foot flourished under the religious extremists, and the sports arena became a human butchery. Women were prohibited from visiting male doctors. Bus and taxi drivers were not allowed to carry unaccompanied women, and those with no-one to accompany them, with widows suffering greatly as a result. On top of this, bread became almost impossible to buy. Some women had lost their families in the civil war and girls under ten years of age dressed as boys in order to be able to leave their homes.

The arrival of the Taliban regime, the more so as it was to some extent foreign interference in internal Afghan affairs, was a tremendous imposition on the Afghan people, and especially on women. The Taliban extremists came to put an end to the Mujahideen regime, which had had the objective of creating secure and stable conditions in which to take control of the country.

To continue using a greater source of uncertainty, not just in Afghanistan, but creating a worldwide network of insecurity. They played an important role in the terrorist attacks of 11 September 2001. The thinking of the Taliban meant not only that Afghan women had to endure terrible suffering, but also made the world focus on the ugly face of terrorism in the name of Islam, the religion of mercy, which sought to justify itself by devotion to the religion.

The Taliban forbade women to take part in public life and effectively confined them to their homes. In this dark, dark period, proud women who gloried in Afghan liberty once more made valiant contributions to freedom and, in heroic combat, those who were caught without the veil, the symbol of shame and humiliation they called the "Islamic hijab", suffered beatings in the streets.

The veil, we should make clear, was popularised in Kabul by Afghan nobles or aristocrats who had emigrated to India and the families of clerics in the late nineteenth century. It arrived in Afghanistan and its use was later promoted among urban women under an authoritarian regime gradually extended into the twenty-first century by clerics who thought that this kind of *chadori dolaq* was a sign of distinction or preference, of an aristocratic and spiritual family. So in other words the veil was never chosen because of Afghan or Islamic customs.

Afghan women used large veils and good, coloured clothes, and regarded it as a symbol of chastity, (Five-Year *Daily Review*, issues 3 and 4, Sanbula and Aqrab 1383). The odious behaviour of the Taliban has given rise to a worldwide revulsion against a senseless phenomenon, not only for the women of Afghanistan but for everyone in the world, symbolised by the damnable acts of these vile terrorists. This government was not in accordance with the religion, and people were not in agreement with its unjust political, economic and cultural rules.

■ **The situation concerning women's education after the fall of the Taliban: renewed hope and promise**

During the twentieth century, conflicts and disputes about women's rights and the role of women gradually established a central place in Afghan society and national life. Women not only suffered to uphold the dignity of their families, but also to be a symbol of opposition and pride of their nation.

The issue of gender is an important one, which for the past hundred years has been at the forefront of Afghan politics. Those opposed to women's rights considered that the reform measures adopted in this regard were non-Islamic acts leading to the loss of virtue and sanctity of the family and reproached women for it. In the years of conflict, the lack of security for women was caused by the extremists, who attached no value to women's role in society.

These ideas were propagated more and more and throughout the period of war, women were subjected to serious human rights violations. The restrictions imposed on them as regards transport made it impossible for them to access basic services such as healthcare.

With the fall of the Taliban regime in November 2001, Afghanistan acknowledged the idea that women form half of society.

The early stages saw the signing of the Bonn Agreement, which stressed the role of women, giving rise to the setting up of an exclusive governmental organisation: the Department of Women's Affairs. The bases of a strategy were established, along with the phases for accommodating the growth and development of the characterisation of women in the framework of national development.

The fall of the Taliban, following a long struggle, gave rise to some positive changes in various areas of Afghan life, especially women's lives. The vast expanse that is Afghanistan once more bears witness to how, with the fall of the extremists, Afghan women emerged from political isolation and succeeded in taking part in public, social, economic and cultural life, how they regained access to education and employment and, to a certain extent, shared in decision making and in the peace and reconstruction of the country. With the advent of new means of communication and the opening of educational institutions and education and professional association the role of women has been expanded.

The main changes that the new situation brought women included their participation in the process of drawing up the constitution of 2003 and also entry to the Upper House (Wolesi Jirga), where 64 of the 250 seats are reserved for women, in accordance with the constitution. According to section 3 of Article 84 of the Afghan Constitution, the third institution, the group of members of the Wolesi Jirga chosen by the country's President, comprises persons with experience, among them two members of the disabled and two representatives of the nomads, fifty percent of them women. In accordance with Article 83 of the Constitution, in line with the average population of each province, at least two parliamentarians of each in the Lower House (Meshrano Jirga) are women. 25% of the seats in the Wolesi Jirga and 17% of those in the Meshrano Jirga were therefore assigned to women. Article 22 of the country's new constitution prohibits any kind of discrimination among citizens of Afghanistan, and men and women have the same rights and duties. Women have also been assigned cabinet positions: in the Ministries of Women's Affairs, Health, Labour and Social Affairs, Martyrs and the Disabled. The Independent Commission on Human Rights and the Saramyasht (Office for Support in Disaster Situations) were entrusted to women.

Afghan women, whether educated or illiterate, have spoken up in the struggle for human rights. In the first Loya Jirga, 11% of delegates involved were women. This figure has since doubled and continues to increase. 44% of voters in the presidential elections of 2004 were women. 25% of delegates to the *Peace Loya* of 2010 and 25% of delegates to the 2011 Loya Jirga were women.

The new constitution is the most important guarantee of the position of women in all aspects of Afghan society. Adopted on 4 January 2004, it prohibits all forms of discrimination among citizens of Afghanistan. It also establishes the commitment to give Afghan women greater prominence in education programmes and medical facilities. However, the threats against their presence in society have also increased. Before the Mujahideen and the Taliban, women had been active in the field of mass media, and are so now once more. At first, in the area of media and publishing, there were some thirty magazines for women published in Kabul and other provinces, and this figure has since increased.

Although the new Afghan constitution is laudable in granting equal rights to women and expanding their participation in politics, implementing and executing it is perhaps one of the most important challenges facing Afghanistan. Apart from this, the lack of security has not only been an impediment to development and rehabilitation in Afghanistan, it has also proved a serious obstacle to women's advancement. Many women and girls are unable to go to school, and some have been murdered or suffered physical and psychological violence in schools.

But security is not the only significant problem or challenge to women's participation in various fields and to their making full use of their rights. The different types of controls in the country, the culture of complacency and women's way of life have limited their role in civil, cultural, economic, political and social life at all levels of society. Women feel they are victims of gender-based violence, whether stemming from past conflicts or from the persistent lack of security or by reason of the political conflicts and instability in Afghanistan.

The high rate of illiteracy among women and girls is not just a challenge and an obstacle to their participation in all aspects of society, its also jeopardises the situation of the individual, the family and the welfare of the community. To the extent that freedom, democracy, human rights and equality for men and women are now being openly discussed, it would seem that everything is on the right track towards being achieved in accordance with the objectives.

Regrettably however, life for Afghan women today is, in many cases, tragic and sad. Hanging over them is the odious, sinister shadow that envelops the

thinking and ignorance of some individuals and groups that have obtained large amounts of money by raiding the public coffers and from drug dealing. These people are trying to prevent Afghan women from moving forward, and want to keep them under an unjust oppression.

The centre of the country is well prepared in the fields of primary education, and there are a few positions occupied by women in the city, but in other provinces and outlying areas of the country in both rural and urban zones, women still find themselves deprived of all natural and human rights. Certain groups and persons devoid of all human morality are involved in kidnapping, rape and human trafficking, –with girls even having been offered for sale in foreign markets, particularly Pakistan and the Gulf states – as well as forced marriage. Due to the existence of these groups, Afghan women and girls have to remain prisoners in their homes in order to protect their honour and reputation, and they are obliged to hide their faces and eyes from these despicable thugs.

■ RESEARCH INTO THE EDUCATION AND SECURITY OF WOMEN IN AFGHANISTAN

■ Introduction to the research

Human beings are obliged to prepare the place where they live. Our curiosity will always see us try, with our abilities as they are and through the use of our intelligence, to destroy the curtain of dark thoughts from times past and, observing the reality of a thousand years ago, to see that the world we live in is progressing day by day. This development and transformation of life is possible with the help of intelligence, opportunities and facilities attained through family, society and government. Education is the real strength of people and government, because education means growth, development and progress in the physical, social, psychological, speculative, mental and technical capacity of humans.

The right to education is a way of developing economic and social rights, since education is crucial for access to a better standard of living, the eradication of poverty, combating child labour and generational equality. Education helps women to play a full part in the country's social and political life. This right can also be assured in other ways, and here access to healthcare, economic growth and significant and progressive social development can be of help.

- *Main purpose*

This research paper presents the following main objectives:

1. To search for and ascertain the causes preventing women from having access to education in Afghanistan despite the efforts of the countries involved and of international society.
2. To present the results of this research to the foundations, organisations and, in general, international society, with a view to their continuing with their collaboration as hitherto in the field of women's education until such time as women can acquire the full wealth of education and participate in the country's progress.

- *Necessity and importance of the research*

In recent years Afghanistan has been faced with significant problems of illiteracy, especially among women. Regrettably, scientific bodies and researchers have not given much attention to this serious matter; in fact they have done little work on it or have studied it from a limited perspective. Also, this work has only been accepted by a few, and read by even fewer people who are in a position to accept their conclusions and diagnoses of the factors currently impeding women's education: wars, the lack of access to sound modern methods and the lack of strategic programming by governments and political groups. Therefore we need to research the importance of women's education and the factors preventing it, as well as security and women's access to education in Afghanistan. This research has been carried out impartially.

- *Method*

We shall attempt to study security in Afghan women's education, using scientific and academic methods in two aspects: theoretical and scientific. Of course, in the theoretical research we used internal and external current sources, in order to explain the matter clearly, then questions were prepared, after which the scientific (practical) research started.

In the scientific research we held meetings, sent out questionnaires and conducted interviews, so as to obtain ideas and points of view from people to illustrate the real social situation. In this way we sought to obtain reliable results.

- *Social statistics*

In this research we sought to ascertain the reasons for women's lack of access to education and the lack of security necessary in order to be able to study in Afghanistan. These social statistics should cover the whole social spectrum of Afghanistan, but this was not possible due to lack of time and security problems. We have statistics for Kabul society only. Kabul has 14 districts and 18 neighbourhoods, of which we researched only 5 districts.

- *Area of study*

The study area is confined exclusively to the province of Kabul, including several of its districts. In each neighbourhood we presented a number of questionnaires based on its population. The third district turned out to be the one with the most questionnaires (157) while the eleventh district was the one with the fewest (21) (see Table 6-1)

Table 6-1. Areas of study, number of women interviewed and percentage

Areas of study	Number of women interviewed	Percentage
Third district	157	31,4
Fifth district	131	26,2
Ninth district	102	20,4
Eleventh district	21	4,2
Sixteenth district	89	17,8
Total	500	100

- *Ages of the women interviewed*

The ages of the women interviewed were divided into three groups (see Table 6-2).

1. Women aged between 16 and 35.
2. Women aged between 35 and 50.
3. Women aged over 50.

Table 6-2. Number of women interviewed by age groups

Groups	Number of women interviewed	Percentage
Between 16 and 35	250	50
Between 35 and 50	160	32
Over 50	90	18
Total:	500	100

- *Data gathering methods*

In order to acquaint ourselves with the subject of the research, we started out from a situation in which the importance of women's education was very limited. The quantitative method is a normal method used in social sciences for obtaining data. Quantitative research is an approach used to obtain this data.

The data was requested from specific groups of people who responded to the questions, which were similar for all. These responses form part of the research data. This system is a very simple form of social research. Direct questions and interviews were used which are ultimately another way of asking the questions. In the discussion section, extensive use was made of the internet, books and other written sources. In the research questionnaires the questions and answers were in writing. Among the auditors of the research are people with extensive knowledge of women's education, representatives from the government and from private sector bodies.

- *Calendar*

Table 6-3. Calendar

Phase	Date	Working process
1	From 15 December 2011 to 5 January 2012	Delivery of questionnaires, proposal of basic questions. Research assumptions and rules for the questionnaires
2	From 6 January to 30 January 2012	Research by areas
3	From 1 February to 15 February 2012	Computerisation of data

- *Educational level of the women interviewed*

They were classified into six categories: illiterate, literate, graduate, higher degree, masters and doctorates (see Table 6-4).

The small number of women with doctorates interviewed reflects the very small number of women with that qualification in the country.

Table 6-4. Number de women interviewed by level of education

Level of education	Number of women interviewed	Percentage
Illiterate	38	7,6

Level of education	Number of women interviewed	Percentage
Literate	96	19,2
Graduates	275	55
Holding higher degrees	63	12,6
Masters	21	4,2
Doctorates	7	1,4
Total:	500	100

- *Questionnaire*

The specific research questions were:

1. Is security essential for education?
2. Do men and women have the same rights?
3. What are the factors causing the lack of security and the lack of education for women?
4. How can we guarantee the security of women's education?
5. How can we bring down the high level of illiteracy among Afghan women?
6. Can women with education make the country or the community advance?

Assumptions:

1. The lack of security and many other factors impede women's education in Afghanistan.
2. Women's education is very important for our country.
3. Education is a cause of progress, promotion and development in women's lives.
4. Education is a motive for attaining gender equality and social mobility.
5. Educated women are very active, and take part in various activities.
6. Identifying the factors of lack of security in women's education may help in reducing this problem.

- *Problems with the research*

Researching data on social culture has always been faced with problems, and this research was no exception. At no time did these problems affect our determination to attain the objective. The main problem we encountered from the start was the lack of written source material on the subject, much of which

unfortunately still remains to be researched in our country, no international organisation having worked on this kind of research.

The second obstacle to our research was the social educational level, which is painful to observe and caused us heartache, and the women's and girls' lack of interest in the research phenomenon.

Two statistical groups here showed important differences: those with a high level of education were reluctant to answer due to a mistrust of strangers. And in some cases they treated the researchers very badly.

This comes as no surprise. It is a result of the continual wars in our country, which has led to a culture of war that is opposed to peace and conciliation. The lack of security may be the only reason for this behaviour. It illustrates how badly social culture is needed.

The other group, who were illiterate, thought we wanted to help them, which is why they answered our questions.

We were unable to investigate more deeply for lack of time.

■ Research procedure

- *Information on research data*

Table 6-5. Reasons why Afghan girls and women do not have access to schooling

Factors in lack of access to education	Number	Percentage
The family does not allow it	173	34,6
Lack of security	126	25,3
Lack of access for girls	111	22,3
Family's weak financial situation	90	18
TOTAL	500	100

The data makes it clear that the family is the main factor preventing women from having access to education.

The reasons for which a boy and especially a girl can or cannot be included in schooling depend directly on the situation of the family and the allocation of responsibilities within it.

In general, the decision-making power rests with the head of the family, who is always a man. But this decision making is influenced by special factors

concerning how family opinions are formed as to whether or not girls go to school, which in turn are heavily influenced by social norms.

In the opinion of intellectuals and from the point of view of men, the present structure leads to social and cultural discrimination against women. The kind of mentality regarding the nation's boys and girls which attributes great value to males and very little to girls, who are submissive and resigned. Some psychologists say that it is this lack of attention to women on the part of families that produces a male-orientated society in which men hold all the power while women stay at home with their mothers.

Boys and girls are brought up differently, from birth, and there is no concept of equality in people's attitudes towards their sons and daughters. The weight of culture and custom still prevent the country from modernising. In the traditional system, a woman is not free, and lives not as an independent person but as the wife of her husband and the mother of her children, while a girl lives as the daughter of her father and the sister of her brothers. She is not thought of as an independent person, but always as an adjunct to a man. Even nowadays, social customs make it impossible to imagine women as equal to men, and lawmakers still take no account of society's evolution over time. Our society is part of our religion: both the lawmakers and people in general see men and women as different. Some parents, especially in remote places in the provinces, follow the bad local custom of not allowing their daughters to go to school. These parents, who attach very little value to the education of their daughters, prefer them to stay at home doing housework rather than going to school. Other reasons for parents not allowing their daughters to go to school include other acts of physical and mental violence, such as harassment on the way to and from school and at school, acid attacks, kidnappings, doping and in some cases even killing groups of girl pupils.

Another reason why girls are not allowed to attend school in remote rural and provincial areas is the parents' mentality, which requires them to be imprisoned in terms of access to education. They prefer that, instead of going to school, the girls work in the home and help their mother.

The majority of Afghan parents are indifferent to girl's cultural aspects and in many cases opposed to their being educated. These conservative parents are of the opinion that official education in school has a perverse effect on our girls' morals and that this perversion is poisoning our society, because girls and women are the sources of family veneration and standing. In the provinces, with official education, sons are taught to develop themselves within society. For generations of peasants, the old objective is maintained whereby girls have to be wives and mothers and boys help the family, so they are kept from education.

Forced child marriage is another social problem impeding girls' education. Women and girls can continue learning so long as they are under the family's

responsibility, increasing their knowledge day by day, but when they marry, they take on many responsibilities in the home and abandon their studies.

In 2003 the UNICEF office working on education said that girls' education in Afghanistan is at a low level and that ways should be sought to resolve and change this situation. In the positive research on education that they conducted with women and men in the whole social group, they conceived and accorded value to an educational route map for girls and boys. With regard to girl's education, one very important finding was that illiterate fathers tend to be opposed to education, they being in many cases the first person with the power to decide whether to allow girls to go to school, without any clear reason being given for the objection.

Other causes of illiteracy, which affects nearly 90% of Afghan women, are poverty and the lack of jobs, the long war and its consequences, all of which increase enmity and hatred. These were also reasons for marrying their daughters prematurely, in order to obtain large sums of money, "*toyana*" or *dowry*, as well as matchmaking. These defenceless, innocent girls are also handed over in compensation for criminal acts (killing, rape and reputation) of their parents, brothers, uncles and cousins.

As part of the situation we refer to, according to world medical research, 75% of forced marriages in Afghanistan involve girls under 15, representing another reason for dropping out of school.

The data illustrates something else: that within families there are many reasons for girls not going to school, and that the possibilities, facilities and services provided by the government are also inadequate. All in all, the lack of effort, use of energy and inequality between boys and girls at school and the great distances between school and home are other reasons which stand in the way of girls' receiving education.

The shortage of female teachers, only 28% in 2005, has improved, according to the latest information from the Afghan Ministry of Education. In 2012, 38% of the 190,000 qualified teachers were female. The total number of schools is 14,100, of which 50% are usable. Ten years ago there were just 3,400 schools with 2,000 teachers, and a million pupils had access to education.

■ Conclusions of the research

- *The lack of security and its effects on women's education*

During the 1970s, schools had become an ideological battlefield between the forces of the previous government and the Islamic organisations. After the

1978 coup d'état, the first thing to be sacrificed was the education system. It had been started by the People's Democratic Party of Afghanistan (PDPA) which, from the outset, had placed great importance on schools and adult education programmes and had increased the number of girls receiving schooling. The government used the education system, and wanted to consolidate its situation, to which end it sent more than 50,000 people to the USSR to be educated (country evaluation report, *UNTA 1978*, page 24). There was a serious reaction to prevent it, leading to resistance against the government. Most things relating to education were attacked, and they broke with the Mujahideen. Both the PDPA and later the Mujahideen used the education system for their own ends.

The quality of education deteriorated sharply, and in remote areas there was much suffering, with many female teachers being killed and schools destroyed. Once again, in 1983 the Ministry of Foreign Affairs announced to the United Nations that 50% of Afghanistan's schools had been destroyed.

In 2003 the Asian Development Bank (ADB) confirmed that 80% of all schools had been damaged or completely destroyed and, according to information of the Presidency for Security and the Ministry of Education, in 2009, 481 schools in various provinces of Afghanistan had been burnt down and closed by the insurgents. In conclusion, 300,000 pupils have been deprived of education. Governments and political groups have used centres of education and schools, particularly girls schools, for their political ends and ideological posturing.

The years of war have had many negative and unpleasant effects on the education system. In 1935 primary education was official, compulsory and free. The constitution of 1964 guaranteed education, but it took many years to spread throughout the country. In 1975, many years before the war, only 11.4% of the Afghan population age six and over were literate, and men were much better educated than women. In the central areas 14.8% of men were literate, while among women in the provinces the figure was less than 0.6%.

The lack of security over so many years is a serious obstacle which, until now, has blighted the education system and the lives of Afghan women and girls. Security problems always originate and spread from the borders of Afghanistan, crucial positions for organisations seeking to establish security and combat criminals and terrorists from Al Qaeda, with the help of the United Nations forces, in order to achieve a stable Afghanistan. The security of the country's domestic and international airports is another primary necessity.

Keeping the entry and exit points open, and the most populated provinces - Kabul, Nengarhar, Kandahar, Herat, Mazar and Sharif - is also essential for security.

The elimination of drugs is another important issue that would help the image of security.

Keeping the country's secret documents from irresponsible persons and other intelligence networks is another priority, and one of the main tasks of the armed forces and security organisations. Priority characteristics for the development of military personnel are first class education, being equipped with modern weapons and adherence to rules. But regrettably, our armed forces are poor in all respects and have no access to any of these things.

The lack of security is an important factor directly or indirectly influencing girls' lack of access to schooling. This research reveals the lack of security not as an isolated variant, but as a factor influencing all other factors and upsetting the education system.

Although people have a generally positive attitude to girls' education, it is a controversial topic.

In late 2002 there were written reports of girls' schools being attacked and set on fire in some provinces. These attacks were intended to frighten girls in order to deter them from going to school. It was like the 1950s, when extremists rose up against girls' education.

In Kandahar acid was also thrown in schoolgirls' faces. This reaction was against schoolgirls who did not cover their faces and wore short skirts in Kabul, as in the 1970s.

In any case, these are not new developments, but situations that have been repeated over the course of many years; levels of insecurity and violence in society are very high. If this process were to continue and be accepted, pupils' families would not encourage their children to go to school in remote areas.

Research into human rights in the country indicates that worry about lack of security is one of the factors impeding girls' access to school and education. There are also many families who would like their daughters to continue their studies, but who need the means to protect their girls and ensure their safety on the way to and from school.

- *The lack of adequate access to schooling for girls*

Since the fall of the Taliban regime there has been an increase in the proportion of girls in school, but nearly half of them still do not attend school. There are many differences - regional, urban and tribal.

Another factor impeding girls' education is the lack of special schools for them; the lack of female teachers and the persistence of social and cultural factors which also have an effect on continuing one's studies. Enormous damage is caused by insurgents who regard schools as targets, and believe that culture and education are unnecessary and harmful to girls. In Afghanistan there are many obstacles and, depending on the particular places and attacks, in some areas women live in great fear, while in other places this is not the case.

However, in some areas there are cultural impediments to the free movement of women, as a result of which absenteeism increases. Another cultural problem is that if the teachers are not women, families will not allow their daughters to attend school. In many places in Afghanistan, girls' schools are separated from boys' schools. Only 12.3% of schools are girls' schools. There are also significant geographical differences, with 30% of schools located in Kabul. In some provinces there are no girl's high schools at all. Until 2007 Wardak, which is one of the country's central provinces, had no high school for girls. That year Turkish NATO forces built two schools. One year later in 2008, in the face of incessant threats from the Taliban, and despite the fact that the principal of one of the schools was a man, they closed.

The great distances involved is another major problem preventing girls from going to school. While 29% of peasant parents refuse to send their daughters to school because of the distances involved, 24% do so because the girls' schools are not separate from the boys'. To this must be added the lack of transport and poor facilities such as a lack of bathrooms, water etc.

The Asian Development Bank reported that nearly half of all schools have no running water and fewer than 15% have bathrooms for the children.

In the offices of Pamplarena, supported by Sweden, and those of Nejab, which is international, the model chosen by village women (especially a group of teachers of very young girls) was for ninth graders to teach the younger girls, supported by the female teachers. This type of female education enabled 48% of girls to go to school, since the teachers were women, in places such as Paktika, Paktia, Logar, Wardak and Ghazni provinces.

As shown in Table 6-5, of the total number of people interviewed, 111, representing 22.2%, said the lack of access to schools was a reason for the lack of education, although they would like to attend school.

According to the information in this table we see that the economic and social situation of Afghanistan is one of the reasons the percentage of boys in school is higher than that of girls. While it is very difficult for parents to accept that their daughters should travel long distances to school, on the other hand their financial situation does not allow them to use any other means.

According to the Human Rights Commission and others, of the 311 girls interviewed, 160 had no access to education because of the distance of the school or family customs.

Also, according to this Commission, in six of the eight central Afghan provinces researched, girls wanting to go to school and continue their studies have to spend between one and six hours a day getting there and back.

Pupils' sexual and psychological problems form the only essential subject for the Afghan family. Sometimes when girls are walking along they are harassed by men and boys, which is another reason for families not to let them go, and also the girls themselves are sometimes blamed for these attacks. In families that live close to the school, a male member of the family, generally an old man, usually accompanies them.

- *Weak family financial situation*

A family's financial dependence on men means that, since they can help the family in the future, great value is attributed to them, whereas girls, who cannot contribute financially, are considered inferior and are deprived of essential rights such as affection and education.

Without their sons' salaries most families are unable to meet the day-to-day costs of school, such as school uniform, books and other things, and have to ask for the cost of transport to be reimbursed. Some peasant families, because of their poor financial situation, are unable to buy the *chadori (burka)* for their girls who go to school; for in some places young girls must wear a *burka* and without it, their going out is a problem and a great source of shame that directly damages the family's honour. If these naïve, defenceless children wish to escape from this prison (*burka*) and be free, they lose the chance of an education.

Relatively speaking, the education of girl's education is increasing. In the final years of the past decade the attention of both families and government has been won. Previously there were many impediments to girls' and women's education; skill and aptitude for housework was the main purposes of their training. Over the past few years, education has had a positive effect on household economies and has also involved an exchange of ideas in the family and increased positive perceptions of women's education.

In the past, the father was the only breadwinner and the only person to spend money; the others simply ate. Today's social necessities have led to the whole family having to work and find sources of income. When women and girls are active and have knowledge, they are able to help their families, so it is

to be hoped that the situation will improve and women will engage in social, economic and cultural activities and occupy the place and position in life that corresponds to them.

The large sums of money that are paid as dowries is growing and leading to an increase in girls marrying prematurely. Because of the socio-economic situation in Afghanistan, in 2009 23% of boys and 10% of girls were unable to receive education because they were working.

The weak financial situation of Afghan families and the many difficulties in maintaining a subsistence livelihood are further reasons for girls being treated differently and for the unfavourable situation for educating their sons and daughters. Sons have greater value to families, as it is they who will support their parents. According to the results of the research carried out by the Women's and Children's Rights Research Office, in 2009, more than 10.3% of families, because of poverty, did not allow their girls to go to school. Poverty also prevented 10% of girls with various illnesses from being attended to by a doctor.

The information therefore makes it clear that poverty is a problem that exacerbates the harshness of family life, especially with regard to girls. According to the research on women and children, 46.3% of girls who leave home do so because of poverty, and also in the cases of child marriage, 4.2% complain of their families' poor financial situation.

According to our research, a total of 90 women, representing 18% of those we interviewed, said the basic obstacle to and cause of the lack of access to education for women and girls was the weakness of the family's financial situation.

- *New Ministry of Education of Afghanistan strategic planning*

Education and training are the main forces in achieving progress and prosperity for the whole society and country. If a society's education system or knowledge is properly and systematically established and children in the society are supported by specific systems and scientific and educational principles in acquiring the basic means of training and learning, this will form the country's basis for making individuals useful to society in the future.

The world's advanced countries attach great importance to education and training systems, and take care to ensure that the most appropriate scientific methods in the field are used, that they are appropriate to the time and that extensive research is carried out in this regard to obtain the best methods, which are periodically renewed. Afghanistan is one of the countries in which

training and education show such low levels, for obvious reasons such as the long years of war and the damage this did to progress.

Of course the efforts made by government and private institutions in recent years to rebuild the educational system and promote the level of science in the country have been very honourable and there are hopes that they will increasingly cover more ground.

In recent years, the Afghan Ministry of Education has made an effort to promote the creation of a national education strategy, in parallel with a Strategic Plan for the Development of Education in Afghanistan organised from 1385 to 1389 (2006 - 2010) and from 1389 to 1393 (2010-2014)⁽¹⁾.

The Minister of Education, Doctor Farooq Wardak, has stated that the National Strategic Plan for the years 1389 to 1393 (2010-2014) represents a unified, global approach to facing the challenges of education in Afghanistan, where the challenges must be dealt with appropriately in order to achieve the educational objectives based on the Afghan constitution, in the National Development Strategy for Afghanistan and in the specific development objectives for the year 1399 (2020).

The Strategic Plan identifies the main objectives for education and, to increase equal access to quality education, has designed an integrated programme by means of a process of participation in and consultation on the plan with Afghan citizens at all levels, through education, training and the establishment of development paths.

The Ministry of Education has committed itself to providing all children and adults with a quality appropriate to their needs in all areas of education. It has also declared a commitment to the development of the government's education programmes by means of transparent and responsible financial systems. The systems for monitoring and assessment need to be strengthened at the highest levels and created through firm relations with people, civil society, the private sector and the government.

The policies and five-year strategies are included in the Strategic Education Plan from 1389 to 1393 (2010-2014). These policies and objectives, designed for the educational system, are based on the national and international commitments of the government of Afghanistan. The basis for this plan was developed between 1385 to 1389 (2006 - 2010), and the hopes and desires of the Afghan people and of the students should be met through the results of the implementation of the Strategic Plan.

⁽¹⁾ Editor's note: Afghanistan, like Iran, uses the *Persian calendar*. It is a solar calendar with six months of 31 days each, followed by five months each with 30 days and the last month with 29 or 30 days depending on whether the year is a leap year.

The plan includes five programmes for improving access to quality education and improving how it is managed nationwide. They reflect the most pressing needs, among them:

1. The first priority is to improve access to education for students, by refurbishing the buildings and classrooms; school must provide an appropriate space for children, especially for girls' education. At present, nearly half of all existing school buildings are highly deficient, damaged and unsuitable for use.
2. The second priority is to increase teachers' skills and teaching methods in order to improve the quality of students' education and learning.
3. The third priority relates to the Ministry itself, which is not structured to promote the development and application of appropriate policies, effective management of human resources and financial and physical requirements to attain the desired results. In 1389 (2010), Gul Agha Ahmadi, press adviser to the Ministry of Education of Afghanistan, expressed his satisfaction with the Ministry's progress and the fact that many of these priorities have been achieved in Afghanistan.

"Mr. President: In the past year, the Education Plan has moved forward in accordance with each of our five programmes. In the education plan for our national development plan for education, in four programmes we have 7.6 million students, 38% of them girls. And of the 550,000 adults wishing to study, 60% are women. Out of a total of 179,000 teachers, 30% are women. 20,000 literacy courses are being given in teacher training centres and in the approximately 13,200 schools. We must of course remember that only half of these institutions are in good condition for studying and in them the students can follow different subjects in accordance with the national studies plan, as well as Islam and its principles and values and love of the Homeland. The Ministry of Education of Afghanistan is also considering the objectives with a view to achieving its strategic plan for the education and training system, in order to develop long-term goals to 1399 (2020).

"Based on this goal, to 1399 (2020), gross rates of schooling at basic level will increase by 104% for boys and 103% for girls. Net registration rates for boys and girls will increase by 98%. The number of students in Islamic education will increase to 180,000, with 95% of teachers sitting an examination. The literacy rate in this country will reach 50%, and 12% of high school graduates will continue their technical and professional training".

In this regard, Gul Agha Ahmadi, the Ministry's press adviser, said "activities to achieve this goal in 1389 (2010) will be gradually increased and, in some programmes, we are well ahead of plan".

"Mr. President: Little by little, the Ministry of Education is striving to advance; within a timeframe of ten years. From 1399 (2020), all children of school age will be able to choose their schools in Afghanistan and we will have services for them. Gradually we will implement these plans, the plans we made, our plans. In certain respects we are actually ahead of our plan and, Allah be praised, the millennium objectives will be achieved throughout the world, and in Afghanistan too. Under the plan, by 1399 (2020) no Afghan child of school age will be deprived of the opportunity to attend school. The Strategic Education Plan is for all children of school age, without discrimination, and balanced throughout the country, and it will provide access to quality education, enabling children to acquire the necessary skills for living a healthy and successful life together with the family and the community and to go on to higher education."

However, the scales of education services for boys and girls in Afghanistan are not balanced, especially in remote areas where the most traditional communities show least interest. Doctor Sima Samar, of the Afghan Independent Human Rights Commission, says that the government is obliged to provide education to girls throughout the country because the country's progress depends on the promotion and advancement of women and girls.

Although the Education Secretariat's civil servants have made progress in various sectors, such as girls' education, nevertheless some Afghan experts believe that the government's duties regarding Afghan women in various sectors such as education have not been fulfilled.

Women's rights activist Najla Ayubi said:

"I am sure that in the furthest corners of Afghanistan, the conclusion regarding Afghan women's health problems has been reached that unfortunately there is no attention paid by the Afghan government to providing healthcare to girls of school age who do not attend school in accordance with the Afghan constitution, and the government knows that these women have the right to receive education and training, specifically focusing on this issue, and regrettably, we see that 79% of Afghan women are illiterate."

Doctor Sima Samar affirms that the right to access to daughter's education, together with other rights such as the right to life, cannot be replaced by any other.

By 1393 (2014) the number of students in school needs to increase to 10 million with access areas provided for nomad children and children with special needs, to improve education. In 1381 (2002) the number of children in school stood

at 2.3 million whereas now, according to civil servants at the ministry, there are more than 7.6 million. To date, 4,690 new schools have been set up with special attention given to the various provincial and rural areas as well as to the city. At public schools the drop-out rate is 3% and those repeating the school year are fewer than 11%.

All students should be provided with an appropriate environment for learning at public schools in order to facilitate mental and physical development.

The participation of parents and local school governors and management, with the setting up and training of the whole school council, is essential for the strengthening of public education. By 1393 (2014), the public education system aims to have strengthened school management and public education through the work of trained observers. The Strategic Plan is based on the Islamic system of education for training the workforce required for education, promotion, leadership, service in government institutions and the development and improvement of non-governmental and private education institutions and institutes of higher learning.

One of the fundamental needs of education, in all community development action taken to improve the quality of teacher training or change the teachers in the normal schools, is for them to be trained and familiarised with modern methods required by education services in order to teach and work in accordance with the community's needs. Teacher training centres are designed to develop teachers' skills, improving the quality of education and students' educational progress in public and religious schools in accordance with the objectives of the Strategic Plan.

Under this plan for teachers, 12th-grade graduates and trainee support teachers in normal schools and other centres, before receiving the full training, they go to remote areas as support teachers to improve their academic abilities through practice.

Based on the Plan, by 1393 (2014) more than 60,000 members of the academic branch will move up to grade 14, improving their teaching skills and knowledge. 50,000 12th grade teachers will be recruited and trained in districts with qualified teachers.

Textbooks and new educational material will be provided to students and teachers, to offer high-quality education on the spot, to improve the quality of education and learning and ensure ongoing improvement in students' results in the short and long term.

To improve teachers' skills and abilities in order to move education forward, as well as to improve students' results and the capacity of the teacher and

administrative staff knowledge update system, a normal school and the teacher training department will also be created.

Gul Agha Ahmadi explained it thus: "Of the 190,000 teachers in our education system, only 30% have been professionally trained." To resolve this problem, the Ministry of Education has established 41 teacher training centres and 87 district training centres. Nearly 50,000 students are now studying to become teachers in the new system and salaries have been introduced for 102,000 teachers with plans to do so for a further 128,000.

To improve the lives of teachers, last year about thirty thousand plots of land were distributed in various provinces of Afghanistan. Of these, 8,000 were distributed in 1388 (2009). Literacy has been opened up to adults and for those who, for whatever reason, have not received basic training in normal schools. The promotion of education, science and culture is very important throughout society.

The Ministry also plans to provide literacy, knowledge and skills services to people aged 15 and over in order to improve their chances of playing an active role in the community. Under the Strategic Education Plan for 2015, the Ministry also plans for at least 3.6 million to become literate.

Given that a large proportion of the pupils live in rural areas, the Afghan Ministry of Education has announced that special attention has been given to these areas and they will endeavour to encourage participation by the private sector, local populations and other institutions, including mosques and clerics, to attract more students.

Given that the literacy rate among women is very low, in order to increase their participation in the literacy programmes there will be more public awareness programmes and the number of women teachers in the literacy programmes will be increased.

The Ministry plans to offer other incentives, such as food, health services and farm seed subsidies to assist in ensuring women's participation in literacy programmes.

Gul Agha Ahmadi mentioned as significant the fact that 20,000 new literacy courses were given in 2010, also speaking of the participation of women in the literacy programmes.

In 1389 (2010) the Education Department created 20 new literacy courses. We have approximately 550,000 Afghans who had not attended literacy courses and who were fortunate enough to have this opportunity, 60% of whom were women.

■ CONCLUSION

Afghan society has certainly undergone many changes in fortune, always within a context of the imbalance that exists between social expectations and failure to fulfil demands and needs.

Researchers are always keen to study these factors, and strive to find ways to resolve them. Many of the situations we have seen over past decades still continue today. The growth and consolidation of the roots of this tree in its rapid development present great difficulties and, due to the fruitless wars and conflicts between power groups and historical values in political life of the cultural and economic infrastructure of Afghanistan, the structures of civil society have collapsed.

Crystallisation and expression from foreign sources –in December 1979 the Soviet Army invaded the country: the involvement of neighbouring Soviet republics– and the influence of extremist groups working for their own benefit and disparaging education gradually led to ignorance of the rule of law and the sense of injustice in Afghanistan.

Foreign intervention in Afghanistan during the last decades of the twentieth century, together with complex problems. brought this country close to complete destruction, the abyss. Political parties such as the *Khalq*, the *Parchan* and the Mujahideen were supported by various foreign countries in their struggle to attain power. These wars had terrible consequences for women.

Our country's society is for men. Women live in very bad conditions and have to flee their homes; they are burnt or hanged and have to fight hard for their rights. They are the victims of crimes committed by these men who call themselves Muslims but who are not, and the commanders and members of the Mujahideen, Taliban and mafias who buy and sell women both among Afghans and to and from people from other countries.

The women in our country, which is still dominated by the old system of serfdom and violent, merciless tribal culture and reactionary patriarchal tyranny opposed to even the slightest benefits of civilisation, are denied the most basic freedoms and human and social rights. At all times and everywhere, human rights violations and discrimination against women and girls in Afghanistan have been intense and inhumane. Above all, it is still misogyny that determines disaster in Afghanistan, which is not comparable with many other Muslim societies, for example: female prostitution, forced marriage, forced marriage of widows and child marriage and depriving our country's women and girls of their education and human rights.

Yet in spite of the absolute tyranny of this vengeful patriarchy, women are important in our homeland. They curse, run away from home, burn their bodies and even go so far as to kill themselves in their struggle for the right to stand up to the inhumane acts of patriarchy.

Throughout the current crisis and the war in our country, for more than twenty-five years now, Afghan women have fought alongside their men in the struggle for liberal social rights, their independence and the national pride of Afghanistan. They have drunk from the martyr's cup and defended themselves bravely. They have also suffered the loss of family members and loved ones and a substantial part of their homes and belongings, and some have been displaced or captured at gunpoint by brutal warlords. Many married women and younger women, in violation of the good traditions of national and international official standards, have been abducted at gunpoint to be sold as slaves in the region, and especially in Arab countries. Upon the return of Afghanistan's political parties, in the name of Islam and in order to get money from abroad, they obeyed foreign politicians from neighbouring countries and further afield. They also sought to increase their powers, both those of the party and their own personal power, in various places by means of slaughter, pillage and the brutal rape of women.

In the past few years the proportion of women in political, social, economic and cultural activities in the capital and in the provinces has increased. This is the reality: Afghan women who had lost their identity are regaining it once again. Although the Ministry of Women's Affairs, women's rights research institutions and cultural and economic services are working to safeguard women's rights with the help of the international community, in some places, outside Kabul and a few other provincial capitals, the lives of women and girls are in a deplorable situation.

Negative factors still persist, such as maternal and infant mortality due to the lack of access to health centres, the existence of poverty and hunger, migration, forced marriage and submission to every kind of violence carried out by the family and the community, the lack of access to training centres in schools and universities, local customs and tradition and the lack of facilities in this field, as well as dozens of other cases in which the lives of Afghan women and girls face the dangers inherent in an adverse security situation.

One of our important conclusions shows that the adverse security situation and the exclusion that girls and women have suffered in other areas have also affected them and put them at a disadvantage. Various studies have shown that, among factors causing lack of access to school and education for girls and women, are a number of social factors that have a negative effect, notably: the lack of security, exacerbated by the distances involved and the lack of

means of transport, the scarcity of female teachers and the lack of drinking water and adequate healthcare. All these factors, plus forced marriages, make it impossible for girls and women to continue their schooling and education. Security, or the lack thereof, is the most important factor, because the enemies are now focusing their destructive activities on burning down girls' schools, since they are opposed to their being educated. Meanwhile the assistance of the international community of more than forty countries in promoting human rights - especially women's and children's rights - and reconstructing Afghanistan, the fight against terrorism and Al Qaeda and the production and cultivation of drugs through financial, technical and military assistance to the Afghan people, shows the human face of the situation.

CHAPTER SEVEN

WOMEN IN ARMED CONFLICTS AND WARS

Pilar Estébanez Estébanez

ABSTRACT

In addition to suffering inequality and gender discrimination, in armed conflicts or war women also suffer an added burden of violence arising from the conflict situation and reduced access to health and healthcare facilities, to food and to the resources needed to ensure their survival and that of their children.

In this chapter we will explain the consequences for women who find themselves in these situations, which also tend to occur in countries with endemic poverty, a history of discrimination against women, high rates of infectious diseases, serious deficiencies in health systems, systematic violence and an absence of freedom. These consequences are reflected in greater discrimination, less access to health (maternal and infant, greater incidence of HIV/AIDS, higher rates of cancer), greater likelihood of being subjected to violence (sexual violence, sexual exploitation), greater vulnerability (we will examine the situation of women in four countries), and finally we will outline the author's point of view as an aid worker.

Key words:

Maternal and infant health, mortality, vulnerability, discrimination, HIV/AIDS, sexual violence, rape as a weapon of war, sex slaves

■ INTRODUCTION

In armed conflicts or war, as well as the inequality and discrimination they suffer for being women, with all that that implies (inequality in access to health services, lack of maternal and infant healthcare resources, gender violence and less decision-making capacity and access to education, greater difficulty in accessing financial resources, etc.), women also suffer the discrimination derived from their situation as refugees or victims of armed violence, which makes their situation even worse.

In this chapter we will explain the consequences for women who find themselves in these situations, which tend to arise in countries whose characteristics – endemic poverty, history of discrimination against women, high rates of infectious diseases, serious deficiencies in health systems, systematic violence and lack of freedom– make them bad places in which to be a woman.

These consequences are reflected in greater vulnerability of women and are explained under the following headings, which we will develop in this article:

- 1) Greater discrimination
- 2) Less access to healthcare
 - a. Maternal and infant
 - b. Higher rate of HIV/AIDS
 - c. Higher rates of cancer
- 3) Greater likelihood of being subject to violence:
 - a. Rape as a weapon of war
 - b. Girl soldiers and sex slaves
 - c. Prostitution
- 4) Greater vulnerability as refugees Four countries, four examples: Somalia, Haiti, Congo and Sierra Leone.
- 5) Women aid workers - A personal point of view.

Women, in a humanitarian context in times of war, find themselves down the pecking order as far as rights relating to reproductive health are concerned: these types of programmes are always the last to be implemented in such situations, when they should be regarded as of the greatest urgency. The result is, as we shall see, an increase in maternal and infant mortality rates.

The World Health Organisation (WHO) has stated in numerous documents that the main cause of maternal mortality is related to maternity: on average, women in developing countries have many more pregnancies than those in developed countries, and thus have a greater risk of pregnancy-related death over the course of their lives. The risk of maternity-related death throughout life (i.e. the probability that a fifteen-year old adolescent girl will eventually die of a maternity-related cause) is 1 in 4,300 in developed countries, compared to 1 in 120 in developing countries⁽¹⁾.

Many women die from complications arising during or following pregnancy or childbirth. The majority of these complications appear during pregnancy; others may have been present before but become more serious with pregnancy. The main complications, causing 80% of maternal deaths, are:

- serious haemorrhaging (mainly post-delivery)
- infections (generally post-delivery)
- gestational hypertension (pre-eclampsia and eclampsia)
- obstructed labour
- unsafe abortions.

This means that every day about a thousand women die from preventable causes related to pregnancy and childbirth, 99% of them in developing countries.

This is with regard to what the World Health Organization calls "direct causes", which account for 80% of women's deaths. However, to this terrible toll of 365,000 maternity-related deaths a year, we must add those stemming from "indirect" causes, the remaining 20%: diseases that complicate pregnancy or which are aggravated by it, such as malaria, anaemia, HIV/AIDS and cardiovascular diseases⁽²⁾.

Africa, where the greatest number of armed conflicts are concentrated (18, counting low- and high-intensity wars)⁽³⁾, also has the greatest number of women's deaths as a consequence of HIV/AIDS, as in war situations, women are more vulnerable than men to this disease: in Africa, the proportion of women with HIV/AIDS is 60%, a percentage that increases to 74% for young women and adolescents⁽⁴⁾.

⁽¹⁾ World Health Organisation. Descriptive Note n.º 348, November 2010.

⁽²⁾ *World Health Report 2005, Make Every Mother and Child Count*. Geneva, World Health Organization, 2005, p. 62.

⁽³⁾ Uppsala Conflict Data Programme.

⁽⁴⁾ In 30 years of epidemic, women and girls represent 60% of people living with HIV in Sub-Saharan Africa, and 76% of young people between 15 and 24 years of age living with HIV are women. National surveys show that young women in Eastern and Southern Africa are up to six times more likely than men to become infected, due to a combination of biological, behavioural and structural causes preventing women and girls from rejecting sexual relations or negotiating safer sex practices. *Windhoek Declaration. Women, Girls, Gender Equality and HIV: Progress towards Universal Access*. 6-8 April 2011.

Women and girls are the main victims of war in many countries: in many armed conflicts women and girls are subjected to attacks and violence precisely because of their gender. Thus, in some wars rape has been used as a weapon and means of attack in clashes between warring factions: Sierra Leone, Rwanda, Liberia, Congo and the former Yugoslavia. In others conflicts, women, especially the youngest and even girls, have been kidnapped or recruited by force to be used as sex slaves.

In many developing countries, women are less able to access healthcare and are more vulnerable to certain types of diseases. Cancer of the uterus affects more than 1.38 million women around the world every year, and 80% of deaths from cancer are in poor countries. They are also vulnerable to cervical cancer, related to the human papilloma virus, which has a lot to do with being powerless to insist on using protection in sexual intercourse, or with situations of violence related to armed conflicts and wars.

Gender violence can occur at any stage of a woman's life cycle. Types include gender-based selective abortion, maltreatment during pregnancy, forced pregnancy resulting from rape, female infanticide, relative deficits in food and medical attention for girls, child marriage, genital mutilation, child prostitution, psychological abuse, marital rape, sexual harassment, human trafficking and the rape of elderly women.

Lastly, we end the chapter with some reflections based on my personal experience in the field as an aid worker relating to the role of women as carers or witnesses in conflict and war situations.

■ GREATER DISCRIMINATION

In many countries with patriarchal cultures, women are the victims when their men folk are absent. For example, women's situation in Iraq is especially difficult, as the International Committee of the Red Cross has acknowledged. According to the data presented by this organisation, there are approximately a million women in Iraq who, because of the war, have become heads of family, either because they have been widowed or because all the family's adult males are dead or have disappeared⁽⁵⁾.

This problem is especially difficult in a society with profoundly patriarchal roots, in which it is not common for women to work outside the home and where there are no support mechanisms for these cases. These women are often forced to fall back on the family network, thus becoming a burden, since finding income to subsist is practically impossible. These female heads of families are also particularly vulnerable in a country where generalised violence persists.

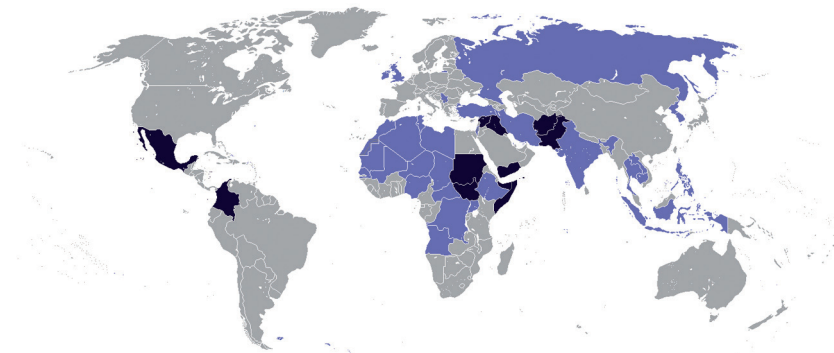
⁽⁵⁾ *Households headed by women in Iraq: a case for action* The International Committee of the Red Cross in Iraq. August 2011

In order to survive, and this is especially dramatic if they have children or elderly parents to look after, they have to compete in a labour market in which there is no room for women. In many cases the only way out is to turn to begging.

Another problem is discrimination in access to education. If we superimpose the four world maps of poverty, armed conflicts, lack of access for women to education and violence against women, we will see that they are practically identical. In a poor country, women have less access to healthcare, less access to resources, less access to education, and a high percentage of them are victims of violence, and all these factors are exacerbated if on top of everything else the country is also immersed in conflict or war.

At the moment there are 31 ongoing conflicts, most of them in the world's poorest countries⁽⁶⁾ and half of them are in Africa (see figure 7.1):

Figure 7-1. World map of armed conflicts



Source: Wikipedia.

■ LESS ACCESS TO HEALTHCARE

Women, especially in developing countries, and even more starkly in countries in conflict, have greater difficulty in accessing healthcare and are particularly vulnerable to certain diseases. For example, breast cancer, which affects 1.38 million women worldwide every year, is also the most frequent cause of death for women: half a million deaths a year. This is because it is under-diagnosed in developing countries, among other reasons.

■ Maternal and infant health

- It is estimated that 1,600 women die every day due to complications arising from pregnancy and childbirth, 99% of them in developing countries.

⁽⁶⁾ Uppsala Conflict Data Programme.

- Every year approximately two million girls are at risk of female genital mutilation.
- Close to 70,000 women die each year from unsafe abortions, and many more suffer from infections and other consequences.
- Women are more likely than men to contract HIV from sexual encounters, and about 42% of all HIV-infected persons are women.
- Fifty-one percent of all pregnant women suffer from anaemia due to iron deficiency.
- In many countries in South Asia, Africa, Latin America and the Middle East, between a third and half of women are mothers before they are 20 years old.
- Cervical cancer, the commonest form of cancer in developing countries, is usually associated with the human papilloma virus.
- Domestic violence, rape and sexual abuse are important causes of disability among women⁽⁷⁾.

The 1994 International Conference on Population and Development, held in Cairo, and the 1995 World Conference on Women, held in Beijing, extended the right to family planning to include the right to better sexual and reproductive health. Based on the World Health Organization's definition, the Cairo Programme defines reproductive health as:

"...a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition is the right of men and women to be informed and to have access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and the right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant."

More than half the world's population is under 25, and a significant number of adolescents are sexually active. From birth through childhood and adulthood, girls and women need effective services and information enabling them to lead healthy and productive lives. Boys and men also need information and services that are conducive to responsible behaviour and equal treatment of women and girls.

⁽⁷⁾ United Nations Population Fund, UNFPA

It is estimated that some fifteen million adolescent women give birth each year, which represents as much as one fifth of all births worldwide. And every year one in every twenty adolescents contracts a sexually transmitted disease.

The experiences of women forced to flee from conflicts or disasters highlights the need to provide them with access to emergency contraception (EC), not just as a right, but also as a necessity to ensure reproductive health. In wars, armed conflicts or displacements caused by disasters or famine, being unable to access emergency contraception can be considered as being deprived of the right to reproductive health, as recognised by various international agreements and conferences, since these women may have to face unwanted pregnancies and, as a result of the situation in which they find themselves, suffer the effects of complications during pregnancy or childbirth, or even die from them.

The high rate of maternal mortality is a reality in these situations, in which giving birth, for example, involves risk or danger to health. Account must also be taken of cases of unwanted pregnancies, including those resulting from rape, which are frequent in conflict situations. In Sierra Leone, nine per cent of women displaced by the war were raped. Tanzania reported the horrifying statistic that twenty-eight percent of the female refugees of childbearing age arriving from Burundi had been raped⁽⁸⁾.

Displaced women are also victims of another type of sexist abuse or sexual exploitation, when sex is demanded of them in exchange for security, food, family upkeep, etc.

For these reasons, under the Sphere Project in 2004, the Minimum Initial Services Package (MISP) was designed, to establish the steps that need to be taken to cover reproductive health needs in the early stages of humanitarian crises, including training of personnel transferred to the area and information for female refugees and displaced persons, focusing on the most vulnerable group, adolescents, who are the main victims of sexual exploitation and violence⁽⁹⁾ (see figure 7.2).

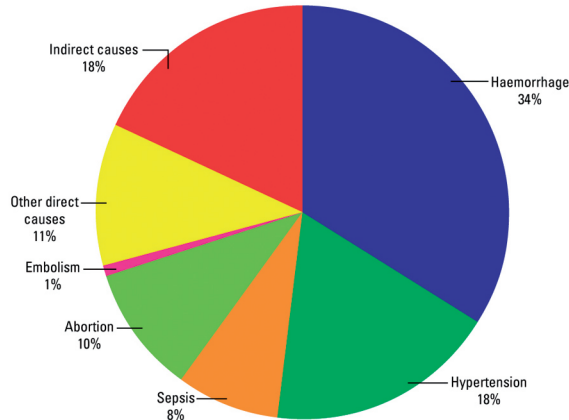
⁽⁸⁾ *Emergency contraception in conflict zones* Reproductive Health Response in Conflict Consortium.

⁽⁹⁾ <http://www.sphereproject.org/>

Figure 7-2. Causes of maternal mortality

Most maternal deaths are from causes that can be prevented or treated

Global distribution of causes of maternal death, 1997–2007



Source: WHO, Systematic Review of Causes of Maternal Death (preliminary data), 2010.

Source: WHO.

It can be affirmed without exaggeration that pregnancy is a serious health risk in many countries, especially in countries immersed in an armed conflict.

For example, of the ten countries in the world with the highest rates of mothers' death during labour, five are in a war or conflict situation or have recently emerged from a civil war.

- *Afghanistan (1,400 maternal deaths per 100,000 live births)*

This is the most lethal place in the world in which to give birth, out of the 164 countries studied by Save the Children⁽¹⁰⁾. Afghanistan's rugged terrain, extreme climate and lack of roads means that many women in rural areas simply cannot get to health centre, especially in winter, when floods and avalanches are common. Having very little money even for basics, with petrol a luxury, many pregnant women are forced to resort to donkeys to reach a hospital, and in many instances they end up giving birth on the way, often dying as a result of complications during labour.

The situation of armed conflict suffered by the country for decades, with many areas unsafe, militarised or home to guerrilla fighters, has further exacerbated the situation.

⁽¹⁰⁾ 2011 *State of the World's Mothers report*. Save the Children, 2011.

Every day in Afghanistan some fifty women die in childbirth. One in three suffers physical or sexual abuse, and women's average life expectancy is 44 years.

- *Iraq*

Although 72% of deliveries are attended by healthcare personnel, maternal mortality reached 250 per 100,000 and neonatal mortality was 60 per 1,000.

- *Haiti*

In Haiti, a country with a very high level of internal conflict and extremely high poverty figures, maternal mortality has reached 680 per 100,000 live births, having deteriorated considerably following the earthquake that devastated parts of the country.

- *Chad (1,200 maternal deaths per 100,000 live births)*

This central African country has only one midwife for every 100,000 people. A girl growing up in today's Chad is almost as likely to die in childbirth as she is to attend secondary school. Due to political instability and corruption, there has been little investment in health services. In some hospitals women find themselves obliged to give birth on an earth floor. The continuing political instability caused by the presence of various armed anti-government factions, has prevented one of the world's poorest and most corrupt countries from developing.

- *Somalia (1,200 maternal deaths per 100,000 live births)*

This country in the Horn of Africa has been devastated by civil war for the past fifteen years, health services are practically non-existent, and it suffers serious droughts and famines. One child in ten dies before the age of one. Many women have to travel through the desert by camel to reach a clinic. The famine that has afflicted the country since the summer of 2011, combined with the lawlessness of large parts of the country which are in the hands of warlords, and the total lack of security for moving around, all have a negative impact on maternal and infant health.

- *Liberia (990 maternal deaths per 100,000 live births)*

This West African country has high rates of maternal mortality. The situation has worsened with the recent influx of refugees fleeing the violence in Côte d'Ivoire (more than 100,000 people, mainly women and children), which

has overloaded the health services even more. The refugees walk for days to cross the border. Many pregnant women are obliged to give birth on the way.

- *Sierra Leone (970 maternal deaths per 100,000 live births)*

One in eight women risks dying during pregnancy or childbirth. Each year 536,000 women die, most of them from haemorrhage and infections. Some women die at home, others on their way to hospital, in taxis, on motorcycles or on foot. With access to qualified health workers, 75 percent of these women could be saved. The country's structures were seriously affected by the long years of civil war. There are areas of the country where armed groups or militias still remain, further adding to the insecurity.

■ Greater incidence of HIV/AIDS.

Rape, sexual abuse and the failure to respect of women's rights during many conflicts are largely responsible for the spread of certain diseases in many countries: the spread of HPV, which can lead to cancer, and of HIV/AIDS, are linked to these phenomena.

In Bosnia and Herzegovina, the Democratic Republic of the Congo, Liberia and Rwanda, rape as a weapon of war has contributed to the spread of HIV/AIDS. A study carried out among rape victims in Rwanda found that 17% of them tested positive for HIV, compared with 11% of women who had not been raped⁽¹¹⁾.

A similar study concluded that 66% of women raped in Rwanda during the civil war were seropositive.

They are also especially vulnerable to cervical cancer, which is directly related to the human papilloma virus and to HIV/AIDS. In fact 80% of women living with HIV/AIDS are in Sub-Saharan Africa, the region that concentrates the worst poverty, the least availability of healthcare resources and the largest number of armed conflicts in the world. Moreover un Africa women with HIV/AIDS outnumber men by 55% to 45%.

In Southern, Eastern and Central Africa, between 20% and 30% of pregnant women are living with HIV/AIDS, and the transmission of the infection to their children can reach as much as 40% (see figure 7.3).

⁽¹¹⁾ HALPERIN, D. "Old Ways and New Spread AIDS in Africa" *San Francisco Chronicle*, 30 Nov, p. A-31, 2000

Figure 7-3. Map showing the incidence of AIDS by continent



Source: Another World is Possible.

HIV/AIDS spreads much more rapidly within a context of poverty, social instability and weak health systems, all of which are found in the most extreme form in conflict situations. The transmission paths and mechanisms of the disease in emergencies are not the same as in stable situations, since the dynamics of the epidemic are altered by socio-economic, sexual, cultural and healthcare factors⁽¹²⁾. In these situations, sexual abuse and violence are decisive factors in the spread of HIV/AIDS

Rape is frequently used by military or paramilitary personnel as a means of persecuting and terrorising the population or to force them to leave certain areas. Mozambique, Rwanda, Kosovo and Sierra Leone have experienced conflicts in which sexual violence was used as a weapon of war. In the first five years of the war in Liberia, almost half of all women and girls are estimated to have suffered physical or sexual abuse⁽¹³⁾.

In Bosnia, between 30,000 and 40,000 women were raped, and in the exodus of the Vietnamese boat people in the late seventies and early eighties, 39% of the women were thought to have been raped or kidnapped, mainly by pirates.

Refugee camps tend not to be safe places for women, because they are generally accessible to refugees, soldiers and policemen. Women and girls are in a situation of extreme vulnerability in these places, as was seen in the refugee camps in Tanzania after the Rwandan genocide. Young *Hutu men* systematically infiltrated the camps to rape women and girls, fired by a desire

⁽¹²⁾ KHAW, Adrian J., *et. al.* "HIV risk and prevention in emergency-affected populations: A Review". *Disasters*, n.º 24 (3), 2000.

⁽¹³⁾ BAUER J. Bauer. Report on United Nations Commission on Human Rights, 1998

to replace the Tutsis and increase the population of their own ethnic group. 80% of the 2,000 women voluntary tested for HIV were seropositive⁽¹⁴⁾.

All recent research has shown that women and adolescents are at great risk than men, due to their socio-economic disadvantages, their greater exposure to violence and the fact that sex becomes a currency with which to try to improve living conditions.

- *Military and police*

The role of these groups in the spread of HIV is complex and not limited to being mere transmitters of the disease; they too are victims of it. War or conflicts put them in a position of extreme vulnerability to infection and, at the same time, make them a vector of transmission.

Studies have shown that the presence of sexually transmitted diseases among the military is between two and five times greater than among the civilian population, and the same can be said of AIDS⁽¹⁵⁾.

In these conditions, the risk of HIV infection through sexual relations is especially high, since genital lesions are frequent. Uganda was the first country where the connection between the increase in the rate of seroprevalence and the military population was demonstrated statistically. The geography of the spread of AIDS closely follows the movements of the Uganda National Liberation Army after the civil war. The spread of HIV-1 in the eighties and the consequent development of AIDS from the nineties on presented an astonishingly close correlation with army recruitment and mobilisation⁽¹⁶⁾.

This was a pioneering study, and its conclusions have served as a guide for controlling the spread of HIV in African countries that have suffered subsequent conflicts or civil wars.

War forces men to leave their families to join the fighting, to travel far in search of financial resources with which to support the household, or they are abducted as hostages and prisoners. In any of these cases they disappear from the family unit, which leads them to seek the company of prostitutes and frequent hostels and bars. The military and guerrilla forces involved in the African conflicts are also males of very low average age and poorly prepared, both technically and personally, to cope with the pressures of war. Sex is perceived as the only way to

⁽¹⁴⁾ MUJAWAYO, E. and BLEWITT, Mary K. "Sexual violence against women: experiences from AVEGA's work in Kigali", document presented at the seminar *Silent Emergency*, London, 1999.

⁽¹⁵⁾ According to a study on Angola by SANTOS-FERREIRA, M. O. "A Study of Seroprevalence of HIV-1 and HIV-2 in Six Provinces of People's Republic of Angola: Clues to the Spread of HIV Infection", *Journal of Acquired Immune Deficiency Syndromes*, n.º 3, 1990.

⁽¹⁶⁾ SMALLMAN-RAYNOR, M. R. and CLIFF, A. D. "Civil war and the spread of AIDS in Central Africa", *Epidemiol. Infect.*, n.º 107, 1991.

calm anxiety and seek company. What is more, they have the financial resources to be able to buy sex.

In periods of peace, the percentage of HIV in the military population is from two to five times more than that of the civilian population, although the difference widens sharply in times of conflict. According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), the rate of seroprevalence among the Nigerian peacekeeping forces sent to Sierra Leone and Liberia was 11%, compared with 5% in the adult civilian population. A study carried out by the Ethiopian government among the military showed that 5.5% of those tested were seropositive. In 2000, between 60% and 70% of the military population of South Africa had HIV. In Namibia, a sample carried out by the transfusion service among 127 soldiers who had been stationed in Owambo from August 1992 to February 1993 produced an average HIV-1 prevalence of 17.2%⁽¹⁷⁾.

- *The response*

Both UNHCR, with its extensive experience with refugees, and UNAIDS, with its wide knowledge of HIV, know how to provide immediate assistance in emergencies and have developed basic recommendations for tackling the prevention of HIV/AIDS infection from the first moments of the crisis. These take the form of the Minimal Initial Services Package (MISP), which contains first aid treatments relating to the transmission of the disease and the screening of blood for transfusions.

Until recently, immediate preventive care had focused on people living in the refugee camps, but there is a high percentage of displaced persons who do not go to the camps set up by the international organisations but instead seek refuge among the civilian population. In these cases, implementing the MISP is more difficult, so a number of innovative and different strategies have to be devised⁽¹⁸⁾.

The risk of refugees and displaced persons contracting HIV depends on a number of factors such as:

1. The maturity of the epidemic.
2. The relative seroprevalence of HIV among the refugee and host populations.
3. The prevalence of other STDs that may facilitate transmission.
4. The degree of sexual exchange between the two communities.
5. The presence of specific risk factors such as systematic rape by military or paramilitary personnel or sex trafficking.
6. The level and quality of HIV prevention systems.

⁽¹⁷⁾ WEBB, Douglas. *AIDS and the military: The case of Namibia*, report presented to the Conference on AIDS in Marrakech, 1993

⁽¹⁸⁾ KHAW, Adrian J., *et. al.*, *op. cit.*, pp. 190-191.

The biggest problem is that the epidemic is not simply a health matter. A multi-sector approach is required that includes education, security, establishment of community services and psychological assistance. UNAIDS and UNHCR distinguish several levels of emergency in tackling the organisation of aid and assistance in conflict situations or natural disasters. These types of events are dynamic and changing, so the agencies need to be flexible and to ensure they coordinate well with one another.

There is a series of basic strategies that can help contain the spread of HIV/AIDS infection in emergencies⁽¹⁹⁾:

- Reduce the probability of transmission of STDs including HIV.
- The most urgent actions are education and distribution of condoms, as well as treatment of the symptoms of sexually transmitted diseases.
- Ensure that there are reserves of safe blood and blood products, and always use sterilised equipment. This is a procedure of vital importance in the treatment of bleeding or open wounds.
- Facilitate access to drinking water for all members of the community, especially those with weakened immune systems. If this is not possible, methods of purifying the water must be taught.
- Maintain rigorous rules of hygiene when handling food.
- Find out who are receiving antiretroviral treatment and prepare a list of the medications needed to ensure that their treatment is not interrupted.
- Store medicines for treating infections such as pneumonia, tuberculosis and gastroenteritis.
- Avoid crowding and concentrations of people insofar as possible.

■ Higher rates of cancer.

Eighty percent of the 3.7 million annual deaths from cancer of all types occur in developing countries.

Breast cancer continues to be poorly understood, under-diagnosed and fatal, especially in developing countries. Researchers say that, despite more than a million official annual diagnoses, nearly half a million deaths are recorded each year. In countries with limited resources, women are diagnosed in advanced stages of the disease, and have no access to palliative treatment.

This is especially serious in conflict situations that have led to healthcare structures being destroyed or healthcare personnel being transferred to "safe" areas, leaving large areas in many countries not just without medical or specialist healthcare personnel but without medical personnel of any kind.

⁽¹⁹⁾ The systematic listing comes from MAZIN, Rafael. "The basic strategies to prevent the spread of HIV/AIDS and STIs during an emergency situation". *WHO Health in Emergencies*, n.º 7, 2000.

In Rwanda, women arrive at hospitals with advanced stages of cancer after attending poorly equipped health centres. In fact it is reckoned that between 70 and 80 percent of cases are diagnosed in very advanced stages in middle and low income sectors of the population.

Although it is estimated that eight out of ten cases of cancer worldwide are diagnosed in the poorest countries, many of them immersed in or having recently emerged from armed conflicts, only five percent of overall financing for cancer goes into research, according to the Global Task Force on Expanded Access to Cancer Care and Control.

Cervical cancer is the second most frequent type of cancer affecting women worldwide: approximately half a million each year, more than half of whom eventually die of the disease.

■ VICTIMS OF GREATER BURDEN OF VIOLENCE

■ Rape as a weapon of war

In conflicts such as that of the former Yugoslavia, Congo, Sierra Leone and Liberia, women were raped as part of the combatants' war strategy. Girls are also enslaved to be used sexually by military or paramilitary groups. In the war of the former Yugoslavia alone, the Warburton Commission (1993) calculated the number of victims at 20,000, while some NGOs put the figure as high as 50,000⁽²⁰⁾.

The mass rape of the enemy population's women continues to be one of the most commonly used weapons of war. In the conflicts of the former Yugoslavia, Congo, Sierra Leone and Liberia, rape formed part of a deliberate strategy to terrorise entire communities.

Between 50,000 and 64,000 women displaced internally in Sierra Leone said they had been subjected to sexual violence by armed combatants. And half the internally displaced women who had face-to-face contact with the combatants reported having suffered sexual violence.

- 25% of Azerbaijani women interviewed in 2000 by the US Centres for Disease Control and Prevention admitted having been forced to have sexual relations.
- Internally displaced Azerbaijani populations were those at the greatest risk.
- According to a government survey carried out in 1999, 37% of prostitutes in Sierra Leone were less than 15 years old, and 80% of these were entirely without family or had been displaced by the war.

⁽²⁰⁾ *Report of the Bassiouni Commission*, presented in May 1994.

- The majority of Tutsi women in the Rwandan genocide of 1994 suffered some kind of gender violence, and it is estimated that between 250,000 and 500,000 of them were victims of rape.
- It is estimated that between 20,000 and 50,000 women were victims of rape during the war in Bosnia and Herzegovina at the beginning of the 1990s.
- In the wake of natural disasters, field reports on the social effects include different types of violence, as in this report of a flood in Australia:

"Human relations were laid bare and the strengths and weaknesses in relationships came more sharply into focus. Thus, socially isolated women became more isolated, domestic violence increased, and the core of relationships with family, friends, and spouses was exposed."

Increased violence against women was also noted in reports from the Philippines following the eruption of Mount Pinatubo; from Central and North America after Hurricane Mitch, and from several countries following the tsunami of 2004⁽²¹⁾.

Sexual violence related to conflicts or war has a very significant effect on the health of women and girls in these countries. According to data of the World Health Organization⁽²²⁾:

- Between 7% and 36% of girls are victims of sexual abuse.
- More than 46% of young women are victims of rape.
- Between 12% and 25% of women are raped by their partners.

One of the leading causes of this violence against women in countries in conflict is to be found in the power relations between men and women, expressed in women's submission for cultural reasons or for fear of being murdered when the attacks are carried out by members of militias or armies, resulting from the lack of means of subsistence (unequal access to resources) which forces many women and girls to resort to sexual submission or selling sex to obtain food.

Women's vulnerability in armed conflicts is also related to the disintegration of families and the difficulty of accessing health services and medication.

According to a study published in the *American Journal of Public Health* in 2011, in Congo alone 1,100 women were raped every day. The results of this study focused on the period 2006-2007 and covered data on rape and sexual assaults committed against more than 400,000 women aged between 15 and 49 years. The study itself acknowledges that the figures could be worse, since

⁽²¹⁾ Source: *Guidelines for Gender-based Violence Interventions in Humanitarian Settings: Focusing on Prevention of and Response to Sexual Violence in Emergencies*. Inter-Agency Standing Committee, 2005

⁽²²⁾ World Health Organization Regional Office for Africa.

incidents of rape committed against girls under 15 or women over 49 are not documented⁽²³⁾.

In 2010 the UN Office for the Coordination of Humanitarian Affairs (OCHA) presented a report which documented the rape of 5,500 women in that year in the province of Kivu, and warned that this figure referred only to reported cases, so the actual figure could be even higher.

The OCHA report pointed out that 90% of rapes are committed by armed groups, both regular army forces and militias or demobilised troops. The victims are never singled out, that is to say they are always accompanied by other victims and dozens of witnesses, since in general they belong to the same community, whether a village or a tribe. The objective is, in this situation, to deliver a telling physical and psychological blow to a given group in order to make it submit to the hierarchy of a certain guerrilla group or as revenge against a rival community or government.

Fortunately, recent advances in international law have strengthened the legal instruments for combating the forms of torture used specifically against women in armed conflicts. Thus the International Criminal Tribunals for the Former Yugoslavia and Rwanda have handed down several sentences that have been of crucial importance in the struggle to bring an end to impunity for these acts. Also of crucial importance has been the Rome Statute of the International Criminal Court, which grants the Court jurisdiction in war crimes involving rape, sex slavery, forced prostitution, forced pregnancy, forced sterilisation and other forms of sexual violence committed in the context of wars, and which, according to the Statute, may also constitute crimes against humanity.

A year after peace was reached, Sierra Leone signed a "historic" agreement with the United Nations on the setting up of a special tribunal to try crimes committed during the ten years of civil war, in which some 200,000 people lost their lives and thousands were mutilated, the majority of them by the rebels of the Revolutionary United Front (RUF).

This war was notable also for violence against the female population: Amnesty International reported that rape, sex slavery and other forms of violence against women and girls were generalised practices. Practically all the women and girls who were kidnapped in their thousands by the rebel forces were raped and forced to serve as sex slaves.

Faced with this depressing panorama, UN Women proposed sixteen steps for putting an end to violence against women, as part of their Policy Agenda.

⁽²³⁾ PETERMAN, A.; PALERMO, T. and BREDEKAMP, C. "Estimates and Determinants of Sexual Violence Against Women in the Democratic Republic of Congo". *American Journal of Public Health*. June 2011, vol. 101, n.º 6, pp. 1060-1067.

Compliance with these points would contribute notably towards ending this scourge.

1. Ratify international and regional treaties that protect the rights of women and girls, and ensure that national laws and services meet international human rights standards.
 2. Adopt and enforce laws to end impunity, bring perpetrators of violence against women and girls to justice and provide women with reparations and remedy for the violations perpetrated against them.
 3. Develop national and local action plans for ending violence against women and girls in every country that bring the government, women's and other civil society organizations, the mass media and the private sector into a coordinated, collective front against such human rights violations.
 4. Make justice accessible to women and girls by providing free legal and specialized services, and increasing women in law enforcement and frontline services.
 5. End impunity towards conflict-related sexual violence by prosecuting perpetrators in conflict and post-conflict contexts and fulfilling survivors' right to comprehensive reparations programmes that are non-stigmatizing and have a transformative impact on women and girls' lives.
 6. Ensure universal access to critical services at a minimum, women's and girls' emergency and immediate needs should be met through free 24-hour hotlines, prompt intervention for their safety and protection, safe housing and shelter for them and their children, counselling and psycho-social support, post-rape care, and free legal aid to understand their rights and options.
 7. Train providers of frontline services, especially the police, lawyers and judges, social workers and health personnel, to ensure that they follow quality standards and protocols. Services should be confidential, sensitive and convenient to women survivors.
 8. Provide adequate public resources to implement existing laws and policies, recognizing the devastating costs and consequences of violence against women not only for the lives directly affected, but to society and the economy at large, and to public budgets.
 9. Collect, analyze and disseminate national data on prevalence, causes and consequences of violence against women and girls, profiles of survivors and perpetrators, and progress and gaps in the implementation of national policies, plans and laws.
 10. Invest in gender equality and women's empowerment to tackle the root causes of violence against women and girls. Strategic areas are girls' secondary education, advancing women's reproductive health and rights, addressing the inter-linkages of violence with HIV and AIDS, and increasing women's political and economic participation and leadership. Gender equality and ending violence against women must be placed squarely at the heart of achieving the Millennium Development Goals.
-

11. Enhance women's economic empowerment by ensuring women's rights to own land and property, to inheritance, equal pay for equal work, and safe and decent employment. Women's unequal economic and employment opportunities are a major factor in perpetuating their entrapment in situations of violence, exploitation and abuse.
12. Increase public awareness and social mobilization to stop violence against women and girls, and to enable women and girls subjected to violence to break the silence and seek justice and support.
13. Engage the mass media in shaping public opinion and challenging the harmful gender norms that perpetuate violence against women and girls.
14. Work for and with young people as champions of change to end violence against women, and ensure that educational systems empower girls and boys to transform and build gender relations based on harmony, mutual respect and non-violence.
15. Mobilize men and boys of all ages and walks of life to take a stand against violence against women and girls, and foster equality and gender solidarity.
16. Donate to the UN Trust Fund to End Violence against Women, the only grant-making fund in the world exclusively dedicated to channelling expertise and financial support to national, local and grass roots efforts.

■ Girl soldiers and sex slaves.

Studies conducted by the United Nations Children's Fund (UNICEF) showed that 75% of women and girls in Sierra Leone were victims of sexual abuse, while other calculations put the figure as high as 90%. In some cases they were forced to become the sex companion or "wife" of a single combatant, while in other cases they suffered abuse from several combatants. Apart from the brutality, and the trauma caused by the rape itself, these sex attacks also led to serious physical damage, forced pregnancies, diseases including HIV/AIDS and even death.

In this regard the Human Rights Watch presented the report *We'll kill you if you cry: Sexual violence in the Sierra Leone conflict*, which presents evidence of abuse committed against women of all ages. The report is based on hundreds of interviews with victims, witnesses and officials, and details the crimes of sexual violence committed above all by members of the rebel forces (RUF, AFRC – Armed Forces Revolutionary Council– and the West Side Boys); but also those committed by the government armed forces.

Human Rights Watch also noted the lack of assistance and rehabilitation programme for the victims of this violence.

Another particularly negative aspect is the use of child soldiers, which is even more serious for girls.

In late November 2011, Somalia and the Central African Republic became the latest countries committed to put an end to the use of child soldiers, which is considered "encouraging" by the United Nations, although in both countries the unstable situation leaves some doubt as to whether the commitment will be met. In Somalia all parties to the conflict have recruited children over the course of many years. The organisations working with children in Somalia put the number of children in the power of the various armed groups at between two and three thousand. UNICEF estimates that the number of child soldiers in the more than 30 armed conflicts going on in the world could be as high as 300,000.

Girls, and especially orphans, are especially vulnerable, because they are often exploited sexually, raped or maltreated, or obliged to act as "wives" to other combatants, which can lead to physical and psychological trauma, unwanted pregnancies, sexually transmitted diseases (including HIV/AIDS) and social stigmatising.

Girls are used mainly by armed opposition groups, paramilitaries and militias, but also by government forces, according to UN reports. Estimates suggest that, worldwide, girls may represent between 10% and 30% of children in fighting forces.

Demobilised girls are often stigmatised and condemned to ostracism by their communities, particularly if they come back with children. Girl soldiers are exploited in the same way as boys, but gender violence is added to their exploitation.

Girls are also excluded from official demobilisation programmes, which include repatriation, resettlement or reintegration, in spite of their special problems.

For example, in Liberia some 3,000 girl soldiers were demobilised, while a further 8,000 were excluded or not registered. In the Democratic Republic of the Congo it is estimated that only 15% of the girls involved in the conflict were officially demobilised. For girls who do not go through the official programmes, there is no official support.

Military recruitment is harmful not only to the children themselves, but to society as a whole. It means years of lost schooling, which reduces societies' potential. The education system is also damaged by the destruction of schools. In 2020 the UN reported that these types of attacks were becoming a significant factor, and a growing one.

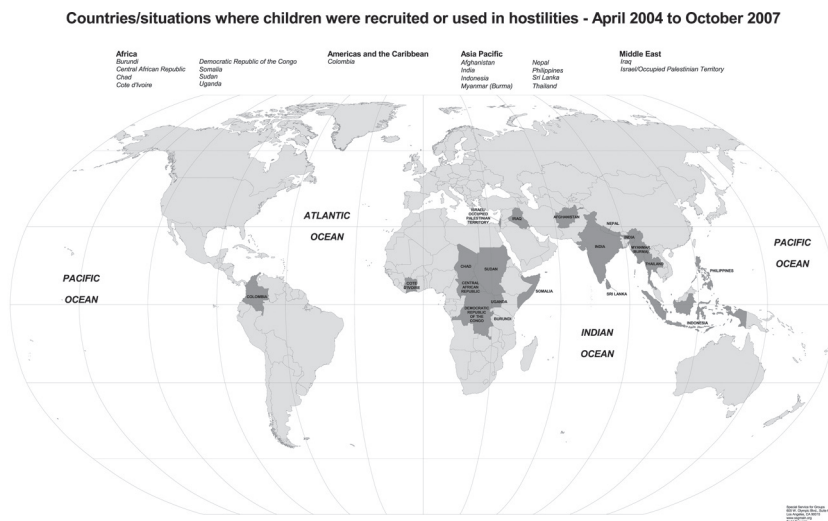
Although child soldiers have committed and continue to commit some terrible crimes in time of war, they still have the right, as the children that they are, to special protection.

There is no international consensus on the minimum legal age of criminal responsibility. The International Criminal Court, as per Article 26 of the Rome Statute, has no jurisdiction over anyone under the age of 18 - not because it believes children should be exempt from prosecution for international crimes, but because the decision on whether or not a person under the age of 18 should be prosecuted is one that belongs with the States.

What is clear is that when children have been used as instruments of brutality and barbarism, society as a whole must take part in their rehabilitation and reintegration, because it is society as a whole that is responsible.

According to Amnesty International, the following countries continue to recruit boy and girl soldiers: Afghanistan, Angola, Burundi, Cambodia, Colombia, the Philippines, Guatemala, Guinea Bissau, Honduras, Northern Ireland, Kosovo, Liberia, Mozambique, Burma, Nepal, Nicaragua, Democratic Republic of the Congo, Chechnya, El Salvador, Sierra Leone, Somalia, Sri Lanka, Sudan and Uganda (see figure 7-4).

Figure 7-4. Map of countries where child soldiers (boys and girls) are recruited



Source: Save the Children.

■ Prostitution

In conflict situations, sex often becomes a strategy for survival. Men abandon their families, voluntarily or under coercion, to join the army, leaving women in charge of maintaining the home. Lack of educational

preparation and financial vulnerability make women and girls easy prey to the sex trade in order to support their families.

A similar effect is seen with natural disasters, which destroy the usual means of financial and family upkeep. The cyclone that lashed the Indian region of Orissa in October 1999 destroyed the crops and led to the death of 800,000 head of cattle, similar to the damage caused by Hurricane Mitch in Honduras one year earlier. In these circumstances, the population relies on national or international aid to survive, or on such money as they can obtain in whatever way they can.

Prostitution can become a way of obtaining food or primary goods, since there are also usually long queues for aid hand-outs and many women with small children simply cannot join them.

The sex trade emerges around settlement areas of refugees or displaced persons, as demonstrated by a study of the World Health Organization (WHO). In 1999, in the east and north of Sudan, 27% of single mothers had entered sex trafficking networks in order to be able to maintain their family and children. In the camps of Tanzania, 25% of adults had had sex with a new partner since arriving there.

In the bars close to the refugee camps the sale of unprotected sex proliferates, together with consumption of alcohol and other kinds of risky practices.

The refugee camps are moreover a sort of "no-man's land" in which host countries do not feel obliged to set up AIDS control programmes. However, preventive efforts at local level have produced positive results, and could be extrapolated to conflict zones in which prostitution proliferates.

In Abidjan, Côte d'Ivoire, the prevalence of HIV among sex workers attending one clinic fell from 89% to 32% between 1991 and 1998. The use of condoms increased from 20% to 78% in the same period.

The disintegration of the community and the severing of family ties is a traumatic experience, especially for young and adolescent women who, without protection, guidance or support from adults, seek to join another social unit, and this can lead to them starting to have sexual relations at ever younger ages.

Displaced populations tend to include a proportionally very large number of solitary young people, especially women.

According to UNHCR data, about 75% of refugees worldwide are women and children, and its report for 1992 recorded an increase in the number of pregnancies among adolescents and in the number of abortions in conflict contexts.

A study carried out by a Norwegian NGO in the refugee camps of Tanzania, in 1999, found that children were starting their sexual life as early as ten years old. The most serious aspect was their sexual practices, which included unprotected sex, frequent exchange of partners and sexual relations in exchange for gifts.

■ **GREATER VULNERABILITY AS REFUGEES. FOUR COUNTRIES, FOUR EXAMPLES**

For female refugees, equal access to food and other articles distributed in the camps is of the essence. The leading cause of mortality in the refugee camps is malnutrition. The lack of food in itself causes death and contributes considerably to deaths caused by various diseases. Malnourished people are more vulnerable to disease, and recovery is impeded.

Undernourished pregnant or lactating women cannot give their children enough food to survive. Apart from that, people who lack basic necessities such as shelter, clothing and cooking utensils are more exposed to diseases.

The matter of how to distribute food and other supplies is usually decided by the international organisations and the host countries, together with the camp leaders (who are men). Generally little account is taken of the needs of women, who are the ones that have to cook and feed and clothe their families. Distribution is seldom appropriate.

Sometimes the food provided is not in accordance with the refugees' eating traditions, or it requires preparation that is difficult to carry out in the camp's facilities. Added to these problems are certain traditional practices in some refugee populations whereby men are fed first. If there is a food shortage, women and children may not get enough to eat, and be the first to suffer the consequences.

The fact that food distribution is controlled by men clearly goes against the traditional practice whereby women play the main part in food production: according to World Bank reports, in developing countries women grow 70% of the food. Although the system varies somewhat from one region to another, in developing countries women traditionally take charge of raising animals, storing food, selling and exchanging products and preparing and cooking food.

In Africa it is often the women who do all the farm work, whereas in Asia it is more usual for these tasks to be carried out jointly by both husband and wife. In Latin America, women usually take care of the crops when their husbands go to the cities in search of work to supplement their farming.

In some cases, food distributed through men has been handed to the resistance forces or sold on the black market, to the detriment of women and children. In other cases food has been used as a weapon, cutting off distribution to the civilian population. And in many other cases the men entrusted with distributing food and other articles have demanded sexual favours from the women in exchange for the food and articles given as aid.

Women refugees' access to healthcare services is important both for their own health and for the welfare of the community as a whole. It is also usually women that provide healthcare to the other family members. For this reason, the health of the other family members will depend directly on the mother's knowledge and interest in promoting a healthy environment and taking preventive measures against diseases.

Health services also play an important role in protection, identifying protection problems that arise in the refugee camps or any other place of settlement. The health personnel become aware of protection problems when women who have been sexually abused or hurt in other ways seek medical attention. Community health workers usually visit the homes of refugee communities and may, in the course of their work, become aware of specific problems, although few of them have been trained to deal with them.

Inappropriate and hard-to-reach healthcare services are further possible obstacles to women refugees' good health and that of their families. The lack of female healthcare personnel has been one of the main barriers to healthcare, especially in places where cultural values prevent a woman being seen by a man other than a close family member.

Another problem relates to the types of service offered. All too often health services today fail to take account of the specific needs of women. For example, gynaecological services are frequently inadequate, as are contraception advice services. The basic necessities are overlooked, such as suitable sanitary pads and washing facilities for menstruating women. Serious problems continue to be detected, such as infections and cervical cancer, and also harmful practices such as female genital mutilation. Advice given to both men and women on sexually transmitted diseases is generally inadequate. There are few, if any, programmes focusing on the needs of adolescent girls, despite the fact that premature marriage and pregnancy is one of the known causes of poor health.

In this section we shall look briefly at four archetypal examples, in four countries, which combine all the deplorable circumstances that women go through regarding violence, discrimination, the lack of access to healthcare and the absence of the most basic and elementary rights: Somalia, Haiti, Congo and Sierra Leone.

■ **Somalia**

The typical representative of the refugees fleeing the drought and armed conflict of Somalia and pouring into the Kenyan camp of Dadaab, considered the biggest in the world, is a young woman from the South of Somalia, aged about twenty, with three children to look after

The absence of men makes women more vulnerable. According to the NGO Care International, cases of rape –during the long journey to Dadaab– and sexual violence against refugees quadrupled compared with 2010, with 358 cases reported in the first half of 2011⁽²⁴⁾.

Women suffer violence, discrimination and illness to a much greater degree simply because they are women. A recent example: Somali refugee women and girls in Kenya are at serious risk of sexual violence, with more than 300 cases of rape so far this year in and around the refugee camps.

As well as obtaining food for their children, women in the refugee camps also face a struggle to get food for themselves and to receive sexual and reproductive care.

Care International reported in 2011 that the number of sexual assaults in Kenya's Dadaab camp, which was bursting with refugees from famine in Somalia, had shot up from the 75 cases reported between January and July 2010, to 358 in the same period of 2011.

This camp was originally built in 1991 to accommodate 90,000 refugees, but it currently houses more than 460,000. The workers and volunteers working there warn that the women and girls are more vulnerable to violence, whether in their way to the camps or inside them.

Recent arrivals living on the outskirts, where security is not assured, are even more vulnerable⁽²⁵⁾. A survey carried out in July by the ICRC found that victims of sexual violence tend to be reluctant to report it, out of shame or fear that their families will blame them, or that their communities will consider them "not marriageable".

⁽²⁴⁾ *Horn of Africa Drought: Reported cases of sexual violence have quadrupled among refugees. Dadaab, Kenya, 12 July 2011.*

⁽²⁵⁾ ICRC Report. July 2011

Participants in the survey identified sexual violence and rape as the main preoccupation of women and girls fleeing from Somalia. There have been reports of women and girls being raped in front of their husbands or family members by armed men.

Last year the United Nations, with the data in hand, started handing out sexual and reproductive health toolkits to rape victims through the health services in the camp. Women and girls reporting sexual violence are given psychological support, guidance, tests for HIV and other sexually transmitted diseases, pregnancy tests and treatment for any infection. In the registration centres, reference systems have been put in place for new arrivals reporting sexual violence so that they can get help from the medical centres. An added problem is that the lack of information regarding how to act following a sexual assault puts victims' health at risk of lesions, infections and unwanted pregnancies.

Women who are alone in the refugee camps find themselves in the impossible situation of not being able to feed themselves so as to prevent their children dying of hunger.

The role of women is fundamental in the fight against hunger. This is acknowledged by the FAO:

- Women produce more than half of all the world's food and invest a much larger portion of their income than men do in obtaining food for the family.
- In rural areas, women produce more than 80% of the food consumed at home. Therefore in situations such as droughts or armed conflicts in which women cannot provide food, the reduction in the supply of food to the household is dramatic, and there is not enough for the family to survive.
- In the refugee and displaced persons camps of the Horn of Africa, the groups worst affected by food shortages are women and children. In the displaced persons camps of Somalia, where there are serious difficulties in gaining access to food, most of the occupants are women and children, since the men tend to stay in their places of origin, controlled by the militias opposed to the government, for fear of being accused by the government authorities of being members of the militias. Women find themselves obliged to cover great distances alone with their children, without food, water or medicines before reaching the refugee or displaced persons camps.

■ The case of Haiti

Although Haiti is not at war, we should devote a few paragraphs to the country that is considered the poorest in the world, where the daily life of women is not very different from that of women in countries at war.

The difficult situation that Haitian women have lived through since the earthquake was discussed at the 54th meeting of the Commission on the Status of Women (CSW), held at the UN in March 2010. The situation for Haitian women was already difficult before the earthquake. Over a 15- year period women suffered systematic violence based on sexual abuse and systematic rape used to repress and terrorise the population. According to *The Lancet*, between 2004 and 2006 alone, nearly 35,000 women and girls suffered some form of sexual violence at the hands of the military, paramilitary and members of the FRAPH (Front for the Advancement and Progress of Haiti). Half the victims were minors.

An added problem faced by Haitian women in the context of sexual violence and discrimination is that 42% of Haitian families are headed by women.

The magnitude-7 earthquake that struck Haiti on 12 January 2010 and the aftershocks reduced the homes of more than a million people to rubble, along with the prime minister's residence and the UN building. In the space of a few hours all those buildings were turned into a 20 million m³ mountain of rubble. Two years on, the debris is still there in many parts of Haiti; impeding reconstruction, blocking drains, paths and streets; hampering necessary and urgent sanitation and drinking water projects and the development of sexual and reproductive health and maternal and childcare programmes.

This rubble is home to animals and insects and a store of dirt and faecal waste, all of which are paths of transmission for numerous diseases. And there are no doubt still thousands of dead bodies buried by it. According to some estimates, some 50,000 bodies were never recovered. Before the earthquake, only 12% of the population of Haiti had drinking water, and only 17% lived in adequate hygienic conditions, according to the Centre for Disease Control and Prevention (CDC) and the Pan American Health Organization (PAHO). As a result of the earthquake, the situation deteriorated. Many people have to drink untreated water that may be contaminated by sewage, since the drainage and water supply infrastructure was destroyed in the earthquake and, two years later, much of it has yet to be repaired.

With the devastating earthquake that destroyed the country's structures, the situation deteriorated for Haitian women, especially for the young and the pregnant. The situation as regards reproductive health in Haiti was already serious before the earthquake. The country had the highest rates of maternal mortality by far of all the countries in the region, with a maternal mortality of 670 per 100,000 births (UNFPA). At the time of the earthquake, it is estimated that there were 63,000 pregnant women in the country. Following the destruction of the health structures and the demands of the hundreds of thousands of people affected, the outlook faced by pregnant Haitian women was horrific.

The Haitian emergency is a complex one, with an interminable history of conflicts and violence, exacerbated by the consequences of the earthquake which, even now, two years on from the disaster, has improved very little.

■ Democratic Republic of the Congo

The Democratic Republic of the Congo has been called the worst place in the world in which to be a woman. Is this an exaggeration? According to the *American Journal of Public Health* the number of rape victims in the Democratic Republic of the Congo is equivalent to one rape every 48 hours, which means 400,000 a year.

The Democratic Republic of the Congo, a nation of 70 million people, similar in size to the whole of Europe, has suffered decades of war and internal conflict. Its forests are plagued by militias, refugees and combatants from different countries. And all have used systematic rape to destroy the cohesion of communities.

A woman in the Democratic Republic of the Congo has a 58-times bigger probability of being raped than a woman in the United States, where the annual rate is 0.5 per 1,000 women. The highest rate of rape is in the Kivo region, in the North of the country.

The results, published in the *American Journal of Public Health*, were extrapolated from a survey conducted in 2007 among 10,000 women aged between 15 and 49.

The research concluded that sexual violence extended beyond the areas of conflict in the East of the country. Sexual violence against women in the Democratic Republic of the Congo is worse than the figures considered by the United Nations, which put the number of women victims of sexual violence at 16,000: as much as 26 times worse, according to surveys and research carried out by other organisations.

The humanitarian organisation Médecins Sans Frontières (MSF) reported that more than a third of the 7,400 cases of rape attended to by its aid workers in the Bon Marché hospital in Bunia, capital of the strife-torn Congolese district of Ituri, were recorded in the past 18 months.

In Panzi hospital, in Bukavu, they have to attend to about ten women a day, many of whom need surgery to repair wounds and lesions suffered in brutal rapes.

■ Sierra Leone

Taking into account the abuse committed by the rebels, women have suffered, generally and systematically, rape, sex slavery and other forms of violence.

In many cases they were forced to become sex companions or wives of combatants. As well as the brutality of rape itself, and the trauma it causes, sexual assault can also lead to serious physical injuries, unwanted pregnancies, diseases and sometimes death. The rebel forces sowed terror among civilians, even, as mentioned earlier, going so far as to force men to rape the women of their own families under the threat of mutilation.

As for the girls, their experience with the rebels usually started with being raped in front of all those present. Ten-year-old girls were forced to have sex every day with anyone demanding it. So when they were freed, they presented deep traumas, and the older ones were mostly pregnant, as a result of which they were frequently rejected by their husbands.

Furthermore, and focusing on the most recent situation of women, it has to be mentioned that because of their financial dependency, they are not able to decide for themselves. They cannot attend healthcare centres to ask for family planning services, pre-natal services, care during childbirth or emergency treatment. Few women exercise their right to decide the number of children, the intervals between them or the time of birth. They have little or no ability to decide whether to have sexual relations, and the use of contraceptives is very limited.

A large proportion of deaths deriving from maternity occur in Sierra Leone and are related to the high cost of medical attention and the delays, whether in transfers to health centres or in the treatment they receive there. This situation is a consequence of, among other things, a serious lack of facilities and human resources. The number of qualified and available human resources and the amount of basic equipment are small compared with the needs of the existing health facilities, especially in rural areas.

The terrible tragedy of maternal deaths is explained in part by the high level of discrimination against women in Sierra Leone and their low social status. It is a country in which girls are obliged to marry at a very early age, excluded from schools and exposed to sexual violence. Their families, community leaders and the government attach very little importance to women's health needs. Added to these cultural reasons are structural ones. The problems facing Sierra Leone in treating newborn babies, especially premature or underweight babies, are due mainly to the lack of ambulance services and the scarcity of basic resources such as water, electricity and communications systems for medical referrals.

Women continue to suffer generalised discrimination and violence, as well as a lack of access to justice. Very little progress was made in reforming draft acts relating to marriage, inheritance and sexual offences. At the end of 2006 bills had still to be presented to Parliament for approval.

Legislation on violence in the home is still in the process of being drawn up. A provisional report on the implementation of the Convention on the Elimination of Discrimination against Women was postponed to 2007. In the informal system of justice, local chieftains and judicial officers often handed down sentences and rulings in cases that were not within their jurisdiction. The government made no significant efforts to bring an end to the practices of the local chieftains, who imposed fines on women or imprisoned them illegally, based on their interpretation of common law, in which the status of women in society is comparable to that of minors.

■ WOMEN AID WORKERS

In these pages we have described various situations and states of women in conflicts, always as victims or as part of a vulnerable population, but we have not touched on another particularly important aspect in discussing armed conflicts or wars in relation to women, and that is the role of women as aid workers.

Almost two decades have now passed since the Rwanda massacres (1994), and I am still astonished when I recall how little sensitivity there then was, to put it kindly, in the world of aid towards aspects such as the sexual and reproductive health of female refugees and displaced persons, or even aid workers.

I still remember the sight, through the smoke of the bonfires in those gigantic refugee camps of Goma, where hundreds of thousands of people huddled together, of the lights of the brothels where sex was practiced without any kind of precautions. I also remember the testimonies and stories of women and adolescent girls, practically children, who traded sex for food. And the frequent sexual assaults and rape of employees of the humanitarian organisations or girls by the soldiers, militia men and even occupants of the refugee camp itself.

We warned then of the need to develop HIV/AIDS prevention programmes, but we were denied financing on the pretext that priorities then lay elsewhere. Later on, time would prove us right⁽²⁶⁾. In those years the newspapers talked above all of cholera, hunger, malnutrition of children, or the presence of perpetrators of genocide among the Rwandan refugees. Women's health, or the geometric

⁽²⁶⁾ The prevalence of HIV in persons claiming to have spent the years of conflict in refugee camps was 8.5%. Most of these people had fled the rural zones in which the prevalence of HIV before the conflict was only 1.3%. This suggests a six-fold increase in infection with HIV among the people of the refugee camps. It is likely that overcrowding, violence, rape, desperation and the need for women to sell themselves or submit sexually in order to survive contributed to producing this enormous increase in infection rates. *Global summary of the HIV/AIDS epidemic. December 1998.* UNAIDS

spread of the AIDS virus, were not considered important⁽²⁷⁾. Conditions in the Goma refugee camp—the world's biggest, with more than 500,000 people crowded together in sub-human conditions— were so horrific that the priority was to save lives⁽²⁸⁾.

Every day we saw men going into those brothels built precariously from four planks of wood and some plastic sheeting. Every day we saw in consultation women with sexually transmitted infections or, probably, AIDS, although we did not have the equipment with which to test for it. Kigali was one of the zones with the highest rates of HIV/AIDS in Africa. Many other women arrived with signs of having been assaulted.

In Goma, among those tens of thousands of improvised homes of poles and plastic, hundreds of women went to bed each night having hardly been able to obtain any food to sustain their children. Hundreds of women, alone or at the head of a family, woke each day with a single thought in their heads: how to survive and ensure their children survived. In those circumstances, almost the only way out was to trade sex for food.

Incomprehensibly, in spite of what we were witnessing *in situ*, the United Nations organisations that were working in the Rwandan refugee camps located in the DR Congo discontinued the distribution of condoms, the only weapon we had with which to fight the spread of HIV/AIDS. The excuse was "they don't use them"⁽²⁹⁾.

⁽²⁷⁾ The world's biggest refugee camp is now just a huge rubbish dump, with skeletons of huts, plastic sheets flapping in the wind, a few corpses, wedding photographs lost in sudden flight, torn identity cards, hurriedly discarded uniforms and a military train stuck forever in no-mans land: Thursday, on the Mugunga road, 15 kilometres to the West of Goma, in the DR Congo province of North Kivu, saw the utter defeat of all that was left of the former Hutu *army* and the fearsome *Interahamwe*, the militias which for the past two years had terrorised hundreds of thousands of refugees to prevent their returning to Rwanda. The defeat of the jailers, who fled headlong with a last shield of just over 100,000 people, opened the floodgates to one of the biggest migrations in modern history. The last battle of the Rwandan genocides. Alfonso ARMADA. *El País*, 18 Nov. 1996.

⁽²⁸⁾ The flight of 500,000-800,000 Rwandan refugees into the North Kivu region of DR Congo (Zaire as it then was) in July 1994 overwhelmed the world's response capacity. During the first month after the influx, almost 50,000 refugees died, an average crude mortality rate of 20-35 per 10,000 per day. This death rate was associated with explosive epidemics of diarrhoeal disease caused by *Vibrio cholerae* 01 and *Shigella dysenteriae* type 1, 3-4 weeks after the influx of refugees, acute malnutrition rates among children under 5 years old ranged between 18 and 23%. Children with a recent history of dysentery and those in households headed by women were at higher risk of malnutrition. A well-coordinated relief programme, based on rapidly acquired health data and effective interventions, was associated with a steep decline in death rates to between 5 and 8 per 10,000 per day by the second month of the crisis. «Public health impact of Rwandan refugee crisis: what happened in Goma, Zaire, in July, 1994?». *The Lancet* Volume 345, Issue 8946, pp. 339-344, 11 February 1995

⁽²⁹⁾ *The UN humanitarian organisations have discontinued the distribution of condoms in the Rwandan refugee camps in Zaire, according to sources in the United Nations High Commission for Refugees (UNHCR)*. The sources, who asked to remain anonymous, cannot

The Rwandan massacres have left many women as heads of families. Following the return of the millions of refugees, 45,000 households in Rwanda were found to be headed by children. 90% of them girls⁽³⁰⁾.

■ A lack of sensitivity

In those years, what little awareness there was as regards sexual and reproductive health and the problems more specific to female refugees as women –greater vulnerability, high frequency of sexual or physical abuse, worse conditions of general health, etc. – was to be found with the first women aid workers, then a minority, or fulfilling secondary roles. The surgical teams were formed mainly by men, with women doing the nursing. That's how the aid organisations were.

However, those few women were able to detect previously unknown needs, perhaps due to greater sensitivity, perhaps because they had a better understanding of the vulnerability, defencelessness and inequality of a refugee mother on her own. The role of the nurse requires a more personalised treatment of the patient, and part of a nurse's work is to listen, especially to other women, whether through affinity or sensitivity. In an emergency surgical team the surgeon does not speak to the patient, and particularly not in such circumstances.

In many cultures, moreover, it was not socially acceptable for a woman to tell a male doctor about certain problems, whereas it was acceptable to tell a woman doctor nurse.

Thus horrifying data started to be collected about the violence perpetrated against women during the Rwandan genocide, hidden beneath the mountain of corpses we saw every day on television. Rwanda was associated with "machete" in the collective imagination, that tool/weapon whose blade cut short so many lives.

But in addition to the deaths, behind those heaps of corpses there were yet more horrors: in the Rwandan genocide of 1994 it is estimated that between 250,000 and 500,000 women and girls were raped. In a study carried out by AVEGA, of women raped during the genocide, 67% of those surveyed had contracted HIV/AIDS⁽³¹⁾. But all these data came to light later.

understand the decision, since the risk of the spread of AIDS in the camps is very high. Since last September only one consignment of 1,080,000 condoms has reached the camps. "It would be a tragic paradox to save thousands of people from starvation by means of massive relief operations and not to do anything to prevent the spread of AIDS," they said. According to WHO data, before the Rwandan war, in the capital Kigali alone, between 50% and 70% of patients with venereal diseases, and 33% of pregnant women, were seropositive. Between 40% and 60% of the Rwandan army was infected with the AIDS virus. *El País*. 27 February 1995. ⁽³⁰⁾ "The World of Refugee Women at a Glance", UNHCR Report: *The Lost Girls of Sudan* (2002).

⁽³¹⁾ Global Coalition on Women and AIDS. *Sexual violence in conflict settings and the risk of HIV/AIDS*. Global Coalition on Women and AIDS, 2004.

In those years many women aid workers suffered *shock*, depression, burn-out *syndrome* and even post-traumatic stress disorder (PTSD) after first hand encounters with victims or witnessing the horrors themselves.

In those years, little account was taken of the needs of aid workers, male or female, nor were there any mental health programmes for men or women working on humanitarian or aid projects. Aid workers were recruited from one day to the next and sent to Rwanda or to the former Yugoslavia with little more than perfunctory information on what they would find there or the work they were going to do. Needless to say, nothing specific about women.

When the first cases of stress appeared, with their consequences for the mental health of humanitarian workers of both sexes, organisations had to start taking notice of the risks that such work involves to the mental health of those doing it⁽³²⁾.

■ What about the women aid workers?

Humanitarian aid workers are exposed to many sources of stress, among them the following: the difficulties of a context of hardship and violence, contact with people's suffering, the dilemmas inherent in humanitarian work, constant self-criticism, deficient command and internal communication structures in their organisations, and high personnel turnover. This chronic exposure to stress also occurs in a context in which many of the usual psychological and affective support mechanisms such as family, partner and friends, are lacking. In many cases, and of particular importance for women, that of children.

Exhaustion or fatigue (commonly referred to as *burn-out*) is probably the commonest result of cumulative stress⁽³³⁾. This type of disorder, which usually starts gradually, is characterised by the following symptoms: fatigue, emotional and physical exhaustion, difficulty sleeping, non-specific physical symptoms –such as headaches or gastrointestinal problems–, irritability, anxiety, depression, sensations of guilt and impotence, aggressiveness, apathy,

⁽³²⁾ "My first assignment as a volunteer was in 1994 in Burundi, a crisis symmetrical crisis to that of Rwanda. For nearly two years I was working in the Great Lakes region. I had just turned 30 and I faced some very intense medical and human situations, which has stood me in good stead, because everything I saw after that seemed less horrific. Psychologists working on this have discovered a syndrome of "*aid worker burn-out*", in those involved in emergencies, which is well defined. There are some defence procedures which consist in trying to distance oneself from the source of emotion, since one is living through situations of war, post-war, meeting orphans, widows or a tragedy such as AIDS. I've been in some pretty stressful situations, but I took *breaks*, I tried to create a distance. I've known people who, being of a more sensitive nature, have broken down and had to leave a project because they were about to go crazy." Miguel Ángel Ramón TOUS, doctor. He worked with Doctors of the World in the Great Lakes region. Testimony posted on the Doctors of the World website: www.doctorsoftheworld.org

⁽³³⁾ SALAMA, P. (1999), "The Psychological Health of Relief Workers: Some Practical Suggestions". In *Relief and Rehabilitation Network Newsletter*, n.º 9, ODI, London

cynicism, substance abuse, difficulty communicating and distancing from the situations and beneficiary population⁽³⁴⁾.

Women aid workers are also more vulnerable if they do not have adequate sexual and reproductive health resources available and on top of that must live with the risk of being assaulted, raped or abducted.

Women aid workers also have to cope with a certain male-chauvinistic paternalism, perhaps not deliberate and to some extent understandable, when carrying out their work in "hot" zones. Casting my mind back, I still recall with a certain trepidation when, as president of Doctors of the World, in the heat of the war of the former Yugoslavia, I had to sit down and negotiate around a table with four huge Croatian militia commanders who were armed to the teeth, and I as the only woman, unarmed, for them to allow us access to the people who were in need of medical attention.

At that time there were very few women involved in aid work from positions of responsibility and with the power to make decisions. Florence Nightingale was apparently long forgotten⁽³⁵⁾, but we women had to continue breaking glass ceilings, as in every activity and at every stage of our lives. The first Doctors of the World aid worker to die in the field, when I was chairing the organisation, was indeed a woman, Mercedes Navarro: administrator of the Doctors of the World project in Mostar. She was assassinated by a man who burst into the office of Doctors of the World in May 1995 brandishing a machine gun⁽³⁶⁾.

⁽³⁴⁾ STEARNS, S. D. (1993). "Psychological Distress and Relief Work: Who Help the Helpers?". In *Refugee Programme News*, n.º 15, September.

⁽³⁵⁾ Florence Nightingale rose to fame for nursing the sick and wounded during the Crimean War (1854–56). After the war, she might have taken a high-profile post as a hospital matron and superintendent of nurse training. Instead, she retired from public life to use her influence to campaign and promote educational schemes. Her impact was probably greater for choosing to influence policy rather than exercising power. Florence Nightingale wrote 200 books, reports and pamphlets after the Crimean War, which had a profound effect on army health, welfare in India, civil hospitals, medical statistics and nursing. Her greatest educational contributions were in the establishment of new institutions for the training of army doctors and hospital nurses, but some of her lesser-known educational schemes are illuminating. *Prospects. Quarterly Review of Comparative Education* (Paris. UNESCO: International Bureau of Education, vol. XXVIII, n.º 1, March 1998, pp. 173-189.

⁽³⁶⁾ "Spanish aid worker assassinated in Mostar. Spanish aid worker Mercedes Navarro Rodríguez, age 37, coordinator for Doctors of the World in Mostar, was killed yesterday, and her compatriot psychiatrist Alberto Fernández Liria, age 40, a member of the same non-governmental organisation, was seriously wounded when they were machine-gunned in their office in the capital of Herzegovina by an individual who then committed suicide. This is the first death of a Spanish aid worker in the former Yugoslavia. Navarro had been in Bosnia only since 27 April. The incident happened mid-afternoon, when a resident of the street in which Doctors of the World has its office charged into the building with a machine gun and opened fire. Mercedes Navarro died instantly, and Fernández was hit in the leg. He was operated on in a hospital in the West of Mostar, where his condition was described as serious." *El País*, 30 May 1995.

Since then, other women have died or been abducted while working on emergency or development projects. Blanca Thiebaut and Montserrat Serra, abducted in October last year in Kenya while working for Médecins sans Frontières, and Ainhoa Fernández, abducted in Tindouf, also last October, together with two colleagues. Before that, another aid worker with Doctors of the World, nurse Flors Sirera, was murdered in Rwanda in 1997, together with two colleagues –a logistician and a doctor– while working on a project designed to help the population returning from the Hutu *refugee camps*.

At this stage of history women have now occupied posts at every level of aid work, and even on the scale of victims of war-related violence. In fact, as in many other professions, we are now a majority: according to data of the Spanish International Co-operation Agency in 2009, 70% of aid workers were women. However, 70% of the management positions in the organisations for which these women work are occupied by men. Given this situation it is not surprising that even today it is difficult to get the people in charge of some NGOs to understand not just the needs of women refugees or aid recipients but those of the women who are going to work on the ground.

We will keep trying.

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