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Promoting Gender and Building Peace: Evolving Norms and International Practices

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**PROMOTING GENDER AND BUILDING PEACE: EVOLVING NORMS
AND INTERNATIONAL PRACTICES**

by

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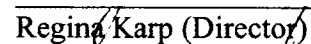
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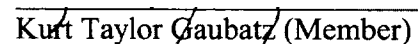
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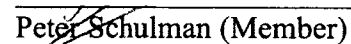
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ABSTRACT

PROMOTING GENDER AND BUILDING PEACE: EVOLVING NORMS AND INTERNATIONAL PRACTICES

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Old Dominion University, 2013
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The United Nations (UN) has incorporated a strong gender perspective into its peacekeeping operations (PKO) based on a renewed focus on women's rights and participation in peace processes. These efforts are part of a complex organizational learning process in which women's central role in peace processes and the increasing efforts to respond to conflict-related sexual violence have become a central component of the organization's strategy to build a lasting peace. The underlying logic is that it is only after an equitable society is founded and when the other half of the population's voice has been included in the political life of the state that peace can genuinely be accomplished.

Nonetheless, the UN's impact on the ground is difficult to measure and remains limited. While member states have unanimously endorsed these policies aimed at reducing gender inequalities and embedded them in the organization's resolutions and peace operations mandates, the equal status of women promoted in these policies is in direct contrast with women's status within a majority of the member countries. This dissertation argues that the UN's renewed focus on gender as a means to build a lasting peace has had limited results due to member states' inability or unwillingness to adopt gender approaches themselves, along with other factors such as the persistence of patriarch-based and weak institutions in intervened societies, volatile security environments and lack of resources.

In order to assess this argument, the UN's organizational learning process will be evaluated through an analysis of how gender-sensitive practices were incorporated to peace processes at headquarters, member states and mission levels. For this purpose, an analysis of the UN's normative framework (resolutions, guidelines, training modules, etc) and states' compliance will be carried out along with an evaluation of the advances for the implementation of these renewed practices in two case studies: United Nations Stabilization Mission in the Democratic Republic of Congo (MONUSCO) and the United Nations Stabilization Mission in Haiti (MINUSTAH).

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This dissertation is dedicated to my mother

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Writing on gender in peacekeeping has been a challenge. It required long-term field works, an expertise in different organizational cultures that I did not have and most importantly, resilience to constantly see, listen and read horrendous stories of people who have endured unimaginable atrocities. I would not have been able to carry out the research without the trust and support of Marcela Donadio and Juan Rial, who were my mentors during the time I worked as a researcher/consultant for the Latin American Defense and Security Network (RESDAL).

Many of the ideas developed in this dissertation were the product of conversations with my professors at GPIS, especially the three committee members, Dr. Regina Karp, Dr. Kurt T. Gaubatz and Dr. Peter Schulman, who have provided invaluable insights throughout this process. Finally, I would like to thank my family and friends for the endless discussions on this and other topics that contributed to refine my own research but most importantly, enhance my understanding on various subjects. A special thanks to Alessandro Shimabukuro, Lauren Mckee, Patricia de Valenzuela and Wiebke Lamer, who not only read this manuscript, but also provided invaluable feedback to improve it. Finally, to Christina Slentz, Claudia Risner, Joanne Fish, Hannah Ozment, Valerie Sprouse, for helping proofreading and editing this document.

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ABBREVIATIONS

ANC	Congolese National Army
BRABATT	Brazilian Battalion
CA	Civilian Affairs
CAN	Community Alert Network
CEDAW	Convention on the Elimination of Discrimination against Women
CIMIC	Civil Military Cooperation
CLA	Community Liaison Assistants
CNDP	National Congress for the Defense of the People
COB	Company Operating Bases
CPTM	Core Pre-Deployment Training Module
CSW	Commission on the Status of Women
CVR	Violence Reduction Community
DAW	Division for the Advancement of Women
DEVAW	Declaration on the Elimination of Violence Against Women
DDR	Disarmament, Demobilization and Re-integration
DDR/RR	Disarmament, Demobilization, Repatriation, Reintegration and Resettlement
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
FAC	Congolese Armed Force
FARDC	Armed Forces of the Democratic Republic of Congo

FDLR	Democratic Forces for the Liberation of Rwanda
FPU	Formed Police Unit
HAP	Humanitarian Action Plan
HNP	Haitian National Police
GBV	Gender Based Violence
ICC	International Criminal Court
ICTY	International Criminal Tribunal for the former Yugoslavia
IDP	Internally Displaced People
INSTRAW	International Research and Training Institute for the Advancement of Women
IO	International Organization
JAM	Joint Assessment Missions
JIT	Joint Investigating Teams
J-MAC	Joint Military Analysis
JMT	Joint Monitoring Team
JPT	Joint Protection Teams
LIP	Labor Intensive Project
LRA	Lord Resistant Army
MICIVIH	UN/OAS Civilian Mission
MINUSTAH	United Nations Stabilization Mission in Haiti
MIPONUH	United Nations Civilian Police Mission in Haiti
MLC	Congo Liberation Movement
MOB	Mobile Operating Bases

MONUC	United Nations Organization Mission in the Democratic Republic of Congo
MONUSCO	United Nations Stabilization Mission in the Democratic Republic of Congo
MPR	Popular Movement of the Revolution
NAP	National Action Plan
OAS	Organization of American States
OCHA	Office for the Coordination Humanitarian Affairs
OGA	Office of Gender Affairs
OHCHR	Office for the High Commissioner of Human Rights
ONUC	United Nations Operation in the Congo
ONUVEH	Observer Group for the Verification of the Elections in Haiti
OSAGI	Office of the Special Adviser to the Secretary General on Gender Issues and Advancement of Women
PNC	Congolese National Police
POC	Protection of Civilians
PSC	Prosecution Supporting Cell
QIP	Quick Impact Project
RCD	Congolese Rally for Democracy
RESDAL	Latin America Defense and Security Network
RwP	Responsibility while Protecting
R2P	Responsibility to Protect
SEA	Sexual Exploitation and Abuse

SGBV	Sexual and Gender Based Violence
SVU	Sexual Violence Unit
TCC	Troops Contributing Countries
TOB	Temporary Operating Bases
UN	United Nations
UNAMID	United Nations Mission in Darfur
UNANSIL	United Nations Mission in Sierra Leone
UNDP	United Nations Development Fund
UNFPA	United Nations Population Fund

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CHAPTER 1

INTRODUCTION

The UN Security Council “stresses that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security, affirms in this regard that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security (...)”¹

“Sexual Violence as a tool of war can become a way of life: once entrenched in the fabric of civilian society it lingers long after guns have fallen silent.”²

This project began when, as a consultant, I had the opportunity to spend approximately 75 days in Haiti and in the Democratic Republic of Congo analyzing the UN’s advances and limitations in peacekeeping practices. The distance between the political discourse, the UN’s documents and the reality found in the field became my main area of interest. As I researched the contributions of Latin American peacekeepers to promote and implement a gender approach to UN peace operations, I had the opportunity to interact with practitioners from various backgrounds and experience the challenges encountered by those deployed in mission areas and entrusted with the responsibility of applying the UN’s missions’ mandates.

¹ United Nations Security Council, "Resolution 1820", June 19, 2008, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/391/44/PDF/N0839144.pdf?OpenElement>.

² United Nations Secretary General, "Report of the Secretary General on the Implementation of Resolutions 1820 and 1888", November 24, 2010, <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20S%202010%20604.pdf>.

The task of evaluating how well the UN's gender mandate is being implemented and interpreted by different contingents became not only challenging, but also dependent on a creative process through which the researcher attempts – sometimes after strenuous efforts – to fit apparently random actions with the norms created at headquarter levels. The gap between the “bubble” and the “field” is quite impressive and can be perceived in the way norms are put in practice and, most importantly, through the UN staff's pragmatic view of what is ideal and can actually be done as opposed to the glimmering texts of the resolutions. Lack of personnel, resources and even understanding regarding these norms are commonplace, reflecting some of the inner problems in UN actions in the field. Interestingly, however, is the fact that “lacking” has become such a major feature of UN peacekeeping practices, and rather than being perceived as a major failure, it is normal.

This realization troubled me. Not only did there seem to be a gap between discourse and reality on the ground, but this gap was widely accepted as a feature of peace efforts. At the same time, scholarly work presented yet another disconnect. With the exception of few authors, most analyses about UN peacekeeping actions qualify them as major failures. Even though it is true that most UN peace missions have indeed fallen short in successfully fulfilling their mandates and transforming host nations, the parameters of analysis used by scholars, politicians and practitioners from civil society organizations and international organizations seem to be different.

UN documents, missions' mandates and guidelines provide an ideal normative framework largely associated with Western “recipes” of success. As argued by Roland Paris, international interventions have focused on bringing democracy and re-building the

economic life under liberal premises.³ While these seem logical and appropriate, little consideration is seriously undertaken in regard to the effects of these policies on intervened societies. What is worse, these western based ideals seem unattainable and sound almost like a joke for many of those carrying out their functions in the field.

At the same time, however, setting “aspirational goals” rather than “just attainable goals” may facilitate the spread and diffusion of norms that have been successful in other societies, and possibly over time these war-torn nations can indeed work as fully functional democracies that are concerned with human rights, gender equality and the well-being of their citizens. In fact, we know little, if nothing, of what would be the consequences of setting less “glimmering” goals. Would the international community be able to act more pragmatically and thus more effectively? Or would that create an even more dysfunctional organization whose aim is less than peace, thus rendering its performance even poorer?

Most of the literature dealing with the UN’s gender approach to peacekeeping points to a gap between the UN’s aspirational goals and their actual performance in relation to those goals. While these analyses are important because they are constantly reminding us of how far the international community is from successfully fulfilling its mandates, they do not provide useful tools for those in the field aiming to do their best with what is available.

The departing point of this dissertation was this mismatch between the reality in the field, the political discourse and the academic analysis. Even though all of these conversations deal with the same issues, they seem to have different parameters of

³ Roland Paris, *At War's End: Building Peace after Civil Conflict* (Cambridge, U.K.; New York, NY: Cambridge University Press, 2004).

evaluation and often do not complement each other. While small successes are considered great victories by practitioners in the field, they are seen as irrelevant for scholars in the comfort of their lives in developed countries, and as political propaganda for politicians aiming to foster their nations' own interests or organizational success.

My intent was thus to bring these worlds together. Mostly, the scholars' and the practitioners' world, both of which I have experienced intensively over the past five years. As a scholar with limited experience as a practitioner, I would like to provide theoretical and conceptual tools that can actually be understood and used by practitioners aiming to improve the efficacy of their actions in the field. At the same time, as a practitioner, I would like to use my academic background to provide scholars with basic parameters to recognize the work done in the field in accordance with what is possible and attainable.

For this purpose, I chose the gender approaches to peace operations as a starting point to bridge these different worlds. Since 2000, the UN has adopted a normative framework that increasingly connects "gender considerations" as a central component of peace efforts. This framework was carefully crafted in what became known as "Women, Peace and Security Resolution", a set of five resolutions that aim to enlarge the participation of women in peace processes and to better address the impact of war on women and girls. Taken together, these efforts are concerned with gender equality or the emphasis on equal opportunities for women and men and an understanding in regard to the impact of policies, events and actions on different gender groups.

Interestingly, these resolution and spin-off documents - including strategies, training modules and analytical reports - all assert that there is a strong linkage between

peace and “normal” gender relations. However, while fixing gender relations seems an appropriate response, it also seems a stretch, particularly considering the cultural reality and status of women in most of the UN’s member states. This, of course, is not to say that gender equality and actions to address the impact of war on women and girls is unimportant, but rather it raises questions as to what extent the UN can disseminate these norms in intervened societies when interveners themselves have not entirely adopted these norms. As a direct result of this observation comes yet another question. Can the UN serve as an agent of dissemination to both intervened and intervening societies? What positive and negative impact does the presence of this dual reality present for intervened nations?

In order to answer these questions I chose the analytical framework provided by the theory of organizational learning. In the IR field, Ernst Haas has been an influential exponent of this theory, arguing that organizational learning occurs when new practices, based on new norms and purposes, are introduced to a given organization.⁴ Successful learning processes, however, are dependent on a given organization’s capacity to generate cross-cultural consensus, or to be sufficiently ample to be accepted across different cultures. In an organization such as the UN, cross-cultural consensus can become problematic, especially when referring to such a controversial matter as gender and women’s status and rights.

As a result, this dissertation attempts to assess whether or not an organization can learn independently from its member states and serve as an agent of dissemination. In the specific case of gender, it becomes clear that the UN’s normative framework is strong

⁴ Ernst B. Haas, *When Knowledge Is Power: Three Models of Change in International Organizations*, Studies in International Political Economy (Berkeley: University of California Press, 1990).

and encompasses a view usually associated with the West. At the same time, the evaluation of member states' compliance to resolutions on Women, Peace and Security, shows that states which have adopted resolutions provisions are mostly European and African states that have passed through a UN intervention themselves. It is thus important to assess the UN's ability to put forth its gender approach without member states' full compliance and, in this case, to assess whether the organization is capable of disseminating its norms throughout member states and intervened societies.

The argument is that adopting a gender approach to peace operations is part of an organizational learning process aiming to improve the UN's response to the challenges of international peace and security. This response, however, is dependent on member states' compliance to resolutions' provision and adoption of gender approaches in the field. As not all member states are keen to the idea of gender equality, efforts in the field have had limited impact.

However, the UN's role as an agent of dissemination cannot be underestimated. Even though its importance could not be fully assessed, this dissertation provides enough evidence that the UN presence has had a positive impact in the perception and understanding of gender in host nations and intervening member states, and has served as an important platform for norms' dissemination. The following sections will provide a valuable background as to how gender became central to the UN's agenda, as well as the concept and mechanism of organizational learning and the overall plan of development for this dissertation.

International security: renewed challenges and rising norms

The transformation of international conflicts and the changing nature of threats led the United Nations to question its own earlier approaches to promote peace and international security. Peace operations worldwide were no longer dependent on state consent; they often became humanitarian interventions, done in the name of the citizens whose governments were unable or unwilling to provide their basic needs or purposely violating their rights. With this shifting paradigm came the dissemination of human rights norms that elevated the importance of the individual to the detriment of states. In this context, a specific gender approach to peace operations was also put into practice. As a matter of fact, gender started to be considered an integral component of peacekeeping practices.

This unfolding process was possible due to three main factors: rising norms of human security, the establishment of peace operations with a protection of civilians mandate and, finally, the increasing concern in regard to women's rights and the specific needs of women and girls in conflict settings. Taken together, these factors opened the possibility that gender issues would not only be considered within peacekeeping practices, but interestingly understood as central to building a lasting peace.

If there is one great idea the dissemination of which can be attributed to the UN it is that of human rights. Since its creation, the UN has been concerned with the generation of internationally defined parameters of how individuals should be treated by their governments and what concerned their most fundamental rights. This perspective, however, has been in constant confrontation with yet another principle that has always been central to the organization, that of sovereignty.

The importance of sovereignty for the UN is expressed through the principles of non-intervention and territorial inviolability and reflects an organizational culture highly marked by its member states. Nonetheless, the constant changes in the security environment and the placement of the individual as the central target of warring parties has contributed to increasing re-evaluation of the concept of sovereignty to incorporate that of humans rights. In other words, governments that are unable or unwilling to protect its citizens would lose the prerogatives of state sovereignty and foreign interventions could be authorized in the name of citizens under threat.

It is in this context that the concept of human security gained importance within the UN. Human security entails shifting the focus of security from the state towards the individual and considering security as a much broader concept. Although there is not thus far a consensus over the concept, it is widely accepted that human security goes beyond the traditional military related sense to incorporate the everyday needs and concerns of individuals, including access to water, medical services and education, improved living conditions, etc.⁵

⁵ Not only human security shifts the focus of security from the state to the individual, it also broadens the concept of security. The concept was initially put forth in UNDP's 1994 report on Human Development when UNDP's ideas of human purposes of economic development were combined to the new security agenda. The concept however is highly criticized. The first aspect to emphasize is that the concept is hardly to completely substitute that of national security that continues to dominate IR field. The second aspect is that the broadening of the concept of security has also been the object of serious critics as it security is broadened, policy design becomes a challenge. Consequently, the field lacks a consensus regarding the scope of security, whether it should solely focus on protection against violence or if it should include elements such as education, development and so on. For a complete account of the development of the concept within the UN, see: S. Neil MacFarlane and Yuen Foong Khong, *Human Security and the Un: A Critical History*, United Nations Intellectual History Project (Bloomington: Indiana University Press, 2006).

As security is broadened and individuals' protection becomes an essential part of international peace and security, United Nations peacekeeping operations⁶ were also broadened and began to incorporate functions that went well beyond traditional cease-fire monitoring. The new operations would oversee elections, re-structure the government, re-build the security sector and attempt to provide the population and its government with capabilities to survive on its own. Most importantly, the UN security forces were put in the service of civilians and had the mandate to use all necessary means to protect them.

Since then, peace operations mandates started to slowly incorporate protection of civilians at the core of military actions with varying results on the ground. Moreover, the UN produced documents that incorporate a human rights dimension to peacekeeping, such as the Brahimi Report (2000) that supported a renewed focus on the protection of civilians, the Operational Concept on Protection of Civilians,⁷ and the Lessons Learned Note on Protection of Civilians,⁸ amongst others. Currently, 10 out of 17 peace operations authorized by the UN have the protection of civilians as part of its mandate and international norms for human rights emphasized the centrality of the individual.

⁶ With the transformation of peacekeeping practices after the 90's, different types of peace operations began to be established. United Nations Department of Peacekeeping Operations (DPKO), define five different types of operations: 1. Conflict Prevention: involving diplomatic measures to keep intra-state or inter-state tensions and disputes from escalating into violent conflict; 2. Peacemaking: involving measures to address conflicts in progress, including diplomatic action to bring hostile parties to a negotiated agreement. 3. Peace enforcement: involving the application of a range of coercive measures, including the use of military force under the explicit authorization of the Security Council; 4. Peacebuilding: aiming to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundation for sustainable peace and development; and finally 5. Peacekeeping: in principle, deployed to support the implementation of a ceasefire or peace agreement. However, the boundaries between conflict prevention, peacemaking, peacekeeping, peacebuilding and peace enforcement have become increasingly blurred and peace operations are rarely limited to one type of activity. Traditionally known as peacekeeping operations, it is often the case that regardless the specific type of peace operation, UN's operations are often referred to simply as peacekeeping operations. See: <http://www.un.org/en/peacekeeping/operations/peace.shtml>. Accessed: 03/26/2013.

⁷ Department of Peacekeeping Operations and Department of Field Support, "Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations" (New York: United Nations, 2011).

⁸ "Lessons Learned Note on the Protection of Civilians in Un Peacekeeping Operations" (New York: United Nations, 2011).

This transformation has not come without difficulties. Despite the authorization of more and more complex peacekeeping operations since the 90's, the UN and the international community in general failed to respond to major atrocities such as the genocides in Rwanda and Srebrenica and the use of widespread rape as a tool of war, as in the case of Bosnia and in many other untold civil wars around the world. In fact, it became clear that peace would only be accomplished if protection strategies considered differentiated consequences of conflict on the different gender groups.

In parallel, since the UN's foundation, there has been a noticeable progress in considering women's rights and specific women's issues within the UN. In fact, from its inception, the UN included in the Charter an article containing provisions against sex discrimination. Considering that up to 1945 there were no internationally defined norms on women's status, it comprised an important step towards defining common parameters, rather than considering women's rights as a cultural and thus a domestic issue.

Throughout the years, women's rights were developed in four main areas. Initially, women's rights were tackled in economic and political domains. In economics, the need was emphasized for women and men to have equal opportunities in labor market, education and participation in the economic development and production of their countries. Political rights as voters, candidates and legal citizens on their own were topics present in the political rights of women. The third area in which women's issues gained terrain was human rights. In this particular area, the recognition of violence against women and discrimination as a human right violation was an important step toward minimizing cultural considerations and bringing women's concerns to the public arena.

It is in this context that increasing concerns with the specific effects of war on women and girls led women's issues to debut in the field that comprised UN's *raison d'être*, international peace and security. In 2000, the UN adopted Security Council Resolution UNSCR1325 and alluded for the first time a link between the impact of war on women and international security. In the resolutions own terms:

recognizing that an understanding of the impact of armed conflict on women and girls, 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.⁹

Following 1325 four other resolutions [UNSCR1820 (2008), UNSCR1888 (2009), UNSCR1889 (2009) and UNSCR1960 (2010)] would comprise what is today known as “Women, Peace and Security” resolutions, or the normative framework for incorporating a gender perspective to peace processes.

⁹ United Nations Security Council, "Resolution 1325" October 31, 2000).

Table 1: Women, Peace and Security resolutions

UNSCR1325 (2000)	UNSCR1820 (2008)	UNSCR1888 (2009)
First Security Council resolution to link women's experiences of conflict to the maintenance of international peace and security. Asserts women's leadership and role in conflict resolution, peace talks and recovery, requires build-up of gender response capability in peacekeeping missions and gender training for all involved in the maintenance of peace and security	First Security Council resolution to recognize conflict-related sexual violence as a tactic of warfare and a matter of international peace and security, requiring a peacekeeping, justice, services and peace negotiation response.	Strengthens tools for implementing 1820 through assigning high-level leadership, building judicial response expertise, strengthening service provision, and building reporting mechanisms.
	UNSCR1889 (2009) Addresses women's exclusion from early recovery and peacebuilding and lack of adequate planning and funding for their needs. Asks for a strategy to increase numbers of women in conflict-resolution decision making, and asks for tools to improve implementation: indicators and proposals for a monitoring mechanism.	UNSCR1960 (2010) Provides an accountability system for addressing conflict-related sexual violence, including by listing perpetrators and establishing monitoring, analysis, and reporting arrangements.

Source: UN Women.

Although mostly focused in the effects of sexual and gender based violence in conflict and post-conflict settings, the UN's gender approach to peace operations is comprehensive and considers the physical and structural vulnerability of local women,¹⁰ adopting protection mechanisms that include the restructuring of the security sector, economic empowerment, rule of law and sound legal and judicial systems. This shift in the approach meant that issues such as sexual violence could no longer be considered a silent side effect and legitimate spoil of war. In order to accomplish peace, the impact of

¹⁰ Throughout this dissertation, the terms structural vulnerability and structural insecurity will be used interchangeably. The use of the adjective structural attempts to capture Galtung's concept of structural violence as a form of violence where a social structure or institution purportedly prevent people from meeting their basic needs. Nonetheless, the term here is used more loosely and simply refers to people's inability to meet basic needs. See: Johan Galtung, "Violence, Peace, and Peace Research," *Journal of Peace Research* 6, no. 3 (1969).

war on women and girls should be adequately addressed and they should be active participants at negotiating tables.¹¹

Besides requiring changes in military tactics and improved training, actions to be taken under these resolutions ultimately foresee a change in the structure of the UN peace operation with impact during reconciliation and peacemaking phase but also afterwards in the post-reconstruction and development phases, also known as peace-building. As the normalization of gender relations in host nations - founded on a Western-based idea of women's rights - becomes a central component of peace, policies, strategies and the conduct of peace operations should incorporate elements often left aside from military considerations and protection strategies.

Issues such as women's empowerment, social status, political participation become important elements. Moreover, the use of force to maintain international peace and security acquires a new meaning and includes actions to protect women and girls from sexual violence. The logic behind dealing with sexual violence not only results from the need to address one of the horrors often carried out in wars, but also to rebuild the fabric of families and communities, re-establish state authority and construct a reliable justice system.

These three elements can be more adequately addressed when sexual violence is taken under consideration and not kept as a taboo subject not discussed at the negotiation table. Sexual violence destroys the fabric of families and communities by bringing discord, confusing bloodlines and inheritance matters and by the pervasive psychological effects it brings to victims and families. UN civilians in cooperation with the police and

¹¹ Robert Jenkins and Anne-Marie Goetz, "Addressing Sexual Violence in Internationally Mediated Peace Negotiations", *International Peacekeeping*, Vol.17, Issue 2, 2010.p.261

the military are in charge of promoting actions that strengthen social cohesion and stability and advancing projects that support community development and women's empowerment. Promoting effective state authority is done in various fronts, however in this particular topic, the reform of the security sector and justice system are necessary conditions for breaking the cycle of impunity and for putting in place a state apparatus capable of protecting its population, including women and girls from sexual violence.

Twelve years after the launching of the first Security Council Resolution regarding Women, Peace and security, a few changes have been observed. At headquarters level, implementing tools for UN actors and member states, including specific strategies to combat sexual violence, guidelines on how to incorporate a gender approach to the work of military and police personnel and gender training modules have been created. A structure to support the implementation of these changes was also created with the establishment of Senior Gender advisers at headquarters and missions levels and with the appointment of a Special Representative to deal exclusively with sexual violence at headquarters level with Senior Advisors at mission level. At the member state level, countries have adopted the UN's training modules and guidelines and 39 member states have created National Action Plans (NAPs) that contribute to promoting gender mainstreaming within their societies, particularly in the national military and the police.¹²

While the adoption of these policies seems plausible and logical, whether or not they can be implemented is still unknown. Most of the 39 member states that have adopted these policies are either developed states, who already have cultural affinity with the matter, or African nations that have themselves passed through a UN intervention and

¹² See: Peace Women, "List of National Action Plans," : 03/26/2013, <http://www.peacewomen.org/naps/list-of-naps>.

thus received the organization's incentive to formulate gender policies. Whether or not these are actually put in practice is another matter (note, for example that the DRC, the world capital of rape, has its own NAP).

At the same time, little is known about the efficacy of gender policies implemented in the field. Although the objective of this dissertation is not to determine whether or not they have been successful, it will collect evidence of what is currently being done and establish important benchmarks for future research to analyze how successful gender policies in peacekeeping setting have been. Most importantly, it shows that although still limited in scope, new policies are being generated and an attempt to disseminate norms to host nations and member states was made.

Conceptual and theoretical background on gender and women's issues

Before entering into the specific subject of organizational learning and how it takes place, the first step is to clarify basic concepts used in this dissertation, in particular that of gender, gender equality and gender mainstreaming. Despite the advance in the literature of feminist studies, there still seems to exist a confusion between gender and women's issues. Although gender does not automatically translate into women's issues, the UN's focus on women's issue under the macro scope of gender and the reproduction of gender essentialisms in some of the organization's resolution may have contributed to the perpetuation of this wrong image in some circles.¹³

¹³ Although this issue will be further developed later, for now, I would like to draw attention to the fact that most UN Resolutions on "Women, Peace and Security", take the instance of women as victims and vulnerable groups within conflicts and leave aside the important domain in which they act as autonomous and agentive actors of transformation. In addition, the central issue of sexual violence against men is also left aside, even though that tends to be as problematic and even more silent.

The experiences and concerns of men, women, boys and girls, before, during and after wars are shaped by their gendered roles. These are formed by the cultural, social, economic and political context where they live and the expected patterns of behavior and obligations they ought to comply with.¹⁴ Consequently, it is imperative to understand gender as a social system that not only shapes individual identities and lives, but most importantly provides a rigid framework that dictates how they should behave, the kinds of daily activities they should perform, and how much they should be paid for it.¹⁵ In other words “it is a way of categorizing, ordering, and symbolizing power of hierarchically structuring relationships among different categories of people and different human activities symbolically associated with masculinity and femininity.”¹⁶

When gender is understood as a social system, the relationship between institutions that reinforce gendered stereotypes and distributes power and resources accordingly becomes even clearer. It is often the case that strong ideologies, hidden under the premise of “culturally accepted” norms of behavior, further legitimize it. A powerful example is the overrated biological differences that are used to dictate the areas where women can and cannot perform. The military is one of the best examples where these biological differences, seen as unavoidable and unchangeable seem to still nowadays determine the kind of roles and branches women can pursue in a military career.¹⁷ The

¹⁴ Dyan E. Mazurana, Angela Raven-Roberts, and Jane L. Parpart, *Gender, Conflict, and Peacekeeping*, War and Peace Library (Lanham, MD: Rowman & Littlefield, 2005). p. 13

¹⁵ Carol Cohn, *Women and Wars* (Malden: Polity Press, 2013). p.3

¹⁶ Ibid.

¹⁷ The incorporation of women into the military worldwide tends to follow the same pattern. First as professionals, they joined the military in areas that were already associated with “feminine” activities, such as nurses, teachers, dentists etc. It was only recently that most countries opened combat positions for women to join the military. In fact, most countries do not have women in combat arms or when they do, the incorporation is so recent that they haven’t still reached higher ranks.

question remains, as if the differences we found in biology are enough to explain the sorts of careers that women and men pursue.¹⁸

These gendered ideas about men and women influences the kind of experiences each gender group has during war with profound consequences for its aftermath. In terms of violence for example, war related sex crimes tend to be seen as a distortion or spoil of war. That is why it has been for so many years excluded from peace negotiation tables. However, important feminist studies have shown that rather than a distortion, war violence is the product of a continuum of violence and a reflection of the previously existent violence during peacetime. In other words, peace agreements mean that organized armed violence is over, and that women will remain victims if gender relations return to the pre-war normalcy.¹⁹

That is why the UN's approach to gender in conflict and post-conflict reconstruction needs to go beyond the surface and consider the specific subtleties of the society where intervention takes place. The UN's overall approach to tackling gender is based on a gender equality strategy. The two components of this strategy are gender balance and gender mainstreaming. While gender balance refers to the degree to which women and men participate within the full range of activities associated with the UN, gender mainstreaming refers to actions aimed at assessing the implications of policies and events to each gender different group. It also attempts to bring the interests of women and men to the policy making table. Consequently, it entails that gender groups experience

¹⁸ Ibid. p.6

¹⁹ Ibid. p.21

and recover from the effects of violence and destabilization at a different pace and in different ways.²⁰

Although the appropriateness of this approach in the paper is clear, it becomes much more complicated to implement that in practice. Personnel – including civilians – are ill-trained to rightly apply gender mainstreaming in its policies, whatever the area of their expertise. Consequently, instead of becoming a cross-cutting issue in all UN activities, gender-approaches have been developed as a separate structure.²¹

Indeed, from its beginning as a separate organ, the Commission on the Status of Women (CSW) was created to deal with specific women's issues. Despite the thoughtful argument that women's issues and a gender approach should not have a special and separated structure, we should not confuse aspirational goals with reality. It would be ideal if a gender approach could cross-cut all issues and all personnel was able to recognize the implications of its policies to all gender groups and to apply discretionary policies to enhance women's rights and empowerment while also considering the special needs of men, boys and girls. However, we are not there yet, and just like in 1947 when the CSW was created, we still need separated gender units to promote gender mainstreaming in peace operations.

In this context, it is important to emphasize that constantly talking about women as a vulnerable group that deserves special protection strategies may already be seen as genderized. Indeed, reinforcing women as part of a vulnerable group in every UN resolution may have adverse effects if not done with caution. Although it is imperative

²⁰ Mazurana, Raven-Roberts, and Parpart, *Gender, Conflict, and Peacekeeping*. p.15

²¹ Angela Raven-Roberts, "Gender Mainstreaming in United Nations Peacekeeping Operations: Talking the Walk, Tripping over the Walk," in *Gender, Conflict, and Peacekeeping*, ed. Dyan Mazurana, Angela Raven-Roberts, and Jane Parpart (New York: Rowman and Littlefield Publishers, 2005). p.52.

that women's agency be addressed and their role in re-building war torn societies emphasized, it is a fact that war has disproportionately affected them.²²

By no means should this statement translate into ignoring the suffering that other gender groups, in particular men may suffer during war. Nonetheless, the pernicious tactic involving sexual abuses as part of a war strategy seems to be more evident when the victim is a male and the perpetrator another male. When the victim is a woman, the strategic thinking before the act is suddenly forgotten and replaced by a general acceptance of the fact as a spoil of war and of "boys doing what they are supposed to do."²³

Consequently, the thought that "we are just not there yet" seems appropriate, and separate provisions for different gender groups are still necessary. Unfortunately, gender-neutral policies and agreements are all but neutral and tend to systematically exclude women's special needs and participatory instance. This leads us to the second point often objected and criticized when discussing UN Resolutions on Women, Peace and Security, that is, including more uniformed women as a way to better address violence against women.

By no means does increasing women's participation in peacekeeping efforts reinforce gender essentialisms that women are more caring and thus local women feel more prone to communicate with them. Instead, it offers the intervened society a role model in which women can do the same activities as men, besides creating better

²² On the role of women in post war period see: Sheila Meintjes, Anu Pillay, and Meredith Turshen, *The Aftermath: Women in Post-War Transformation* (London; New York: Zed Books, 2001).

²³ This insight was provided during lively discussions in the Symposium "The Missing Peace Symposium 2013", organized by SIPRI North America, United States Institute of Peace (USIP), PRIO, Human Rights Center Berkley Law University of California. The symposium was carried out in Washington, DC, on February, 2013.

channels of communication between the population and the mission. We cannot expect Sudanese, Congolese, Haitian, or Liberian victim women to react to male uniformed personnel the same way that a western female victim of sexual violence may react. We are simply not there yet. And thus this first step is necessary, not only for the local women, but for all the women who want to be part of peacekeeping efforts and deserve to be there.

Organizational learning, institutional transformation and the UN

In order to understand how gender perspectives have been incorporated into peacekeeping practices as part of an organizational learning process requires an analysis of the concept of organizational learning and the mechanism behind it. The study of organizational learning has always been present in organizational theory; however, it is relatively novel in the IR field.²⁴ The corporate ontology associated with organizational theory has contributed to advancing within the IR field the idea that international organizations can have interests different from that of member states and pursue their own agenda. Within organizational theory, the concept of learning itself and how it takes place in organizations offers an important theoretical foundation to the claim that the United Nations has learned in terms of incorporating a gender perspective and may now serve as an agent of dissemination.

This dissertation's model of organizational learning is based on the understanding of international organizations as autonomous entities that are able to produce new

²⁴ For learning in the IR field see: Haas, *When Knowledge Is Power: Three Models of Change in International Organizations*; Bernd Siebenhüner, "Learning in International Organization in Global Environmental Governance," *Global Environmental Politics* 8, no. 4 (2012); Lise Morjé Howard, *Un Peacekeeping in Civil Wars* (Cambridge ; New York: Cambridge University Press, 2008).

knowledge and practices on their own.²⁵ The socialization of these practices among member states and their repetition over time is a necessary step for learning to take place. The ultimate test here is to find out whether or not a unanimous consensus among member states is necessary for a successful learning process to take place.

In the IR field, Ernst Haas was the first to discuss organizational learning in international organizations. Since IOs are created and formed by member-states, he considers that learning can only take place if the recently created practice reaches a cross cultural consensus amongst all member-states. Nonetheless, when considering such a diverse organization, as is the case of the UN, learning would become an extremely rare process, and thus this dissertation intends to assess whether IOs can learn independently from member states and become agents of dissemination themselves.

In this context, learning refers to the process through which a new international practice is created and included within the framework of action of a given IO. It also refers to a process of change in which older practices are substituted by new ones, and added to the organization's scope of action. This change can be either superficial or affect the inner most parts of the organizational culture.

As previously mentioned, the specific case of gender in peacekeeping has shown that the UN's renewed normative framework presents inherent challenges to cross cultural chasms. In fact, the strong link between fixing gender relations and a lasting peace seems to be at odds with the cultural and political reality of most member states

²⁵ The understanding of IOs in this dissertation is mostly derived from constructivist approaches. See: Michael N. Barnett and Martha Finnemore, *Rules for the World: International Organizations in Global Politics* (Ithaca, N.Y.: Cornell University Press, 2004).

that are tasked with the responsibility of disseminating gender policies in peacekeeping settings, and of host nations' context as well.

Consequently, this dissertation employs a theoretical framework that understands organizational learning as a two level process. The first refers to the process through which a new practice is generated, disseminated and institutionalized. The second, also known as transformation, refers to the ultimate stage of learning when practices are consensually accepted and adopted by all member states and become an integral part of the organizational culture.

First-level learning is originated due to a change in the context or is either driven by the advocacy work of members of an epistemic community²⁶, member states or IO bureaucracy. It includes five main phases: organizational dysfunction, which refers to the organization's inability to solve problems with the available set of existing practices; re-examination, or the process through which this existing set of practices are re-examined and new ones are proposed; minimum consensus, referring to the need to acquire a minimum acceptance amongst member states, members of the epistemic community and IO's Secretariat; institutionalization, comprising the process of embedding this new practice in the institutional framework of the organization through its inscription in written documents and re-use in other areas dealt by the organization; and finally, dissemination, the process through which this practice is socialized throughout the layers of the organization and to member states.

²⁶ As defined by Haas, epistemic communities are formed by a group of like-minded professionals that work around specific problematic issues and whose specialized expertise and knowledge are central to organizational learning.

In large organizations with headquarters and field offices, a feedback loop between the two is necessary. Often, practices originated at headquarters level are not fully applicable in other contexts or, when the proposed practices leave the boundaries of the ideational world, it is difficult to actually implement them into practice. The constant flow of communication between different offices grants the learning process with an increased chances of success since it provides updated information on successful and failed practices.

The second-level learning refers to the process through which practices are socialized to the rest of member states and then accepted and adopted by them. It requires that the executive power of those states implement changes in their own national policies in order to implement the new practice. When both the organization and its member states have changed and learned, that is when organizational transformation takes place. It is also important to note that organizational transformation also refers to a much deeper process of change. It comprises a change in the core values of the organization, or its *raison d'etre*. That is why organizational transformation is an extremely challenging and therefore rare phenomenon.

Promoting gender and building peace

Considering this definition and mechanism of organizational learning, this dissertation argues that as part of UN's search for more adequate responses to challenges in the field of international peace and security it has incorporated a gender perspective as an integral part of peacekeeping operations. This process was triggered by the UN's inability to respond to challenges provoked by modern-day conflicts with the traditional mechanism of peacekeeping practice. As a result, an inquiry process led to a re-

examination of its practices and a shifting focus from the state to the individuals' security. In practice, operations became multi-dimensional and included tasks concerned with their structural insecurity as well.

Nonetheless, the transformation of peacekeeping practices was not yet complete, and in fact, it still isn't. Throughout time, the organization acknowledged that conflicts and post-conflict settings had a differentiated effect on women and girls, and its pervasive impact would affect not only those gender groups, but also the societal stability, economic recovery and state authority. As a consequence, the "Women, Peace and Security" resolutions were adopted, providing the blueprints for member-states and the UN to incorporate a gender perspective into its peace processes. This renewed approach would be the foundation for a lasting peace.

In terms of implementation, the development of accountability, monitoring and implementation tools comprise major advances. Once in place they support the process of translating into practice resolutions' provisions. Moreover, a growing number of supporting documents, such as training modules and checklists for uniformed personnel, manuals and studies to be used by all actors involved are being generated. Still, a major implementation gap remains due to three main factors:

1. Resolutions provisions propose changing inner cultural traits as a ways to build a lasting peace. While these provisions are plausible, they comprise a reality still far to be attained not only by host nations, but also by member states intervening in these societies entitled with the responsibility of promoting these gender policies. As a consequence, advances in these policies are slow and often dependent on the personal efforts of certain people holding key positions.

2. Moreover, countries where missions are established are characterized by extremely volatile environments and any strategy to curb sexual violence and protect the population from these acts is context driven. As a consequence, success depends on missions' capacity at field level to constantly adapt its practices to the renewed challenges that are constantly generated. Field learning and the capacity of field staff and personnel to create a specific normative framework that considers the particular features of that context and incorporate new actions and policies in accordance to a changing environment is thus a necessary condition as well.

3. And finally, since member states are fully involved with peacekeeping practices either by sending personnel or by being the main financial sponsor, success also depends on how well the organization can disseminate its renewed gender policy to member states. The analysis of the two case studies will show that is where implementation gap remains widest and most challenging.

In order to assess this UN gender approach and implementation gap, this dissertation will discuss the evolving norms focused on the individuals, the transformation of peacekeeping practices, and how a gender approach was created and institutionalized in the UN. For this purpose, the implementation of "Women, Peace and Security" at headquarters, member states and field levels will be analyzed. While the analysis of the first two levels will be based on primary documents and literature review on the subject, the evaluation of field missions will be based on two case studies, Haiti and the Democratic Republic of Congo.

The two cases present an scenario where sexual violence is unfortunately a common feature and where the UN has established integrated peace operations where a

civilian, a police and a military component perform jointly for the accomplishment of the mission's mandate. Moreover, both missions have a gender senior adviser and staff responsible for guaranteeing that a gender perspective is seen as a crosscutting issue in all missions' activities. However, and most importantly, the specific context of each country and the different conditions on the ground resulted in a differentiated awareness regarding gender issues that resulted in different policies and strategies to achieve the same goal, gender equality and a lasting peace.

Haiti not only is not a post-conflict country but also a country where massive rapes as part of a systematic tactic of war is not observed, where the problem is more readily associated and related to political oppression, a generational mindset and current insecure social, economic and political situation.²⁷ With the earthquake and the enormous displacement of people in the country, there was an increasing concern regarding the recurrence of sexual violence cases, particularly within the IDP camps, where the lack of security and separation between public and private spheres contributed increasing rates of rape in the country. These cases however, should not overshadow the politically motivated and gang rape that has been present in the country throughout the country's history.

At the same time, MINUSTAH has an active Gender Unit with a Senior Adviser Gender Focal point to ensure that gender mainstreaming is taken under consideration at all levels on the ground and by all components, including actions to prevent, combat and eradicate sexual violence. Nonetheless, MINUSTAH does not have a protection of

²⁷ Haiti is not considered by Haitians and the international community in general as a post-conflict country. However, as the levels of violence reached extreme levels at the turn of the century and further hampered the living conditions of the population, the United Nations was called to act and restore peace.

civilians' strategy nor clear guidelines to combat sexual violence. In cases such as Haiti, where sexual and gender based violence is not a clear and pervasive face of a conflict, it can become a forgotten issue.²⁸

Interviews on the ground showed, however, that thanks to the efforts undertaken by some actors in the field – namely the MINUSTAH's Gender Unit, Police Gender Team, UN agencies involved with the issue and civil society organizations – the issue has gained momentum, even though it is overly focused on the IDP camps' cases. In the absence of specific mandates, guidelines, and strategies to tackle this problem, much of what has been done within MINUSTAH depended on the personal efforts of the staff involved with gender issues. It becomes clear that building a context specific normative framework is an essential step to maintaining institutional sustainable efforts throughout time. Simultaneously, there seems to exist a mindset amongst much of the UN staff, but especially the military, that sexual and gender based violence was a cultural matter, indicating that when the relationship between conflict and sexual violence is not clear, the issue is associated with the local culture and as a random and opportunistic act.

Congo has passed by two major wars where the targeting of civilians was the foremost feature of the tactics implemented by armed groups and government forces in the battleground. Moreover, the use of sexual violence against women became the most prominent characteristic quickly associated with the conflict in Congo. As part of UN efforts to tackle the problem, the establishment of a peace operation with a strong protection of civilian mandate was put in place. For this purpose, a UN System-Wide

²⁸ While gender based violence specifically refers to violent acts incurred to a person due to its specific gender, sexual violence necessarily refers a sexual contact against someone's will, including rape, forced impregnation, genital mutilation, among others.

Protection of Civilian Strategy²⁹ was established and is currently implemented by all mission's components and UN agencies. Furthermore, troop-contributing countries (TCCs) are authorized to use all necessary means including force to better protect the local population. Specific offices that deal with gender mainstreaming and sexual violence are also part of MONUSCO's task force intended to better protect the local population and where a specific strategy to combat sexual violence is in place.

If in contrast to MINUSTAH, MONUSCO has a sound normative framework, specific strategies, guidelines and tasks clearly defined for each of the components to fight sexual violence, one would expect that the impact on the ground would be positive and that measurable success could be perceived. In fact, the mission has contributed to creating a local state-sponsored infra-structure to combat and deal with sexual violence in the country. As part of these accomplishments is the launching of a national strategy against sexual violence,³⁰ undertaken by both the government and different UN implementing actors, the improvement of the legal system and specific law on the subject, and the support for female candidates, besides the promotion of a number of projects dedicated to empowering women and implementing 1325 in that country.³¹

Nonetheless, as the fight continues, levels of violence against women do not dwindle. At the same time, the UN military constantly receives accusations of inaction or of letting cultural considerations in regard to women affect their actions. Some of the

²⁹ United Nations Stabilization Mission in the Democratic Republic of Congo, "Un System-Wide Strategy to Protect Civilians in the Democratic Republic of Congo", 2010, http://www.globalprotectioncluster.org/_assets/files/field_protection_clusters/Democratic_Republic_Congo/files/UN_Wide_Protection_Strategy_Final_150110_EN.pdf.

³⁰ Republique Democratique du Congo, "Stratégie Nationale De La Lutte Contre Les Violences Basees Sur Le Genre" (Kinshasa: Ministère du Genre de la Famille et de l'Enfant, Novembre, 2009).

³¹ The strategy is divided in five main components, each of them has a government and a UN implementing partner. Details on the strategy are available on Appendices and on Chapter Five.

contingents have been accused of not talking to women nor allowing UN women staff to spend the night in their base. Moreover, contingents located in close-by areas that have been attacked are accused of not responding in a timely manner to the crying requests of help from Congolese population.³²

Lack of success in Congo comprises a major drawback, especially because one would expect that where UN policies have generated more instruments exclusively dedicated to address the special needs of women and girls in the field, measurable success could be accounted. However, two main factors ought to be considered. The first and most obvious is that Congo is an ongoing and complex conflict that further fuels violence, while Haiti has passed through high levels of disturbance that are now mostly stabilized. The second and most interesting for the topic of organizational learning is who comprises the troop- contributing countries in each country. Even though the scope of the analysis developed here will not allow major conclusions about the influence of member states cultural considerations, it will certainly provide valuable insights on how these can have an impact in the field.

The two cases highlight different challenges confronted by the UN to fully implement gender as an integral part of peace practices. They also show that as threats against the individual are context driven, so should be the strategies to protect them. The following section will further describe the methodology applied in this project and the analytical framework employed for the analysis of the case studies.

³² In the Walikale massacre (2010), for example, when 303 women, children and men were raped in only three days, UN peacekeepers in the surrounding area did not respond to attacks.

Methodology

In order to evaluate the UN's organizational learning, this project draws on document and case study analyses. In this context, the analysis of how integrating gender approaches became central to UN peace efforts and the advances carried out at headquarters and member-states level is based on the qualitative analysis of UN and member states primary documents, particularly the Reports of the Secretary General and National Action Plans and participant observation through the participation in two Workshops designed to improve the UN's gender training modules. The case studies analysis mostly draws on participant observations and the semi-structured interviews carried out during three field works in Haiti and the Democratic Republic of Congo in 2011 and 2012 as I worked as a consultant for the NGO Latin America Defense and Security Network (RESDAL).

As protection of civilians and specifically protection of women and girls is a context driven task, the analysis of the two case studies offer a detailed contextual analysis of UN actions in this areas and the sort of challenges that arise from such distinct environments. Overall I spent about 45 days in Haiti (May 2011 and September 2012) and 30 days in the DRC, where I carried out extensive interviews with UN actors from all components, including military, police and civilian, along with interviews with representatives from UN agencies, such as the Office for the Coordination Humanitarian Affairs (OCHA), UN-Women, UN Refugee Agency (UNHCR), UN Develop Fund (UNDP) amongst others. These interviews were complemented by interviews with government representatives from the Ministry of Women's Condition in both countries, and interviews with local and international non-governmental organizations. Besides the

interviews, I have participated in several coordination meetings among different missions' sections and agencies and in military patrols. My analysis also stems from my personal observations as I participated in these meetings and activities.

Interviews were carried out individually or in group. Uniformed personnel interviews were mostly carried out in small groups, particularly with the military and formed police units. However, a pattern of group interview could not be established since in some cases commanders would remain with the group or officers would be mixed with non-commissioned officers. While that may have interfered with the kind of answers provided by some groups, it also highlighted the kind of relationship established within military and police units that requested interviews to be carried out in the presence of commander. In some cases, separate group interviews with commander, officers, non-commissioned officers, troops and female peacekeepers could be carried out.

Most interviews with UN agencies, government representatives and NGOs were carried out individually, or with more than one individual from the same organization, section, agency or government institution in their office. In this case, specific questions about their activities were abundant and are not reflected in the questionnaire. Occasionally, interviews with civilian substantive sections and UN agencies were also carried out in groups. In this case, the way they interacted and how much they knew about other sections/agencies activities was also evaluated.

Interviews were carried out while I worked as a consultant for RESDAL, were consequently focused on the organization's research focus, that is the action of Latin American peacekeepers on the field and their contribution to the UN's initiative to curb sexual violence. Due to the large amount of interviews that were carried out and variety

of actors (including besides Latin American contingents, Asian, African and European peacekeepers, along with civilians and police working for the UN), this dissertation's argument could be developed.

Interviews followed a basic questionnaire specific for each actor but were complemented by questions done on the spot based on interviewees' answers.³³

Analytical framework for case studies

The case studies' analysis focuses on the various UN efforts aimed at improving capacity to respond to threats against local women in conflict and post-conflict settings as a central piece in the organization's strategy to build a lasting peace. Hence, the cases show how the organization addresses women's specific needs through a comprehensive strategy to protect them not only by improving the security situation, but also by promoting economic and political empowerment, a sound justice system, reliable security and defense forces and ultimately a more equitable society, the necessary condition for establishing a lasting peace.

For this purpose and based on the underpinnings of UN's resolutions on Women, Peace and Security, each of the case studies' gender policy will be evaluated according to the five pillars that compose UN strategy on the ground:

³³ View Annex I for questionnaire and Annex II for interviewed actors.

Table 2: Case Studies indicators

Components	Description	Indicators
Legal framework	Existence of specific mandates and guidelines regarding protection of civilians, and in particularly women and girls against sexual violence, and how it translates into practice	Qualitative analysis of missions' mandates. Qualitative analysis of a comprehensive strategy to protect civilians, and in particular women and girls against sexual violence. Qualitative analysis on gender issues is included in the routine activities of the mission.
Gender Balance	Female representation amongst uniformed personnel and the role they carry out. It also refers to the existence of affirmative policies to include more women amongst personnel (uniformed and civilian), and in decision-making positions within the mission.	Quantitative analysis on women representation in the police and military. Qualitative analysis of the role they carry out. Qualitative analysis on the role that civilian women carry out in the mission.
Security Sector Reform	As defined by the UN, security sector is: "a broad term often used to describe the structures, institutions and personnel responsible for the management, provision and oversight of security in a country." ³⁴ These include defense, law enforcement, corrections, intelligence services and institutions responsible for justice system, border management, customs and civil emergencies. Actors that play a role in the security sector include ministries, legislative bodies and civil society groups. For the purpose of this dissertation, only the initiatives related to the improvement of the justice system, rule of law and police institutions are taken into account.	Qualitative analysis of UN's actions towards the improvement of the host nation's security sector, including the revision of the constitution and other legal instruments that guarantees legal gender equality and the criminalization of all forms of violence against women; the strengthening of the judiciary system as ways to break the cycle of impunity and accomplish justice and the formation and training of forces responsible for maintaining a stable and safe environment in the host nation.

³⁴ United Nations Secretary General, "Report of the Secretary General on Securing Peace and Development: The Role of the United Nations in Supporting Security Sector Reform", January 23, 2008, http://www.un.org/ga/search/view_doc.asp?symbol=A/62/659.

Table 2: Continued

Components	Description	Indicators
Protection	Actions undertaken by the police and military component to protect women and girls from gender based violence	Qualitative analysis of the actions undertaken by UN uniformed personnel with the specific objective of protecting women, such as patrols, escorts and checkpoints.
Empowerment	Initiatives undertaken by all missions component with the objective of strengthening women's social, economic and political status in the society.	Qualitative analysis of initiatives aiming to strengthen women's social, economic and political status in the society.

Chapters outline

The following chapters reconstruct the United Nations organizational learning process, illuminating how a gender approach to peace processes was created as an international practices to improve the UN's response to modern day security challenges and as a central element of its strategy to build a lasting peace. They also highlight the UN's major drawbacks when implementing this strategy.

In this context, Chapter Two carries out a detailed analysis of organizational learning in organizational theories and in IR field. The literature review on organizational theory concepts and mechanisms of learning was particularly useful since it escaped the deterministic approach often present in IR field and which considers IOs as a mere instrument of states national interests. Moreover, it also offered important insights into the organizational learning process itself, particularly in regard to each of its phases and learning enablers or the conditions or factors that facilitate learning. In the IR field, an analysis of Haas model of organizational learning was carried out, highlighting its main contributions for this research, that is his concept of learning as the introduction of renewed practices to solve problems the IO is no longer able to solve with the existing

tools and the participation of epistemic communities as enablers of learning. Haas' model, however, emphasized that organizational learning would only take place once member states transformed their practices and learned themselves. In order to assess the possibility that the organization can learn without member states full commitment, a five-phase model of learning (organizational dysfunction, re-examination, minimum consensus, institutionalization and dissemination) requiring only a minimum consensus amongst part of membership was proposed.

Chapter Three evaluates the factors that enabled this learning to take place and puts forth the evidence at headquarters level that the UN has incorporated a gender perspective to peace process as a product of its most recent learning process. The emerging norms centered on the individual, the creation of peace operations with protection of civilian mandates and the diffusion of women's rights are important factors that allowed gender to be included in UN's actions in the field of international peace and security.

The specific impact of war on women and girls mobilized epistemic communities and UN actors, leading to the debut of a gender approach in peace processes. In this regard, UN resolutions on "Women, Peace and Security", provided the blueprints for the incorporation of a comprehensive strategy to incorporate gender considerations to all UN sponsored peace processes. Major accomplishments in this regard, including the creation of implementing tools, guidelines, manuals, etc. are all described in Chapter Three, along with the main challenges and shortcoming that the UN has confronted thus far.

Chapter Four contains the case study of Haiti, providing a rich overview of the country's unstable political life and the status of women in Haitian society. While an

analysis of the nature of sexual violence in this country is provided, the chapter focuses on the analysis of MINUSTAH gender policy on the ground in accordance to the previously defined five indicators (legal framework, gender balance, security sector, protection and women's empowerment). The chapter shows that the absence of a specific protection of civilians mandate and/or strategy to combat violence against women impacted on the mission's ability to mainstream gender throughout all its activities and became dependent on the personal efforts of the people working in the field.

In contrast, Chapter Five portrays Congo's case study and highlights that when a context driven normative framework and implementing tools are formulated, gender can be more easily mainstreamed throughout all mission's components and actions in the field. As in Chapter Four, a rich overview of the country's historical background, particularly the years of dictatorship and abuse and the two Congo wars is provided along with the status of women in Congolese society, emphasizing their role in the subsequent peace process and the impact the conflict has had on them. The analysis of MONUSCO's gender policy on the ground was carried out in accordance to the previously defined five indicators (legal framework, gender balance, security sector, protection and women's empowerment) and shows that in this case, the extremely volatile conditions in the country and differentiated learning among member states have affected the accomplishment of positive and measurable impacts of MONUSCO's gender policy on the field.

Considering the model of organizational learning adopted in this dissertation, Chapter Six synthesizes the evidence that the United Nations' incorporation of a gender perspective to its peace process is a dynamic learning process and that the organization is

currently acting as an agent of practices dissemination. The main challenges encountered in the two case studies for a full implementation of the UN's renewed gender policy is also highlighted in the light of each specific context of each country. This analysis indicates that despite the different contexts, violence against women was part of a continuum of violence and previous status held by women in each society. Appropriately and according to resolutions' provisions, the UN has adopted a comprehensive protection strategy that considers these prevalent features; however, the volatile conditions on the ground, differentiated learning pace among member states and absence of a context driven normative framework impacted negatively on UN actions. Finally, a few recommendations on how the UN can improve its implementation strategies, including the strengthening feedback loops between field operations and headquarters and lessons learned sharing system among field missions are also provided.

The dissertation concludes with observations on the current state of the UN's learning process, accomplishments and challenges to the future.

CHAPTER 2

ORGANIZATIONAL LEARNING AND TRANSFORMATION: A THEORETICAL APPROACH

The incorporation of a gender approach to peacekeeping operations (PKO) is part of a complex organizational learning process initiated by the UN in order to improve its response on the ground. This process was triggered by the transformation of modern-day conflicts, the severe implications to women and girls and the increasing importance of gender concerns internationally. As a consequence, the UN has re-evaluated its peacekeeping practices re-focusing on individuals' security and qualifying gender as an integral part of peace processes. Evidence of learning can be found in the organization's documents, such as resolutions; guidelines and training modules; and in practice, with the creation of units dedicated to conceptualizing and disseminating a gender approach in peace operations around the world.

Nonetheless, the adoption of a gender perspective by member states is still far from being accomplished. In order to assess whether an organization can implement and disseminate practices in the absence of a full commitment from the membership, an analysis of how organizational learning processes take place is deemed necessary. The study of organizational learning is central to this analysis by pointing out the process through which new international practices are created and socialized within the different layers of the organization and to member states. "As human collectivities that serves the personal interests of their member states, as well as the general ends of their mandators,"

¹ international organizations (IOs) must be able to balance political constraints imposed by state units and the communal interests that founded them.

Studying organizational learning models derived from organizational theory adds to an understanding of organizational culture, its structure and different components, as well as how each of these components can learn simultaneously but at different paces. Highlighting the differences between organizational and member states' learning is thus an important step towards understanding the UN's limits and advances in fostering a gender approach as an integral part of peacekeeping operations. For this reason, the purpose of this chapter is not to extensively dwell on organizational theory literature, but rather to identify important concepts in mainstream literature on the subject that is useful for the analysis.

The concept and mechanism behind organizational learning is central. Learning refers to the process through which new practices are created with the objective of solving problems that the organization is no longer able to solve with the existing set of norms, rules and procedures. Based on a constructivist understanding of IOs, the conceptualization of IOs in this chapter is that of autonomous entities who can act generate norms on their own. Their capacity to disseminate these norms to member states will be the main focus and point of scrutiny in this dissertation. Hence, in the construction of the organizational learning model, IOs' autonomy was translated into the differentiation between organizational learning and individual member states' learning. In

¹ Gayl D. Ness; Steven R. Brechin, "Bridging the Gap: International Organizations as Organizations," *International Organizations* 42, no. 2 (1988).

other words, the model attempts to establish whether or not IOs are able to learn even when unanimous consensus over a new practice has not been reached by member states.

The absence of unanimous support for the creation and institutionalization of new practices is intrinsically related to the concept of practice itself. As defined by Adler, practices are patterned meaningful actions developed in a particular context to solve a problem that need the concerted action of states. In this context, the compliance of all states is not required to implement practices. In fact, since these practices entail socialization, they also encompass learning and the transfer of knowledge from one state unit to the other. Accordingly, organizational learning is a two part process: it creates and institutionalizes practice and disseminates it amongst member states.

The ultimate stage of organizational learning is transformation. In this context, organizational transformation refers to the process through which the product of organizational learning has been passed on to member states, which in turn have learned and changed their national policies to accommodate the new learning product. Once an organization manages to transfer the knowledge to its member states, then it is able to transform itself.

In order to unpack this model, this chapter is divided in three main sections. The first deals with the concepts and understandings of organizational learning derived from organizational theory. These approaches are derived from other social science fields such as administration and economics and conceive organizations as independent from their individual members. Organizations, different from international organizations, are not formed by member states but private individuals or collectivities working for a common purpose. This theoretical perspective has informed a particular stream of IR literature that

liberates IOs from the constraining state-centric ontology that has long conceptualized IOs as instruments of states, providing them with autonomy and agency. Two important concepts were derived from organizational theory and applied to this project's model of organizational learning: organizational culture, or the core values and assumptions that guide organizational behavior; and organizational learning itself, since it separates individual members' learning from organizational learning.

The second part of this chapter discusses organizational learning in IR theory and underlines the challenges found by previous authors who have ventured into this subject. The objective of this section is to unfold what other IR authors have proposed as to how processes of learning in international organizations can take place. The literature indicates that amongst IR scholars that have ventured this topic, a major cross cultural consensus amongst member states is necessary for a successful learning process to be accomplished.

While the difficulties of implementing gender approaches to peacekeeping practices reinforces this argument, the third and final section lays out an organizational learning model that requires only a minimum consensus amongst memberships. This five-phase learning model perceives IOs as agents of dissemination and accepts differentiated learning pace among member states. The transfer of knowledge between the organization and its field and regional offices was also examined. In this regard, the establishment of a feedback loop that informs headquarters of lessons learned contributes to the successful examination and implementation of a practice.

This final section also deals with the topic of transformation and its relationship with organizational learning. Once organizations have successfully learned and new

practices are established, states are socialized and learning can be transferred from one state unit to another and/or from the organization itself to member states. The unanimous consensus of member states over a new practice and its implementation at the national level will complete the transformation. The establishment of this theoretical framework is the first step to evaluate whether UN's current strategy of dissemination, that is establishing ideational goals still far from being a reality on most member states and intervened societies can actually contribute to disseminate these norms.

Organizational learning: definition and approaches

The corporate ontology associated with organizational theory has contributed to advancing within the IR field the idea that international organizations can have interests different from that of member states and pursue their own agenda. According to this theoretical strand, organizations are highly formalized structures formed by private individuals with well-defined goals. However, while they serve individuals' interests, they also separate themselves as autonomous entities with an organizational culture that has been formed either by the interaction of its individual members or influenced by the leadership. In any case, the organizational culture is different from that of its members.

The concept of organizational culture is understood here as the practices, norms and artifacts of organizations that make organizations' behavior predictable. This concept is linked to that of organizational learning for two main reasons. First, it informs how learning can take place, that is, how within a particular set of norms and procedures, new information is analyzed and categorized. Second, and most importantly, organizational learning involves a change in the organizational culture. Whether the change is profound

or relative, it is within the organizational culture that learning is portrayed and institutionalized.

Within organizational theory, the concept of learning itself and how it takes place in organizations offers an important theoretical foundation to test whether or learning can successfully take place without a unanimous consensus on the part of member states. In fact, a brief literature review on organizational learning shows that most authors accept the separation between individual members' learning and organizational learning.

The concept of organizational culture and the mechanism of organizational learning will be analyzed in this section because these tools offer important insights into the process through which learning can take place in IOs.

Organizational culture

The concept of organizational culture is central because it both highlights the “content” of organizations in terms of what lies behind their actions, such as their normative framework, values and principles, as well as, how changes can occur in the context of that underlying organizational culture. Schein defines culture in general as a dynamic process enacted either “by our interactions with others and shaped by leadership behavior, and a set of structures, routines, rules and norms that guide and constrain behavior.”² It is formed either by informal processes, whereby the constant interaction between group members eventually leads to the adoption of common patterns and norms

² Edgar H. Schein, *Organizational Culture and Leadership*, 3rd ed., The Jossey-Bass Business & Management Series (San Francisco: Jossey-Bass, 2004), p. 1

of behavior, or by a more formal process through which the “personal views, goals, beliefs, values and assumptions of the leader will shape the group culture.”³

Hence, organizational culture is specifically defined as a pattern of shared basic assumptions that was learned by a group (...) and that has worked well enough to be considered valid and therefore to be taught to new members as the correct way to perceive, think and feel in relation to those problems.”⁴ In other words, organizational culture is accumulated learning by its members and a struggle towards patterning practices that have been successful thus far. Because culture implies some level of structural stability in the group, changing its meaning is difficult as group members are attached to the meaning and predictability rendered by that particular culture.

The author explains that organizational culture can be perceived at three different theoretical levels within an organization. The first level, also called “artifacts”, refers to the visible organizational structures and processes. These could refer to the organization’s building, its particular architecture, its location and its constitutive charter, structure and processes. The second level, or “espoused beliefs”, refers to the strategies, goals and philosophy behind the organization. Within this category are the shared and consensual assumptions amongst group members based on prior learning which are usually explicit in the organization’s documents, such as guidelines and strategies. Finally, the third level, named “underlying assumption” by the author, is comprised of the unconscious and taken-for-granted beliefs, perceptions, thoughts and feelings that guide the formulation of purposes, strategies and actions within the organization. This is the ultimate source of

³ Ibid. p.15

⁴ Ibid. p.17

organizational behavior and it tends to be implicit. Because they are non-confrontable and non-debatable, these beliefs are extremely difficult to change.

The concept of organizational culture as defined by Schein is of utmost importance to understanding the nature of organizations and how they may possess an identity of their own. In the IR field, understanding organizational culture as a mere state sponsored enterprise overshadows the processes through which they interact amongst each other and the Secretariat's staff, generating patterns of behavior that do not correspond to one or another group. This is an important step toward understanding the process through which IOs can learn, retain knowledge and generate new practices on their own before disseminating them to member states.

Learning and change in organizations

Although varied definitions of organizational learning co-exist in the literature, they underscore the core element of organizational learning as “a change in the organization that occurs as the organization acquires experience.”⁵ Schein's explanation of culture is particularly helpful to understanding the mechanism of change behind organizations. Indeed, a major reason why change sometimes fails to take place is the neglect of important aspects of organizational culture that may not be so easily substituted by another and consensually accepted by the group.⁶

The concepts of organizational learning and change are almost synonymous, though learning involves more than mere change and encompasses the transfer of

⁵ Ella Miron-Spektor and Linda Argote, "Organizational Learning: From Experience to Knowledge," *Organization Science* 22, no. 5 (2011). p.1124

⁶ Mats Alvesson and Stefan Sveningsson, *Changing Organizational Culture : Cultural Change Work in Progress* (New York: Routledge, 2008). p.3

knowledge as well. Indeed, within the literature, learning is identified as a change in the organization's knowledge due to accumulated experience or its re-examination. This knowledge can be either tacit, such as a change in the organization or its members' cognition, or explicit, such as a change in the procedures and practices carried out by the organization.⁷

Broadly speaking, an organization can be said to be learning when it acquires new knowledge or is able to process different kind of knowledge. Some authors,⁸ argue that it is through members that most organizational learning takes place, as it is usually through them that new knowledge is acquired, deposited and then transferred to other members or to the organization's structure (guidelines, strategies, etc.). However, organizational learning does not equal individual members learning.⁹ Individual learning may not necessarily transfer to the organization's structure nor reflect in its actions. However, if this individual learning is translated into new procedures widely accepted by the rest of the group and embedded in the organization's structure, documents, strategies, etc, then learning has taken place and knowledge transfer has been initiated.

Along these lines, Argote and Spekter perceive the complete organizational learning process as having three sub-processes: creating, retaining and transferring knowledge.¹⁰ The process of creating knowledge refers to the process through which an organization's unit learns something new and changes its practice according to the recently acquired knowledge. Once this new knowledge is widely recognized within the

⁷ See: Mark Easterby-Smith, Mary Crossan, and Davide Nicolini, "Organizational Learning: Debates Past, Present and Future," *Journal of Management Studies* 37, no. 6 (2000).

⁸ See: Miron-Spektor and Argote, "Organizational Learning: From Experience to Knowledge."

⁹ Donald A. Schön and Chris Argyris, *Organizational Learning II: Theory, Method, and Practice*, 2nd ed. (Addison-Wesley, 1996). p.6

¹⁰ Miron-Spektor and Argote, "Organizational Learning: From Experience to Knowledge." p.1128.

organization, it can be repeatedly re-used and is consequently retained in the organization through repeated practice and occasionally institutionalization. The final sub-process, knowledge transfer, is defined within this literature as indirect learning or the process by which one unit learns from the experience of another unit.

The literature review on organizational learning is extremely useful in the context of acknowledging the possibility that these international organizations can learn and change overtime. The ontology of organizational theory opens up the possibility of understanding international organizations in similar ways, suggesting that IOs can learn from their experience, generate knowledge and transform themselves. Moreover, the discussion of how learned knowledge can be transferred offers an explanation as to how knowledge can travel throughout the many layers and structure of an organization such as the UN's field offices and headquarters and its member states.

Triggering learning

The literature review on organizational learning reveals that learning processes can be mindful and attentive, as a result of a conscious effort to change the organization's action¹¹ and less mindful or routine, referring to those instances through which superficial learning takes place when improving performance.¹² Because unconscious learning usually refers to the improvement of an action and its increase in frequency that does not result in profound changes in the organizational culture, this project's model of

¹¹ Karl E. Weick; Kathleen M. Sutcliffe, "Mindfulness and the Quality of Organizational Attention," *ibid.* 17, no. 4 (2006).

¹² Daniel Levinthal and Claus Rerup, "Crossing an Apparent Chasm: Bridging Mindful and Less-Mindful Perspectives on Organizational Learning," *ibid.*, no. 6.

organizational learning can benefit more from an analysis focused on conscious learning efforts.

In this context, learning is necessarily triggered by the identification of a problematic situation and a “mismatch between expected results of action and what is actually achieved (...), [blocking the flow of] spontaneous activity and giving rise to thought and the search for a solution and the re-establishment of the flow of action.”¹³ Problems thus give rise to a process of inquiry that may result in the proposition of new practices that are more suitable to solve the problem than the existing set of actions.

Interestingly, Schon and Argyris attribute to individuals within an organization the responsibility of identifying a problem, initiating the inquiry process and proposing solutions.¹⁴ However, learning may not necessarily be passed on to the organization. Only after learned knowledge is successfully embedded in the organization, be it through the organizational memory held by other individual members or through epistemological artifacts, such as the organization's documents, does learning take place.

In other words, organizational learning is initiated by the identification of a problem that the organization's existent rules and procedures can no longer solve. This identification then triggers a process of re-examination and, as a result, new rules and procedures are proposed. It is only after these become consensually adopted practices within the organization that learning is considered to have occurred.

Learning is then facilitated either by agents of change, such as the organization's leadership or other individual employees that push for reforms, or by environmental-

¹³ Schön and Argyris, *Organizational Learning II: Theory, Method, and Practice*. p. 11

¹⁴ *Ibid.* p.12

driven forces, that is, changes in the context where the organization operates.¹⁵ In the latter, the transformation of the context may generate problems that were not previously considered by the organization, or it may happen that the existing set of organizational actions is no longer enough to solve a problem due to changes in the context. At the same time, the work of individuals capable of identifying problems and pushing for the process of inquiry and proposing solutions is as necessary as the rising of the problem itself, since in their absence the problem may not even be identified in the first place.

This analysis has shown that a model of organizational learning applied to international organizations can benefit from the agentive and autonomous character delegated to organizations in organizational theory literature. Moreover, the mechanism behind organizational learning highlights important phases, such as the rise of a problem, the examination of issues and the elaboration of a new set of rules that could be used in the process of organizational learning and applied to IOs. The following section will highlight the main characteristics of IOs and lay the basis for the construction of the organizational learning model used to test whether or not organizational learning processes can be concomitant to member states' learning and contribute to the dissemination of renewed norms and practices.

¹⁵ The analysis of the organizational environment marked the important recognition of how environmental forces shape goals, internal procedures and ultimately the behavior of organizations. Early analysis of organizational environment showed how their variance determined the best organizational structure for higher efficiency performance rates. See: Brechin, "Bridging the Gap: International Organizations as Organizations"; Paul R. Lawrence and Jay William Lorsch, *Organization and Environment: Managing Differentiation and Integration* (Boston,: Division of Research, Graduate School of Business Administration, Harvard University, 1967).

Organizational learning in international organizations

The previous analysis has shown that organizational theories can influence the study of international organizations by adopting an analytical instance that does not put member states at the center of organizational action. Within the literature of international organizations, some approaches have benefited from the perception that organizations can be autonomous from its members and are able to learn and change over time. The first IR theoretical strand to take advantage of sociological studies on organizational behavior was functionalism, introducing a normative aim and a teleological purpose for IOs.¹⁶ Later on, having incorporated the precepts of a more modern idea of international politics, theories such as constructivism and principle-agent theory also based their theoretical foundations on the sociological understanding of organizations. Of particular note is Weber's emphasis on the agentive power of bureaucracies and delegated authority of states as the seminal source of IOs' autonomy.

The possibility of organizational learning and change in international organizations has also been present in IR literature. Among mainstreaming authors, Haas' description of two interrelated process – learning and adaptation – can occur within IOs. According to the author, organizations can reinvent themselves and redefine their original

¹⁶ David Mitrany is amongst the first scholars that made use of organizational theory. His main contributions were the definition of peace and welfare as the normative aim of organizations and the focus on technically specialized functions as means that would lead to political considerations that would render conflicts unnecessary. The involvement of states in these organizations would produce shifts in their cognition and values, leading them to support a more integrated world community. Changed values would imply the erosion of the strict national loyalties, while the simple involvement in IOs would enmesh participants in beneficial exchanges and raise the costs of war. However, Mitrany's theory was based on a rather naïve view of organizations as mere tools of their creators. Other functionalists, beginning with Haas, updated the contents of this theory by drawing more on sociological studies and relaxing the view of IOs as mere tools and founding neo-functionalism. See: Brechin, "Bridging the Gap: International Organizations as Organizations"; David Mitrany, *A Working Peace System* (Chicago: Quadrangle Books, 1966); Robert W. Cox; Harold K. Jacobson, *The Anatomy of Influence* (New Haven: Yale University Press, 1974).

goals if member states agree to do so. In other instances, IOs adapt and improve their performance due to changes in their procedures and rules as a better way to tackle problems, even though their underlying values, principles and purposes remain the same. The core difference between these two processes lies in the deepness of change and cross-cultural consensus.

Haas' conceptualization of organizational learning and his description of the mechanism driving change are enlightening because they approach the "problem" of having states as founders and members of IOs and how they can impact the process of learning. Without a unanimous state consensus, learning cannot take place. Hence, learning would be an extremely rare phenomenon in organizations so culturally diverse such as the UN.

Nonetheless, the study of IOs' autonomy and their capacity to create and disseminate norms among member states indicates the possibility of separating IOs' knowledge from that of states'. In fact, an analysis of UN contributions to various issues indicates that the organization has norms of its own, apart from member states and attempts to function as an agent of dissemination. A number of UN documents, written by the Secretariat, serve as a source of principles, values and norms, besides also providing guidelines of action in a number of cases. Although not all states agree on all issues, a number of these documents are actually implemented and may even serve as ways of disseminating the norm and/or monitoring states behavior in issues such as human rights.

For this reason, a discussion on the concept of international practices is also necessary. Practices, understood here as patterned meaningful actions, is a ways of

socializing states to behave in certain ways. In international organizations, new practices can be the result of a learning process, created to solve issues that states cannot solve on their own. The dissemination of practices within international organizations is a way of transmitting learned knowledge to member states.

The discussion on IOs' autonomy, Haas' model of organizational learning, and the concept of international practices and how they are disseminated form the theoretical basis of the model of organizational learning developed here.

Organizational learning vs. member states learning

This dissertation's conceptualization of international organizations is based on a constructivist theoretical approach that assumes IOs are social creatures formed by "a distinct social form of authority with its own internal logic and behavioral proclivities."¹⁷ Other theoretical approaches to organizational learning applied to IOs take a similar instance and differ only in the degree to which IOs can learn and transform apart from member states.

IOs' internal and behavioral logic aligned to the set of norms, ideas and principles that inspired and guided their creation, are at the core of the organizations' identity and comprise their organizational culture. Although every organization differs, IOs share a few distinct characteristics. As most institutionalists emphasize, international organizations are comprised by rigorous procedures and rules that conditions their behavior and grants the system with predictability.¹⁸ Indeed, one of IOs' main

¹⁷ Barnett and Finnemore, *Rules for the World: International Organizations in Global Politics*. p.3

¹⁸ See: Robert Keohane, *International Institutions and State Power: Essays in International Relations Theory* (Bolder: Westview Press, 1989); Robert O. Keohane, *After Hegemony: Cooperation and Discord*

contributions to international politics is the establishment of a set of rules that provides more transparency to transactions and increases the possibility of cooperation between states.

At a rudimentary level, international organizations' authority is "delegated authority from the states"¹⁹; organizations are created to solve specific problems and are granted authority by states to act on their behalf, in accordance to the rules and procedures commonly agreed upon by their members and based on the specific expertise they possess. Once IOs are granted with that authority, their actions are seen as impersonal, legitimate and representative of the larger community's interest. From that moment on, the separation of states' interests from IOs' behavior is a necessary condition for maintaining IOs' legitimacy. At a practical level, IO staff work with this sense of authority when following the rules and procedures.

The centrality of rules in IOs' behavior as well as their delegated authority from states form the basis of IOs' authority. Other elements, such as their specialized expertise and the pursuit of higher goals and moral principles in the name of state community, also provide them with legitimacy. Since IOs are usually endowed with tasks directed towards the common good of the group, they are granted with a moral authority that further legitimates their advice and actions. Indeed, IOs' employees are civil servants that do not represent the interests of their own states, but rather that of the organization. This staff tends to be highly qualified and knowledgeable on the subject matter that concerns the IO

in the World Political Economy (Princeton, N.J.: Princeton University Press, 1984); Bruce M. Russett and John R. Oneal, *Triangulating Peace : Democracy, Interdependence, and International Organizations* (New York: Norton, 2001); Robert Keohane and Lisa L. Martin, "The Promise of Institutional Theory," *International Security* 20, no. 1 (1996); Lisa L. Martin and Beth A. Simmons, "Theories and Empirical Studies of International Institutions," *International Organizations* 52, no. 4 (1998).

¹⁹ Barnett and Finnemore, *Rules for the World: International Organizations in Global Politics*. p.22

for which they work. Because of their specialized expertise, they are considered an “authority” on the subject of their work and thus have legitimacy to propose actions on their own. As wisely put by Barnett and Finnemore, it is this sound authority that provides IOs with relative autonomy to propose new norms and actions that are often also adopted by states.

Along the same lines, principal-agent theory also grants IOs with autonomy. This approach, developed in other areas of social sciences such as economics and American politics, has been hijacked by IR scholars in recent years.²⁰ Researchers within this theoretical strand focus on the relationship between principals (or states) and agents (or international organizations) and how the former delegate the later with authority to act on their behalf. In IR literature, the basis of this argument is the finding that delegation mechanisms found in domestic politics can be similar to those found at the international level.²¹ States exercise varying levels of control over their agents, but this control varies in degree rather than by type of mechanism.

The process of delegation would then entail that states as principals would grant authority to IOs who have thus been empowered to act on their behalf in certain pre-defined matters. The definition of agent and principal is mutually constitutive, that is, one can only be defined in relation to the other. However, principals are able to both grant and rescind authority to agents. In the specific case of international organizations, it

²⁰ See for example: Tamar Gutner, "Explaining the Gaps between Mandate and Performance: Agency Theory and World Bank Environmental Reform," *Global Environmental Politics* 5, no. 2 (2005); Darren G. Hawkins, *Delegation and Agency in International Organizations*, Political Economy of Institutions and Decisions (Cambridge, UK ; New York: Cambridge University Press, 2006); Daniel L. Nielson and Michael J. Tierney, "Delegation to International Organizations: Agency Theory and World Bank Environmental Reform," *International Organizations* 57(2003); Mark Polack, "Delegation, Agency, and Agenda Setting in the European Community," *ibid.* 51, no. 1 (1997); Roland Vaubel, "Principal-Agent Problems in International Organizations," *Review of International Organizations* 1, no. 2 (2006).

²¹ Hawkins, *Delegation and Agency in International Organizations*. p.5

becomes clear states are the principals. Occasionally, other actors in the international system, such as the media and other organizations such as NGOs, may act similarly to principals. However, only states are able to empower and disempower IOs from acting on their behalf on certain previously defined areas.

The analysis of why states may delegate authority to IOs has been extensively discussed in IR theory. Principal-agent theory proponents emphasize arguments similar to those put forward by institutionalists when explaining the possibility of cooperation between states. In fact, they claim that states can take advantage of IOs because they are themselves a form of cooperation. The possibility of establishing a division of labor as well as the advantages of counting with specialized expertise are important motivations to join IOs and endow them with authority. Other motivational factors for states include saving resources, managing policy externalities, facilitating collective decision-making, resolving disputes, and enhancing credibility.²²

The possibility of conflicting interests between agents and principals is also considered within this theoretical approach. As a result, control mechanisms may exist including rules, monitoring practices, reporting obligations and institutional checks and balances. Despite them, agents are usually granted with the autonomy to pursue the principal's goals in ways that are integrally or partially defined by agents themselves. The degree of institutional autonomy thus varies from organization to organization and depends on the level of control mechanisms established by principals.

Nonetheless, international organizations do possess a window of opportunity to act on their own within the boundaries of the role and functions states have defined. In

²² Ibid. p.13

this context, the principal-agent theory coincides with the constructivist approach that IOs possess agency and may act in ways that are not entirely in accordance with member states' interests. These two theories also converge in their claim that IOs are provided with leverage to pursue an independent agenda through the authority delegated to them by states and because of their specialized expertise and the legitimacy conferred by their multilateral forum.

The idea that IOs have autonomy to pursue the goals defined by its founders as well as the ability to create and disseminate norms indicates that there may be instances in which they can produce knowledge on their own. This knowledge is then disseminated within IOs' structure and membership before it is recognized as a new and institutionalized practice. It is in this context that learning can take place.

Organizational learning in IOs: a review of Ernst Haas model

Within IR literature, the seminal work of Ernst Haas takes the debate of organizational learning to a new level as he describes the specific process through which international organizations can adapt, learn and change over time. The specific consideration of states' roles in this process is one of his main contributions to the study of organizational learning in IR field. Specifically, he argues that learning can only occur once a cross cultural consensus amongst all members is achieved. Moreover, his elaboration on the definition of epistemic communities as enablers of learning is key to this study because this group of like-minded individuals from various backgrounds – practitioners, scholars, etc - and with specialized know-how provides organizations with valuable expertise, necessary for a successful learning process. His writing on

organizational learning and adaptation were highly influential to the study of international organizations, particularly in regard to environmental issues.²³

Haas theorizes that organizations are embedded in a particular historical context and have their own organizational cultures. Haas' concept of organizational culture can be divided in two inter-related elements that resembles Shein's description of third and second level elements of organizational culture. The first, or underlying assumptions, refers to the principles, values and goals that guide IOs' action. These are deeply rooted features of IO's organizational culture and are difficult to change since they are at the core of its "genetic code" and are an integral part of them as beings. The second level element refers to secondary features of IOs' organizational culture, such as the procedures and strategies to pursue the organization's goals. Although both can change, the process of changing the former is far more difficult.

In this context, Haas' understanding of learning involves a change in the organization's purposes, principles and values, or underlying assumptions.²⁴ In an incomplete learning process, an observable change in organizations' behavior and activities would occur, but without fundamental redefining of organizational goals and values. This process is defined as "adaptation" and comprises a change in the ways

²³ See for example: Peter M. Haas and Ernst Haas, "Learning to Learn: Improving International Governance," *Global Governance* 1, no. 3 (1995); Nielson and Tierney, "Delegation to International Organizations: Agency Theory and World Bank Environmental Reform"; Frank Biermann, Bernd Siebenhüner, and Anna Schreyögg, *International Organizations in Global Environmental Governance*, Routledge Research in Environmental Politics (Abingdon, Oxon ; New York, NY: Routledge, 2009); Stephen Bauer, "Does Bureaucracy Really Matter? The Authority of Intergovernmental Treaty Secretariats in Global Environmental Politics," *Global Environmental Politics* 6, no. 1 (2006); Peter Haas, "International Institutions and Social Learning in the Management of Global Environmental Risks," *Policy Studies Journal* 28, no. 3 (2000); Siebenhüner, "Learning in International Organization in Global Environmental Governance."

²⁴ Haas, *When Knowledge Is Power: Three Models of Change in International Organizations*. p. 3

through which the organization pursues its purposes, or a change in its secondary features.

It is important to note that not all adaptation process is positive and these changes do not always improve IOs' actions on the ground. Haas clarifies that adaptation can be either incremental or turbulent resulting in positive changes in the former and in a continuous non-growth in the latter.²⁵ The difference between these two adaptation categories lies in the organizational ability to promote changes coherently and in accordance to the defined goals and with positive consequences.

As an illustration, the author cites the creation of peacekeeping operations within the UN's system of collective security system in 1956. Since this initial change was within the boundaries of the previously defined goal of maintaining international peace and security and in accordance to UN's underlying principle of sovereignty and non-intervention, it consisted of an incremental adaptation. Haas, however, rightly evaluates that the transformations in peacekeeping practices that occurred in the beginning of the 90's degenerated into a turbulent non-growth model. Indeed, the invention of UN peacekeeping operations (PKO) comprised an innovative change to overcome context-driven forces, particularly the Cold War and the Security Council's inability to act. However, as the Cold War ended and the nature of conflicts changed, the UN increased its scope of action within PKOs by adding activities in contexts that were considerably different from those where the organization intervened during the past decades. This increment, however, was not accompanied by a reflection process that would result in the re-examination of the principles and doctrines necessary to maintain the coherence of UN

²⁵ Ibid. p.3

actions in the field. The subsequent failures in Somalia, Rwanda, and Bosnia, amongst others, are the result of an incoherent increase in the scope of UN actions, followed by a loss of authority from which the UN is still recovering.

Consequently, an important tool for organizations to maintain their authority is to “learn how to learn” or adapt.²⁶ Organizations with the ability to constantly change in changing contexts thrive in a state-centric dominated international system. As previously indicated, change in organizations can be triggered by a change in actors’ interest or in the environment or context. “Learning in an international organization implies that the organization’s members are induced to question earlier beliefs about the appropriateness of ends of actions and to think about new ones to revalue themselves.”²⁷ The learning process thus involves a common understanding of the causes of the problem that triggered the reflection process on new shared solutions and consensual “set of larger meanings about life and nature not previously held in common participating members.”²⁸ The ability to learn is thus the ability to recognize failures and re-examine existing set of principles and actions.

Because international organizations are engaged in the implementation of transnational policies and continuous interaction between politically and culturally diverse actors such as national governments, non-governmental organizations, interest groups, business firms, professionals, etc, learning depends on the ability to “share meanings across cultural and ideological chasms.”²⁹ In other words, “collective problem-

²⁶ Haas and Haas, "Learning to Learn: Improving International Governance."

²⁷ Haas, *When Knowledge Is Power: Three Models of Change in International Organizations*. p.15

²⁸ Ibid. p.24

²⁹ Ibid. p.33

solving among 160-odd³⁰ states of widely different cultural commitments and with divergent historical memories would seem to depend on the ability to transcend cultural and historical boundaries, to establish trans-cultural and trans-ideological shared meanings.”³¹

Haas’ introduction of the cultural element is particularly useful for the object of this dissertation. Gender may be a controversial and sensitive subject within certain cultures and the analysis of UN learning in “gender-related” practices would be incomplete if it ignored the vast cultural differences between member states. At the same time, though, it may be necessary to free the model of organizational learning from the “problem of states” so that it is possible to evaluate whether changes in the organization’s norms and practices that are initiated by the Secretariat may result in changes in the actions implemented by member states.

As rightly put by Finnemore and Barnett,³² ignoring the special nature of IOs formed by sovereign state units is as much a mistake as defining IOs autonomy as the ability to follow an agenda despite powerful states’ willingness to comply. States possess different power potentials within organizations and, conflicting interests with these may hamper organizational change.

Learning enablers

Haas and Haas grant epistemic communities a special role in promoting organizational learning by defining them as a group of like-minded professionals that

³⁰ Haas was referring to the United Nations, which, at the time had around 160 member states.

³¹ Ibid. p.17

³² Barnett and Finnemore, *Rules for the World: International Organizations in Global Politics*. p.154

work around specific problematic issues, and whose specialized expertise and knowledge are considered central to a successful learning process. In this context, organizational learning can be either initiated by these actors working outside the organization or by actors working within the boundaries of the organization.

Epistemic communities, or professionals working for NGOs, business firms, etc, scholars and practitioners in the area, can initiate the learning process by pushing the Secretariat to consider their specific point of view on an issue they want the organization to pursue. They can also search for member states support and form a coalition of favorable states to convince other member states and the Secretariat to look into their proposals and adopt them. Once the Secretariat has been persuaded by one dominant epistemic community along with a coalition of willing states, the learning process can be initiated and transferred throughout all of the organization's layers. It is also common that once the learning process has been initiated, the organization selects members of the epistemic communities to actively participate in the search for new shared solutions, either as consultants or as an integral part of the team dedicated to that particular issue.

This practice is evident in the preparatory meetings before major conferences where NGOs, scholars and other practitioners are invited to discuss the Conference topic and propose issues to be included in discussions with states' representatives. Occasionally, the selected members are also granted observer status and are able to participate and, on some occasions, speak on a number of issues. This free flow of ideas between these professionals and states is an important process through which new knowledge can be inserted in the organization during the learning process and further improving it.

However, the authors admonish that “organizational learning requires that the efforts of epistemic communities be accepted and advocated by a coalition of hegemonic member states rather than being endorsed by majorities of weak states.”³³ This comment seems to be in line with the idea that although it is possible organizations promote their own norms, the need to gather strong states’ support is a necessary condition for a successful implementation of the norm. The ultimate stage of organizational learning would be the adoption and acceptance by member states’ executive power of the new policies in accordance to the learning process the organization has gone through.³⁴

Because organizational learning involves consensual knowledge, the authors point out that learning is extremely rare, particular in organizations like the UN, which is formed by very culturally and politically different members. Moreover, they point out to yet another factor that makes learning a difficult process to take place: the organizations’ capacity to promote linkages between issues.³⁵ They argue that the need to have “linkage capacity” to promote organizational learning is a result of the transformation of the international political arena, where deconstructing and setting problems apart in different categories is no longer possible.

Because issues are so interconnected, solutions ought to be multi-disciplinary in order to be adequate. Although setting issues apart and promoting separate actions may seem easier when addressing different problems, responses are likely to be inadequate as they will leave behind important interconnected causes of the problem. Although complex linking among policy issues is necessary for success, international negotiations

³³ Haas and Haas, "Learning to Learn: Improving International Governance." p. 261

³⁴ Ibid. p.261

³⁵ Ibid. p.257

are bloated as they call for larger package deals and long-term policies that member states may not be willing to fully commit themselves to.

It becomes evident that the process of learning within organizations depends on a number of factors, such as the capacity to promote political and ideological consensus, establish linkages between issues and allow the free flow of ideas between the organization and members of the epistemic community. The literature also indicates that a number of actors working within and outside IOs function as enablers of learning. Among those actors, epistemic communities' contributions have been highly emphasized as important sources of specific knowledge that can generate new and more adequate practices.

However, epistemic communities are not the only facilitators of learning and change. In fact, member states themselves can actively work toward the promotion of learning by framing issues of their interest and forming coalitions of other states and members of the epistemic community to support their cause.³⁶ Depending on which states join, there is a great possibility that they may be successful, especially if these are rich, developed and powerful states.

Other learning enablers include the bureaucracy within the organization and the context itself. A strong bureaucracy can propose new ideas and push the Secretariat to adopt its proposal. It can also search for member states' support and form a "coalition of the willing", thus increasing chances that their proposal will be considered by the high

³⁶ Similarly to earlier functionalist texts, Haas duels over the influence of member states producing change in organizations. He argues that changes are produced by member-state dissatisfaction and pressure for change. According to him, these can be interpreted as a threat to organizational autonomy, since if proposed changes do not meet membership requirements, they may lose funds, personnel, prestige, etc. See: Haas, *When Knowledge Is Power: Three Models of Change in International Organizations*.

level staff within the IO and by member states' representatives. Finally, changes in the environment may also trigger a learning process. Indeed, the transformation of the political and historical context along with shifts in the regulatory and normative patterns in the environment may render IOs' action inefficient and obsolete and the need to learn and/or adapt would become necessary.

This analysis has thus far shown that there is a theoretical stream in IR literature that accepts IOs as capable of acting on their own even when member states do not fully agree with their policies. These scholars also accept the idea that organizational learning is possible. However, they condition this process to the achievement of a consensual trans-cultural agreement among member states, Secretariat's civil servants and members of the epistemic community on new forms of structures and norms. Under these conditions, learning becomes an extremely rare phenomenon.³⁷ In this context, there are a few factors that contribute to the process of learning, including the capacity to link issues and allow the free flow of ideas between the epistemic community, IO staff and member states. The actions of these three groups of actors, along with changes in the environment where the organization operates, are the main contributing factors that enable learning. By identifying functional problems and pushing for solutions, these actors can trigger a learning process.

However, the presence of all these necessary conditions together seems to conceptualize learning as an extremely rare process and the important steps taken by organizations on their own seem to be relatively ignored. Consequently, I would like to draw attention to Barnett's and Finnemore's central argument regarding IO's agency and

³⁷ Siebenhüner, "Learning in International Organization in Global Environmental Governance." p.96

their capacity to spread norms, fix meanings and categorize the world, bringing important knowledge that may be reflected not only in the practice of organizations, but also in the text of central documents. In this context, Emanuel Adler's practice-based approach³⁸ will contribute to the understanding of how practices are generated and socialized to states. In the particular context of this dissertation, a focus on practices generated within IOs will point out to how they can engender new knowledge to be later disseminated to states.

International practices

A practice oriented approach emphasizes the social construction of practices as consensually adopted forms of action in the international system. For the proponents of this renewed approach, "world politics can be understood as structured by practices, which give meaning to international action, make possible strategic interaction, and are reproduced, changed and reinforced by international action and interaction."³⁹

In this context, practices are understood as patterned actions developed in a particular context that provides them with socially constructed meaning. In other words, practices can be defined as meaningful behavior that has been repeated over time as a result of positive feedback, or as an action socially recognized as meaningful based on background knowledge acquired through experience.

³⁸ Emanuel Adler and Vincent Pouliot, *International Practices*, Cambridge Studies in International Relations (Cambridge New York: Cambridge University Press, 2011).

³⁹ *Ibid.* p.5

Adler unpacks the notion of practice in five different elements.⁴⁰ The first element is performance, or the process of doing something; the second is pattern, pointing out to the fact that practices exhibit some regularity over time and space; the third is competency, or the social recognition of practices as being competent; the fourth is the background knowledge or the accumulated experience and understandings; and finally, the fifth is the linkage between discursive and material worlds as practices are themselves a connection between implicit meanings and explicit actions.

Resembling Haas' notion of epistemic communities, Adler's argument is that practices are exercised and transformed in the framework of community of practices. These are "inter-subjective social structures that constitute the normative and epistemic ground for action, but are also agents, made up of real people, who – working via network channels, across national borders, across organizational divides, and in the halls of government – affect political, economic and social events."⁴¹ Their action thus contributes to both the generation and ending of the life cycle of practices by creating, disseminating and institutionalizing them. This process involves engaging groups of agents "in a community of practice where learning takes place and meanings and identities are negotiated and transformed."⁴²

The life cycle of practices first includes generation as a socially recognized meaningful action, then diffusion in the system and, finally, institutionalization. Not all practices pass through all these phases; for example, institutionalization may be

⁴⁰ Ibid. p.7

⁴¹ Ibid. p.17

⁴² Emanuel Adler, "The Spread of Security Communities: Communities of Practice, Self-Restraint, and Nato's Post-Cold War Transformation," *European Journal of International Relations* 14, no. 2 (2008). p.196

problematic, as many of them can deteriorate and disappear over time. In this context, organizational learning could be understood as the process through which practices become institutionalized within a particular international organization, embedded in its super-structure and carried out by its members and staff.

The single most important aspect of international practices for this dissertation is the concept of practice dissemination through socialization. As Adler points out, the process through which practices are generated does not depend on the unanimous acceptance of its validity. Instead, it is the constant repetition of practice that socializes states to accept and institutionalize them. Consequently, international practices are not dependent on a consensus about their importance, but on their socialization and dissemination in the system. Accordingly, this dissertation attempts to assess whether learning can take place without unanimous consensus from member states, as practices are generated independently from states, the question of whether they can actually be implemented remains. According to Adler's argument, as practices are generated, they are later socialized and adopted by a number of member states, which permits this new practice to be institutionalized.

Rather than just focusing on the practice of "promoting gender in PKOs", this dissertation will focus both on the content of this specific practice and in the mechanism that may or may not disseminate this new practice within the UN and to its members. This has been possible thanks to the combined effects of the epistemic community dedicated to this issue and the institutionalization of protection of civilians into the UN's normative PKO framework in the 21st century. For this purpose, the following session will lay out the organizational learning mechanism used to determine whether and how

promoting gender in PKO has been proposed and institutionalized by the UN and what consequences this new international practice has produced thus far.

A model of organizational learning

This dissertation's model of organizational learning is based on the understanding of international organizations as agents of dissemination that are able to produce new knowledge and practices and later diffuse them to its members. The socialization of these practices among member states and their repetition over time is a necessary step for learning to take place. However, the institutionalization of a new practice does not depend on the unanimous consensus among member states.

In this context, learning refers to the process through which a new international practice is created and included within the framework of action of a given IO. It also refers to a process of change in which older practices are substituted by new ones, and added to the organization's scope of action. This change can be either superficial or affect the inner most parts of the organizational culture. For this reason, a thorough understanding of the concept of organizational culture in international organizations will help clarify the different levels in which learning can take place. In fact, as argued by Haas, changes in the core values and principles of organizations are much more difficult to enact and often require the member states' unanimous consensus.

For this reason, this dissertation employs a theoretical framework that understands organizational learning as a two level process. The first refers to the process through which a new practice is generated, disseminated and institutionalized. The second, also known as transformation, refers to the ultimate stage of learning when practices are

consensually accepted and adopted by all member states, and become an integral part of the organizational culture.

First-level learning is either originated due to a change in the context or driven by the advocacy work of members of an epistemic community, member states or IO bureaucracy. It includes five main phases: organizational dysfunction, which refers to the organization's inability to solve problems with the available set of existing practices; re-examination, or the process through which this existing set of practices are re-examined and new ones are proposed; minimum consensus, referring to the need to reach a minimum acceptance among member states, members of the epistemic community and IO's Secretariat's staff; institutionalization, comprising the process of embedding this new practice in the institutional framework of the organization; and finally, dissemination, the process through which this practice is socialized throughout the layers of the organization and to member states.

In large organizations with headquarters and field offices, a feedback loop between the two is necessary. Often, practices originated at headquarters level are not fully applicable in other contexts or, simply confront major challenges to be translated into practice. The constant flow of communication between different offices grants the learning process with increased chances of success since it provides updated information on successful and failed practices.

The second-level learning refers to the process through which practices are socialized to the rest of member states, and then accepted and adopted by them. It requires that the executive power of those states adopt national policies in accordance to the new practice. When both the organization and its member states have changed and

learned, that is when organizational transformation takes place. It is also important to note that organizational transformation also refers to a much deeper process of change. It comprises a change in the core values of the organization, or its *raison d`etre*. That is why organizational transformation is an extremely challenging and therefore rare phenomenon.

The following sections will thus analyze this two-level learning process. First, the concept of organizational culture and its content will shed some light on how and where the process of learning takes place. Following this discussion is a full description of the learning process, conditions under which learning more easily takes place and an evaluation of the possibilities for a full-blown transformation to occur.

Organizational culture in IOs

As shown in Schein`s analysis, organizational culture is the guiding principle that leads organizations to behave, act and understand the world in specific ways. Any change in the organization or learning process necessarily implies a breach in the original organizational culture. His three-level analysis is particularly helpful because it allows the audience to determine how profound the change was and if it resulted in a complete, partial or imperceptible organizational change.

The application of Schein`s three-level concept of organizational culture to international organizations needs a few considerations as the state-centric ontology embedded in analyses concerning IOs is absent from his analysis. Moreover, since the kind of states that are members of the analyzed IO influences its underlying and espoused values, considerations about state representation ought to be included both in the definition of organizational culture and in the mechanism of organizational learning.

Therefore, the three-level definition of organizational culture applied to international organizations will be defined as follows.

The first level, or “artifacts”, consists of the physical world surrounding the organization and its ordering principles; the building, its structure and how the organization is internally organized--such as the voting process and the different level of executive power conferred to each of the organization’s bodies-- are important elements to be considered in this level. The second level, or “espoused values”, refers to IOs’ goals and strategies to pursue them. Espoused values are embedded in the rules, procedures, strategies, and guidelines within the organization and can be easily comprehended through a analysis of the organization’s written documents. Finally, at the third level, or “underlying assumptions”, lie IOs’ norms, principles and values that may not be explicitly stated but are part of the underlying beliefs, perceptions, thoughts and feelings within the organization. One important aspect within this level is the espoused values by member states.

The presence of member states and the relative constraining power and control mechanisms they possess are common features to all international organizations. However, the types of member states are not. A fully western international organization with modern capitalist democracies as members will be different from an organization that is comprised of mostly non-Western states with different forms of government. The point I am trying to make is that the state composition of an IO may incur certain values and principles located in the third level of Shein’s organizational culture definition. While the addition of new members may not mean a transformation per se, the inclusion of considerably different states with values different from that of the organization may

lead to a learning process and the generation of an extra set of problems the organization will have to deal with.

The first and second levels of organizational culture are physical, procedural and action based evidence of the organization's underlying principles. That is why changes in the first and second levels of organizational culture are more easily attainable and may reflect Haas' concept of adaptation, that is, the inclusion of actions with the purpose of solving a problem without necessarily changing the organization's core principles and values. However, the concept of learning here encompasses that of adaptation and indicates the adoption of new and successful actions to solve problems that could not be previously solved by the existing set of activities developed by the organization. A change in the core values of the organization, similarly results from a learning process, though a much deeper one, initiated by the re-examination of its core values and the generation of new and more adequate espoused values and artifacts, resulting ultimately in the complete transformation of the organization.

A second consideration is now necessary. Haas' definition of organizational learning implies the questioning of earlier beliefs and the re-definition of new solutions that are consensually accepted by the members of a culturally and politically different group. For the author, a learning process is only achieved if disseminated and adopted by these culturally and politically different units. Considering Haas' definition, in an IO with similarly represented states, learning seems to be more easily accomplished than in culturally diverse organizations such as the UN. Nonetheless, can the learning process in a universal organization such as the UN have its importance minimized because it was not fully adopted by 193 member states? Particularly, in regard to gender issues even

though we have asserted that UN's resolutions present intrinsic challenges to be adopted by all member states, the organization is still attempting to disseminate renewed gender norms and practices.

As a consequence, in order to assess whether these practices can be adequately implemented by these culturally diverse member states, the organizational learning model proposed here will take these aspects under consideration and establish a framework of analysis that considers the differences between learning and transformation and emphasize organizational agency in the establishment of international practices. Departing from Adler's definition of international practice as socially meaningful patterns of actions competently affecting the environment, we consider the end of an organizational learning process as the successful institutionalization of international practices through an IO.

The model

As previously discussed learning is a two-level process, the last of which involves organization transformation with the acceptance of changes in the core values of the organizational culture by all member states. However, the completion of a learning process does not require second-level learning to happen. In fact, organizational transformation is an extremely rare phenomenon heavily dependent on membership and context.

This section will thus focus on first-level learning, or the process through which a new international practice is created, disseminated and institutionalized within an IO. It can be divided in five different but complementary phases: organizational dysfunction, re-examination, minimum consensus, institutionalization and dissemination.

Organizational dysfunction

Every IO has a set of well-defined aims, strategies and actions designed to effectively accomplish those goals. Occasionally, changes in the environment in which IOs operate provoke the rise of a new set of problems or the re-modeling of old ones. These changes often lead to a mismatch between the existing set of strategies and actions available and the challenges brought about by the new problem. This mismatch will be reflected in the IO's inability to put forward an adequate solution, rendering the system dysfunctional and triggering a process of re-examination of rules, procedures, strategies and actions available.

Re-examination

This is the process by which IO staff and member-states' representatives re-examine the existing framework in search for a new and more appropriate one. As rightly suggested by Haas, the free flow of ideas from the epistemic community or like-minded professionals with the specialized expertise in a particular issue area or problem has been identified as a necessary condition for the rise of a suitable solution. Although the participation of Haas' epistemic community in the formulation of a new framework of action is not necessarily part of the re-examination phase, it is definitely a contributing factor in the search for a framework that can adequately and successfully address the challenges of a constantly changing environment.

Minimum consensus

Because unanimity is almost impossible, learning would be an extremely rare phenomenon if dependent on an absolute consensus between all member states, IO staff and the epistemic community. Accordingly, a minimum consensus on the proposed solution is deemed necessary before it is institutionalized and put into practice. This consensus should be reached by a group of states' representatives, including powerful ones, IO staff and members of the epistemic community. If epistemic communities, comprised of like-minded professionals with deep expertise in a given issue area, do not agree with the prescribed solution, they may influence opposition. Consequently, it can be difficult for consensus to be reached or institutionalization and dissemination initiated if the epistemic community disapproves of the proposed solution. The same is true in regard to IO staff and member states, particularly the powerful ones that may have other resources besides coalitions to stop a proposal from being disseminated and implemented in practice.

However, it is important to consider that states do not necessarily place the same importance on all issues; it may be the case that some of them do not fully engage in the process of finding and agreeing on a new solution and their initial support is not necessary. Moreover, it may be the case that their voice is not fully heard if powerful states are in favor of the proposal. Finally, under certain conditions, particularly when learning refers to practices outside the sphere of interest of powerful states, it may be that minimum consensus does not require the support of powerful states. However, these are rare occasions, and in any case, learning would have occurred only superficially without affecting the core of the organizational culture.

Institutionalization

Institutionalization refers to the process through which a given practice is institutionalized in the organization's structure by being added to the set of existing rules, procedures, actions, etc. that governs the organization or by substituting a former one. Institutionalization refers to the process of explicitly ingraining the recently acquired knowledge into the organization as an integral part of its organizational culture. Interestingly, institutionalization occurs before dissemination. As it can be observed from the case of gender approaches to peacekeeping, the strong link between normalized gender relations and a lasting peace is already embedded in many of the organization's documents and doctrines of action even though few member states have adopted resolutions provisions.

Dissemination

The final stage of organizational learning, dissemination refers to the process of putting into practice the recently agreed solution. As this action is successfully implemented, it is then disseminated and reiterated over time and space. Its validity will depend on the successful results it generates when applied to similar problems in different times and geographical positions.

It is important to emphasize the role of IOs' agency in the process of organizational learning. As previously emphasized, most IOs have a Secretariat staffed with civil servants that do not work in the name of their national governments but rather for the organization. It is this group of individuals that is tasked with the responsibility of re-examining the existing framework and coming up with a more adequate one. It is in

this particular phase that the window of opportunity to create and spread norms in the system is the largest. Although a group of member states' representatives is usually selected to either actively participate or simply consult in the re-examination process, it is the Secretariat's responsibility, not that of any particular state, to create a new and more adequate framework for future actions.

When states' unanimous compliance and the differentiated levels of change are added to the equation, learning becomes more possible and IOs' agency more easily perceived. This model can be applied for both small and larger organizations; however, in the case of the later it is important that lessons learned from field offices are readily available for headquarters and vice-versa. Occasionally, it may happen that a learning process is not complete because lessons learned from the field do not inform headquarters about most appropriate actions and thus it is not replicated in other places, lacking institutionalization. This is why a learning feedback loop is necessary.

The following section will discuss the mechanism through which knowledge is transferred and learning can take place in the organization as whole rather than only in individual units. The analysis will be based on the notion of a first and second loop learning, the latter being the stage when new knowledge becomes lessons learned and are transferred to the organization's headquarters and disseminated to other field offices. If applicable to other contexts, then learning becomes an integral part of the organization's culture and fully integrated into its normative framework and actions.

Learning feedback loop

International organizations are considerably different in terms of purpose, size, procedures and member-states. They can be regional organizations, comprised of

culturally, politically and socially similar states or larger organizations composed of coalitions of diverse states. They can have specific and functional purposes such as enhancing economic cooperation in particular issue areas like coal and steel, as was the case in the European Coal and Steel Community (ECSC) arrangement of 1951 between the Netherlands, Belgium, Luxemburg, Germany, France and Italy. Or they can be comprehensive organizations such as the European Union, which evolved from the ECSC and deals with major political, economic and security issues, while enjoying greater powers and more encompassing initiatives as illustrated by the adoption of a common currency by twelve of its member states.

For this reason, a digression about organizational learning in a large organization with regional and/or field offices is necessary. In these cases, learning can become a more complex process, especially when initiated at a field or regional office. While field offices can accomplish learning on their own, new practices may or may not be transferred to the headquarters and, consequently, also used by other units/departments or offices. In this context, Lisé Morje Howard's analysis about first and second level learning can be enlightening.⁴³ She analyzes UN missions that have been considered successful in the literature - Namibia, El Salvador, Cambodia, Mozambique, Eastern Slavonia and East Timor - and determines that the main factor explaining the missions' success is the presence of first level learning.

The author defines first level learning as individual learning on the field or at mission level. An effort is required to understand the local causes of conflict as a ways to better address them, and actions to fulfill the mandate are constantly changing based on

⁴³ Howard, *Un Peacekeeping in Civil Wars*.

what is learned by UN personnel through their interaction with the local population and context. This individual level learning, however, should be translated into a change in the structure and strategies ruling the mission, thus affecting other actors within the mission and how they interact in that particular environment.

Hence, organizational learning becomes manifest when these lessons learned result in organizational procedures, routines strategies, structures and goals. Second level learning, is a change in the organization's overall means, structures, and goals at headquarters level in response to new understandings of problems and their causes at mission level.⁴⁴

Considering Howard's understanding of learning as a looped process between the field and headquarters, we can easily think about field and headquarter learning as comprising first and second loop learning respectively. In other words, first loop learning can be understood as the refining of a practice implemented on the field or at another regional office, while the second loop learning involves the redefinition of the practice at the headquarter level and then transmitted to the other units/departments/offices within this same organization.

It is important to notice that in many cases first loop learning may lead to second loop learning. Depending on the issue area, problems are identified by regional and field offices and quite often they are in better position to advocate for solutions based on the reality and conditions on the ground and which may not be entirely known at the headquarters. In fact, interviews carried out on the field in the UN peacekeeping operations in Haiti and the Democratic Republic of Congo have shown that field staff and

⁴⁴ Ibid. p.19

headquarters do not necessarily agree on a number of issues.⁴⁵ In fact, field staff usually has a much more thorough understanding of conditions on the ground and are thus in better position to come up with solutions that are more suitable to that particular context and based on the resources they have on the ground.

Digressions about how headquarters procedures cannot be fully employed in the context of field peacekeeping operations were also common among interviewees. Often called “the bubble”, headquarters may produce procedures and rules that may not be fully applicable to the field, especially if they have not been based on information fed by the field itself. While field operations follow the overall same underlying assumptions of headquarters and frame their actions on the same espoused values following general guidelines and strategies formulated by headquarters, at that level, they also have their own specific norms which are often more adequate to the challenges they confront on that particular context, with their own standard operations procedures, strategies and guidelines.

In this context, it is important to maintain a feedback loop between the field and/or other regional offices and the headquarters so that practices created at headquarter level are well informed, based on the reality on the ground, and have better chances of being successful. This feedback loop not only informs headquarters of positive and negative actions, but also comprises an important set of lessons learned that will help the institutionalization of a new practice and the completion of a learning process. There are several ways through which organizations can establish this feedback loop, including the establishment of reporting processes through which field and regional offices send the

⁴⁵ Interviews were carried out during two extensive field works carried out in Haiti (June/2011 and September/2012) and Democratic Republic of Congo (February/2012)

headquarter reports on their activities, and of monitoring initiatives with headquarters' staff visiting and evaluating field activities.

As an illustration, UN peacekeeping practice has a well-established and complex process of feedback loop that constantly informs not only the Secretariat but also member states at the General Assembly and Security Council of the field activities, lesson-learned and challenges.⁴⁶ Each peace operation has a Special Representative of the Secretary General on the field in direct contact with Secretariat in New York, who is also responsible for gathering information on the mission's activities and sending it to the headquarters periodically. Moreover, mission components – police, military and civilian – maintain databases on activities, that are sometimes fed daily, and either shared with New York or sent through daily reports.

While this is an important practice since it allows headquarters to create adequate policies that reflect the reality on the ground and ,most importantly, lessons learned from one mission can be passed on to another, it is surprising how so far from reality UN documents tend to be. If the gap between the field and headquarters cannot be explained by the lack of information, it becomes even more challenging to find out what specific factors account to this paradoxical reality. One successful example is the formulation of an inventory of best practices to curb sexual violence in peacekeeping settings. Nonetheless, even though the inventory comprises an excellent mechanism to transfer knowledge and thus facilitate learning, whether or not these lessons learned are actually being disseminated is a different story.

⁴⁶ The most easily available set of information compiled through this feedback loop process is the reports of the Secretary General to either the Security Council or to the General Assembly. They can either be on the progress of implementing certain practices, on specific peace missions, or on the overall activities of the United Nations as a whole.

In fact, the different realities and feedback from the field is not always taken into consideration in the formulation of new practices. Moreover, the lack of resources in some international organizations can be a further challenge in the process of organizational learning. Haas' example of turbulent non-growth experienced by the UN when the scope of its peacekeeping operations was increased in the 90's illustrates the damage that the absence of a functioning feedback loop between the field and headquarters can cause, especially in conjunction to lack of resources. In that situation, failures on the ground were not well informed to other missions and mistakes were repeated; most importantly though, the grand vision of a complex peace operation was not accompanied by a grand contribution from member states, resulting in dysfunctional peace operations that had ample purposes and extremely small resources. Failure then should be expected.

This section has shown how the transfer of knowledge occurs in large organizations, particularly those that have offices in locations that are different from that of the headquarters. This knowledge transfer is part of the learning process previously described and is an extremely important element of organizational learning processes in large organizations.

Nonetheless, there is yet another important aspect that ought to be taken into consideration. The organizational learning model suggested that only a minimum consensus was necessary to have a new practice disseminated throughout the layers of the organization and put into practice. In some situations, though, if practices are to be directly implemented by member states rather than Secretariat's staff, as is the case of military troops in peace operations, then learning becomes dependent on those states'

willingness to implement practices; sometimes, these states were not part of the minimum consensus.

Organizational learning vs. organizational transformation

Organizational learning and organizational transformation are two different but correlated processes of change. The first feature of transformation is a shift in the defining values, and principles of the organization, or the core of its organizational culture. Secondly, another main difference between these two processes lies in the degree to which states fully adopt learned experience and change themselves and their practices. In fact, as previously explained, transformation is the final stage of learning, when the learned practice is transmitted and accepted by member states. Not all learning processes result in transformation; however, transformation necessarily results from a comprehensive learning process.

As described earlier in this chapter, the process of learning proposed here does not require a consensus among all member states, although a minimum consensus is always necessary before recently acquired knowledge can be put in practice. Indeed, it would not be fair to say that the UN, for example, has not learned in terms of a gender approach to peacekeeping operations because countries do not comply with the goal of having 10% of female peacekeepers on the ground. Not only has the UN Security Council approved a number of resolutions in that regard, but training modules, guidelines and new units were created with the objective of reaching that goal. Nonetheless, the question of whether or not non-state compliance affect UN efforts in peace settings remain and as will be noted in the case studies may even hamper positive impact in the field. That is why we introduce the concept of organizational transformation, or the ultimate stage of learning.

In order to further illustrate this point, one can examine the case of protection of civilians, which is the result of a re-evaluation process that has placed the security of the individual as the top priority of peace operations. The successful practice of protection of civilians depends on a number of factors, among which are the elaboration of an adequate strategy, the implementation of comprehensive programs that address economic, social and security threats to the individual and finally the adequate establishment of protection mechanisms to be implemented by the military component. Taken together, the successful implementation of a protection of civilian mandate depends on the hard work of the Secretariat staff, of member states' financial contributions and on a good performance of national troops deployed in peace operations worldwide.

Although protection of civilians does constitute a learning process that had almost universal consensus about its importance and has been repeatedly transferred from one operation to the next, it still cannot be counted as an organizational transformation. The reason lies primarily on the degree to which states are willing to implement changes in their national structure to support transformation. In fact, states such as China and Russia, with a clear diplomatic inclination against any clumsy notion of sovereignty, may give conditional support to mandates that go against their inclinations. They may evaluate their support on a case by case basis rather than conceding universal support. In other cases, the implementation of a successful protection of civilians mandate may depend on states' willingness to use force and provide troops with adequate training. However, it is often the case that states have special memorandum of understanding with the UN that does not allow their nationals to get involved in certain types of operations or may not provide them with the kind of training required for an adequate job.

Most importantly, protection of civilians as a new practice incurs in changes at the core of the organization's values and principles. Since its creation, the UN has been the depository of sovereign countries. The increasing importance of the individual and the spread of norms such as the Responsibility to Protect (R2P) is definitely affecting the UN's action on the ground, with peacekeeping operations that are increasingly becoming more robust. Although a learning process has been initiated, R2P is not yet a consensual practice among member states. In fact, the international community is still quite far from a consensus in this particular area.

In these situations, although learning has taken place, a full transformation has not. Transformation thus necessarily involves a change at the core of the organization's values and a cross-cultural consensus that would result in change at the national level of each member state as well. That is where the co-existence of politically, culturally and economically different member states may impose important obstacles for a successful transformation.

IOs with culturally similar states may experience transformation more often than those that don't. In cases such as that of the European Union, it may be easier to achieve organizational transformation. In this context, the specific rules of each organization and the specific subject area where learning took place may affect the degree of difficulty for an organization to accomplish transformation.

Organizational transformation is thus a sub-process of organizational learning, or its ultimate stage. By differentiating organizational learning and member-states' learning, the process through which international practices are created, disseminated and institutionalized through their socialization between states is clarified. Moreover, it also

explains how organizational transformation can take place, that is, by the acceptance and adoption of a new practice by the totality of the membership. This new practice would in turn entail changes in the core values of the organization, or those deep rooted underlying norms and principles that guide the organization's action.

However, the presence of certain factors may facilitate or impose further obstacles to both process of organizational learning and transformation. They will be analyzed in the following section.

Organizational learning lessons learned

There are a number of factors that can influence the occurrence of learning in international organizations. Among those, four are the most significant: One, the constant flow of ideas between epistemic communities and a given IO; Two, the presence of a learning feedback loop between regional/field offices and headquarters; Three, the establishment of performance monitoring;⁴⁷ Fourth and finally, the particular issue area where a new practice is to be created. Taken altogether, these factors influence the possibility and speed of learning.

As earlier emphasized, the free flow of ideas between epistemic communities and the organization is an important step towards generating and refining international practices. These experts, having different backgrounds and specific know-how and experience on a given issue, will facilitate the creation of an adequate practice, improving consensus and enhancing chances of success. At the same time, the presence of opposing epistemic communities in the process of generating a new practice may slow down the

⁴⁷ The idea of performance monitoring as a ways to enhance organizational learning was taken from Haas and Haas, "Learning to Learn: Improving International Governance." p.271.

process. In any case, their presence during all phases of organizational learning is only beneficial, and also serves as an important source of performance monitoring and re-evaluation.

Learning feedback loops further enhance organizational learning processes, particularly in large organizations with field/regional offices and headquarters. The establishment of information sharing systems and communication mechanisms are necessary to maintain a constant flow of information between all of the organization's units. They will inform the Secretariat whether practices have been successfully implemented and how performance can be further improved. They will also map the exact conditions under which practices are less likely to be effective, while context-driven analysis will be able to determine the applicability of the practice throughout space and time.

Performance monitoring is a good way of maintaining a system of checks and balance that will readily identify organizational dysfunction and pinpoint the need to change. The increased socialization of international practices and upturning consensus over their validity may hinder the ability of the organization to identify problems that can no longer be adequately solved by the existing set of actions at the organization's disposal. It is important that a panel of experts from the epistemic community constantly participates in monitoring and reevaluation processes, since their expertise and outside perspective may facilitate the identification of problematic areas.

Finally, the specific issue area where a new practice is to be generated may also impose further obstacles or contrarily facilitate learning. Interestingly, most IR literature on organizational learning deals with environmental issues, indicating that there is a

niche within that particular area that has attracted scholars' attention. Indeed, many have determined that certain organizations have learned, such as the United Nations Environment Program and the World Bank. The absence of writing on organizational learning on other issues can be evidence of the challenges for learning when applied to a given field. In fact, according to Haas and Haas, ecology, natural sciences and engineering are areas where learning can easily occur, while in economics, social science and law, learning is extremely challenging. The authors' explanation points to the absence of a strong epistemic community within the last group. Despite the challenges posed by the area of social science to the development of new practices, a their lack of institutionalization, is not due to the absence of epistemic communities but to the nature of the subject matter that may be controversial and render a minimum consensus difficult to be achieved.

To conclude this section, an important consideration regarding IO membership is necessary. As analyzed earlier, the specific cultural and political characteristics of member states is an important feature within IOs. They can affect the process of organizational transformation, since it can be extremely difficult to achieve unanimous consensus and have states implement new practices if they are culturally and politically diverse. However, the existence of cultural, ideological and political chasm between member states may hinder the process of organizational learning as well. In some cases, there might be coalitions of opposing states battling to foster their own causes within IOs, seriously hampering the organization's ability to achieve even a minimum consensus.

The purpose of this sub-section was to provide readers with some factors that can impact learning and transformation processes. Although they are not triggers of learning,

they form an important set of conditions that may hinder the process of learning if not taken under consideration. In the current international system, where the context tends to change frequently, new sets of problems are continuously generated. It is important for organizational survival that they are able to learn and change in order to comply with the imperatives of this constantly changing international order.

Conclusions

The model of organizational learning laid out in this chapter supports the differentiations between organizational and member states' learning, and between organizational learning and transformation. This differentiation was necessary in order to assess the argument that member states inability to adopt gender policies themselves negatively affect UN's actions in peacekeeping settings.

As it was shown, learning is an evolving process that may be triggered either by environmental-driven forces or by agents of change, such as member states, IO staff and members of the epistemic community. The initial phase is the identification of a problem and the organization's inability to solve it with the available practices, which leads to the subsequent phases of re-examination and the generation of a new practice, the search for a minimum consensus amongst member states, and finally the institutionalizations and dissemination of the new practice.

Organizational transformation refers to the process through which changes in deep-rooted values, principles and goals of the organization have been shifted and accepted by member states. This is an extremely rare phenomenon, dependent on the organization's ability to achieve cross cultural and ideological consensus. It also points to

the existence of a fundamental problem with the organization's *raison d'être*, since it refers to a change in the core of its organizational culture.

The analysis of these processes is essential to understanding the current process of learning and transformation that the United Nation is passing through. This chapter provided the framework of analysis central to the argument of this dissertation, that is, that the UN's gender approach to PKO is part of a learning process centered in the increasing importance of the individual in detriment of the state. Since its creation, sovereignty has been one of UN's crowning principles. The focus on sovereignty was translated into the principle of non-intervention and a focus on traditional security issues that are mostly concerned with the state and its survival. It reflected the historical moment that marked the creation of the United Nations.

Throughout the years, though, environmental-driven forces have forced the UN to adapt to a new context. The changing nature of conflicts and threats indicated that individuals living within the states were bearing the brunt of suffering. As a consequence, new norms and practices were generated in order to better address the needs of those whose rights have been violated.

The discussion of gender as an integral component of PKO is part of this changing security environment. It comes from the recognition that modern day conflict affects women, girls, men and boys differently and is concerned about addressing these specific needs accordingly. Within a renewed normative framework, where protection of civilians is a top priority and peace can only be accomplish with social development and societal healing, gender in PKO became central in most of UN documents in the field of international peace and security.

The subsequent chapters will show the gender approaches were incorporated and their main challenges in field missions. Chapter three will focus on the development of protection of civilian norms and on when and how gender was included as an integral part of that process. Chapters four and five, will analyze the two case studies, pinpoint the initiatives on the ground that reflect this learning process and evaluate how successful they have been so far. Finally, chapter six will analyze the possibilities of further advancing this issue and the future of gender in PKO as an international practice.

CHAPTER 3

**FROM EVOLVING NORMS TO INTERNATIONAL PRACTICES:
ORGANIZATIONAL LEARNING AND GENDER APPROACHES**

United Nations' learning process in incorporating a gender perspective as an integral part of peacekeeping practices was generated due to three main factors: the evolving norms focused on the individual, in particular human security; the establishment of protection of civilians mandated operations with comprehensive protection strategies that consider physical and structural vulnerabilities of individuals; and finally, the surfacing norms focused on gender equality. Despite drawbacks due to the co-existence of different cultural approaches to problems such as discrimination, women's rights and violence against women, the UN has consolidated an important normative and legal framework as essential embryonic inputs to the dissemination of gender-based international practices in the security domain.

As previously shown, organizational learning occurs when the organization identifies a mismatch between its actions and their subsequent impact in the field and as a consequence, searches for renewed practices that may improve their response on the ground. Throughout the years, as international security environment changed, the UN's practices in peacekeeping settings had to incorporate new functions and shift the focus of its approach from the state to the individual. While protecting civilians is a trend in current peacekeeping operations, it confronts major challenges since the centrality of the state is still a major feature of its organizational culture. It is in this context, that the

consideration of specific women's needs in the context of war became not only important for the organization, but the basis for founding a lasting peace.

Although the United Nations has been concerned with sex discrimination from its inception,¹ it was only after the elapse of half a century that women's issues would be considered within the sphere of peace and security, at the core of the organization's *raison d'être*. The normative progress in addressing the different impact that complex emergencies and conflicts have on women and girls and the new gender-sensitive practices in peace operations gained attention with the securitization of sexual violence and the increasing consensus that it has been used as a tool of war. In this regard, the unremitting efforts of women's organizations was central to bring the issue to the UN main executive body, the Security Council. They also formed the backbone of UN progress in areas related to women's issues and gender based approaches.

The feminization of poverty, illiteracy and war casualties is a reality. Not only do more women die as a consequence of war,² they also comprise 60% of worldwide refugees and 70% of IDP populations.³ Consequently, it is imperative that policies explicitly address the special needs of the different gender groups.

The disproportionate victimization of women in particular in terms of sexual and other gender based violence is a reality that needs to be dealt with. While a rights-based or needs-based approach to conflict is necessary, the return to peace invariably means the

¹ United Nations, "Charter of the United Nations", October 24, 1945, <http://www.un.org/en/documents/charter/>.

² See for example: Patrick Meier and Helga Hernes Christin Ormhaug, "Armed Conflict Deaths Disaggregated by Gender," in *A Report for the Norwegian Ministry of Foreign Affairs* (Oslo: PRIO, 2009); Bethany Lacina and Nils Petter Gleditsch, "Monitoring Trends in Global Combat: A New Dataset of Battle Deaths," *European Journal of Population* 42(2005); Human Security Report Project, "The Shrieking Costs of War," in *Human Security Report* (Vancouver: HSRP, 2010).

³ United Nations High Commissioner for Refugees, "Global Trends: Refugees, Asylum-Seekers, Returnees, Internally Displaced and Stateless Persons", June 15, 2010, <http://www.unhcr.org/4c11f0be9.html>.

return to the gender status quo, prior to conflict, irrespective of the roles and gains afforded to women during conflict.⁴ Hence, reconstruction efforts must also be concerned with the normalization of unfair gender relations that destabilize societies, social fabrics of communities and families and ultimately undermines peace process.

As a result of this concern, throughout the 90's, and especially after 2000, the UN organized events and elaborated resolutions that would deal with the problem of gender in war. Urging member states to provide more female uniformed personnel, granting gender training to peacekeepers and staff, and establishing the relationship between sexual violence and a lasting peace, the United Nations gave an important step toward improving its capacity to respond to these threats.

In order to analyze this evolution, this chapter will be divided in three main sections. The first will discuss the normative context that opened the way for the consideration of women's special needs in conflicts as part of the organization's efforts to attain international peace and security. Since its creation, the UN has been the main venue and sponsor of human rights. The evolution of norms focused on individual's rights was transposed to the security area through the concept of human security that shifted the referent of security from the state to the individual and put the same security apparatus at their service. Peace operations have become more robust and mandates expanded to include protection of civilians as a top priority. Military force was no longer the primary means to accomplish peace; democracy, human rights and humanitarian

⁴ While a needs-based approach prioritizes social and material needs, the rights-based approach focuses on political reorganizations (human rights, justice, equality, elections, pluralism, participation). The literature however tends to emphasize that conflict opens up the possibility of empowering women and effecting structural social transformations and reproducing new social, economic and political realities that redefine gender and caste hierarchies. See, for example: Meintjes, Pillay, and Turshen, *The Aftermath: Women in Post-War Transformation*.

assistance would become important dimensions of UN's strategy to enhance individual's security.

The second section focuses on the surfacing norms focused on women's rights and its status in international politics. Initially focused on economic and political rights, the international women's movement grew stronger and managed to transform certain issues, such as violence against women, that were previously treated as a private matter into an international concern. When women's issues entered the human rights arena, it took advantage of the development of international defined parameters and monitoring mechanisms that further facilitated the universalization of their rights. The increasing concern to women's issues and the rampage reality of the use of sexual violence in conflicts led the UN to finally consider it as a matter of security and initiate a learning process that would culminate with the adoption of gender approaches to peace operations.

The third section will focus on the specific framework developed by UN resolutions on Women, Peace and Security, which constitute the normative background of this learning process. While they reflect a learning process through which new international practices were introduced to UN peacekeeping practice, they also suffered a major implementation gap. The cultural differences between states and organizations within the UN constituted the primary obstacle for the full incorporation of a gender perspective on the ground.

In a nutshell, this chapter will show what factors led the UN to initiate a learning process and how it has been developed thus far. While the increasing importance for individual's concern, women's issues and war-related sexual violence are important factors that account for the unleashing of the process, the continuous cooperation

between the UN and civil society organizations contemplated the generation of an important normative framework.

United Nations organizational culture and evolving human rights norms

The transformation of international conflicts and the changing nature of threats led the United Nations to question its own earlier approaches to promote peace and international security. Peace operations worldwide were no longer dependent on state consent; they often became humanitarian interventions, done in the name of the citizens whose governments were unable or unwilling to provide their basic needs or purposely violating their rights. This shifting paradigm came along the dissemination of human rights norms that elevated the importance of the individual in detriment of the states. In this context, a specific gender approach to peace operations was also put into practice. As a matter of fact, gender started to be considered as an integral component of peacekeeping practice.

In order to comprehend this process and the challenges it entails, understanding UN organizational culture is central. Since its creation, the UN has been the arena of continuous disputes between states and of various attempts to foster national interests internationally. Nonetheless, the UN has also been the scenario to the development of great ideas that were disseminated to member states and adopted internationally as central practices and norms to guide politics amongst nations. The presence of these two worlds within the UN is an important aspect of the organization's culture. Indeed, it is this remarkable feature that explains the concomitant advances and drawbacks in the advance of a gender approach as a consensual practice to peace operations.

While placing individuals as the main object of security have not reached a cross-cultural consensus amongst member states, within the UN the norm of “responsibility to protect” has the support of some major member states, resulting in peace operations with broader mandates and centered on protection of civilians. This section will thus explain UN’s organizational culture and how the rising norm of human security has been translated into renewed peacekeeping mandates focused on protection of civilians.

Organizational culture: sovereignty vs. human rights

Understanding UN’s organizational culture is a necessary step not only to understand how a learning process can take place within the organization but also to establish a lower critical threshold when determining the importance of international organizations as norm socializing actors. The single most important feature of UN’s organizational culture is its dual composition, being at the same time the arena where states battle to foster their own national interests, and by another the showground where ideas aimed to solve the world’s common problems are generated.

This internal division in UN’s composition has been noted before. In 1996, Inis Claude’s influential piece on UN’s internal division influenced the rise of analyses that conceived the organization as composed by two separate entities with different capabilities and purposes. (Claude 1996)⁵ The first UN was formed by the battalion of civil servants and the Secretary General, who work under the UN flag supposedly to provide impersonal and neutral judgment on various issues. The second UN, on its part, was comprised by the states and comprised the arena where they battled to advance their

⁵ Inis L. Claude, "Peace and Security: Prospective Roles for the Two United Nations," *Global Governance* 2, no. 3 (1996). p.291

own agenda or to cooperate in the search for partnerships and common solutions for shared problems.⁶

The strong presence of these two worlds within the organization is often translated into often irreconcilable practices and principles. In no area this is truer than in international peace and security where the legacy of state sovereignty translates into the principle of non-intervention and territorial inviolability, and the surfacing norms of human rights into the use of force to protect civilians. In other words, the organization is the arena where the triumph and recast of state sovereignty has taken place.⁷ While it is true that the dissemination of human rights norms and the emergence of concepts such as that of human security and human development has dislocated the focus from the state to the individual, the strong presence of states throughout UN's history still raise doubts of whether or not the organization is able to act impartially during circumstances where gross violations of human rights have been identified. The UN's behavioral record in contrast shows that Westphalian features remain a strong part of UN's character and politics.

The implications of UN's dual composition character becomes evident when states act in the reassurance of their rights. From the very beginning, the founding fathers of the UN created a structure that would accommodate the interests of World War II winner states and included principles that would ultimately protect them. Since the League of Nations failed due to lack of effectiveness and protection mechanisms to major

⁶ The international civil service is a legacy of the League of Nations. According to Weiss, Carayannis and Jolly (2009), UN staff comprise 55,000 civil servants, excluding another 20,000 that work for the specialized agencies, the 100,000 temporary staff in peace operations and 15,000 short-term employees at the International Monetary Fund and World Bank Group.

⁷ Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (Princeton, N.J.: Princeton University Press, 1999).

states' interests, the UN would have a powerful executive body, the Security Council, where the Big-5 with veto power could participate in the emerging liberal order while maintaining their status quo. Under this premise, sovereignty and non-intervention were at the core of the organization's principles.

These, however, were not the only principles that were celebrated in San Francisco. Human rights and gender equality were discussed and included in the Charter, being part of the new organizations espoused values from its foundation. The atrocities committed during the Second World War contributed to a growing sentiment that the new order should be built on the respect of human rights. Although 1948 resulted in a Universal Declaration of Human Rights rather than an International Bill containing clear actions to curb gross violations of individuals' rights, it constituted the first internationally organized effort to improve life conditions of worldwide citizens.

Throughout the years, due to increasing assertiveness on the part of the Secretary General and the influence of civil society organization, human rights assumed a prominent space within the UN.⁸ In fact the UN has been the main venue and sponsor of various human rights conferences, covenants and treaties. The Declaration would be complemented by two covenants, several conventions and multiple conferences that further enhanced the dissemination of human rights on a variety of issues including

⁸ The increasing influence of civil society organizations, experts and scholars within the UN led some authors to re-evaluate Claude's analysis of the two UNs and include a third one. The third UN would then be comprised of nongovernmental organizations, independent commissions, experts, consultants, scholars and other group of individuals that engage with the first and the second UN influencing their priorities, policies, ideas and ultimately, their actions. It is formed by like-minded professionals from different backgrounds that provide their expertise on a number of issues, coming close to Hass' epistemic communities. They have played a significant role in the development and promotion of UN's current ideas, lobbying for them and influencing public opinion. See: Thomas Weiss, Tatiana Carayannis, and Richard Jolly, "The Third United Nations," *Global Governance* 15, no. 1 (2009).

torture, genocide, racism, sex discrimination, minorities and children.⁹ Interestingly, groups that have traditionally been excluded from rights-based considerations, such as minorities, women and children, gained their own space and experienced an important expansion and international diffusion.¹⁰

The UN also created a supporting structure to further enhance the monitoring and standardization of states behavior in defending individual's rights, including the early creation of the Commission of Human Rights (1947), the Office of the High Commissioner of Human Rights (1993) and the Human Rights Council (2006), that substituted the first. Despite intense criticism to the actual efficacy of the Commission and most recently the Council, it is important to note the role that the special rapporteurs had not only in promoting new ideas and understanding of human rights and its protection, but also calling attention to states that were not complying with internationally established behavioral norms and often unleashing actions.

A final piece of evidence of the development of human rights and how these laid the foundations for a shift in the focus of international politics towards the individual is the creation of Special Tribunals (former Yugoslavia and Rwanda), the signing of the Rome Statute in 1998 and the creation of the International Criminal Court that came into

⁹ Universal Declaration of Human Rights (1948), Convention on the Prevention and Punishment of the Crime of Genocide (1951), Convention Relating to the Status of Refugees (1954), Convention on the Elimination of All Forms of Racial Discrimination (1964), International Covenant on Civil and Political Rights (1976), International Covenant on Economic, Social, and Cultural Rights (1976), Convention on the Elimination of Discrimination Against Women (1981), Convention Against Torture (1987), Indigenous and Tribal Peoples Convention (1989), Convention on the Rights of the Child (1990), International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2003), Convention on the Rights of Persons with Disabilities (2007), International Convention for the Protection of All Persons from Enforced Disappearance (2010).

¹⁰ For a complete account on the UN role in generating human rights norms and mechanisms of protection, see: Roger Normand and Sarah Zaidi, *Human Rights at the Un: The Political History of Universal Justice*, United Nations Intellectual History Project Series (Indianapolis: Indiana University Press, 2007).

force in 2002. Its main importance lies in the criminalization of human rights violations and the establishment of international mechanisms to punish those responsible for these atrocious acts.

The linkages between individuals' security and that of the state would later be established by the concept of human security, further enhanced by the linkage between these two and development. Despite UN's occasional difficulties implementing actions to better protect the individual, the organization has been the arena where central concepts and ideas to improve the life conditions of billions have been generated and slowly disseminated to member states.

Human security: the theoretical base to protect the individual

The UN's goal to foster cooperation between states, serve as "an impartial broker" and as the main engineer in the construction of new norms and patterns of behavior is the most debatable of its features. Critics pertaining to varied theoretical strands have emphasized its limitations particularly when confronting member-states unwillingness to cooperate and adapt to these emerging international concerns.¹¹ On the other hand, the organization's focus on civilian issues in attempt to improve social and economic indicators along with the security situation is underlined by theorists as an undeniable contribution from the worlds' organization.¹²

UN's ideational role in promoting the individual is at the core of this dissertation's argument. In fact, it has been the renewed emphasis on the humanization of

¹¹ These theoretical strands are mostly associated with realism and neo-realism.

¹² Constructivist authors have been particularly adamant on the organization's contribution in terms of knowledge and ideas.

development, security and the establishment of protection mechanisms centered on the everyday lives of individuals that laid the foundation for the consideration of specific women's rights and needs. The incorporation of a gender approach as an integral part of peacekeeping practices and of peace processes is an interconnected process based on a comprehensive protection strategy that encompasses the central aspects of both human development and human security concepts.

The appearance of these two concepts in UN's discussions is not recent. In fact, as rightly argued by Macfarlane and Khong¹³, ideas related to human security are as old as the Westphalia order itself. It was only with the changing context that these flourished at the end of the 20th century. At the core of human security's concept is the idea that states are responsible for the security of its citizens. The establishment of sovereignty and the principle of non-intervention in 1648 had as the objective to impede other nations from intervening in the domestic affairs of other nations, particularly in regard to how these nations treated its own citizens. However, by linking states' security with states' responsibility over the lives of their own citizens, Westphalia itself opened the possibility for what centuries later was enunciated as the "responsibility to protect" and which led to a recast – though not consensual – of the meaning of sovereignty.

Concerns in regard to the individual and its protection were further enhanced through International Humanitarian Law, in particular the four Geneva Conventions that attempted to protect the wounded, prisoners of war and non-combatants. International law regarding minorities, refugees and workers, along with the mechanisms to protect them, are also important pre-UN initiatives that supported framing the individual as an

¹³ MacFarlane and Khong, *Human Security and the Un: A Critical History*. p.6-7

important referent of security. However, it is undeniable that although the germination of ideas that led to the concept of human security were incubated outside the UN, it was through the organization's multiple forums of discussions between states, epistemic communities and Secretariat that the concept was embedded in norms and ideas, protection mechanisms created and practices disseminated.

As previously discussed, the UN was the main venue for the development of human rights norms and mechanisms of monitoring and implementation, as expressed in the series of Covenants, treaties and conventions sponsored by the organization. In addition to this aspect, the UN has also been the arena of fruitful creations, such as the concepts of human development and human security itself, especially through the work of United Nations Development Fund (UNDP) reports, and Secretary General incisive actions, all in the pursuit of a space for the individual in international negotiations.

The linkage between development and security was an important step towards a more comprehensive approach to causes of conflicts and better ways to address it. Human development, expressed in UNDP's first human development report in 1990, first connected development with issues beyond the economic development of the state, such as education, mortality levels, life expectancy, etc.¹⁴ Most importantly, was the advancement of the notion that what counts is not so much the national aggregate, but "individual quality of life and capacity of individuals and communities to exercise control over their lives".¹⁵

¹⁴ United Nations Development Fund, "Human Development Report 1990" (New York; Oxford: UNDP, 1990).

¹⁵ MacFarlane and Khong, *Human Security and the Un: A Critical History*. p.11

The humanization of development referred to the process through which statist development perspectives were substituted by others focused on the individual family and community needs, incurring in the reorientation of public policies related to welfare and economic development of the state. This renewed understanding has merged the discussions on human development and security. In fact, the core of the debate on human security revolves around development and protection, making the differentiation between these two instances somewhat artificial, especially in conflict settings.¹⁶

As emphasized in UNDP's Human Development Report 1994, the concept of security was leveled down to the level of the individual and incorporated important aspects of human development:

For most people, a feeling of insecurity arises more from worries about their daily life than from the dread of a cataclysmic world event. Will their families have enough to eat? Will they lose their jobs? Will their streets and neighborhood be safe from crime? Will they be tortured by a repressive state? Will they become victim of violence because of their gender? Will their religion or ethnic origin target them for persecution?¹⁷

In this context, there was also an increasing consensus on the link between development and security. In fact, as early as 1992, Boutros Boutros Gali, then Secretary General of the United Nations, had already brought attention to the pervasive effect of war on the population and to its sources as deeply rooted in the society itself, including social, economic and political instability.¹⁸ As a strategy to accomplish international peace he was the first to propose the curtailment of sovereignty and a comprehensive

¹⁶ Ibid., p. 141

¹⁷ United Nations Development Fund, "Human Development Report 1994" (New York; Oxford: UNDP, 1994).

¹⁸ United Nations Secretary General, "An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping", January 31, 1992, http://www.unrol.org/files/A_47_277.pdf.

peacekeeping strategy that addresses economic, social and political development of states. As emphasized by Boutros Boutros Ghali:

The time of absolute and exclusive sovereignty, however, has passed (...) It is the task of leaders of States today to understand this and to find balance between the needs of good internal governance and the requirements of an ever more interdependent world. Commerce, communications and environmental matters transcend administrative borders; but inside those borders is where individuals carry out the first order of their economic, political and social lives.¹⁹

Hard hitting speeches on the concept of sovereignty and the need to respond to atrocities within member states with or without its consent continued during Kofi Annan's tenure. Following the "humanization" of security and its linkage with development, there was an obvious shift away from an exclusive military approach to the safety of states. Not only did the safety of states depend on factors beyond traditional military power, state security was increasingly related to that of its citizens; and thus to the four elements of sovereignty defined in the 1934 Montevideo Convention (population, territory, government, and international recognition) to which a fifth would be added, the responsibility to protect its own citizens.

As part of the work of the International Commission on Intervention and State Sovereignty, the 2001 report "The Responsibility to Protect" (R2P) encompasses the essential dichotomy present within the UN. Claiming that it is the responsibility of the international community to intervene when states are unwilling or unable to protect its own citizens, this emerging norm puts the protection of individual rights at the top of UN's priorities and is in striking opposition to the traditional notion of sovereign and its accompanying principles of territorial inviolability and non-intervention.

¹⁹ Ibid.

The innovative feature of R2P lies in the implementation of a mechanism to enforce the protection of human rights. The use of force, initially envisaged as a way to protect states' territorial and political independence was now being urged as a means to accomplish the protection of the populations living therein. Despite its promises though, R2P has been the objective of serious critics, especially in regard to the selective character of its intervention that seem to fulfill a more national agenda of member states rather than the need of individuals whose rights were being violated. Finally, within the global south, countries have even developed alternative views of the R2P, such as Brazil's Responsibility while Protecting (RwP),²⁰ that emphasizes non-coercive measures to protect civilians as a way to avoid the legitimization of unilateral policies in the name of the broader international community interests.

As the analysis has shown, the UN's organizational culture is characterized by its dual composition and the presence of dichotomous principles at the core of its espoused values. In fact, the perpetual mismatch between the first and second UNs is fully represented in the occasional instances where the organization remains gridlocked. In no other area this is truer than in the intersection between the intervention with the use of force and human rights. Although the development of human rights norms has initiated a process of institutional learning, one in which the individual is placed before the state, it is probable that this learning process will remain incomplete and occur at a different pace throughout UN's member states. Trouble with the universalizing of human rights and selective use of robust measures to protect rights are recurring features of UN's actions in this area.

²⁰ Department of Peacekeeping Operations and Department of Field Support, "Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations."

The incorporation of a gender approach to peace operations is directly related to this discussion and as such suffers from the same illness. Different interpretations within member states in regard to human rights and the priority given to women's rights translates into an unequal learning process. As much as UN's recast of sovereignty is still underway, so are the protection mechanisms to protect individuals and the ideas that incorporate gender as a cross-cutting element in all UN activities, and in particular in the pursuit of a lasting peace.

Multi-dimensional peacekeeping and protection of civilians

“Changing ideas, to the extent that they are meaningful, are rooted in changing realities.”²¹ The evolving norms focused on the individual and the formulation of mechanisms to guarantee individual's safety was the result of changes in the international environment. The changing nature of conflicts and threats are amongst the main contextual transformations that generated the need to change and the initiation of an inquiry process through which new practices were created.

94% of all armed conflicts fought in the 90's comprised civil wars with a 90% rate of civilian death rate as a consequence of deliberate warfare strategy of targeting civilians.²² As a result, the UN's approach changed. From 1948 to 1988 peacekeeping operations had only two functions – observe peace through the monitoring and reporting of cease fire and keep peace through the establishment of buffer zones and zones of

²¹ Yuen Foong Khong, *Analogies at War: Korea, Munich, Dien Bien Phu, and the Vietnam Decisions of 1965*, Princeton Paperbacks (Princeton, N.J.: Princeton University Press, 1992). p.3

²² Paris, *At War's End: Building Peace after Civil Conflict*.

disengagement.²³ Throughout the years though, the UN incorporated a new strategy for managing the problem of civil unrest and state failure: deliver humanitarian assistance, protect civilians and re-build failed or collapsed states.

This first effort to deal with this new set of problems was the so called “second generation” of peacekeeping operations. Initially, however, as argued by Haas,²⁴ these were not accompanied by a thorough process of re-examination and devolved into a disorganized practice with wide encompassing mandates, limited resources and no clear purpose or rules of engagement. After major failures and with the important intellectual contribution of the Secretary General and Secretariat staff, renewed norms were introduced and peace operations were backed by an institutional and normative framework that supported actions on the ground. What was previously an effort to outwit the Security Council’s inability to act during the Cold War gridlock, became UN’s central effort in the terrain of peace and international security. Peace operations would only grow in number, budget, size and functions.

The increase in peacekeeping activities was impressive. From 1948 to 1978 a total number of 13 peacekeeping operations were established. In the following period (1978-1988), no operation was authorized and it was only after the 90’s that new peace missions were authorized by UN’s Security Council.²⁵ In fact, the number of authorized peace operations tripled in the following decade. (Michael W. Doyle 2006)²⁶ Evidence that the permanent members of the Security Council were more agreeable is the fact that four

²³ Richard Jolly, Louis Emmerij, and Thomas George Weiss, *Un Ideas That Changed the World*, United Nations Intellectual History Project (Bloomington: Indiana University Press, 2009).

²⁴ Haas, *When Knowledge Is Power: Three Models of Change in International Organizations*.

²⁵ Jolly, Emmerij, and Weiss, *Un Ideas That Changed the World*. p.173

²⁶ Nicholas Sambanis Michael W. Doyle, *Making War and Building Peace* (Princeton: Princeton University Press, 2006). p.6

times more resolutions were approved while the amount of sanctions authorized increased seven times. Most impressively, the peacekeeping budget skyrocketed from 230 million before the 90's to 3.6 billion at the turn of the century.²⁷

Since 1948, a total of 67 DPKO led operations have been established, 14 of those are ongoing.²⁸ As of January 2013, total of around 111,880 field personnel are spread in the UN peace operations around the world.²⁹ Amongst those, 92,968 are uniformed personnel (80,764 are military and the other 12,204 are police), and 18,912 are civilians (international staff comprising 5,082, local staff 11,748 and the UN volunteers 2,082).³⁰ While all 193 member states contribute one way or another, either with staff, equipment or funds, 114 of those contribute with uniformed personnel.³¹ Most impressively the current peacekeeping budget recently reached 7.3 billion.³²

The expansion of peace operations meant that previously simple functions carried out by lightly armed soldiers would give place to complex and multidimensional tasks. Some of these tasks include organization of elections and carrying out of elections, Disarmament, Demobilization and Re-integration (DDR), training and organizing security and defense institutions, in addition to supporting government structures in areas such as rule of law, human rights and development, amongst others.

This comprehensive approach to peace operations not only responds to the new logics of conflicts but is also in accordance to the precept of human security.

²⁷ Ibid.

²⁸ Data available at DPKO's statistics section. See: Department of Peacekeeping Operations, "Peacekeeping Fact Sheet," 03/18/2013, <http://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml>.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

Increasingly, peace operations' focus was shifted from the state to the well-being of the individuals living within them. Conflict negotiations and reconstruction programs became concerned with the root causes of conflicts and the strengthening of states institutional ability to function properly and provide adequate living conditions for its citizens.

Under this premise, the structure of peace operations became more complex, mandates focused on protection of civilians and personnel would no longer be solely comprised of "boots on the ground", but also professional and expert civilians hired by the Secretariat. As the peace operations themselves, protection strategies would depend on an integrated and comprehensive approach, centered on physical and structural vulnerabilities of individual human beings. The focus on the individuals and the integrated character of peace operations would become the fundamental features of UN contemporary peace operations. These practices alongside the increasing importance of human rights considerations and human security perspectives provided an opening and set the stage for the introduction of gender approaches to peace operations.

As much as the new practice seemed to be in accordance to the changing nature of conflicts and threats, critical literature on the UN's actions piles up. The UN failure's to avoid a sequence of massacres during the 90's has led the organization to rethink its mandate in peace operations. The genocides and horrific attacks against civilians in Rwanda, Srebrenica, Bosnia, etc, has brought the international community to a halt; the status, vulnerability, significance and role of civilians in modern conflicts have changed.

When belligerents terrorize the population by attacking them, raping the women and volunteering kids as child soldiers, civilians are no longer collateral damage, they are the target and an important audience to conquer. As fights and battles get closer and

closer to home, capturing the hearts and minds of the population has never been more important. In the age of communication, building and maintaining global and local legitimacy is a necessary condition to achieve strategic goals. The impact of conflicts on civilians is vital: not only have they moved from the sidelines to being the cornerstone of military operations, they are also a critical factor determining strategic outcomes, and thus the need to transform.

Committed to improving its response to the atrocities committed in contemporary warfare the UN embarked in a process of inquiry and search for best approaches to peace operations. In 1998, former Secretary General of the United Nations Kofi Annan urged the international community to pay closer attention to ways through which the UN could ensure that the civilian population is protected from atrocities and human rights violations during conflicts. The logic was that if the UN is to protect civilians, then its peace missions ought to have a mandate that supports these actions. And so, in 1999, the United Nations Mission in Sierra Leone (UNAMSIL) was authorized to “take the necessary action... within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence.”³³

In this context, the 2000 Report of the Panel on United Nations Peace Operations (also known as the “Brahimi Report”)³⁴ offered an in-depth critique of the conduct of UN operations and provided a series of recommendations to improve previous failures. In summary, the report emphasized the establishment of peace operations with clear and achievable mandates, an integrated peace operation structure with civilian, police and

³³ United Nations Security Council, "Resolution 1270", October 22, 1999, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1270\(1999\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1270(1999)).

³⁴ The report was named after the Panel chair, UN Under-Secretary-General Lakhdar Brahimi.

military components working together and developing complementary and joint tasks, and adopting a comprehensive strategy that included actions dedicated to improving the security and institutional environment within intervened states.³⁵

Although the Brahimi report provided important benchmarks for the improvement of UN actions in conflict and post-conflict settings, it did not provide a definitive answer as to how civilians could be better protected.³⁶ Following Kofi Annan's pledge for a new normalcy where civilians are protected, and the adoption of the Responsibility to Protect during UN's General Assembly in 2005, the normative framework for a protection of civilians mandate and the implementation of robust operations was found.³⁷

Bellamy argues that the R2P manages to shift the focus from the intervening countries to the host country, and that it plays with the interface between states' responsibility as part of its sovereignty and the duty of the international community to respond.³⁸ However, putting together the concept of sovereignty and that of human rights defense was never consensual, even after the 2011 Libya intervention, when R2P was for the first time used to justify military intervention under Security Council Resolution 1973.

³⁵ For a complete review of the report, see: William J. Durch et al., "The Brahimi Report and the Future of Un Peace Operations," (Washington, DC: The Henry L. Stimson Center, 2003).

³⁶ Robert Schutte, "Minding Gap: Approaches and Challenges to Robust Civilian Protection Approaches " (New York: Friedrich Ebert Stiftung, 2011). p. 2

³⁷ The R2P was only once explicitly used to justify a military intervention when in 2009, under Security Council Resolution 1973, military force was authorized to protect civilians in Libya. Operations that counted with protection of civilians mandate and were established prior to the intervention in Libya, did not explicitly use the normative framework provided by R2P. In fact, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the United Nations Mission in Darfur (UNAMID) are important recent cases where protection of civilians is a top priority, albeit not authorized under R2P premise.

³⁸ Alex J. Bellamy, *Global Politics and the Responsibility to Protect: From Words to Deeds* (New York: Routledge, 2011). p.9

In fact, although currently 10 out of 17 peace operations authorized by the UN have the protection of civilians as part of its mandate, none of which were authorized under the explicit “claiming” of R2P. Two of these operations, the United Nations Stabilization Mission in the DRC (MONUSCO) and United Nations Mission in Darfur (UNAMID) have protection of civilians as top priority, and do not use the R2P language.

Protection of Civilians (PoC) mandated peace operations, though, seem to be more widely accepted. The main problem is the implementation gap and the absence of a shared understanding of what PoC means and how it should be implemented by the various actors on the field, namely the military, the humanitarian community and international and local political actors, such as mission’s senior leadership and host government. The absence of a shared understanding about PoC and a comprehensive strategy to implement the protection of civilian mandate has caused various missions to take different actions with varying results.

It is also important to mention that PoC is extremely dependent on the specific context of the host nations. While in certain occasions urban militias are the main threat, in others it is armed groups acting under the cover of vast jungles in the heart of Africa. As a consequence, PoC strategies require context-driven actions, planned in accordance to the specific threats present on the ground. Assessing local populations’ main source of vulnerability is also central to a successful PoC strategy. Hence a continuous dialogue with the local population and collaborative work with the civilian component is the necessary condition for an adequate response.

The analysis shows that traditional peacekeeping no longer holds in the era of intrastate conflicts and civilian bloodshed. UN peace operations have become

multifaceted, multidimensional and more robust. In the absence of a strong and legitimate governmental authority, local perspectives regarding the UN troops are fluid and do not necessarily resemble that of the government. The kind of challenges imposed to the military component are dramatic, not only does their traditional *modus operandi* need to be readapted to include new capabilities and innovative strategies, but they can no longer work on their own

In this context, the increasing concern with civilians and crimes committed against them including the massacres, disappearances, looting, fire, kidnapping, and torture, amongst others, has opened the possibility for the treatment of violence against women be dealt with as a matter of security. Although sexual and other types of violence are common during conflicts - occasionally even a deliberate strategy to undermine opponents during war – these are not included in peace accords are not dealt with during pacification and post reconstruction efforts.

For a long time, gender based crimes during war were met with silence (and they still are!) and apathy, and very few concrete actions were undertaken by the international community to actively engage this particular issue when dealing with matters of peace and security. Nonetheless, the advances of the last decades in terms of re-focusing the object of security on the individual and adding to the military component functions that include the protection of non-combatants, sexual violence was finally recognized as a tool of war and a threat to international peace and security.

By placing this renewed focus on this issue, gender issues could be tackled in peace operations environment. The adoption of Security Council resolutions attested the relationship between security, peace and an environment free of sexual and other gender

based violence. It also generated a several actions to better implement resolutions' provisions: the creation of bodies to promote gender mainstreaming on all UN actions, including its protection strategies; the elaboration of training modules, so that the military and the police can adequately respond to these crimes on the field; and the adoption of comprehensive protection strategies that further legitimizes the complex nature of this crime, by reinforcing the need to promote economic development and women's empowerment as a ways to improve its vulnerability and better protect them.

Even though the impact of these actions is still limited, they comprise important benchmarks when analyzing progress made in the area. The following section will discuss how gender considerations and women's rights became central to the UN agenda, laying the foundation for the incorporation of a gender approach as an integral part of peace operations.

The road to international peace: evolving norms on women's rights

UN's renewed concept of human security and the focus on peacekeeping approaches to protect civilians constituted important steps towards the consideration of the specific needs of women and girls in conflict settings. Nonetheless, it was the parallel development of norms centered on women's rights, the securitization of the systematic use of sexual violence as a tactic of war and the assumption that a lasting peace depends on the foundation of more equitable and fairer societies that provided the final push for the special consideration of women's issues on the ground.

Based on these surfacing norms of individual's security and protection, women's rights' agenda, and gross violations in conflict areas, the UN developed a comprehensive gender-sensitive approach to peace operations as a way to better address women's

vulnerability in mission areas. This strategy is based on gender equality and aims to promote equal opportunities for men and women in peace processes as well as to consider the specific impacts of different policies for each of the different groups. Although gender does not translate automatically into “women’s issues”, there is an important interface between the two due to the fact that in conflict settings women are the most victimized and suffer all types of violence including sexual violence.

The description of how women’s rights became central in the UN’s agenda along with the understanding of the systematic use of sexual violence as a tool of war are central to trace the origins of gender approaches to peace operations. Above all, it was only after some women’s issues, such as sex discrimination and violence against women, entered the human rights arena, that matters that were previously considered private was slowly put in the public sphere of the state and were subjected to internationally defined parameters to which states should abide. Once this linkage was established and the serious consequences of the systematic use of sexual violence clarified, the security apparatus was put in service of this agenda and robust force was accepted as a way to stop these acts from happening in mission areas.

Women’s rights

As much as the UN has been the main venue for the development of human rights internationally, the same is true in terms of women’s rights. The UN has been the arena where women’s organizations have battled for the inclusion of women’s issues as a special concern and the major sponsor of international instruments to enhance their rights. Throughout the UN’s history, women’s rights advancement passed through different phases. While initially focused on economic development and political rights,

after the 90's women's issues gained in the human rights arena, and issues such as sex discrimination and violence against women became violations of human rights. Aligned to UN's focus on individual protection, the development of women's rights was the main venue for its debut in the international security arena.

During the San Francisco Conference, where the UN charter was signed in 1945, four women representatives and around 40 civil society organizations managed to include a historical reference against sex-discrimination in the founding document of the United Nations.³⁹ The reference comprises an under-looked advancement in the development of women's rights, since it was the first time that discrimination on the basis of sex was put in an international legal instrument, and differed considerably, from other previously established international organizations. IOs had mostly remained silent in regard to the existence of an international minimum standard to the treatment of women's issues and considered the subject cultural specific.⁴⁰

The inclusion of that reference on the Charter was vital to the subsequent creation of the Commission on the Status of Women (CSW) and the subsequent work developed by the organ.⁴¹ The first mostly recognized product delivered by the Commission in conjunction with ECOSOC was a comprehensive Declaration on the Elimination of Discrimination against women. Even though the Declaration comprises only an aspirational rather than binding law, it was an important step in expressing international

³⁹ On the importance of Article 3, and how it was included in the Charter, see: Devaki Jain, *Women, Development, and the Un : A Sixty-Year Quest for Equality and Justice*, United Nations Intellectual History Project (Bloomington: Indiana University Press, 2005); Charlotte Bunch, "Women and Gender," ed. Thomas Weiss and Sam Daws, *The Oxford Handbook on the United Nations* (Oxford: Oxford University Press, 2007); Jolly, Emmerij, and Weiss, *Un Ideas That Changed the World*.

⁴⁰ Bunch, "Women and Gender."

⁴¹ Before 1987, the Commission would meet only once every other year and counted with the steady participation of about 30 to 50 NGOs. Over time, though, CSW's functions and importance increased, and meetings were held more often. By the 90's more than 600 NGOs were involved with its activities.(Ibid.)

parameters on the status of women internationally and which would later be the founding basis for the Convention on the Elimination of Discrimination against Women (CEDAW).

Women's participation in the economic development of the country and their political rights grew stronger throughout the first four decades of UN's creation, with the establishment of the "UN Decade for Women: Equality, Development and Peace" in 1976 and the four Conventions on Women, carried out in Mexico City in 1975, Copenhagen in 1980, Nairobi in 1985 and finally in Beijing in 1995.⁴² Most importantly, these conferences served as a forum where women's organizations could connect with governments to push for their agenda and trigger changes at the political level.

These conferences also served for networking and issue linkage.⁴³ While it became clear that worldwide women shared some common problems, they also had differing agendas, as illustrated by the North/South divide and other divisions caused by race and social class considerations.⁴⁴ Although these conferences were majorly focused on economic and political rights, discussion on subjects that would later become central to our discussion, such as violence against women were also present. Participants were adamant in reiterating that more attention should be paid to the subject and that the

⁴² For a detailed account on the development of women's rights within the UN See: Jain, *Women, Development, and the Un : A Sixty-Year Quest for Equality and Justice*. A shorter version can be found on Bunch, "Women and Gender." and a summary of Devaki's findings in Jolly, Emmerij, and Weiss, *Un Ideas That Changed the World*. Chapter 4.

⁴³ Kathryn Sikkink and Margareth Keck underlines the benefit of networking and issue linkage in book: Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca, N.Y.: Cornell University Press, 1998). Connecting between organizations from the south and the north allowed financial flows and strategy that had northern countries' government pressure southern governments to adopt accepted human rights norms. Moreover, issue linkage, such as connecting women's rights with other issues, such as development, environment, etc, could expand the support for specific causes.

⁴⁴ Bunch, "Women and Gender." p. 487-8

conference needed to find instruments through which the role of women in peace and development was reinforced.

In fact, the Beijing Platform of Action, the resultant document from the Fourth Conference on Women carried out in 1995 in Beijing, defined the status of women in conflict zones as a critical area where women's rights should be pursued.⁴⁵ The Conference also underlined what is now widely known, but not as much back then, that is, civilian casualties in conflicts have outnumbered that of the military and that most of those were comprised by women and children.

Other vital contributions of these Conferences was the creation of organs within the UN that would later be central to the placement of women's issues also in the international peace and security arena. Amongst these organizations, is the creation of United Nations Development Fund for Women (UNIFEM) in 1976, an agency that became central in advancing the women's agenda in the UN and in the Convention on the Elimination of Discrimination Against Women and later in the adoption of UNSCR1325.⁴⁶

The International Research and Training Institute for the Advancement of Women (INSTRAW), created in 1980 was yet another cornerstone UN body that provided an enormous contribution to the advancement of policies and ideas that no longer defined the status of women *vis a vis* their relation to men, but considering the broader

⁴⁵ Kathleen R. Kuehnast, Chantal de Jonge Oudraat, and Helga Maria Hernes, *Women and War: Power and Protection in the 21st Century* (Washington, D.C.: United States Institute of Peace Press, 2011). p.1

⁴⁶ The importance of CEDAW cannot be overstated. It provided provisions and spelled out social, economic, political and civil rights of women in both private and public sphere. Interestingly, although the convention has been ratified by 185 countries it also contains the largest number of reservations.

implications of global economic, political and social changes and their impact on women's lives.

In 1993, during the Vienna Conference, a great success in the women's rights agenda was accomplished, when violence against women was proclaimed a human right violation, not a private matter, but one that should be dealt according to internationally established parameters. With the establishment of a Special Rapporteur on Violence Against Women after the Conference, an emerging regime with minimum standards arose, and although implementation remains a challenge still nowadays, the initiative constituted an important step toward the recognition of women's rights as an universal human right.⁴⁷

The issue of violence against women has also been present in other instances. From its inception, in 1993, the Office for the High Commissioner of Human Rights (OHCHR) had gender mainstreaming as part of its mandate and as a consequence, most of its reports had a separated section on the effects of certain human rights violation for women. In the same year, the General Assembly adopted the Declaration on the Elimination of Violence Against Women (DEVAW). Although the declaration comprised a non-binding law, it set standards and identified violence against women in three spheres - family, community and state – further contributing to the “publicization” of a matter that has long been considered a private concern.⁴⁸

These initiatives led UNIFEM to start a trust fund on the elimination of violence against women and implement projects towards that end. While from 1994 to 2006 the

⁴⁷ It is important to note that within the human rights arena, women's rights present important tensions, especially between the principle of universality and cultural specificities.

⁴⁸ Bunch, "Women and Gender." p. 501.

former Commission on Human Rights adopted a resolution on the subject every year, from 2006 onwards the Secretary General himself reported to the General Assembly on the accomplishments thus far achieved by the organization. The Secretary General's involvement with this issue cannot be overstated. From his position he is able to influence emerging norms and practices to be adopted by member states. In this regard, the creation of the Office of the Special Adviser to the Secretary General on Gender Issues and Advancement of Women (OSAGI) was another great step forward. High level official reports and policy recommendations were directly sent to the Secretary General.⁴⁹

As the individual became an important focus for the UN, so did women's issues. The 1994 Human Development Report, previously cited as an importance instance towards the "humanization" of development, launched the gender-related development index, establishing an undeniable link between gender and human development. This link would only be reinforced in 2000, during the Millennium Summit, when gender equality and empowerment of women became concrete targets of the Millennium Development Goals.

Although the formal association between women's rights, violence against women and international peace and security would only be established with Resolution 1325, the earlier connection with development and the establishment of international patterns regarding violence against women comprised an important sustaining basis for the progressing normative framework on the matter. The final act in terms of gender mainstreaming in all UN activities was the creation of the UN-Women, the UN's agency

⁴⁹ Throughout the years, OSAGI would greatly contribute to the debut of gender issues in peace and security. The organ served with important leadership on gender mainstreaming issues and on inter-agency networks on women and gender equality. Most importantly, an inter-agency task force on women peace and security was created as an attempt to understand the effects of war on women.

responsible for placing gender as a cross-cutting issue that should be considered throughout all programs implemented by the organization. The UN-Women is a hub of gender initiatives as it merged and built on the important work of four previously distinct parts of the UN system, which focused exclusively on gender equality and women's empowerment: 1. Division for the Advancement of Women (DAW); 2. (INSTRAW); 3. Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI); 4. United Nations Development Fund for Women (UNIFEM). The merger of these four organizations also meant that a single structure was responsible for promoting gender mainstreaming in all UN activities in a more coordinated and effective way.

The implementation gap in terms of women's rights is still a reality and one of the most contentious areas where the universality of human rights is continuously disputed. However, it is important to notice how throughout time, the UN served as the main venue to the development of a normative framework through the arduous efforts of civil society organizations and UN staff committed to the cause. Despite this gap, it is often the case that UN documents are the only legal instruments that can be used by local groups when attempting to exercise pressure on national governments to accomplish change.

These advances, particularly after women's rights became a central human right issue and an integral part of the development effort, are an important foundational basis for the consideration of gender in the domain of international peace and security, and wartime gender based violence as a threat to peace consolidation processes. The following sub-section will thus focus on the main factor that led the consideration of gender issues to the Security Council.

The interface between wartime sexual violence and international peace and security

UN's Analytical and Conceptual Framing of Conflict Related Sexual Violence, defines it as:

(...) rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence... against women, men, girls and boys. Such incidents and pattern occur in conflict or post-conflict settings or other situations of concern (e.g. political strife). They also have a direct or indirect nexus with the conflict or political strife itself, i.e. a temporal, geographical and/or causal link.⁵⁰

Two important aspects stand out in this definition. First is the important fact that it includes sexual violence committed against other gender groups that many resolutions leave aside, and secondly it shows the differing aspects of sexual violence. Indeed, the level and type of sexual violence varies from conflict to conflict from state to state and assuming it is a systematic tool of war in every instance also hampers our ability to recognize the contextual specificities that are necessary to generate adequate policies.⁵¹ Although motivations vary, it is often the case that war-time related sexual violence is not just a matter of opportunity and throughout history battles were often fought on women's bodies as a result of previously existent unequal gender status.⁵²

Using sexual violence as a tool of war has proved to be extremely effective. It affects social stability by disrupting interpersonal relations within the micro universe of

⁵⁰ UN Action against Sexual Violence in Conflict, "Analytical and Conceptual Framing of Conflict Related Sexual Violence," (New York: United Nations, 2011). p.3

⁵¹ Amelia Hoover Green Dara Kay Cohen, Elisabeth Jean Wood, "Wartime Sexual Violence: Misconceptions, Implications and Ways Forward," in *Special Report* (Washington D.C.: United States Institute of Peace, 2013). p.2

⁵² Office for the Coordination of Humanitarian Affairs, "Use of Sexual Violence in Armed Conflicts: Identifying Gaps in Research to Inform More Effective Interventions" (New York: Policy Development and Studies Branch, June 26, 2008).

the families and communities; and it impacts on economic recovery and state authority.⁵³ As long as women's recovery is hampered, their active participation in economic and reconstruction activities are seriously obstructed. Moreover, the often widespread impunity environment that sinks in after peace agreements leads to increasing discontentment with government institutions and lack of trust.

As a consequence, the strategy to address women's vulnerability to sexual violence is based on comprehensive protection strategy, reinforcing the relationship between development, security and women's empowerment. Although the focus on sexual violence has been disproportionate, actions to curb sexual violence are intended to have positive spill-over effects to other gender-related issues, such as supporting women's participation in the economic reconstruction and improving local rule-of-law and public security systems. Ultimately, these efforts aim to form the foundational basis for an equitable society and reinforced peace.

Although sexual violence remains widespread there are a few accomplishments that ought to be noted. In particular, the advancement of international legal mechanisms that qualifies sexual violence as a war crime and crime against humanity was central to the evolution of norms and protection mechanisms. Sexual violence, whatever the type, has been documented to have happened in the past, such as during the Second World War and the use of "comfort women" by the Japanese army, however specific mention to sexual crimes during the Tokyo War Crime Trials were minimal.

This reality, however, started to change first with the International Criminal Tribunal for the former Yugoslavia (ICTY) in 1993, allowing victims of sexual violence

⁵³ Robert Jenkins Anne-Marie Goetz, "Addressing Sexual Violence in Internationally Mediated Peace Processes," *International Peacekeeping* 17, no. 2 (2010). p.265.

to step forward and accuse perpetrators; then the International Criminal Tribunal for Rwanda (UNICTR) and the Special Court for Sierra Leone, both of which included sex crimes amongst the long list of criminal activities that have taken place during the conflicts in these countries.⁵⁴

The signing of the Rome Statute in 1998 – in force in 2002 - which culminated with the creation of the International Criminal Court (ICC) also adds to the array of positive legal advances in terms of addressing war-related sexual violence and curbing impunity. Not only does the Statute recognize rape, sexual slavery, forced prostitution, pregnancy and sterilization as forms of sexual violence and, as such, as crimes against humanity, it also relates women trafficking with slavery. The creation of a witness protection program, the existence of counseling services for victims, and the possibility of awarding victims with reparations under the scope of the ICC shows the increasing recognition of the need to address this crime and a concern for comprehensive approaches as a way to deal with the matter.⁵⁵

Unfortunately, the Court has limited jurisdiction. Not only has it depended on which state are parties, only crimes committed after it entered into force (2002) can be prosecuted by the Court. In some instances, UN's Security Council can bring a case to the Court's attention, as was the case with Khadafy in the aftermath of Libya's intervention; most of the times, though, the permanent members of the Security Council do not reach a consensus and cases are not brought to the Court. As an illustration, as

⁵⁴ Other legal instruments include regional agreements. The International Conference on the Great Lakes Region's Protocol on the Prevention and Suppression of Sexual Violence Against Women and Children is a great example

⁵⁵ Sanam Anderlini, "Translating Global Agreement into National and Local Commitments," in *Women and War: Power and Protection in the 21st Century*, ed. Kathleen Kuehnast, Chantal de Jonge Oudraat, and Helga Hernes (Washington, D.C.: United States Institute of Peace, 2011). p. 23

state-sponsored human rights violations – including sexual violence - spurred in Syria, the Security Council was unable to both act or bring the case to the ICC due to China's and Russia's veto powers and unwillingness to authorize an intervention on a political ally.

UN's Security Council's inability to act is not new. However, it is important to recognize instances in which the organ did reach an agreement and prompted sustaining efforts to promote international peace and security. One of such efforts was the inclusion of gender approaches to peacekeeping activities and the recognition that sexual violence was a threat to international peace, providing the foundations for the authorization of all necessary means to address this issue.

Thus far, the analysis has shown that parallel to the development of a security concept focused on the individual and peacekeeping practices dedicated to protect them, the UN was the main venue for the development of women's rights and the sponsor of manifold initiatives that contributed to disseminate international norms to protect their rights and further consider their status and special needs in conflict zones. They form the backbone of the normative framework that allowed these issues to be linked with the organization's main purpose and *raison d'être*, promoting international peace and security.

The following section will cover the adoption of a gender approach to peace operations, explaining what it consists of and detailing the main challenges for its future implementation.

Gender as an integral part of peacekeeping practices

Promoting gender balance and equality has been a UN goal since its creation; however, it is only after the year 2000 that the organization started to focus its action in yet another area: peace and security. As part of UN's efforts to promote and maintain peace, gender approaches were gradually included in all UN's missions' mandates. Although the systematic use of sexual violence as a tool of war has hijacked the "gender and peacekeeping" agenda, important consideration towards increasing the participation of women in peace processes as better ways to attend to their needs and ultimately accomplish peace are also in place. That is not to say that war-related sexual violence is not an important issue, but rather part of a bigger discussion on the role of women in societies and the need to enhance their participation when reconstruction takes place.

The importance of adopting comprehensive protection strategies also lies in the fact that war-time violence usually represents a magnified reflection of gender based violence that was already present during peacetime. During war, when previously established gender relations are redefined, it is often the case that women are left alone and as the head of household, occasionally they also become combatants. However, they are usually excluded from DDR programs, or have their previous gains reversed when the conflict ends and gender relations are normalized again. Hence, the end of conflicts is an important moment where innovative actions to reverse dire gender relations; reconstruction and protection strategies must thus consider this continuum of violence and attempt to lay the foundations of a fairer and more equitable state.⁵⁶

⁵⁶ See for example: Tsjard Bouta, Georg Frerks, and Ian Bannon, *Gender, Conflict, and Development* (Washington, D.C.: World Bank, 2005); Meintjes, Pillay, and Turshen, *The Aftermath: Women in Post-War*

The absence of sexual violence from peace-agreements is also striking. When gender considerations are not included in agreements, the voices of women will most probably be left out of reconstruction programs.⁵⁷ Moreover, silencing on the topic of war-time sexual violence not only undermines women's recovery, it also contributes to the normalization of this crime. We must remember that in some cases widespread conflict-related sexual violence has allegedly contributed to the normalization of this act amongst civilians, who then carry out similar actions under the premise of being "accepted" and "normal".

In order to address these issues the UN has created a comprehensive gender approach to peace operations. This strategy is based on a series of resolutions approved since 2000 with the objective of enhancing women's participation in peace processes and improving the organization's response to sexual and gender based violence. They form the base of the organization's learning process and the foundation of international practices aiming a lasting peace.

Despite the advances on the normative realm, the implementation of practices has proved to be challenging. In order to better assess where challenges remain, this section will not only show the evolution of the normative realm, but also evaluate the implementation gap. While this section will mostly focus on the implementation gap at headquarter and member states level, the following chapters will provide a thorough evaluation of how this strategy is being – or not - implemented on the field.

Transformation; Haleh Afshar and Deborah Eade, *Development, Women, and War: Feminist Perspectives*, Development in Practice Reader (Oxford: Oxfam, 2004).

⁵⁷ See for example: Mazurana, Raven-Roberts, and Parpart, *Gender, Conflict, and Peacekeeping*; and Donald Steinberg, "Women and War: An Agenda for Action," in *Women and War: Power and Protection in the 21st Century*, ed. Chantal de Jonge Oudraat Kathleen Kuehnast, Helga Hernes (Washington, D.C.: United States Institute of Peace, 2011).

Women, Peace and Security resolutions: the normative realm

The adoption of resolution 1325 in October 2000 by the Security Council was the result of the diligent work of civil society organizations and UNIFEM that exercised pressure on members of the organ and organized a forum through which country representatives could hear directly from those affected on the ground, including victims. It also comprised a historic evolution in the way the matter was internationally seen, since a clear relationship between peace and an environment free of sexual violence was established and a series of actions towards improving UN actions in this regard were put in place.

It was common knowledge among women's organizations and UN institutions concerned with gender that the comprehensive Brahimi report lacked a nuanced analysis on the causes of conflict and paid insufficient attention to sexual and gender based violence.⁵⁸ The Windhoek Declaration, on its part, and the resulting Namibia Plan of Action was strictly concerned about gender approaches in peace operations. Organized by DPKO's Lessons Learned Unit and hosted by the Government of Namibia in May, 2000, the seminar "Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations" looked at practical ways through which the UN system could put in practice a series of actions to enhance a gender approach to peace operations. As a matter of fact, the "Namibia Plan of Action" was the base document for Resolution 1325 and maintained much of its content.⁵⁹

⁵⁸ Raven-Roberts, "Gender Mainstreaming in United Nations Peacekeeping Operations: Talking the Walk, Tripping over the Walk." p.47

⁵⁹ Louise Olsson, "The Namibian Peace Operation in a Gender Context," *ibid.* (Rowman & Littlefield Publishers). p.169.

Two related events taking place in New York in October 2000 further contributed to the adoption by the Security Council of Resolution 1325 (UNSCR1325). These were an open discussion on Women, Peace and Security between members of the Council and the other was an Arria Formula meeting on the same topic where members of the Council could discuss the impact of violence on women and their role in peace processes with representatives from local civil society organizations and victims themselves.⁶⁰ While the former counted with declarations of support from 40 member states, the latter constituted an informal and confidential meeting where women from Zambia, Sierra Leone and Guatemala were heard.

Despite subsequent criticism, UNSCR1325 was an important step towards the advancement of a new format to peace operations concerned with the security of the individual and with the different impact that conflicts and destabilization have on different gender groups. The resolution provided a series of actions to be undertaken by the UN system and member states in order to improve the organization's response to the challenges on the ground, particularly, the specific effects on women. Moreover, it was the first time women's experiences in conflict were linked to the maintenance of international peace and security, stressing that women's leadership in conflict resolution and gender approaches in peacekeeping are necessary steps to build a lasting peace.⁶¹ The main objective was to increase women's participation in peace processes and

⁶⁰ Mazurana, Raven-Roberts, and Parpart, *Gender, Conflict, and Peacekeeping*. p.15

⁶¹ Under the broad reference of gender approaches to peacekeeping a series of specific actions can be identified: these include gender mainstreaming in terms of specific considerations on the impact of policies on gender groups, promoting gender balance, and improving protection through training and a renewed protection of civilians role for the military.

decision-making related to conflict resolution as well as improve protection of women and girls on the ground through increased female personnel and better gender training.

Although the resolution fails to establish monitoring mechanisms, enforcement actions or benchmarks for progress evaluation, it set the first comprehensive series of actions aimed at better attending the special needs of affected women on the ground. Noting the slow progress at the national level, in 2004 the Security Council called member states to implement National Action Plans (NAPs) or other national strategies as a way to articulate and implement provisions of UNSCR1325.⁶² NAPs are basically a policy and binding document that captures the specificities of the national structure and establishes parameters and benchmarks to accomplish better gender mainstreaming in accordance to the provisions of the resolution. Calling for inter-government cooperation and civil society participation, NAPs are also an important tool to avoid duplicated actions while also complying with UN renewed normative framework for peace operations.

Because the responsibility to implement the resolution belongs to multiple actors including the UN system, member states and parties to the conflict, it is a challenging task. The need to include more women as peacekeeping personnel (in all components) and as peace negotiators, the establishment of gender units on the ground, and improved training on the military as a ways to better assess gender based crimes, can be highlighted as important provisions to be implemented. While state compliance has varied immensely within the UN system, the involvement of multiple UN actors, lack of leadership and of

⁶² United Nations Security Council, "Statement by the President of the Security Council", October 28, 2004, <http://www.un.org/womenwatch/ods/S-PRST-2004-40-E.pdf>.

inter-agency coordination has led to inconsistent implementation of the resolution's provisions.

It is important however to underline that despite difficulties to implement this evolving normative framework, the United Nations is taking important steps forward, in a continuous process of inquiry and quest for better ways to address challenges on the ground and improve the UN system response. Indeed, efforts to reinforce the UN's actions in addressing the special needs of women and girls were further enhanced by four subsequent resolutions, mostly focused on the systematic use of sexual violence as a tool of war.

The first of those was Security Council Resolution 1820 (UNSCR1820), adopted in 2008. Its main contribution was shifting the UN response to sexual violence from the humanitarian to the security approach, further reinforcing the need to change the structure of peace operations and its doctrine and tactics.⁶³ Resolution 1820 was the first to spell out the harsh effects sexual violence has on communities and established a clear link between international peace and an environment free of sexual violence. Urging the Secretary General and member states to ensure that sexual violence in conflict is addressed in conflict resolution and post-conflict recovery efforts.

In this regard, provisions under resolution 1325 are complementary to 1820 and include increasing the number of uniformed female personnel, improving training modules, including sexual violence in peace agreements, communication with local women's organizations and specific protection strategy to address this problem in conflict zones, amongst others. While the Secretary General has been releasing yearly reports on

⁶³ Anne-Marie Goetz, "Addressing Sexual Violence in Internationally Mediated Peace Processes." p.261

the implementation of these resolutions, a network of 13 UN entities has been created to better coordinate these efforts has been created. The “UN Action Against Sexual Violence in Conflict” supports coordination efforts and work closely with other local, national and international actors to improve actions on the ground.⁶⁴

Resolution 1888 (UNSCR1888) was adopted in 2009 and has the objective of strengthening tools for implementing 1820 through assigning high-level leadership, building judicial response expertise, strengthening service provision, and building reporting mechanisms. In this regard, it calls for the appointment of a Special Representative of the Secretary General on Sexual Violence, and the provision of strategic support on actions to combat sexual violence to UN country teams and peace Operations. The peace operations in Darfur, Liberia and the Democratic Republic of Congo are the first to have sexual violence components primarily dedicated to elaborating comprehensive protection strategies to curb sexual violence on the ground. These strategies encompass actions that aim to improve judicial, security-related and political responses to sexual violence on the ground. Due to lack of specific data on sexual violence measuring impact is a challenging task, however important advances in terms of implementing renewed strategies and monitoring actions have been accomplished.⁶⁵

Resolution 1889 (UNSCR1889) was also adopted in 2009 and calls attention to the exclusion of women from early recovery and peace building activities leading to the continuous inadequate planning and funding of actions aimed at attending the special

⁶⁴ For further information on their work, see: UN Action Against Sexual Violence in Conflict, “ Stop Rape Now,” 03/18/2013, www.stoprapenow.org.

⁶⁵ Data on sexual violence is a challenge. As an example of the challenges, increasing trends may only signal better reporting systems rather than an increase in cases. Moreover, it is often the case that different actors on the ground use different reporting systems, making it difficult to have a unified reporting system.

needs of women. As prescribed by UNSCR1325, a strategy to increase the number of women in conflict-resolution and decision-making and the establishment of specific monitoring mechanisms and indicators towards this goal are imperative. These indicators and plan for implementation of gender-responsive peacebuilding were presented by the Secretary General in 2010.⁶⁶

It thus becomes clear that these resolutions as well as its implementation indicators and strategic plans are all complementary and were often bundled together under comprehensive implementation strategies and reports of the Secretary General on the advancement of UN actions on this issue. The last of Security Council Resolutions on this topic thus far is resolution 1960 (UNSCR1960), adopted in 2010. Following critics on the absence of accountability mechanisms to guarantee the implementation of these resolutions, RES1960 provides an accountability system for addressing conflict-related sexual violence that includes reports on parties credibly suspected of committing sexual violence, establishment of monitoring, analysis and reporting arrangements on conflict related sexual violence and the need to submit annual reports on advances.

UNSCR1960 represents an important advance in comparison to the other resolutions since it provides “teeth” or actual mechanisms for monitoring and implementation. In particular, the tactics of “naming and shaming” with the list of armed groups that apply sexual violence as tactics of war represent a more aggressive approach to end this practice. The mechanism was first used in the January 2012 report of

⁶⁶ United Nations Secretary General, "Report of the Secretary General on Women, Peace and Security", September 24, 2010, http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/498. For more information on the topic see also: "Report of the Secretary General on Women'S Participation in Peacebuilding", September 7, 2010, <http://www.undp.org/content/dam/undp/library/crisis%20prevention/un-women-participation-in-peacebuilding-report-of-the-sec-general-2010-09-07.pdf>.

the Secretary General on Sexual Violence that documented conflict related sexual violence and specifically referring to the names of military forces, militia and other armed groups allegedly using sexual violence as a tool of war.⁶⁷

The five resolutions on Women, Peace and Security constitute the normative framework towards the incorporation of a gender approach as an integral component of peace operations. Its adoption also signals the recognition that threats to international peace and security include individual threats to civilians and proposes a renewed focus centered on individuals protection. Although some of these resolutions do not have accountability mechanisms – as is the case of UNSCR1325 (2000) and UNSCR1889 (2009), others have specific provisions on the formulation of indicators, strategies and commitments towards the implementation of actions to accomplish UN's overall gender equality policy in peace operations, ensuring that specific gender crimes, especially sexual violence, are rightly addressed, and that women are a central participant in peace processes.

Although implementation remains a challenge and there is still a gap between the normative and practical realms, gender approaches to peace operations is in the international security agenda.

From evolving norms towards international practices: the implementation gap

Considering the renewed challenges in international security environment and the organization's inability to adequately respond to threats, the United Nations initiated a learning process in search for improved ways to better respond to the renewed threats

⁶⁷ "Report of the Secretary General on Conflict-Related Sexual Violence", January 13, 2012, http://www.un.org/ga/search/view_doc.asp?symbol=S/2012/33.

encountered on the ground. In this context, while a renewed security concept refocused on the individual has evolved, international practices dedicated to better protect civilians arose. As part of these efforts, specific concerns with women's interests, rights and protection needs assumed renewed importance within the organization. Not only has the organization been the main venue for the development of specific women's rights, it has also been pivotal in securitizing the issue and linking it with the organization's main purpose. In this context, maintaining international peace and security also means addressing the specific effects of conflicts on women, particularly combating systematic use of sexual violence as a tool of war.

As analyzed, the series of UN resolutions on Women, Peace and Security have mostly confronted an implementation gap. Although resolutions set important standards towards the enhancement of women's security and improvement of its vulnerable status, they often fail to create binding and enforcement mechanisms so that all involved actors take the necessary actions to establish and disseminate these specific provisions as international practices.

Considering the practice of gender approaches to peace operations, two dimensions ought to be considered. First, there are the necessary changes at headquarters and member states level, these include for example the adoption of National Action Plans by member states and the provision of gender training modules, appointment of gender advisers to missions and establishment of monitoring mechanisms by UN headquarters. The second dimension refers to the specific in-mission practices, such as the incorporation of gender in missions' mandate, the establishment of specific protection strategies and activities towards improving national capacity to respond to sexual and

gender based violence. A feedback loop between these two dimensions is also necessary, so that norms create at headquarters level take under consideration lessons learned from the field.

The evaluation of practices that have been widely incorporated by member states and UN staff and further disseminated from mission to mission and state to state, provides a diagnostic of the state of UN's learning process. It also pinpoints the main challenges and highlight key areas where further normative development ought to take place. This section will thus evaluate some of UN's main accomplishment at headquarters level and define the central components for a successful gender approach strategy in-mission.

The implementation gap at headquarter and member state level

Since UNSCR1325, the United Nations has taken important steps towards translating into practice the norms it has created. While each of the five resolutions further refines a gender approaches to peace operations as an international practice, supporting analytical documents, the establishment of benchmarks and monitoring mechanisms measuring success and the elaboration and adoption of new training modules for military forces and National Action Plans are the first real evidence of change. At the same time, however, difficulty to measure the impact of UN policies and slow pace of progress in certain areas – such as the increased presence of women in peace operations – mount against any idea of progress.

The search for establishing specific targets, implementing, monitoring and reporting mechanisms along with accountability systems comprise the greatest success. Mostly dependent on the work carried out by the Secretariat and other sister agencies,

since the debut of women's issues in the international peace and security arena, supporting documents to aid the work on the ground have multiplied and as exemplified by UNSCR1960 (2010), some have even established binding mechanism and time-bound commitments towards the implementation of a gender approach to peace operations. Among these documents, there are the reports of the Secretary General on Women, Peace and Security, on Sexual Violence, and on the Implementation of the Resolutions 1820 (2008) and 1888 (2009); specific studies carried out by UN's Department of Peacekeeping Operations, and the several training modules designed to improve response on the ground.⁶⁸

As previously discussed, one of the main critics to UNSCR1325 was the inability to create effective action plans for all implementing parties and absence of an accountability mechanism. As a result, in 2004 the Security Council called a System-wide Action Plan (SWAP) for the implementation of UNSCR1325 provisions and an Inter-Agency Task Force on Women, Peace and Security was created.⁶⁹

Since then two SWAPs were created, one comprising the period of 2005-2007 and the other covering 2008-2009 period. Nonetheless, the yearly Reports of the Secretary General on Women Peace and Security, have highlighted that the elaboration of these System-wide Action Plan have had little impact and the UN system have not met with the recommendations. In 2010, in celebration of the ten year anniversary of resolution 1325 a report of the Secretary General stated that SWAP results remained disappointing and that the possibility of measuring achievements was a challenge.

⁶⁸ For a directory on UN's training materials on gender and women's issues, see: Women watch, "Directory of UN resources on gender and women's issues", 03/19/2013, http://www.un.org/womenwatch/directory/gender_training_90.htm.

⁶⁹ United Nations Security Council, "Statement by the President of the Security Council."

As a result, in July 2011 a *UN Strategic Results Framework on Women, Peace and Security: 2011-2020*⁷⁰ with specific goals, targets and indicators to measure UN progress in the area. The framework established a High-level United Nations Steering Committee on Women, Peace and Security (HLSC-WPS) to oversee and monitor progress and defined four broad areas where advances ought to be accomplished:

Figure 1: Women Peace and Security four implementation pillars



Source: UN Strategic Results Framework on Women, Peace and Security: 2011-2020.

Although it is still soon to evaluate UN's progress in accordance to each of these areas, the continuous reformulation of targets and recurrence of open debates every October and informal council meetings on the subject, shows the organization's commitment to improve and disseminate this practice. Other accomplishments in this area include: the Inter-Agency Task Force on Women, and Peace and Security in

⁷⁰ United Nations, "Un Strategic Results Framework on Women, Peace and Security: 2011-2020" (New York: United Nations, July 2011).

February 2001, the creation of a Gender Unit at DPKO headquarters and in mission,⁷¹ appointment of women/gender focal point to all departments and missions' components, the elaboration of gender training modules and guidelines for integrating a gender perspective into the work of the military and the police in peacekeeping, the elaboration of a gender equality policy for peacekeeping,

Besides promoting gender mainstreaming in all missions' activities, these senior advisers are responsible for guaranteeing that local women are included in peace processes, that their concerns are considered within local legal and judicial system and procedures and that the necessary measures to protect women and girls from sexual violence are taken by all missions' components.⁷²

Gender balance

Evaluating the presence of women in peace processes activities is a direct measurement of the implementation of one of UNSCR1325 provisions. It also points out where exactly the main challenges remains, whether on the field or at headquarters and which implementing actor is most falling behind with the resolution's compliance.

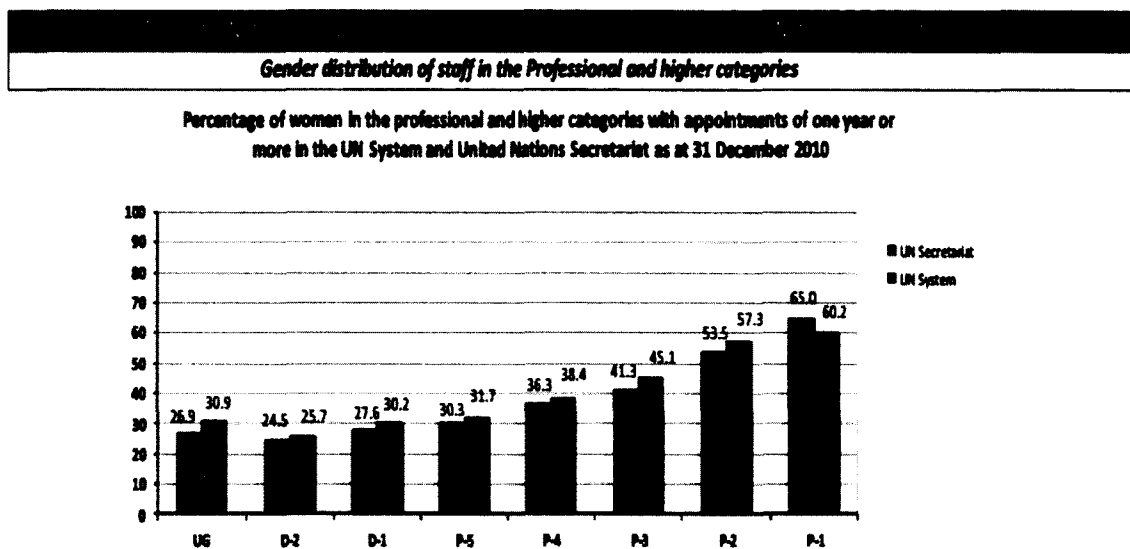
In terms of civilians, from the period 2000-2010, there has been a shy increase of 3.3% in the number of female staff working at UN's Secretariat, from 35.5% (1,785 out of 5,034) in 2000 to 38.8% (3,945 out of 10,175) in 2010. This data, however, does not

⁷¹ The appointment of focal points for women should be seen in the context of the GA resolution 59/164 on Improvement of the status of women in the United Nations system and the letter to senior managers from the Secretary General of 3 April 2008, which reaffirms the urgent goal of achieving 50/50 gender distribution in all categories of posts within the UN system.

⁷² The eight missions where senior gender advisers are present are: UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), UN Mission in Liberia (UNMIL), UN Stabilization Mission in Haiti (MINUSTAH), UN Operation in Côte d'Ivoire (UNOCI), UN Mission in South Sudan (UNMISS), African Union-UN Hybrid Operation in Darfur (UNAMID), UN Assistance Mission in Afghanistan (UNAMA), UN Interim Force in Lebanon (UNIFIL).

separate those working in the area of conflict resolution nor includes the staff on the field, where the discrepancies between male and female staff tend to be the largest. As the graph below shows, the percentage of women in high level positions is the lowest, while its presence in less skilled jobs, as those required by the P-1 level is the highest.⁷³

Figure 2: Gender distribution staff in the Professional and higher categories



**UG stands for "Ungraded" and combines the ranks of Secretary-General, Under-Secretary-General, Assistant Secretary-General, Director-General, Assistant Director-General, and Deputy Director-General

Source: UN Women, 2010.

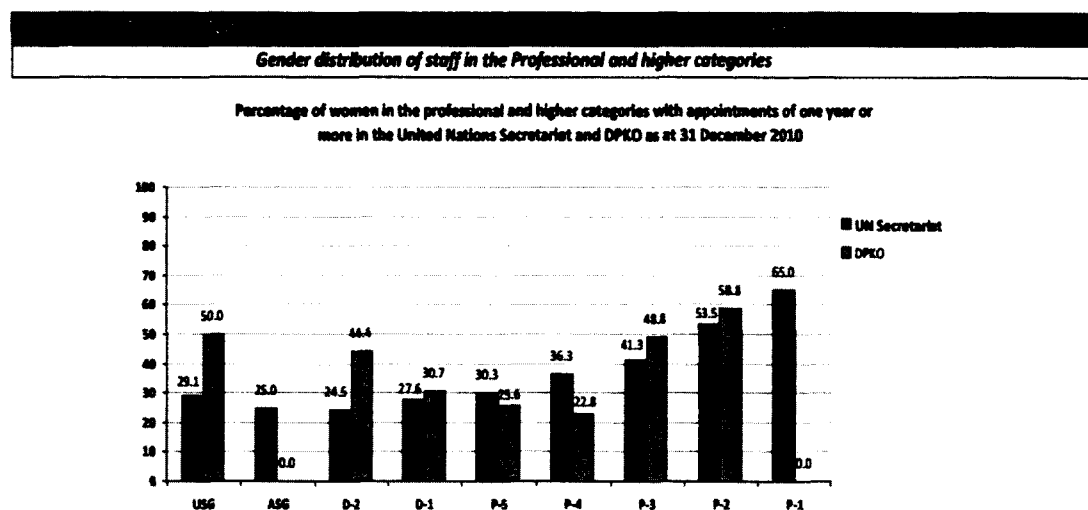
According to Puerchguibal, in 2008, out of 66 top management positions in peace building only six were occupied by women.⁷⁴ In fact, DPKO's proportion of women's participation increased by only 1.3 percentage point in comparison to the same period.

⁷³ P-1 to P-5 positions refer to professional positions, being P-1 with the lowest qualification demands and P-5 the highest. D-1 and D-2 refer to director and chief positions, representing important high level positions within the UN. The UG on its part corresponds to those leadership positions that include the Secretary General, Under-Secretary General, Assistant Secretary General, Director General and Deputy Director General.

⁷⁴ Nadine Puechguibal, "Peacekeeping, Peacebuilding and Post-Conflict Reconstruction," in *Gender Matters in Global Politics: A Feminist Introduction to International Relation*, ed. Laura Shepherd (New York: Routledge, 2010).

While in 2000 women comprised only 31.7% of total personnel - 59 out of 186 - in 2010 they comprised 33% - 108 out of 327.

Figure 3: Gender distribution staff at the DPKO



Source: UN Women, 2010.

In peace operations, civilian women staff comprises a total of around 7,500 or 30% of the total international civilian personnel working for peace operations around the world. Amongst national staff women summed up to a meager 17%.⁷⁵ Three women lead peace operations as Special Representatives of the Secretary-General (SRSG) and one as acting head (Afghanistan, Darfur, DRC). Nonetheless, the number for military and police women are considerably lower. Out of approximately 125,000 peacekeepers, women constitute 3% of military personnel and 10% of police personnel in UN Peacekeeping missions. However, there are three all-female Formed Police Units (FPU) serving in three

⁷⁵ This and the following data were all gathered at DPKO's webpage. See: Department of Peacekeeping Operations, "Gender and Peacekeeping", 03/26/2013, <http://www.un.org/en/peacekeeping/issues/women/womeninpk.shtml>.

different peace operations. These are the Indian FPU serving in Liberia and the two Bangladeshi FPUs, one serving in Haiti and the other in the Democratic Republic of Congo. The goal is to reach at least 10% of women's participation in the military by 2014 and 14% of women's participation in the police by the same year.

Despite challenges to increase these numbers, they already constitute an advance. According to DPKO, in the 32 years between 1957 and 1989 a total of only twenty women served as uniformed UN peacekeepers. Besides, until the adoption of the resolutions on Women, Peace and Security, no women had served as Special Representative of the Secretary General. Since the adoption of UNSCR1325, there has been an increase in female uniformed personnel, especially as military observers as their presence doubled in only five years, going from 2% in 2005 to 4.1% in 2010. However, as the DPKO's statistical report on female uniformed personnel shows, it was not until 2005 and 2009 that sex disaggregated data were compiled for the military and police personnel respectively.

An interesting initiative that may have spill-over effects in this area is the support to increase the participation of women in political processes. UN missions with this mandate have worked hard sensitizing stakeholders, promoting affirmative actions and gender sensitive electoral laws, training women candidates and providing security women candidates during elections.⁷⁸ There has been a measurable increase of women candidates elected and women voters, at least in a number of countries with UN presence – such as DRC, Afghanistan, Sierra Leone, Liberia, Haiti, Sudan and East Timor.

NAPs

The adoption of National Action Plans by member states was not a mandatory policy directive from UNSCR1325. However, following Security Council's discussion on how to improve implementation on 1325 and the call for UN System-Wide Action Plan, member states were also urged to launch Action Plans on their own. However, because the implementation of NAPs depends entirely on member states willingness and commitment to the cause, compliance has achieved mixed results. As for today 39 countries have launched NAPs, most of them coming from developed areas, in particular Europe, and African countries that have themselves been the object of an intervention in recent years. Below is a complete list of countries that have launched NAPs.⁷⁹

⁷⁸ Ibid. p.18

⁷⁹ The complete list can be found on the report of the Secretary General on Peace Women and Security, 2011, see: United Nations Secretary General, "Report of the Secretary General on Women, Peace and Security", September 29, 2011, http://www.peacewomen.org/assets/file/SecurityCouncilMonitor/Reports/sg_report_wps_oct_2011.pdf.

Table 4: Evolution in the launching of National Action Plans

Country	NAP	Date
Australia	National Action Plan on UNSCR 1325	March, 2012
Austria	National Action Plan on Implementing UNSCR 1325	August, 2007/ Revised in January, 2012
Belgium	National Action Plan on the implementation of UNSCR 1326	May, 2010
Bosnia Herzegovina	National Action Plan for the Implementation of the UNSCR 1325	July, 2010
Burundi	National Action Plan on Security Council Resolution 1325 and 1820	August, 2011
Canada	Action Plan for the Implementation of United Nations Security Council Resolutions on Women, Peace and Security	October, 2010
Chile	National Action Plan for the Implementation of the UNSCR 1325	August, 2009
Cote d'Ivoire	National Action Plan for the Implementation of UNSCR 1325	January, 2007
Croatia	National Action Plan for the Implementation of UNSCR 1325	2011
Denmark	Action Plan for the Implementation of UNSCR 1325	June, 2005/Revised in 2008
Democratic Republic of Congo	National Action Plan for the implementation of the UNSCR 1325	June, 2010
Estonia	Action Plan for the Implementation of UNSCR 1325	November, 2010
Finland	National Action Plan for the Implementation of UNSCR 1325	September, 2008/ Revised in 2012
France	National Action Plan on UNSCR 1325 Women, Peace & Security	November, 2010
Georgia	National Action Plan on UN SCR 1325	December, 2011
Germany	National Action Plan on the Implementation of UNSCR 1325	December, 2012
Guinea	National Action Plan on UNSCR 1325	July, 2011
Guinea-Bissau	National Action Plan on UNSCR 1325 and Implementation Matrix	July, 2011
Iceland	National Plan of Action for the Implementation of UNSCR 1325	March, 2008
Ireland	National Action Plan on UNSCR	November, 2011
Italy	National Plan of Action for the Implementation of UNSCR 1325	December, 2010

Table 4: Continued

Country	NAP	Date
Liberia	National Action Plan for the Implementation of UNSCR 1325	March, 2009
Lithuania	Action Plan for the Implementation of UNSCR 1325 on Women Peace and Security	December, 2011
Nepal	National Action Plan for the Implementation of UNSCR 1325	October, 2010
Netherlands	National Action Plan for the Implementation of UNSCR 1325	December, 2007/ December, 2011
Norway	Action Plan for the Implementation of UNSCR / NAP Strategic Plan for 2011-2013	March, 2006
Philippines	National Action Plan for the Implementation of UNSCR 1325 and 1820	Mar-10
Portugal	National Action Plan for the Implementation of UNSCR 1325	August, 2009
Rwanda	National Action Plan for the Implementation of the UNSCR 1325	May, 2010
Senegal	National Action Plan for the Implementation of the UNSCR 1325 i	2-May-11
Serbia	National Action Plan for the Implementation of the UNSCR 1325	2011
Spain	National Action Plan for the Implementation of the UNSCR 1325	November,2007
Sierra Leone	National Action Plan for the Implementation of UNSCR 1325	March, 2011
Slovenia	National Action Plan for the Implementation of UNSCR 1325	July, 2011
Sweden	National Action Plan to implement UNSCR 1325	October 2006/Revised in 2009
Switzerland	National Action Plan to implement UNSCR 1325	Oct-10
Uganda	Uganda Action Plan on UNSCR 1325 & 1820 and the Goma Declaration	December, 2008
United Kingdom	National Action Plan on UNSCR 1325 Women, Peace & Security	November, 2011/Revision: February, 2012

Table 4: Continued

Country	NAP	Date
United States	National Action Plan on Women, Peace and Security	December, 2011

Source: Peace Women, "List of National Action Plans", 03/19/2013, <http://peacewomen.org/naps/list-of-naps>.

The table shows two important aspects in the adoption of NAPs by member states. The first relates to the institutional constraints imposed by regional institutions committed to the subject, in particular the European Union and NATO, leading all member states to launch their action plans. The second reinforces the importance of taking advantage of peace operations as an important instance to promote more equitable societies, since the majority of African states that have launched National Action Plans are also those that have been subjected to UN peace efforts. Despite the difficulty of proving the effectiveness of these foreign-sponsored plans of action, they give pressure groups and women's organizations leverage to encourage national governments to recognize the impact of wars on the status of women and urge continued efforts towards more equitable societies.

Training modules and guidelines

Initiatives to create gender training modules for peacekeepers were already in place prior to the adoption of UNSCR1325 (2000).⁸⁰ These modules were further developed and currently gender is one of the obligatory training modules that all peacekeepers receive before and during deployment. Besides, guidelines and checklists

⁸⁰ Angela Mackay, "Mainstreaming Gender in United Nations Peacekeeping Training: Examples from East Timor, Ethiopia, and Eritrea," in *Gender, Conflict, and Peacekeeping*, ed. Dyan Mazurana, Angela Raven-Roberts, and Jane Parpart (New York: Rowman & Littlefield Publishers, 2005). p.265

for incorporating a gender perspective into the police military components have also been created in 2008 and 2010 respectively.⁸¹ These included a detailed checklist with specific tasks to be carried out at tactical, operational and strategic levels.

These materials were complemented by specific gender training modules that were also recently created. These were prepared throughout 2010-2012 and a pilot course in Africa, Latin America and Asia was carried out with training modules for tactical, operational and strategic levels. The elaboration of these specific training modules was carried out with the participation of external consultants, member states representatives and gender specialists.⁸²

Other gender training includes those directed to gender focal points for military and police in mission as well as civilians directly related to gender policies. The main problem, however, is to guarantee that these training are adequately passed to troops to be deployed. Although some countries invite United Nations representatives to carry out pre-deployment training, member states are responsible for carrying out the training themselves. Another great challenge is the fact that gender issues tend to be readily associated with Sexual Exploitation and Abuse (SEA) and uniformed personnel, in its majority still comprised by men, tend to be wary to discuss these issues.

The UN-Women, have also developed a scenario-based training, but mostly focused on sexual violence issues. Interestingly, the responsible for the training is Gen. Patrick Cammaert, former Brigade Commander in the DRC. In missions, gender training

⁸¹ Department of Peacekeeping Operations and Department of Field Support, "Guidelines for Integrating Gender Perspectives into the Work of United Nations Police in Peacekeeping Missions," (New York: United Nations, 2008).

⁸² I have participated as an external consultant in one of the consulting workshops on the elaboration of these modules guideline. They consisted in the review and editing of the text and formulation of practical scenarios.

is often provided by civilians, and most of the time by women. Although they tend to be the experts on the field it is important to have someone aware of military culture to provide this training. They tend to better understand, if course is given using simple and direct language followed by specific tasks, which is why checklists tend to work better for them. Using a former male general may be an excellent strategy to pass the message.

Prevention of conflict related sexual violence

Initiatives to incorporate a gender policy and enhance women's leadership role are complementary to the initiatives to prevent sexual violence on the field, and have been planned in conjunction with those. Since UNSCR1820, first considered widespread and systematic use of sexual violence as a threat to international peace and security, training modules, studies and strategies to address sexual violence have been developed at headquarters and mission level. The accountability mechanism present in the text of UNSCR1960 was first put in practice through the "naming and shaming" strategy on the first report of the Secretary General on Conflict Related sexual violence, that cited armed and militia groups allegedly related to sexual violence and started a monitoring, analysis and reporting system on cases of sexual violence cases around the world.⁸³

The report also provided examples on how sexual violence has threatened security, undermined peace efforts and was used as political tool of oppression during elections or civil unrest in countries such as Chad, Central African Republic, Nepal, Sri Lanka, Timor-Leste, Liberia, Sierra Leone, Bosnia and Herzegovina, Egypt, Guinea, Kenya, Syria among others. Finally, it also specified the initiatives in place that seek to

⁸³ United Nations Secretary General, "Report of the Secretary General on Conflict-Related Sexual Violence."

identify signs of sexual violence and protect the population and finally ensure that the issue is included in peace agreements.⁸⁴

The creation of the inter-agency coordination network, the UN Action Against Sexual Violence, has further synchronized efforts to reduce combat related sexual violence. This coordination mechanism has generated the previously cited joint DPKO/UN-Women scenario-based trainings on sexual and gender based violence for military peacekeepers. Other two important initiatives that UN Action Against Sexual Violence follows closely have been the appointment of Special representative of the Secretary General for Sexual Violence in 2010 and the subsequent policies, and the three field offices representatives of sexual violence in the Democratic Republic of Congo, Darfur and Liberia.

The presence of a sexual violence component in peace operations have been positive because it managed to include the issue into the planning, execution and evaluation of missions' mandates. Moreover, the formulation of local strategies to combat sexual violence can also be cited as a direct result of the establishment of these units that work exclusively on this issue. Additionally, peace operations (not only those with sexual violence units) have also provided technical expertise to the drafting and enactment of major pieces of legislation aimed at combating sexual violence as it is the case in Afghanistan, DRC, Liberia, Sierra, Leone and East Timor. The creation of specialized sexual and gender based violence local police units is also a UN victory in

⁸⁴ UN News Center, "UN Report on Sexual Violence During Conflict Singles Out Worst Offenders", February 23, 2012, Accessed: 03/19/2012, http://www.peacewomen.org/news_article.php?id=4745&type=news.

Burundi, Chad, Darfur, DRC, Haiti, Liberia, Kosovo, Sierra Leone, Sudan and East Timor.⁸⁵

However, as SGBV remains prevalent in mission areas around the world and due to the slow pace of progress that has been shown an Analytical Inventory of Peacekeeping Practice for Addressing Sexual Violence has been issued in 2010 and a second edition in 2012, pinning down specific tasks that the military can carry out to better protect civilians from sexual violence.⁸⁶

The Inventory calls attention to a major analytical and implementation gap. As much as national authorities should be held accountable for protecting their citizens, and local and international civilian personnel from the UN and other international and civil society organizations are in better position to understand the problem, the potential role of uniformed peacekeepers to help fight sexual violence remain under-looked.

Indeed, due to increasing critics against peacekeepers that have been identified with SEA and sexual violence themselves, commanders remain wary of sending out troops to have an increased contact with local women. In this regard, the innumerable cases of misconducts by peacekeepers (and also by civilian and UN police personnel) piles against UN's conduct record on the field. It was only in 2003, that the organization launched a Zero Tolerance policy, forbidding sexual contact between UN personnel and locals and only in 2005 that a Conduct and Discipline Unit was created to provide guidance and record allegations against the UN. Despite that, the challenge as to how

⁸⁵ Department of Peacekeeping Operations and Department of Field Support, "Ten-Year Impact Study on Implementation of Un Security Council Resolution 1325 (2000) on Women, Peace and Security in Peacekeeping." p.31.

⁸⁶United Nations Department of Peacekeeping Operations, "Addressing Conflict Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice" (New York: DPKO, 2010).

make individuals accountable remains, since most of them have immunity and it becomes member states responsibility to prosecute them. Cases of misconduct have disastrous effects on UN image and ultimately undermine peace efforts, these, however are still common.

Nonetheless, it is important to recognize that the military can easily pick on some signs of violence, and if adequately trained on gender issues they could help prevent these hideous acts from happening. By being the armed institution on the ground, not only they have a primary role in protecting women from the violence itself, they can also support individuals' social and economic development, improving their structural and physical security and decreasing its vulnerability. Consequently, connecting to the civilian staff is not enough, understanding the distinct contribution that the military component can perform in a peace operation of this sort is essential to contribute to this agenda. The military can reach remote areas, provide daily patrols, and offer a security response to a problem that currently lacks a security framework.

Most frequently, uniformed personnel are the first point of contact with victims. They must thus know how to carry out a first response, which ought to assure medical support and confidentiality of the victim. As the Analytical Inventory points out, how they respond to these cases affect the image of the mission and the overall ability to deliver strategic outcomes. For that reason, understanding the gender and cultural dynamics of certain societies may be indispensable for achieving an enduring peace. However, in many cases, they are simply not prepared. A representative from the sexual violence unit highlights "they try to do their best, but the wrong way. In the eager to be effective, they take pictures of the victims, they get names, where they live, they question

everybody. Instead of helping, by doing that they end up putting victims in more danger.”⁸⁷

Actions on the field are not only important for conflict resolution and protecting civilians. They help to build a fairer society by providing a role model in which gender concerns are taken seriously. In post-conflicts societies, building a new normalcy is strategic to build a more gender balanced and equitable society and thus an enduring peace.

More than protecting civilians against sexual and other types of violence it has also become the role of the UN to avoid that sexual violence is normalized. Calling a dreadful act a hazy cultural feature of a people can be misleading and may undermine all efforts. As much as the general role of protecting civilians requires a coordinated work between all missions’ components and of those with other actors on the field, the same holds true for protecting women and girls from sexual violence.

As a former MONUC SRSG stated in 2009:

There will never be enough resources... this is why, for example, we are trying to understand the communities better... We need to recognize that protection is more than just having military boots on the ground. It’s about how you use them, and how you can connect with your civilian staff.⁸⁸

In order to assure a protective environment and the restoration of security, a lasting peace agreement and a healthy political and social environment is necessary for the development to take place, decreasing thus the structural vulnerability of local population to suffer this particular type of physical violence.

⁸⁷ Interview carried out with Sexual Violence Unit Representative on February, 2012, Democratic Republic of Congo.

⁸⁸ United Nations Department of Peacekeeping Operations, "Addressing Conflict Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice." p.8

Being that the military the component where most difficulties have been found to incorporate a gender approach, it remains the questions if we, as scholars and practitioners can indeed request them to perform these functions. It is often the case that they do not fully grasp the concept of a gender perspective and as the Secretary General himself states “there is an equally enduring belief in some military circles that bullets, bombs and blades constitutes the ‘war’, while rape is a disciplinary infraction or a private aspect of culture based gender relations.”⁸⁹

That is why providing military and police for that matter with specific tasks, standard operations procedures and checklist is an important initiative. It is also essential that they are able to perform gender analysis and include incidents in patrol reports as a ways to better assess specific threats women may be subjected. As the subsequent analysis of the case studies in chapters 4 and 5 will show, the military component reflects where cultural considerations and member states unwillingness are a major obstacle for a successful completion of a learning process. With inadequate training, undisciplined soldiers and vastly male composed, the military has been a standing stone bastion where gender approaches have been most challenged.

UN gender strategy on the field: the 5 pillars

UN Resolutions on Women, Peace and Security highlighted the road towards improving the effects of conflicts on women and girls. This strategy is based on gender equality and included gender balance and gender mainstreaming actions, varying from increasing the number of uniformed personnel on the ground to the establishment of

⁸⁹ United Nations Secretary General, "Report of the Secretary General on the Implementation of Resolutions 1820 and 1888."

better protection mechanisms to attend women and girls victims of sexual and gender based violence. In order to accomplish these tasks, missions on the ground usually have a specific gender component responsible for carrying out the mission's gender policy and guaranteeing that gender is fully integrated into the planning and execution of missions' mandates.

Considering resolutions' provisions and supporting documents towards the enhancement of women's status, UN's gender approach to peace operations is based on five main components: legal framework, gender balance, protection, security sector and empowerment. These are focused on improving the situation of local women, better responding to their specific needs and improving their status, constituting thus a comprehensive strategy that goes beyond their physical security and considers their structural security as well.

The first of these components would be the reinforcement of a legal framework that place specific provisions for the protection and empowerment of women and girls, particularly in the mandate of peace operations. The absence of gender specific provisions in peace operations is often translated in the lack of necessary resources, adequate equipments and context-specific training necessary to prevent, deal and combat widespread and/or systematic sexual violence on the ground.⁹⁰ Lack of resources may further translate in UN's inability to install efforts to improve local justice system and set reparations mechanisms.

But mandates are not the only elements of a strong legal framework that can help sustain continued efforts to support women and girls on the ground. Specific strategy to

⁹⁰ Anne-Marie Goetz, "Addressing Sexual Violence in Internationally Mediated Peace Processes." p. 263

protect civilians and/or to combat sexual violence would provide mission with specific tasks for all components – military, police and civilian – based on the local context to better respond to the specific threats against women and girls.

A second important element central in UN's gender approach to peace operations is gender balance. As previously explaining gender equality gender balance refers to equal participation between men and women in all levels and positions. It is important that a quantitative analysis is accompanied by a qualitative analysis of the specific roles women are carrying out within the mission, and in particular within the military component.

An increasing presence of women in peace operations is particularly important to guarantee that women's special needs are considered in the planning execution and evaluation of missions' mandates and specific tasks. In the case of uniformed personnel in particular, female personnel supports disseminating a role model to intervened society, by showing that women and men can participate in the same kind of activities, and further enhance channels of communication with the local population. Despite critics that arguing that more uniformed women enhance contact with local women reinforces gender essentialisms, the reality on the ground shows that indeed women are more at ease to communicate their problems to other women. Considering that in many of these countries where sexual violence is a common feature, state and militia forces are usually those most involved with perpetrations it is understandable that uniformed female staff may facilitate contact with victims.

Another important component of UN's gender approach on the ground is protection. Protection strategies are mostly carried out by uniformed personnel, although

combined efforts of multi-agency teams tend to provide better threat assessment and response to populations based on a multi-dimensional understanding of their needs. However, as previously emphasized by the *UN Analytical Inventory*, the military component in particular can comply with a specific and very important role in terms of facilitating contact, transportations and protection through the use of force to vulnerable populations.

If an ostensive presence already provides dissuasive effects on armed groups, the actual use of military forces to provide escorts and patrols to local women may even have more positive results. The same holds true for police and civilian components if clear integrated protection tasks and responsibilities are planned according to the specific context where they are deployed. In some environments, particularly those of urban criminality it will be the UN Police who will have direct contact with victims. On the other side, professional civilians, with specific expertise, such as rule of law, human rights, etc, can assess different situations and identify the priority needs of the population. In a context of sexual violence they may offer valuable insights on how improve the vulnerable status of women on the ground.

The fourth component is central for a sustaining protection effort in the aftermath of conflicts and the establishment of a more equitable society. Security sector is broadly defined as “the structures, institutions and personnel responsible for the management, provision and oversight of security in a country.”⁹¹ These include various institutions responsible for law enforcement, justice system, and defense. Since the 90’s UN peace

⁹¹ United Nations Secretary General, "Report of the Secretary General on Securing Peace and Development: The Role of the United Nations in Supporting Security Sector Reform", January 23, 2008, http://www.un.org/ga/search/view_doc.asp?symbol=A/62/659.

operations have broadened its mandate to include a series of actions, amongst which are several related to strengthening the local security sector. Training of local police and military, improvement of justice and legal systems are some of the tasks UN personnel are responsible on the ground.

Improving the local security sector, particularly in terms of strengthening security and defense forces capacity to maintain a safe environment, is already an important measure to guarantee sustained efforts to better protect local women and girls. However, occasionally, UN personnel is involved with the provision of specific gender training to local police and military, guaranteeing that specific gender provisions are included in the national constitutions and legal documents. Unfortunately, it is often the case that sexual violence and gender based violence are not criminalized in intervened societies. In these cases UN civilian staff responsible for rule of law and human rights have a central role in making sure that the national system adopts the necessary measure for the prosecution of these crimes and that discriminatory practices are outlawed.

The final component of UN's gender approach in peace operations is the empowerment of women in the economic social and political life of the state, through gender balanced actions during reconstruction process. This strategy is based on the assumption that vulnerability of women is based on discriminatory practices and a low social, economic and political status of women in these societies. Consequently, it is also the UN's role to guarantee women's empowerment as the foundation for a more equitable society where women's vulnerability is decreased.

Although some of these elements receive more attention than others. The analysis of UN actions on the ground underlines the importance of this integrated approach as a

ways to respond to the specific needs of women. The underlying logic is that these actions will produce a multiplier effect on the host nation's capacity to provide its population with a stronger, more equitable society

Conclusions

Since its creation, UN's greatest contribution has been the production of knowledge and ideas in an attempt to solve the world's common problems. Throughout the years the organization has provided essential data and expertise for creating knowledge that feeds in the formulation of new norms that inform the design of policy programs and international practices.⁹² In other words, learning has been a constant in the organization's behavior. The integration of a gender perspective into peacekeeping practices is part of a learning process focused on the increasing importance of the individual in international security and responds to renewed challenges on the ground with spill-over effects to UN's overall protection strategies.

With the increased impact of conflicts and other threats to individuals' security and rights the UN initiated a learning process to adapt its structure and policies and better respond to these challenges. As part of this process, a conceptual framework based on human security has arisen and with that peace operations focused on the security of the individuals living within the state were put in practice. Despite the repeated failures, the UN is continuously re-examining its practices and generating new ones in a continuous learning process.

⁹² Leon Godenker and Christer Jonsson, "Evolution in Knowledge," in *The Oxford Handbook on the United Nations*, ed. Thomas Weiss and Sam Daws (Oxford: Oxford University Press, 2007). p.83

The incorporation of a gender approach to peace operations is part of that. While norms focused on the individual have arisen, women's issues have gained terrain within the UN. In fact, the organization has been the principal venue for the development of women's rights and specific gender concerns. Although women's issues have been developed in separated structures, recently there is a tendency of considering the matter as a cross-cutting issue in all of the organization's activities. Evidence of that is the creation of the UN-Women, the merger of four different institutions dedicated to the advancement of women as a way to better coordinate efforts and enhance gender mainstreaming.

The debut of gender considerations in the international peace and security has been mostly focused on the specific needs of women and girls in conflicts, specifically their vulnerability to conflict-related sexual violence. Although other gender groups are often victims of these acts as well, women have been disproportionately affected, and thus the UN has taken important steps to address this problem. In this context, the "Women, Peace and Security Resolutions" offer the blueprint for a better response on the ground. As such, it has disseminated and institutionalized gender in peacekeeping practices as part of UN's organizational learning. Despite that, there is still an implementation gap, especially on the field and among part of the membership that raise obstacles this learning to have a deeper impact on the ground.

In terms of implementation, the development of accountability, monitoring and implementation tools comprise major advances. Once in place they support the process of translating into practice resolutions' provisions. Moreover, a growing number of supporting documents, such as training modules, and checklists for the military

component, manuals and studies to be used by all actors involved are being generated. The challenge however, remains member-states compliance.

In fact, despite commitments to put gender equality in practice, the different organizational and national cultures present within the UN comprise the main obstacle for a universal dissemination of a gender approach.⁹³ The full implementation of these practices depends on member states compliance and staff willingness to incorporate gender approaches to its daily work. Nonetheless, their “cultural baggage” and detrimental considerations to women’s issues becomes clear when policies are generated without the full consideration of how they impact on women’s lives.⁹⁴ In no other area this is clearer than within the military component deployed on the ground. As the analysis of case studies will show, certain battalions are 100% male and refuse to communicate with local women, further hampering the organization’s ability to provide an adequate response to gender based violence.

Still, the development of these renewed norms and practices focused on women’s specific needs, rights and status comprise a great accomplish on its own. Gender approaches provide a more nuanced analysis of the context and available policies, shaping the way certain issues are perceived as well as the design of protection strategies. By promoting a gender approach to peace operations the UN is promoting more equitable societies and ultimately a stronger base for founding a lasting peace.

⁹³ Heidi Hudson, "Peacekeeping Trends and Their Gender Implications for Regional Peacekeeping Forces in Africa: Progress and Challenges," in *Gender, Conflict, and Peacekeeping*, ed. Angela Raven-Roberts Dyan Mazurana, Jane Parpart (New York: Rowman & Littlefield Publishers, 2005). p.111

⁹⁴ Angela Raven-Roberts, "Gender Mainstreaming in United Nations Peacekeeping Operations: Talking the Walk, Tripping over the Walk," *ibid.*, ed. Dyan Mazurana, Angela Raven-Roberts, and Jane Parpart (Rowman and Littlefield Publishers).p.43-44.

In this context, UN's learning process has been successful in creating and institutionalizing new practices however whether or not the organization has thrived in disseminating these to its membership and field missions remains a question. Member states are adopting changes at a different paces, as it becomes evident in the analysis of the case studies. Another challenge is the military behavior itself and their relationship with renewed protection of civilian tasks. As rightly put by MacKay, it is in the nature of the military itself, "there is a contradiction between the warrior soldier, trained for arms and to fight and kill, and the image of the peacekeeper, trained to negotiate, protect and defuse tension."⁹⁵ And so the question of whether or not we can request them to perform the kind of tasks that a gender approach requires persists.

The following two chapter will focus on UN's gender strategy on the ground and will evaluate both the cases of Haiti and the Democratic Republic of Congo. The two cases offer a rich analytical context since the context and nature of sexual violence are so different in the two countries. Most importantly, while sexual violence has reached unprecedented levels in the DRC, attention has been captured and a specific mandate to protect women and girls was established. Haiti, by contrast, only had the protection of women against sexual violence included in its mandate recently. While a complete learning process depends on the adoption of renewed practices by both the UN and member states, the evaluation of the two cases will show that learning at the two levels is interdependent. And in this case, the UN has taken the first step in addressing gender based violence.

⁹⁵ Angela Mackay, "Mainstreaming Gender in United Nations Peacekeeping Training: Examples from East Timor, Ethiopia, and Eritrea," *ibid.* (Rowman & Littlefield Publishers). p.278

CHAPTER 4

WOMEN, PEACE AND SECURITY IN THE REPUBLIC OF HAITI

Adopting a gender perspective to UN peace operations is part of a learning process initiated by the organization to improve its response to the renewed challenges found on the ground. As a result, an inquiry and re-examination process of existing practices was initiated, leading to the formulation of a renewed sound normative framework. While the new normalcy focused on the protection of individuals and women's rights, novel international practices focused on the impact of war on specific gender groups were launched. The logic was simple: addressing the specific impacts of war on women, better protecting the population from sexual and other gender based crime and improving the social, economic and political status of women would promote a more balanced, equitable and fair society, establishing the foundations for a lasting peace.

However, as the preliminary analysis in chapter 3 showed, the initiative suffers from an implementation gap. Although guidelines, training modules, strategies and infrastructure have been generated to accommodate the new provisions, the UN still confronts major challenges, including member states compliance and lack of resources. While missions are still established under encompassing mandates and limited resources, member states fail to send effective, well-trained troops with the participation of female personnel. This of course is not the only challenge, but has become the most visible.

In order to further pinpoint where the implementation gap takes place and supports a mainstreaming strategy to further disseminate these renewed practices, this chapter analyzes the case study of Haiti and the actions on the ground that have been

carried out by the United Nations Stabilization Mission in Haiti (MINUSTAH)¹. On the one hand, it attempts to identify initiatives that contribute to promote a gender perspective in the host nation, on the other it evaluates if UN directives are adopted by troop contributing states (TCCs). This analysis will contribute to determine whether the UN's organizational learning and its renewed focus on the individual are being implemented, are taken into account by member states, and whether changes towards that goal are being promoted.

Haiti is an interesting case study. It has been plagued by sexual and other forms of gender based violence against women for a long time, and has been the object of different UN peacekeeping missions since the 1990s. Moreover, it reflects a paradoxical reality: it is not a conflict or post-conflict situation. Gang rivalries led to the multiplication of several political upheavals and the worsening of the security and humanitarian situation. Although Haitians fought Haitians on the streets, it was just enough not to be called or considered a civil war by the international community and the Haitians themselves.

MINUSTAH has been active in the country since 2004 and despite the accomplishment of important goals, such as the establishment of a democratic government and the improvement of the security situation, Haiti confronts a complex humanitarian crisis exacerbated by the constant recurrence of natural disasters and the dependence on foreign aid. As Haitians demand the UN to leave, its weak government structure shakes dangerously in the light of new political disturbances and lack of resources to address its population's basic needs.

¹ From the French "Mission des Nations Unies pour la Stabilisation en Haiti".

Nonetheless, the absence of a clear protection of a civilian mandate as a high priority shows that the incorporation of protection strategies into the planning, execution and evaluation of operations is dependent on the context. The same is true in regard to specific provisions to respond to women's special needs and threats. It was only after the earthquake and the increased levels of violence against women and girls that tasks that specifically deal with the matter were explicitly mentioned in the mission's mandate and translated into practice.

As this realization is an important contribution to the strengthening of the UN's efforts worldwide, it also shows that it is not until violence becomes a quintessential feature of a conflict, post conflict or reconstruction setting, that specific protection mandates are formulated. Finally, it is only after this legal framework is established that specific tasks are designed to be carried out by the mission personnel on the ground.

This chapter will thus be divided in three main sections. The first will provide rich background information on Haiti's historical context, emphasizing the role that weak and corrupt governments have had on the elevated levels of violence and the specific consequences for Haitian women. The Haitian state has long been characterized as predatory, having oppressed the population and inflicted elevated levels of violence against them. In this context, women have not escaped. Although being traditionally considered second-class citizens, they suffered during the bloodiest of the dictatorships that reined the country, the Duvalier dynasty. During that period, Haitian women were oppressed and victimized as much their male compatriots, being further subjected to sex-specific violence, such as rape. The practice continued throughout the years and

subsequent governments. Currently, gang related and opportunistic violence is the most common feature of gender based violence in Haiti.

The second section will look into the UN's presence in Haiti since the 1990s, underlining the limits of intervention and the current format of the mission. As an integrated peace operation, MINUSTAH's actions are carried out by its three components (police, military and civilian), often in cooperation. Although each have distinguished mandates, challenges on the ground become complex and multi-dimensional joint efforts become necessary. It is important however, that as the country stabilizes, the mission enters a new phase and is preparing to leave. Understanding how this process will take place is imperative to address the government's capacity to maintain sustained efforts on its own in the subsequent period.

The final section will evaluate how MINUSTAH has incorporated a gender perspective in accordance with the five previously defined indicators, that is, legal framework, gender balance, security sector, protection and empowerment. Despite its limits, MINUSTAH's gender policy has improved throughout time and has given important steps towards the consideration of gender as a cross-cutting issue for a successful reconstruction and development strategy.

From the pearl of the Caribbean to a broken nation

Haiti, "the mountainous land",² is the home of 10 million inhabitants, the poorest of the Americas. It is also the place where there are more NGOs per square meter are settled and fight over the scarce available international resources in an economic crisis

² Haiti means "Mountainous language" in the Arawak language of the original Taino inhabitants of the Hispaniola Island.

setting. However, not even concentrated aid has managed to rescue Haiti from its current gruesome condition. The socio-economic devastation, gang-related crime, a weak and corrupt government, an under-prepared national police and a disillusioned population are just some of the countless challenges ahead.

Current literature on Haiti emphasizes the ghastly effects of the January 2010 earthquake that hit the island and brought 60% of the capital city to the ground. Nevertheless, few analyses went beyond the obvious grisly economic conditions as a main reason explaining the country's unpreparedness for a high magnitude earthquake. Haiti's long history of authoritarianism and oppression, class cleavage – often expressed in the form of state corruption and embezzlement of official funds – foreign intervention, neglectful and dishonest leaders compound the picture of this complex state. Understanding these factors is a step forward to formulate adequate and responsive policies and to comprehend the UN strategy in the country.

At the same time, understanding how these factors affect the lives of Haitian women is central for an adequate assessment of their current living conditions. Despite the widespread presence of gang related and politically motivated violence against women, the media have emphasized insecurity in IDP camps as the main explanatory factors behind these violent acts. Although it is true that with the reasonably controlled political situation and the pacification of areas where these armed groups acted may have contributed to a decrease of systematic acts of violence against women, violence follows at a continuum and is still present in Haitian society.

They have historically been victims of violence and still are. Violence against women is not only politically motivated, a tool of war or an opportunistic act, it reflects

the status of women in society and a particular mindset that justifies it. Hence, understanding women's vulnerability to violence also includes learning about their living conditions, their political participation and possibilities for the future. This section will then focus on the tale of how Haiti became a violent nation and the specific implications of it for Haitian women.

A contextual note: class divide, violence and corruption

Most people know Haiti for the disasters it has endured and not for its historical past or the wonders that once made this country known as the "Pearl of the Caribbean". The road to a broken nation has been a long one. In fact, the history of exploitation and oppression is as long as the country's existence as a political entity from the moment the first Spanish colonizer stepped on the island. During the French colonization, initiated in 1697, the country was dedicated to the production of sugar and became the richest and most prosperous of the Caribbean, hence "the Pearl of the Caribbean". Nonetheless, only landowners, that is 5% of the Haitian population would benefit during the French domination period.³

The enormous class divide has been present in Haiti's history from the beginning. In fact, it is the alignment of the elite with either corrupt governments or the military that has resulted in the frequent political disturbances and the despotic inheritance as illustrated by the numerous individuals that declared themselves emperors, presidents and governors for life since Jean-Jacques Dessalines, the first Haitian ruler. A "predatory republic", as Haiti has been called, "is a regime in which the trappings of a liberal

³ Patrick Bellegarde-Smith, *Haiti: The Breached Citadel* (Toronto: Canadian Scholar Press, 2004). p.7

democracy co-exist with the Hobbesian struggle to monopolize the few sites of public power with access to wealth and privilege.”⁴ In other words, the government has been repeatedly used by a minority to maintain its political and economic status at the expense of everybody else, reinforcing a “generalized pattern of callous indifference and a thoroughly individualist attitude.”⁵

Indeed, the country has consistently been plagued by weak and often corrupt successive governments. The constant political disturbances have also caused economic paralysis and chaos throughout Haiti. It was only recently that a democratically elected president handed the government over to another democratically elected president. Oppression and *coups d'état* have also been a constant in this country where serious violations of human rights, including torture, forced disappearances, kidnapping, amongst others have often been committed against the civilian population.

Haitians often appeal to superstition when trying to cope with the country's enormous problems. During the night, the sounds of the voodoo practices could be heard in different locations and stories about how Haiti became a broken nation fill the imaginary of the local population. Whether ancient Haitians, practitioners of voodoo, are responsible for bringing disgrace to the country through an evil pact with the devil is unknown; however, many believe that an equally powerful and mystical action is necessary to rescue the country from its current humanitarian situation.⁶

⁴ Robert Fatton, *Haiti's Predatory Republic : The Unending Transition to Democracy* (Boulder, Co.: Lynne Rienner Publishers, 2002). p.8

⁵ Ibid.

⁶ During the field-work, different interviewees commented that Haitians truly believe that the country is cursed as a result of a pact that Haitian ancestors did with the devil.

Throughout history the now extinct Haitian Armed Forces have been used to oppress the population and are the main perpetrators of serious human rights abuses during the ever-lasting military rule. With few exceptions, including the US occupation period (1915-1934), the majority of Haitian presidential regimes have been headed by generals. After independence and with no official recognition on the part of France or the United States until 1825 and 1862 respectively, Haitian liberators with no knowledge or culture of democratic practice, proclaimed themselves the defenders and the permanent government of the island, following the French model of military organization that they knew.⁷ And so they built up a militarized state, with weak civilian institutions and ministries, and a senate and a parliament crowded with military personnel. In a nutshell, a government by the military for the military.⁸

Because there was an important concern about the possibility of external intervention, the army opted to create a de-centralized and fragmented institution, resulting in competing units across the region. The competition among these different military units would result in the constant struggle between them over the central power, as shown by the successive different military governments that governed the country coup after coup. In 1915 though, with the US occupation, the army was re-structured, centralized and professionalized. Under US control, the Haitian armed forces were consolidated in Port-au-Prince and assumed mostly a police function, while the external defense was entrusted to the marines.⁹ A new constitution established that the president

⁷ Michel S. Laguerre, *The Military and Society in Haiti* (Knoxville: University of Tennessee Press, 1993).

p.57

⁸ Ibid.

⁹ Ibid. p.57

was the head of the army and throughout that period, civilian presidents, supported by the foreign forces, were able to govern the country.

Nonetheless, as nationalist movements against the occupation and international pressure grew stronger, the marines left and with that old habits resumed. The interference of a now more organized and professional army in the political affairs of the state was once again an easily identifiable feature of Haitian politics. The alliance with elite interests though was a necessary condition for the success of military actions in the country's politics. As the army's role became to abolishing unhelpful dictators, the Duvalier strategy was plain and simple: neutralize the army and stay in power.

The Duvalier reign, composed by father and son presidential turns for almost 30 years, passes in Haiti's history as one of the bloodiest of all the dictatorships. Under a populist and black nationalist platform, François Duvalier won the 1957 elections. Neutralizing the army and maintaining his corrupt rule was a priority, and thus, Papa Doc - as he was also known - created a paramilitary force, the Tonton Macoutes.¹⁰ During his presidency, the Tonton Macoutes were used to counterbalance the army and oppress political opposition. By dismissing and transferring military dissidents to recently created military attaché posts overseas and the introduction of the Tonton Macoute as an auxiliary force of the army, the army's ability to overthrow the dictator was seriously undermined. At the same time, oppression against the population reached unprecedented

¹⁰ The creation of this paramilitary force was a slow process that according to Laguerre (1993, p.110) can be divided in three phases. Firstly, when they were known as "cagouleurs", their identities were kept secret and they would function as spies and oppressing "police" for the regime, being responsible for intimidations and physical harm to members of the opposition. The second phase, consisted of the slow process through which they started to carry out interrogations and arrests on their own, culminating in the official creation of the Tonton Macoute, a paramilitary force, trained by the army, who would receive more benefits and have more authority than the army itself. In practice it resulted in a parallel, more powerful and less organized armed organization. It is said that occasionally not even the central government would know for sure the number and identities of its members.

levels to the point that it pitted all of society against the regime: poor, middle class or rich, men or women, suffered from the atrocities committed by the president's militia. It was during his tenure that many Haitians left the country never to return.

The atrocities continued in the following government of Jean-Claude Duvalier, Baby Doc, only to further prevent the country from getting on track. Paradoxically, the excesses committed during the Duvalier era is a turning point in Haitian history that led to the rise and strengthening of social movements and a renewed political conscience among the citizenry in general. Unfortunately, the emergence of a civil society in Haiti as a force to limit and counterweight the use of violence by the state apparatus against the population has had limited effects thus far.

Following the fall of Baby Doc, exiled in France, a series of military governments controlled the country. However, a popular movement born during the Duvalier period would be strengthened and emerge as a promising political force whose agenda was more closely identified with that of the majority of the Haitians. The *Lavalas* movement was headed by Jean Bertrand Aristide, carried the slogan "*tout moun se moun*" (every person is a person) and swept the streets of Port- Au-Prince and the rest of the country. In the 1990-91 elections, 67% of Haitians cast their ballots and elected Aristide as the new president of the Republic.

That was an important moment in the historical memory of most Haitians, who finally saw a change in the dominant political structure. Indeed, prior to the coup that would overthrow Aristide after only seven months, he put in place a thorough program responsive to the demands of the lowest sectors, including basic needs programs and

more public spending on health, education, potable water, electricity, judicial reform, rural infra-structure, and so on.¹¹

Aristide's government, however, inherited endemic problems that resulted from the political culture and structure of Haitian society: a civilian opposition including hardcore Duvallierists, a discontented business community and an army wary of the president's intention to separate the police from the military.¹² As a result, the balance between the interests of the elite and those of the military was once again destabilized, resulting in the coup that culminated in the bloody government of Raoul Cédras for the next three years.

Increasing international pressure led to a UN/US armed intervention in 1993 counting more than 20,000 soldiers involved. Aristide was authorized to return at the end of 1994 after spending three years in exile. His return, though, was considered a major disappointment, since the old patterns of corruption and despotism would resume. Most importantly, due to the numerous problems caused by the Haitian military, it was dismantled in 1995 and a new police institution was created with the support of the UN.

Many of the former military joined the new Haitian National Police (HNP), while others joined gangs and other armed groups, often related to those paramilitary forces, such as the *Tonton Macoutes*, that have constantly contributed to increased levels of violence in the country, particularly in some neighborhoods of the capital Port-au-Prince.

¹¹ Beverly Bell, *Walking on Fire : Haitian Women's Stories of Survival and Resistance* (Ithaca, N.Y.: Cornell University Press, 2001). p.154

¹² Laguerre (1993, p.6) argues that the army's strong opposition against the separation of the army and the police prompted the coup. He points out four main reasons as to why the army was strongly against the creation of a separate civilian police force. Firstly, it would severely reduce the army's size and hence its influence; secondly, the police comprised an important source of legal income and a point of contact with civilian politicians and civil society; thirdly, an independent police force may be a nuisance to the army's influence and illegal activities; and finally, it would just become harder for the army to depose a government as they had been doing throughout the years.

Also worth mentioning is the fact that Aristide himself created the *chimères*, another paramilitary group used to silence opponents. Other groups, such as the *ziglèndos*, constituted criminal organizations, without a political agenda, but usually involved in drug trafficking and other illegal activities that terrorized, looted and abused the population for its own economic benefits.¹³

In 2004, the international community yet again watched another political uprising in Haiti. The country's usual political disturbances would soon disrupt Aristide's second term initiated after his election in 2000. In February 2004, a revolt began in the city of Gonaïves and soon spread to other parts of the country. As the government lost control over the capital city, politically motivated and gang related violence resumed again. Jean Bertrand Aristide was removed from power and exiled in Africa. While the participation of the US government in those events could not be confirmed, an interim government led by Boniface Alexandre as President and Gerard Latortue as Prime Minister was established.

The UN's first reaction was to authorize a Multinational Interim Force soon to be substituted by a stabilization mission to support constitutional political process and the establishment of a secure and stable environment.¹⁴ MINUSTAH was soon established with the primary mandate of restoring a secure and stable environment, promoting the

¹³ Fatton, *Haiti's Predatory Republic : The Unending Transition to Democracy*.

¹⁴ This Multinational Interim Force was established under Security Council resolution 1529 (2004). United Nations Security Council, "Resolution 1529", February 24, 2004, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1529\(2004\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1529(2004)).

political process, strengthening Haiti's government institutions and rule of law structures and finally promoting and protecting human rights.¹⁵

In 2006, democratically elected Rene Preval assumed the presidency until Michel Martelly won the following elections and assumed his position as the new president in 2011. The peaceful and uninterrupted transition from one democratically elected government to another is considered by MINUSTAH officials an important accomplishment to the democratic tradition in this rather volatile country.

The years of 2006 and 2007 marked the entrance of a renewed security situation when several of the most dangerous districts within the capital of Port-au-Prince were pacified by UN soldiers. Gangs were dismantled and there was no organized violence against the Haitian state. In that context, insecurity would be more related to fights amongst different gang members, drug and arms trafficking, robberies and kidnapping.

This context led to another phase in the reconstruction of devastated Haiti. The years from 2008 to 2010 left the "peace enforcement" phase behind and focused on strengthening the Haitian government and institutions as well as maintaining a controlled security situation. However, the 2010 earthquake was a serious and severe blow to Haiti's economic, social and political recovery. In the light of 220,000 deaths, the complete destruction of 60% of all government buildings and other important infrastructure, including the UN headquarters, the Security Council authorized an increased deployment

¹⁵ MINUSTAH was established under Security Council resolution 1542 (2004). "Resolution 1542", April 30, 2004, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1542\(2004\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1542(2004)).

of forces to the fragile country to support the immediate recovery, reconstruction and stability efforts.¹⁶

The earthquake, whose epicenter was just 15 km southeast of the capital Port-au-Prince, caused US\$7.2 billion worth in damage that surpassed Haiti's 2009 entire GDP by 20%. As the already fragile economy and political infra-structure of Haiti yielded to the 7.0 magnitude earthquake, the security and humanitarian situation worsened to alarming levels. Joint planning with humanitarian agencies and UN-country teams was encouraged and the mission's efforts to stabilize the country were driven by the earthquake context until recently. Currently, humanitarian efforts are being phased out and a development approach focused on strengthening the government capacity is being put in place.

As this brief context shows, Haiti is a very complex and paradoxical case. Thinking about gender in Haitian society also means tackling the problems related to its history of corruption and despotism, economic dependency and inability to build a reliable police force and a justice system accountable for the rule of law and the abuses of those in power. The following section will provide an overview of the status of Haitian women and the development of the women's movement in the country.

Women in Haiti and gender based violence

The persistent exclusion and discrimination of women since the foundation of the Haitian state aligned with the Republic's continuous political unrest, extreme poverty and

¹⁶ Data displayed in the official website of the Office of the Special Envoy for Haiti. See: Office of the Secretary General Special Adviser, "Key Statistics," 10/16/2012, <http://www.haitispecialenvoy.org/relief-and-recovery/key-statistics/>.

succession of weak and corrupt governments have contributed to the vulnerable condition of Haitian women. The paralysis of the economic system, the lack of security on the streets, the anxiety caused by the extreme conditions in which most of the population lives and the blurring of the barriers between the public and private spheres also contribute to violence and to the opportunistic brutal acts often suffered by women. Likewise, Haitian women have historically been defined as minor citizens by the state and submitted to politically motivated gender based violence. Haiti may not have a conflict and the violence against women may not be called a tool of war, but it can certainly be called a tool of oppression.

Throughout history, Haitian law has defined women as daughters and wives of Haitian men. Until 1979 married women were legally considered minors and Haitian women married to foreigners would lose their citizenship and property rights.¹⁷ As a matter of fact, according to common law marriage, in the wake of the husband's death, and in the absence of an offspring, the couple's property and goods would go to the dead husband's parents and siblings. Moreover, the criminalization of rape in Haitian law came late, only in 2005, and to this day formal prosecution of any type of criminals is rare.¹⁸

Numerous reports from different human rights organizations documented widespread violence against women particularly in the 1990s, indicating that besides being victims of all forms of violence as much as male counterparts, they were further

¹⁷ Bell, *Walking on Fire : Haitian Women's Stories of Survival and Resistance*. p.21

¹⁸ Interview with representatives from some NGOs on the field, including Avocats sans Frontier, Viva Rio and SOFA indicated that occasionally, an informal arrangement in the form of financial compensation exists between victim's family and perpetrator. Interviews with these NGOs representatives were carried out in Port-au-Prince, June, 2011.

inflicted with sexual violence, including rape, beatings, physical mutilation and assaults. These politically motivated rapes were particularly common during the Duvalier period and after the 1991 military coup d'état that overthrew President Jean Bertrand Aristide.

However, as much as historical accounts ignore the participation of Haitian women in key turning points of Haitian history, such as the anti-colonial struggle,¹⁹ reports on gender based violence in Haiti only started to appear in the 1990s. The first report on rape in Haiti was not published until 1994. It discussed the organized state violence against women during the 1991-93 coup, finding that women were often raped and/or subjected to other forms of gender based violence for their political beliefs and their relationship with others that would hold political beliefs other than those of the dictatorship.²⁰ Acts were generally committed by members of the armed forces in Pro-Aristide neighborhoods. Another report by the UN/OAS Civilian Mission (MICIVIH) in Haiti showed that 52% of rape victims were close relatives of activists while 18% were activists themselves.²¹

Nonetheless, a prominent author in the literature of Haitian feminism, Carolle Charles,²² argued that the violence and the sex-specific abuses inflicted on Haitian women – and men for that matter – during the Duvalier government reached extreme levels and contributed to changing gender relations within the society. Women, for the

¹⁹ The role played by women and their participation in the anti-slavery and anti-colonial war of independence are left out of historical accounts. In fact, their “political” participation tended to focus on the benevolent actions of the wives of leaders. However, their active participation took varied form of protests and other actions including “suicide, poisoning, participation in marronage and rebellions”. (Charles, 1995.p. 146)

²⁰ National Coalition for Haitian Refugees and Human Rights Watch, "Rape in Haiti: A Weapon of Terror" (New York, July, 1994).

²¹ UN/OAS International Civilian Mission in Haiti, "Haiti: Droits De L'homme Et Réhabilitation Des Victimes," (Port-au-Prince, 1997).

²² Carolle Charles, "Gender and Politics in Contemporary Haiti: The Duvalierist State, Transnationalism, and the Emergence of a New Feminism (1980-1990)," *Feminist Studies* 21, no. 1 (1995). p.139

first time, were viewed as an important political actor, and thus they would become the target of state violence as much as male compatriots.

Throughout the years and Haitian history, political disturbances and state organized violence have affected the development and institutionalization of women's movements. The first Haitian feminist organization, the Ligue Feminine d'Action Sociale [Feminine League for Social Action], was created in 1934 and was dedicated to women's political rights, such as universal suffrage and other rights, including marriage equality and equal access to education. These women came from privileged backgrounds and were more concerned about gender in its relationship with the state rather than within the household. They have contributed to the accomplishment of important goals such as the right to vote and access to higher education in 1950, although those were still limited to Haitian women of select segments of society.²³

With the inauguration of the Duvalier dictatorship in 1957, women's organizations, members and activists were systematically targeted and attacked, banishing them to the underground and limiting their activities throughout the period.²⁴ However, since the state no longer considered them politically innocent actors, they became conscious of their role. By the end of Baby Doc's reign, in 1986, women groups had staged various protests, including a march against all forms of gender discrimination that counted more than 30,000 women.²⁵ The period marked by high levels of violence

²³ Ibid.p.146

²⁴ Anne Fuller, "Violence: Haitian Women Unite Women'S Rights and Human Rights," *Association of Concerned African Scholars* (1999).

²⁵ Charles, "Gender and Politics in Contemporary Haiti: The Duvalierist State, Transnationalism, and the Emergence of a New Feminism (1980-1990)." p.152

resulted in renewed awareness amongst women groups of their collective subject of social change.

It was also during this period that the first Haitian exodus occurred and the women's movement gained another boost from exiled Haitian women in the United States and Canada. Initially centered in the patriotic movement, these movements would soon be organized around clear gender issues. Charles argues that immigrants in North America were confronted with the ascribed social and sexual roles they had forgone.²⁶ Increasing control over the household resources and identification with the problems that Canadian and American women also confronted, they turned their political agenda toward gender issues in addition to the general mission against Duvalier's oppressive regime.

The end of the Duvalier period and the return of many of these refugees resulted in an enormous momentum for the development of the women's movement in the country. Some of these organizations are still currently active, such as Fanm D'Ayiti [Haitian Women], Comité Feminin [Feminine Committee], SOFA and Kay Fanm [Women's Home]. The presence of these returned refugees in these organizations is striking, reaching up to 60% of their members.²⁷ Moreover, although poor women had been consistently left out of feminist movements, the Duvalier dictatorship leveled class differences and united women. During this period, they came together in the struggle for women's rights and lobbied the government to fulfill its duties as the guarantor of those rights.²⁸

²⁶ Ibid. p.149

²⁷ Ibid. p.152

²⁸ Bell, *Walking on Fire : Haitian Women's Stories of Survival and Resistance*.p.150

Under Aristide's rule, the movement accomplished important victories. In 1994, the army was dismantled and a Ministry of Women's Condition and Women's Rights was created. In fact, six of Aristide's ministries, including the post of prime minister, were headed by women, giving space to the implementation of top-down initiatives for the rights of women.²⁹ In 1995, Haiti was represented by the Minister of Women's Conditions and Women's Rights at the Conference on Women in Beijing. At the same time, Haitian civil society organizations carried out dissemination and awareness campaigns regarding the Conference and its importance in the country. Over the years the Ministry has had its budget reduced and was almost shut down a few times, indicating that women affairs are nowhere close to being a priority for the Haitian government.

More recently, particularly after the second time Aristide was overthrown in 2004, violence against women has increased again.³⁰ Cases of gang rapes have multiplied, particularly in the years between 2004 and 2006. Although accurate data on this kind of crime is difficult to find, a report by the Inter-American Commission of Human Rights on the situation of violence and discrimination on women reported that GHESKIO hospital received approximately ten rape cases per day during the month of November 2006.³¹ The Commission also acknowledged having received documentation from varied sources on several more cases of horrendous nature, such as family members being forced to have sexual intercourse with relatives. In most of the cases, unidentified armed groups or gangs were the primary perpetrators of violence. Accounts of women

²⁹ Besides the Ministry of Women's condition and the Prime minister, the ministries of Foreign Affairs, Education, Commerce, Social Affairs and Labor and Information were represented by women.

³⁰ Joe Mozingo, "In Haiti's Chaos, Unpunished Rape Was Norm," *The Miami Herald*, May 16th, 2004.

³¹ Inter-American Commission of Human Rights, "The Right of Women in Haiti to Be Free from Violence and Discrimination" (Washington D. C.: Organization of American States, March 10, 2009). Paragraph 50.

being forced to work for gangs are also mentioned. Besides serving their aggressors, many women were also subjected to beatings and sexual violence.

During this period, there were entire sections of the capital that were controlled by gangs with near total absence of the state in several areas where not even the UN could fully operate. On the bright side though, the subsequent pacification of these neighborhoods highly contributed to decreasing levels of urban violence, including those perpetrated against women. This is one of MINUSTAH's successes.

Haiti is a signatory of important covenants and conventions on women's and human rights. As an original UN member, the country has ratified the Universal Declaration of Human Rights. It has also ratified the Convention for the Elimination of all Forms of Discrimination against Women (CEDAW) in 1981, and the Inter-American Convention on the Prevention, Punishment and Eradication of violence Against Women in 1996. Moreover, with the exception of the International Covenant on Economic, Social and Cultural Rights and the Convention Against Torture, and other Cruel, Inhuman or Degrading Treatment and Punishment, Haiti has signed all major conventions and covenants. However, signature of these legal instruments has had little practical and formal significance.

What is more, the country has a long-history of discrimination against the female population, which has resulted in the current vulnerable status of women in Haitian society. Discriminatory practices also hinder efforts to make the state accountable for its duties. By signing these international agreements, the Haitian government has acknowledged its responsibility for addressing gender imbalances and violence against

women. It should be stressed that its inability to do so constitutes a human rights violation.

Interestingly, the Inter-American Commission on Human Rights reported in 2009 that the current situation of women in Haiti “(...) is a result of the historical discrimination and inferior treatment they have faced because of their sex, compared to their male counterparts. (...) forms of discrimination against women have been a fixture in the history of Haiti, both in times of peace and in times of unrest and violence.”³² The report also establishes a relationship between the discriminatory behavior of men and the brutal acts of violence against women, also fueled by the general acceptance of discrimination. The existence of these social conceptions regarding female inferiority and subordination, have historically limited women’s access to education, health, justice and labor in Haiti.³³

The field work showed that culture was the primary explanation for gender based violence in Haiti. According to most of the interviewees, women’s status in Haitian society is a submissive one. Being responsible for the support of the family, they easily end up as victims of economic exploitation by their own partner and are targeted in unsafe environments, like that of the post-earthquake scenario.

This is also the primary reason why many civil society organizations, both international and national, along with UN actors, emphasize that the earthquake context only brought to the surface a problem that has always been present in Haitian society. It is true that with the displacement of 1.5 million people as a result of the earthquake and the establishment of numerous IDP camps, women became even more insecure. Food

³² Ibid. paragraph 7.

³³ Ibid.

shortenings, lack of separated male/female latrines, limited light, and the absence of government or UN forces in the camp in the months following the earthquake were factors that contributed to this increased vulnerability. Nonetheless, an understanding of the historical conditions that put women in their current vulnerable status in the Haitian society is necessary.

Since the earthquake, various reports have pictured the staggering conditions of women living in IDP camps and reported on the increased levels of violence against them.³⁴ In a 2012 civil society report, it was emphasized that not only numbers of rape and sexual assault have risen, but also that survival sex has increasingly been the only option for poor women and girls in their quest to survive.³⁵ Survival sex is understood as the exchange of sex for food, cash favors and protection in an environment where women struggle to cover their basic needs.

Within MINUSTAH, civilians were the most reticent in categorizing SGBV as a security problem. However, they did recognize that the occurrence of sexual and other forms of violence against women have been frequent within IDP camps. In an interview with MINUSTAH's Gender Unit, it was confirmed that the current security conditions have facilitated the recurrence of SGBV in Haiti, particularly in the camps, and for that reason security counter-actions had been taken.³⁶ Consequently, the UN has tackled the

³⁴ See for example: Amnesty International, "Aftershocks: Women Speak out against Sexual Violence in Haiti's Camps," (London: International Amnesty, 2011).; Brooke Stedman, "Security after the Quake? Addressing Violence and Rape in Haiti," in *Peace Brief* (Washington DC: United States Institute of Peace, 2011).; Center for Human Rights and Global Justice, "Yon Je Louvri: Reducing Vulnerability to Sexual Violence in Haiti's Idp Camps," (New York: CHRGI, 2012).; Center for Human Rights and Global Justice, "Sexual Violence in Haiti's Idp Camps: Results of a Household Survey," (New York: CHRGI, 2011).

³⁵ KOFIV International Women's Human Rights Clinic, MADRE, Center for Gender and Refugee Studies, Center for Human Rights and Global Justice, Global Justice Clinic "Struggling to Survive: Sexual Exploitation of Displaced Women and Girls in Port Au Prince, Haiti," (2012).

³⁶ Interview carried out with representative of MINUSTAH's Gender Unit, in Port-au-Prince, June, 2011.

problem of sexual violence with a stronger military and police presence in the IDP camps, contributing to a decrease in the levels of physical insecurity in these places.

However, it is also important that these intrinsic social stereotypes and state weaknesses are addressed. While the first step is to increase awareness about Haiti's social and historical context among those tasked to protect the population, other steps should follow, including efforts to strengthen the judiciary system, the police and government capacity to promote equal access to education, health care, justice and the labor market.

Accordingly, the UN-Women and many other civil society organizations, such as Doctors Without Borders (MSF) and SOFA, a Haitian NGO dedicated to reporting and eradicating sexual gender based violence (SGBV), also provided their opinion on the matter. They argue that it is a mistake to blame IDP camps for the problem of widespread sexual violations and other types of gender based violence (GBV). "It perpetuates a wrong view of the problem, GBV has always been present in Haiti; the IDP camps violations has only brought the topic to the surface and the international community could no longer ignore it".³⁷

Gender based violence in Haiti is thus different from that in conflict or post-conflict situations. First of all, Haiti is not considered by the Haitians or by the international community as a conflict or post-conflict zone, despite similar destructive signs. And second, the kind of massive rapes and violations used as a tool of war are not observed in Haiti, where the problem seems to be more related to political instability, a generational mindset and the current insecure social, economic and political situation.

³⁷ Interview carried out with representative of UN-Women field office in Haiti in Port-au-Prince, June, 2011.

While women are constantly victims of several types of GBV, particularly domestic violence, they confront yet another vast array of challenges to pursue treatment and justice. As informed by Concertation Nationale [National Dialogue], a national platform related to the fight against SGBV comprising local organizations, government ministries and international UN agencies, there are only a few health centers that treat SGBV victims and even fewer provide them with the “medical certificate”, or official proof of crime, necessary for victims to start a law suit.³⁸ Not only the limited number of centers challenges their access to medical centers, but also the fact that it is costly, as transportation and fees may apply.

Moreover, the Haitian Police lack the capabilities to address these crimes. Not only are forensic specialists absent, there are also only a limited number of personnel trained in gender issues. Even if victims surmount those obstacles, the justice system will pose the next challenge. Barely working, it rarely condemns criminals, who may also become victims of the system, being thrown in prisons without judgment or defense lawyers.

This debate encounters another difficulty: the reporting system. The “problem of data” was common ground in almost all interviews performed. While some would point out that the earthquake destroyed the database, others would emphasize that the different ways of reporting did not, up to now, allow the establishment of a joint database. As a consequence, patterns of SGBV occurrences cannot be determined.

Nonetheless, there seems to be an even more worrisome reason as to why the reporting system is so debatable. It seems that there is no consensus on the definition of

³⁸ Interview carried out with representative from the Concertation National in Port-au-Prince, June, 2011.

SGBV and different actors interpret it in different ways. “What is reported as SGBV? Just because the victim is a woman, it does not mean that it involved a case of gender based violence. You cannot say that a female victim of an assault is a victim of gender based violence”, explained a UN police officer.³⁹

The position of the MSF representative was a similar one. When asked if the organization had a database on SGBV cases it was explained that they did. However, they would not make it public because it is not in their interest to officialize misinterpretations.⁴⁰ In this regard, the UN-Women representative added that there had been several studies published recently that had emphasized the increasing number of SGBV cases, however, it was questioned:

“How do you know if the data indicate that SGBV has increased or if there was an increase in reporting violations? The only conclusion one can make out of this is that awareness campaigns may be working better and women are less shy to report cases. It doesn't necessarily mean there was an increase in sexual violations, it can mean there was an increase in reporting the crimes.”⁴¹

And that is true. The situation in Haiti is not favorable for reliable quantitative data. Not only did the existing database dissolve with the demise of the Ministry of Women's Condition,⁴² but not a single method of collecting data seems to follow any statistically reliable technique. Moreover, as gender becomes a fashionable topic and more organizations are interested in working in this area, there is a gap between the

³⁹ Interview carried out with UNPol representative in Port-au-Prince, June, 2011.

⁴⁰ Interview carried out with representative from the Doctors Without Borders (MSF) in Port-au-Prince, June, 2011.

⁴¹ Interview carried out with representative of UN-Women in Port-au-Prince, June, 2011.

⁴² Along with the Ministry of Women's Condition, other ministries' buildings and the National Palace collapsed with the 2010 earthquake.

generally accepted definitions of sexual and other types of gender based violence and those of many field workers who do not seem to have an adequate or appropriate idea about the nature of the issue.

The recent endorsement of the new Prime Minister Laurent Lamothe and the publication of new constitutional amendments, though, represent important progress in improving women`s vulnerable status in Haiti. Mr. Lamothe was sworn in with a cabinet of 22 ministers, of which 7 were women. Furthermore, with the new constitutional amendments, a quota of at least 30% women`s in government was approved. These are important steps in addressing inequality in a society where gender relations can easily be disrupted. Most importantly, it is a small step towards women`s empowerment and the improvement of their social status.

The analysis has shown that Haiti`s history of extreme violence, class divide and government corruption has contributed to the gruesome condition that the country currently experiences. Violence has been the product of loyal government forces, paramilitary forces, armed groups and militias often associated with a political figure seeking protection. As they were not adequately demobilized, they would still terrorize the population long after their “creators” lost power. In recent years though, MINUSTAH actions in the most dangerous neighborhoods has contributed to the decrease of activities by these criminal groups.

The elevated levels of violence present in Haitian society were always harshly felt by women. If their precarious social, political and economic status increased their vulnerability, the presence of these politically motivated violent groups would only result

in even more violence for them. Quite often, violence against women, meant sexual violence.

Throughout the years, though, the issue has gained attention under a different facet. As displacement increased in the country, particularly after the earthquake, these acts of sexual violence were mostly associated with the lack of security conditions within camps and viewed as isolated and opportunistic. Although it is true that the enormous displacement has facilitated widespread acts of sexual and gender based violence in Haiti, protection strategies only focused on this explanation do not consider the continuum of violence and the pre-existent conditions that facilitate the spread of such acts in Haitian society. It is true that levels of violence are exacerbated as insecurity in camps grows, but this only reflects the vulnerable status of Haitian women. Protection strategies should thus remember the past, consider the historical and cultural context and plan accordingly.

The following sections will provide some background on UN action in Haiti and give a detailed account of its gender policy on the ground.

Haiti and the UN: a working partnership coming to an end?

As Haiti's historical context has shown, political instability is a constant in Haiti's history. Hence, the UN's involvement in Haiti started well before the establishment of MINUSTAH in 2004 and it has been accompanied by increasing criticism due to the lack of enduring positive outcomes. Missions established prior to MINUSTAH though, had a limited mandate and/or were limited to a short duration only. Since it was primarily concerned with the development of Haitian police forces after the dismantlement of the army during the 1990s, the police remains MINUSTAH's main priority and is the primary indicator of when MINUSTAH will leave the country.

This section will provide important insights into previous UN interventions, the current security situation and challenges for the future. A brief explanation on MINUSTAH's structure and the role of each component in the light of the mission's mandate will also be provided. As the mission prepares to leave the country, re-adjustments will occur and it is imperative that gender considerations are highlighted during this process.

The UN presence in Haiti

Before 1993, two observation missions were established in Haiti: the United Nations Observer Group for the Verification of the Elections in Haiti (ONUVEH) in 1990 and the joint UN-OAS International Civilian Mission in Haiti (MICIVIH), established after Aristide's overthrow in 1991 to observe the status of human rights in the country. However, the first peacekeeping operation was only established in 1993, when the United Nations Mission in Haiti (UNMIH) was authorized by the Security Council with the mandate of supporting the modernization of Haitian armed forces and creating a new police force.⁴³ Despite the request of the Haitian government, discord between the civilian government and the military forces obstructed the fulfillment of UNMIH's mandate.

In 1994, UNMIH's mandate was revised, authorizing the formation of a multinational force to prompt the return of the legitimate Haitian government and the establishment of the rule of law. The force of about 20,000 men, led by the United States,

⁴³ UNMIH was established by Security Council resolution 867 (1993). United Nations Security Council, "Resolution 867", September 23, 1993, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N93/515/30/PDF/N9351530.pdf?OpenElement>.

successfully reestablished civilian authority and UNMIH's renewed mandate could be fully carried out in 1995.⁴⁴ According to the new mandate, the mission was tasked with assisting the national government in fulfilling its responsibilities, establishing and maintaining a stable environment, professionalizing the troubled armed forces and creating a separated police force. The returning president, Aristide, then dismantled the army and created a new civilian police with the support of the UN peacekeeping mission.

After the legislative and presidential elections – both held in 1995 – Aristide, who completed his interrupted presidency, handed his position over to the democratically elected Rene Preval, who took office in 1996 and officially requested UNMIH to extend its mandate until the end of June of that same year.⁴⁵ Following UNMIH, the United Nations Support Mission in Haiti (UNSMIH) was established in July 1996 with the main responsibility of professionalizing and training the recently created Haitian National Police (HNP), besides promoting institution-building, national reconciliation and economic rehabilitation in Haiti.⁴⁶

UNSMIH was substituted by the United Nations Transition Mission in Haiti (UNTMIH) from August to November 1997. UNTMIH had a small military component mostly concerned with the security of UN personnel and a bigger civilian police component mostly focused on training HNP's specialized units in crowd control, rapid

⁴⁴ UNMIH's mandate was revised in 1994 and 1995 through Security Council resolutions 940 (1994) and 975 (1995). See: "Resolution 940", July 31, 1994, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N94/312/22/PDF/N9431222.pdf?OpenElement>; "Resolution 975", January 30, 1995, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N95/028/26/PDF/N9502826.pdf?OpenElement>.

⁴⁵ UNMIH's mandate was extended until June 30th, 1996 by Security Council resolution 1048 (1996). See: "Resolution 1048", February 29, 1996, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1048\(1996\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1048(1996)).

⁴⁶ UNSMIH was established under Security Council resolution 1063 (1996). See: "Resolution 1063", June 28, 1996, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1063\(1996\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1063(1996)).

reaction force and palace security.⁴⁷ It was the Secretary General's opinion that without the support of the international community, Haiti's new police force would disintegrate and be unable to promote a safe and stable environment.

In this context, the United Nations Civilian Police Mission in Haiti (MIPONUH) was established in December 1997.⁴⁸ The mission lacked a military component and was concerned primarily with the establishment of a "professional, self-sustaining, fully functioning national police of adequate size and structure, able to conduct the full spectrum of police functions, to the consolidation of democracy and the revitalization of Haiti's system of justice."⁴⁹

When the government fell in 2004, armed groups and gangs took control of varied parts of the city. When MINUSTAH was first established, it was authorized to perform disarmament and demobilization in any remaining military militia in the country. The presence of armed groups and gangs in these safe havens in the capital contributed to an increased level of urban violence in Haiti. These gangs, responsible for violent crimes in different neighborhoods, are considered "an inherently political phenomena,"⁵⁰ and were used as instruments of political warfare by discontented elites that funded their activities.

Since the control of the slums in Port-au-Prince by these armed groups constituted a threat to the recent reinstalled and fragile government of Haiti (2006), the neutralization of their actions was a priority. Consequently, MINUSTAH conducted a series of military and police operations with the intention of pacifying the people in these places and

⁴⁷ UNTMIH was established under Security Council resolution 1123 (1997). See: "Resolution 1123", July 30, 1997, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1123\(1997\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1123(1997)).

⁴⁸ MIPONUH was established under Security Council Resolution 1141 (1997). "Resolution 1141", November 28, 1997, http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1141%281997%29.

⁴⁹ "Resolution 1123."

⁵⁰ Robert M. Perito and Michael Dziedzic, "Haiti: Confronting the Gangs of Port-Au-Prince," in *Special Report* (Washington, DC: United States Institute of Peace, 2008).

capturing gang leaders. The success of this initiative is considered MINUSTAH's number one accomplishment.

The pacification of these neighborhoods, particularly Cité Soleil, Bel-air and Cité Militaire led Haiti and MINUSTAH to a different phase in the peace efforts. Now, development and economic recovery are the country's top priorities. Haiti's gruesome economic condition is indeed responsible for its fragile infra-structure and vulnerability to the natural disasters that continuously hit the island. Around 2.3 million people were displaced after the most recent earthquake and to this day around 390 thousand still live in the IDP sites spread around the capital.⁵¹

In a context where financial resources are not readily available for the population, violence, criminality and political unrest can easily affect the country. Although MINUSTAH has passed through a long period of relative calm in past months, the volatility of Haiti's security is a widely recognized feature of the country and one intrinsically related to the country's economic dependency. The 2012 Report of the Secretary General on MINUSTAH efforts showed an increase in homicides throughout 2012.⁵² As for the source of increasing instability, it is attributed to the remaining presence of armed gangs, usually involved with murders, kidnapping, robberies, narcotics and small arms trafficking, racketeering and fights for territorial influence. In fact, 85 to 90% of these crimes occurred in sensitive areas of Port-au-Prince, such as Bel-Air, Fort

⁵¹ Data displayed in the official website of the Office of the Special Envoy for Haiti. See: Office of the Secretary General Special Adviser, "Key Statistics," 10/16/2012, <http://www.haitispecialenvoy.org/relief-and-recovery/key-statistics/>.

⁵² United Nations Secretary General, "Report of the Secretary General on the United Nations Stabilization Mission in Haiti ", August 30, 2012, http://www.un.org/ga/search/view_doc.asp?symbol=S/2012/628. paragraph 11.

National and Martissant, and others widely known for their elevated levels of criminal activities, including Cité Soleil, Carrefour and Croix des Bouquets.

But security is not the only problem. For instance, bilateral and multilateral donors have allocated 12 billion dollars in humanitarian aid for the post-earthquake response, greatly exceeding Haiti's GDP. Because Haiti is so dependent on foreign aid, one of the main challenges for stabilization efforts in the future is economic recovery.

Investment of hundreds of millions of dollars in an uncertain intervention and additional hundreds of millions in aid has produced poor returns. Although the democratic government has been reestablished along with other state institutions since 2006, there is a gap between the state's capabilities and its desire to be free from the international presence within its territory. "Without MINUSTAH, Haiti will return to the pre-MINUSTAH state of nature", was a common response in all interviews with international actors performed during the field work. If that is true, it may not take long until we find out. MINUSTAH's forces are being downsized and civilian efforts to build governmental capabilities to take over MINUSTAH's tasks are already in place.

According to resolution 2070 that renewed MINUSTAH's mandate in 2012, a number of political milestones were accomplished and are a sign of progress in the process of stabilization.⁵³ Among them, the resolution cites the parliament's ratification of a new prime minister, the installation of the Superior Council of the judiciary, and the publication of the constitutional amendments. It is also important to note advances in the security sector, elaborated in the five-year 2012-2016 Haitian National Police (HNP)

⁵³ United Nations Security Council, "Resolution 2070", October 12, 2012, http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2070%282012%29.

Development Plan, and jointly presented by MINUSTAH and the Haitian National Police.

The strengthening of the Haitian security sector, including the judiciary system and the police, is an important step toward improving the protection and physically vulnerable status of Haitian women. Although the current condition of Haitian police is still precarious, it is a necessary improvement for a sustained secure environment after the UN leaves the country.

MINUSTAH: mandate, structure and personnel

MINUSTAH is an integrated peace operation and as such it has a civilian, a military and a police component under a civilian political leadership that collaborates to fulfill the UN's mandate on the ground. Although each component has different tasks, overall their joint effort contributes to improving the government's authority and its capacity to govern the country.

The civilian component is mostly involved in institutionalization efforts and the strengthening of the government capacity through the work of its substantive sections, such as Civilian Affairs, Rule of Law, and Human Rights, amongst others. At the same time, they are also working on efforts to improve security and the social and economic situation in the country. As an illustration, the Community Violence Reduction Section implements projects that aim to provide the local population with temporary jobs and/or training to develop basic skills for their own survival. This section, along with Civilian Affairs, often provides funding for projects implemented by various actors including the military, thus facilitating their relationship with the local population. Human Rights on its

part, has been involved in resolving problem of the inadequate response by the criminal justice sector to rape complaints.⁵⁴

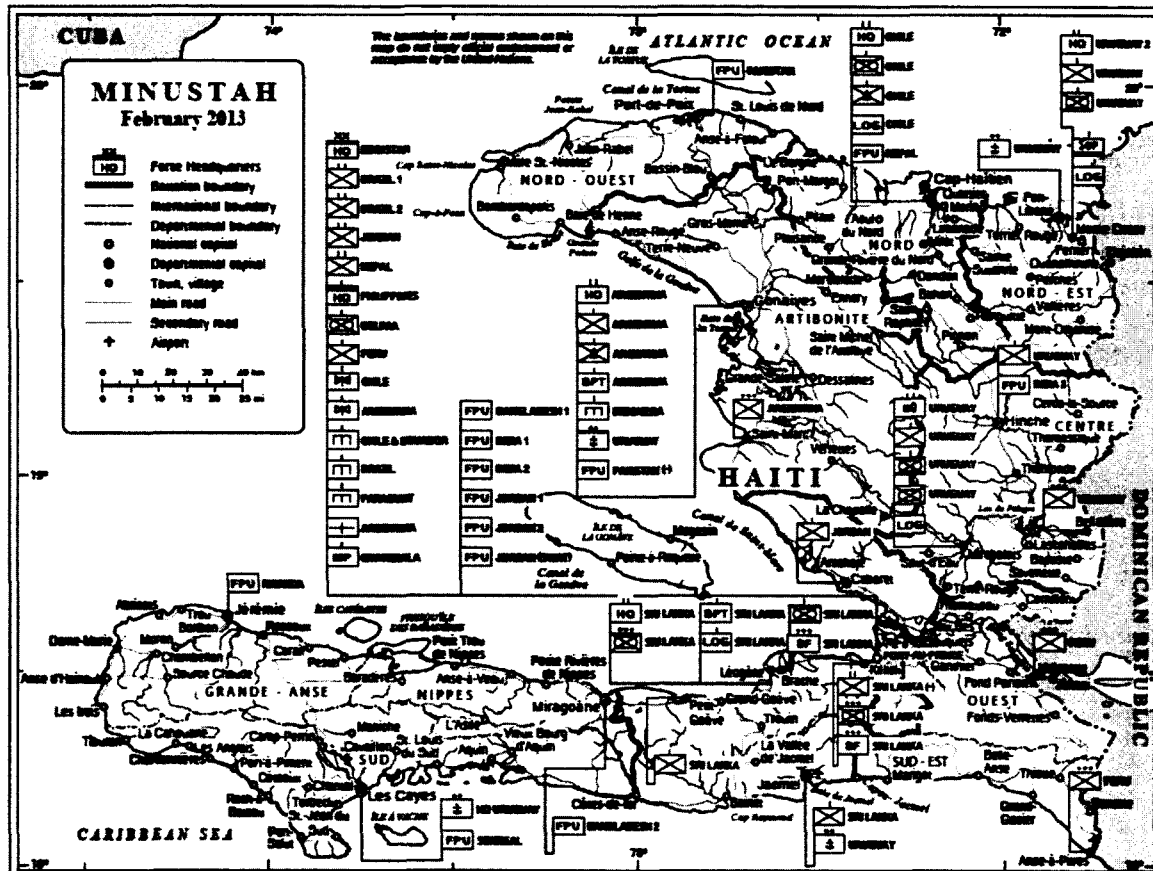
The police component's mandate priority is the mentoring of the Haitian National Police and the overseeing of their actions on the ground. This component is thus divided in two main pillars: operations and development. While the latter is focused on capacity building and training, the former comprises operational work carried out by the police to support stabilization efforts and HNP's actions on the ground. An example of the activities carried out by the UN police includes joint patrols with the HNP and the military component, training, and generation of tools such as the Standard Operation Procedures (SOPs) for gender based violence.

MINUSTAH's police component is formed by Formed Police Units (FPUs) and individual police, also known as UNPol. Among the biggest challenges encountered by the UN police on the ground, the language barrier, the differentiated training and the relationship with the HNP were most cited. Many UNPol come from Canada, France and French speaking countries in Africa. Nonetheless, the vast majority of UNPol officers speak only English as a second language, complicating the internal communication and the communication with those they aim to protect. UNPols come in individual missions and usually work with police from different countries that have received different training. These differences can, sometimes, pose obstacles to full integration and optimal functioning of the system. Finally, because the UN police component does not have the executive mandate, it depends on joint actions with the HNP for the success of its

⁵⁴ A report by this section found that between June to August 2010, 62 cases of rape were reported and as of December 2011, only one had reached prosecution stage pending trial. For more information, see: Human Rights Section and Office of the High Commissioner for Human Rights, "A Profile of Police and Judicial Response to Rape in Port-Au-Prince" (Port-au-Prince: United Nations, June 2012).

operations. This relationship can sometimes be complicated, since HNP lacks personnel, infra-structure and is often accused of corruption and not trusted by the population. Consequently, one of UNPol's objectives is also to improve their interaction with the HNP and that of the HNP with the local population.

Figure 4: Military contingents in Haiti



Source: MINUSTAH, February 2013

Finally, the military component has the primary mission of promoting a stable and safe environment, conducive to the successful implementation of the UN's mandate and the strengthening of government authority and its institutions. The military component currently has a total of eight infantry battalions (Argentina, Brazil [2], Chile, Jordan,

Nepal, Sri Lanka and Uruguay), two infantry companies that are also the Force Commander's force of reserve (Bolivia and Peru), a naval unit (Uruguay), a military police unit (Guatemala) and six engineer companies (Brazil, Chile-Ecuador, Indonesia, Japan, Korea and Paraguay).

However, the military component is currently being downsized. In fact, since the pacification of the most dangerous neighborhoods in the capital and other areas of the country, the military component has been increasingly involved in the implementation of social and economic projects aiming to decrease the physical and structural insecurity of Haitian citizens, including the revitalization of public spaces, illumination, and professional training.

The downsizing of the military component is part of the mission's strategy. After reaching a peak of 8,940 military personnel after the 2010 earthquake, MINUSTAH forces are being reduced to a maximum of 6,270 troops.⁵⁵ According to the Special Representative of the Secretary General (SRSG), the security situation has been calm and humanitarian efforts are being phased out to be substituted by developmental initiatives aiming to strengthen the national government.⁵⁶ In fact, MINUSTAH's military component is no longer present in four of the country's 10 *départements* [departments or regions] (South, Grand-Anse, Nippes and North-West) and is slowly being substituted by Formed Police Units (FPU), who are taking over the responsibilities for maintaining a stable environment. The police component will also be reduced from a total of 3,241 to

⁵⁵ United Nations Security Council, "Resolution 2070." Paragraph 2.

⁵⁶ Interview carried out with the Special Representative of the Secretary General and Head of Mission Mariano Fernandez from Chile in Port-au-Prince, September 2012.

2,601 personnel, with the withdrawal of 400 individual police and the reduction of a total number of formed police units to 10.

As important stabilization goals are achieved, MINUSTAH continues to adjust its format to the national context and to draft a plan for a reconfiguration and conditions-based consolidation for the mission. The mission has agreed with the local government, civil society partners and UN country team that a few benchmarks are to be established serving as key indicators of progress in the stabilization process. While the operational effectiveness of the HNP is the top priority, other benchmarks should evaluate the maturity of key rule of law institutions, the capacity to organize fair elections, amongst others.

This section provided the background information on the UN's presence in Haiti, the current security situation in the country and the challenges for the future. As MINUSTAH prepares to leave the country, it is important that stabilization efforts can be sustained by the national government on its own. As previously shown, extreme conditions in which most of the Haitian population lives in insecurity, have appalling effects on the lives of Haitian women. Consequently, it is important that a concerted effort to maintain stability and improve living conditions can be sustained over time.

MINUSTAH's current configuration is one of an integrated mission. Considering Haiti's context, that is the best format to address the complex challenges confronted by the country. At the same time, the calm security environment and absence of conflict means that the country no longer needs a UN mission with such an expanded military component. The longer the mission stays and the more armed it is, the more Haitians

openly criticize its presence. During this downsizing phase though, it is important that gender receives due attention and that efforts are sustained.

The following section will analyze MINUSTAH's efforts in gender mainstreaming. As will be explained, by emphasizing an inclusive approach to improve the status of Haitian women, positive spillover effects for the development of a more equal Haitian society may be accomplished, facilitating the improvement of social and economic conditions of the population in general.

Incorporating gender into peacekeeping: MINUSTAH gender policy and the UN learning process

A successful learning process entails an interdependent relationship between the organization and member states. As previously analyzed, the UN has done a relatively good job in promoting the transformation of its practice in the field of international peace and security by incorporating a gender perspective as a way to accomplish a lasting peace. While advances have been noted, it is in the field that major challenges can be found. The analysis of MINUSTAH's gender policy and how those five previously defined components of UN gender strategy are being implemented in the field can offer valuable insights into the specific challenges for the future.

The five variables – legal framework, gender balance, security sector, protection and empowerment – represent a comprehensive gender strategy that not only looks into the physical protection of women but is also concerned about the existing factors that contribute to their vulnerability, including living conditions, political and social status and weak state institutions, particularly the judiciary and the police. This section will thus

provide detailed information on MINUSTAH's gender policy and describe its accomplishments and shortcomings for each of the five variables.

MINUSTAH's gender policy

Overall, despite the slow pace, MINUSTAH has been successful in implementing a gender policy throughout its components and has taken important steps to increase women representation within the national government and to improve its capacity to respond to gender group specific needs. Particularly, the police component has played a fundamental role in improving the national police ability to address gender based violence. At the same time, the military component has also shown progress, albeit slowly. Although gender is not fully incorporated into the routine work of soldiers, important accomplishments such as the appointment of gender focal points at battalion and company levels show the mission's increasing commitment to gender issues.

The Gender Unit is one of MINUSTAH's civilian substantive sections and has the main objective of promoting gender mainstreaming within all MINUSTAH components and sections and guaranteeing that their actions are gender sensitive with a positive impact for local women. For this purpose, it attempts to cooperate with civil society groups, women's organizations and government partners as a way of promoting a more equal society and making sure that women's needs are considered and that the government's capacity to protect their rights is enhanced.

MINUSTAH is one of the few missions that have participated in DPKO's preliminary testing of the "Guidelines to Incorporate a Gender Perspective into the work

of UN Military in Peacekeeping Operations”⁵⁷, and thus is an example of missions in which the civilian component is familiar with the topic and understands UN directives on Women Peace and Security. Moreover, it is also one of the nine UN missions that have a Senior Gender Adviser in accordance with Resolution 1325.⁵⁸

Like most UN missions with a gender office or unit, MINUSTAH’s Gender Unit works closely with appointed gender focal points within all of the mission’s sections and components; in collaboration they attempt to promote gender as a cross cutting issue in all implemented projects and actions. Within the military, gender focal points are appointed at the component level – currently the G9 or Civil-Military Chief under the mission’s military command occupies that position – and battalion level. As a result, the whole military force and each national contingent, including the smaller company units, have a designated gender focal point. The police, for its part, have a Gender Team that operates in the offices of the MINUSTAH Gender Unit. Some UNPol commissariats also have gender focal points. Although still in progress, these three actors – the Gender Unit, Chief of U-9 and Chief of Police Gender Team – are increasingly coordinating their actions to increase efficiency and promote a positive impact on the ground. The challenge, though, is to overcome the bureaucratic complexity of the mission that often hampers a timely and integrated response between all components.

⁵⁷ Department of Field Support Department of Peacekeeping Operations, "Guidelines for Integrating Gender Perspectives into the Work of United Nations Military in Peacekeeping Operations," (New York: United Nations, 2010).

⁵⁸ DPKO maintains a Gender Unit in the following missions: UN Stabilization Mission in the Democratic Republic of Congo (MONUSCO), UN Integrated Mission in Timor-Leste (UNMIT), UN Mission in Liberia (UNMIL), UN Stabilization Mission in Haiti (MINUSTAH), UN operation in Côte d'Ivoire (UNOCI), UN Mission in South Sudan (UNMISS), African Union-UN Hybrid Operation in Darfur (UNAMID), UN Assistance Mission in Afghanistan (UNAMA) and UN Interim Force in Lebanon (UNIFIL)

In order to improve collaboration and understanding on gender issues, the gender unit provides the tools to strengthen the mission's capacity to include a gender perspective in its actions. For example, they administer induction training on gender for all uniformed personnel (military and police) and specific gender training for gender focal points and uniformed personnel working in IDP camps.⁵⁹

With regard to the cooperation between MINUSTAH and other UN agencies in gender related issues, there is a gender thematic group that existed since before the earthquake, but was put aside during post-disaster relief. As the post-earthquake context improved, this thematic group has returned and is under the leadership of the UN-Women. Moreover, there is also a SGBV cluster led by UNFPA (due to its expertise in collecting data), which is currently under a protection cluster led by Human Rights Agency that is currently being phased out. For that reason, this cluster may go to the gender thematic group. Interestingly the Ministry of Women's Condition is getting involved and is taking ownership of coordination actions.

Within the police, the integration of gender issues has benefited from a top-down approach, starting with the Police Commissioner, aimed at expanding the UN police's capacity to respond to specific security needs of women. He was responsible for creating the Gender Team and placing its officers within the Gender Unit to facilitate cooperation. The UN police component's main mandate is to strengthen HNP's capabilities. Therefore, UNPol's key strategy to incorporate a gender perspective into its work has been to train the HNP in this matter. The goal are sustainable efforts and that local police

⁵⁹ While the induction training is a quick and standard 45 minutes training, the specific gender training usually lasts three days and is tailored according to the target group and functions they will comply with.

are able to fulfill all the functions MINUSTAH's police component is currently carrying out and to protect women and girls from sexual and gender based violence.

Moreover, improving UNPols' capacity to address sexual violence is also part of this component's strategy to advance overall mission efforts in the area. In an interview with a representative of the Police Gender Team, it was explained that generating tools to better deal with sexual and gender based violence in Haiti is also a priority to the Police Gender Team.⁶⁰ For this purpose, they were tasked with the writing of Standard Operations Procedures to deal with sexual violence, an awareness manual for UNPols stationed in the IDP camps, and the terms of reference for the commissariats' gender focal points, amongst others. Furthermore, they participate in the induction training on the recently created SOPs and on gender issues.

Finally, the UN police also have a gender based violence specific database. The database was created in 2011, and although initially thought to incorporate data from all security sectors, so far it is only the police who feed it. The database is directly under the leadership of the Police Commissioner, who employs a desk officer responsible for inputting data. As data is central for analysis, planning and the evaluation of operations, the initiative is an important way to include a gender approach to police planning.

The inclusion of a gender approach within the military component has been slower. Currently, gender does not figure as an important component of military planning, reporting and analysis, except in a few instances such as duties performed within the IDP camps. The increasing vulnerability of women within IDP camps led to a tailored military response, with increasing military patrols within IDP camps, where they

⁶⁰ Interviews with representative of UN Police Gender Team carried out in Port-au-Prince, September, 2012.

were not initially allowed to enter. Although patrols occur only in the biggest and most dangerous IDP camps, this is an important initiative and represents a way through which gender can be integrated into military actions. However, it encompasses a limited view of the Haitian women's reality and can be further improved. The military has an extraordinary capacity to analyze and recognize signs of threat. If this capacity is used to recognize signs of abuse and violence, it can help to prevent gruesome acts from being committed against women and girls.

Nevertheless, the military reporting cell does not have a category for gender based violence, and thus it becomes very difficult to take gender into account in military planning and analysis, when reports analyzed by the intelligence cell does not specify gender crimes. The Gender Unit has been pushing the inclusion of a category that incorporates a gender feature to improve military planning and is currently working closely with the Office of the Force Commander to start implementing top-down approaches so that gender can be more easily mainstreamed within that component.

An example of a top-down approach, initiated by New York and reinforced by the Office of the Force Commander, was the issuance of a 2011 directive from the Force Commander appointing a Gender Focal Point within the military component. Very recently (in 2012) national contingents also were requested to appoint gender focal points. Although focal points still lack understanding of their role and how the military component can include a gender perspective into its routine work, the initiative represents a true instance of cooperation between the civilian and military components in gender issues.

The absence of specific guidelines on the role and tasks of MINUSTAH's military gender focal point and each contingents' gender focal points is a challenge still to be addressed. It demonstrates that progress is dependent on the personality and commitment of those holding that position and of military commanders. While these personal efforts are responsible for the current progress found in the military component, it is important that guidelines are written so that initiatives are sustainable throughout time.

This is particularly true in regard to contingents' gender focal points. They receive a three-day training in gender created by the gender unit and U-9 and carried out jointly with the military training cell. Although they retain general knowledge about the matter, a meeting with all of MINUSTAH's gender focal points showed they were reluctant to speak about their role, possibly because they were unsure about the tasks and roles entrusted to them.⁶¹

It is important that gender focal points and personnel in general understand that gender is not only about women and Sexual Exploitation and Abuse (SEA). During field work carried out in 2011, most contingents would relate gender issues with the behavior of their personnel towards the local population or were simply unaware of UN resolutions on Women, Peace and Security and what they entail. Although SEA is an important part of integrating a gender perspective into the work of the military component, the protection role of the military and their support of local women could be enhanced, if an appropriate view of gender is to be understood.

Nonetheless, the 2012 field work showed a slightly different reality. Despite some exceptions, most contingents showed a better understanding of the resolutions at least

⁶¹ Interview with contingents' gender focal points were carried out in Port-au-Prince, September 2012.

among the higher ranked officers. In an interview with a representative of the Gender Unit, it was explained that most personnel that receive the induction training on gender are mostly unaware of gender issues in general and emphasizes that member states should reinforce pre-deployment training.⁶² Although all personnel sent to peace operations receive a pre-deployment training module dedicated to gender named Core Pre-Deployment Training Module (CPTM),⁶³ it is the member states' responsibility to provide the course or invite UN experts to give them.

An important aspect of a mission's gender policy is the kind of policies that are in place to curb misbehavior, particularly sexual abuse and exploitation that can seriously undermine the UN's image in the host country. MINUSTAH in particular has recently been in the spotlight for serious accusations of sexual abuse by Uruguayan marine peacekeepers and a local Haitian boy, who was allegedly raped. A video recorded by the marines themselves was made available online and caused enormous trouble for the contributing country and the UN. Although Uruguay took exemplary actions, with the repatriation of the accused and a trial where the costs for the victim's trip to Uruguay was paid, the negative image of the country and of the UN has persisted among the population.

⁶² Induction training is an obligatory training for all officers as they arrive in the mission. Depending on commanders orders and the size of the battalion or company sent, more personnel including non-commissioned officers can also take the course. It is obligatory, though that every soldier receive the training either by MINUSTAH representatives or by the officers who have attended the course. Nonetheless, gender is only one of 16 different modules that is given to participants in a period of two days. Consequently, it is common that participants do not retain all information received.

⁶³ As in the case of the induction training, the CPTM also have different modules, being gender only one of them. The way the CPTM is administered varies a lot from country to country. Many countries have their own peacekeeping training center with their own instructors others invite the UN to give with the course. It is also common that other organizations, such as the UN-Women, are invited to give the gender module, as it is the case of Brazil. All these aspects differ from country to country.

In an interview with the Conduct and Discipline Unit, it was emphasized that the military is the component that proportionally gives them least trouble. However, due to the immunity and the public image of peacekeepers, it is also these cases that mostly affect the organization's image. It was mentioned that the unit is currently dealing with various paternity cases, and that an accountability strategy ought to be developed. While civilians can be somewhat constrained from these behaviors by affecting their salaries, it becomes more difficult in the case of the military. A proposed strategy is to link commanders' accountability to misbehavior of soldiers and the possibility of getting a personal commitment from peacekeepers that they will refrain from misconducts. However, the challenges for a successful accountability strategy are huge.

As shown, the presence of the Gender Unit as the hub of gender awareness initiatives has been extremely important in the Haitian context, which is characterized by increased urban violence, including gender based violence, but which is not easily associated with women's vulnerable status. However, as the context has shown, Haitian women have long been victimized and oppressed, and the understanding of their vulnerability and the improvement of the mission's capacity to respond to these sex-specific threats is of the utmost importance.

The following sections will evaluate MINUSTAH's gender policy according to the five previously defined variables: legal framework, gender balance, security sector, protection and empowerment.

Legal framework

This indicator refers to the existence of specific mandates and guidelines regarding the protection of civilians, in particular women and girls, against sexual

violence and how it translates into practice. The complex reality of the Haitian context was translated into encompassing mission mandates since its establishment in 2004. These mandates include several responsibilities that vary from the establishment of a peaceful and secure environment to the support of government institutions' governability and efforts to promote human rights and assistance in the wake of the constant natural disasters that affect the island. Although protection of civilians figures as part of the mandate since Resolution 1542 of April 2004 first authorized the deployment of the mission, it was never mandated as a top priority.⁶⁴

Specific challenges confronted by women, including the need for political representation, human rights abuses and special needs as a vulnerable group, were included in the Security Council resolutions that renewed MINUSTAH's mandate throughout the years. Moreover, resolutions have also reaffirmed the importance of resolutions on Women, Peace and Security and the need to address violence against women, supporting government institutions to carry out this responsibility. Unfortunately, though, the mission does not have specific strategies to protect civilians in general, nor to protect women against specific gender crimes to which they may be subjected.

Although all resolutions that renewed MINUSTAH mentioned the affairs of Haitian women in one way or another, it was only after the 2010 earthquake and the widespread violence committed against women within IDP camps, that specific tasks to protect women, including the strengthening of mechanisms to address sexual violence, increased joint patrols, training of HNP on sexual violence issues and improvement of

⁶⁴ United Nations Security Council, "Resolution 1542."

women`s access to justice, started to be more systematically included in the text of these resolutions. The last Security Council Resolution 2070 specifically “encourages all actors in the Haitian Government, the international community and civil society to renew their efforts to eliminate sexual and gender-based violence in Haiti; as well as to improve response to rape complaints and access to justice for the victims of rape and other sexual crimes.”⁶⁵

Also worth mentioning is that Resolution 2012 (2011) requests the elaboration of a protection of civilians plan, when explaining the effects the earthquake has had on the population and the kind of threats confronted within IDP camps, and in particular those confronted by vulnerable groups such as women and children. Although the plan has not yet been created, it shows the UN`s commitment to the cause. It also shows that the context highly influences the elaboration of strategies such as the one regarding the protection of civilians. Although the Haitian population, and women for that matter, have been victims of state and gang sponsored violence throughout the years, it was not until the harsh conditions of the IDP camps were highly publicized and figures reached alarming proportions, that a legal document explicitly requested a plan to deal with the matter. Along the same lines, after the inclusion of new duties and tasks related to the protection of women in IDP camps, actions such as increased patrols within IDP camps were included in the planning of operations and undertaken by uniformed personnel, indicating a strong relationship between mandate`s priorities and their translation into practice.

⁶⁵ "Resolution 2070."

Reports of the Secretary General have a pre-defined framework that includes one section for gender. These reports are helpful and they group all gender related actions undertaken by MINUSTAH and the national government throughout the period covered by each of them. They also provide recommendations on how to improve the areas that need strengthened efforts. Besides being an important source of information, they encourage the consideration of gender as a cross-cutting issue and remind member states of their commitment to enhance gender equality in host nations and improve women's protection.

Gender balance

This indicator refers to the analysis of female representation amongst uniformed personnel and the roles they carry out. It also refers to the existence of affirmative policies to include more women amongst personnel (uniformed and civilian), and in decision-making positions within the mission. Unfortunately data on civilian personnel disaggregated by sex is not available, and thus an analysis of the civilian component could not be included. The participation of civilian women in the mission leadership is limited. Amongst MINUSTAH substantive sections, few are headed by women, including the Gender Unit.

As expected, the MINUSTAH military component has a total representation of women at only 2,45%. Moreover, with few exceptions most military women occupy professional posts, such as those within the medical branch or logistics, and have limited contact with the population. Nonetheless, this is a general trend all over the world since the militaries in various parts of the world still put several constraints upon the

participation of women in all military branches, particularly those closely related to combat.

Women within MINUSTAH's police component on its part do better than those in the military with a 10.07% representation, being right on the UN 10% goal. The UN police component has a total of 2,780 uniformed personnel including individual police and Formed Police Units. The Police Commissioner and its deputy are men; however, the head of the Police Gender Team is a dedicated police woman, highly experienced in the field.⁶⁶ The combined figure for uniformed personnel is 5.75% of women representation.

Table 5: Uniformed personnel disaggregated by sex, as of October 2012

Contribution	Male	Female	Total	% of Women
UNPol	951	153	1104	13.86%
FPU	1549	127	1676	7.58%
Total Police	2500	280	2780	10.07%
Military	7114	179	7293	2.45%
TOTAL	12114	739	12853	5.75%

Source: DPKO Statistics, 2012

The lack of women representation accounts for one of the biggest challenges within the military component. Consequently, one of the main directives of RES1325 main directive is also the most challenging to implement as changes are highly dependent on contributing states' willingness to implement them within the national context.

⁶⁶ Interviews with representative from the Police Gender Team carried out in Port-au-Prince, September 2012.

Currently, three contingents do not have any women within their contingents: Indonesia, Jordan and Sri Lanka.⁶⁷

This is not the only problem though. Most of them are in health and logistics branches being mostly within the limits of barracks and having very limited contact with the population. Indeed very few contingents have women in combatant positions and carrying out similar functions as its male peers. Amongst all interviewed contingents the only countries that had women with combat training and thus carrying out patrols, checkpoints and other activities that result in more contact with the population were Argentina, Bolivia, Chile, Guatemala and Uruguay.

Nonetheless, women in doctor, nurse and dentist positions are also important as most contingents provide health care to the local population and having female representatives within the medical crew is an important way of increasing the relationship with the local women and discussing issues such as sexual and gender based violence. In fact, within Brazilian and Bolivian contingents, the female medical personnel identified genital infections as one of the most common cases they have found when treating the population. In these cases, the personnel can support local women's awareness on protection from STDs, birth control, and in the case of abuses and violence, be readily able to recognize signs of violence.

Amongst contributing troops, Bolivia, Guatemala, Philippines and Argentina presents the highest percentages of women representation within its personnel, with 7.18%, 7.25%, 7% and 6.78%, respectively. It is important to highlight that the Philippines provides all MINUSTAH's clerks, consequently, the female personnel along

⁶⁷ Visit to Jordanian Battalion and interview with senior officers, staff and personnel was carried out in Killick, September, 2012.

with the male counterparts work independently in the various military cells and branches within MINUSTAH.

The percentage of women in the deployed forces overseas and their function is a direct reflection of these countries' national policies and how the incorporation of women is carried out nationally. For example, Argentina's Ministry of Defense has a strong gender policy, having sent guidelines on the specific work that the battalion's gender focal point ought to carry out, including contact with local women's organizations and promotion of gender awareness courses for the rest of the personnel. Although the interview with the Argentinean focal point showed that not all of those functions are carried out (particularly contact with women's organizations), it shows national commitment at the state level and initiatives such as that can be used as an example in the mission to be duplicated.⁶⁸ In fact, Argentina's Ministry of Defense is working on its Plan of Action in accordance to RES1325 to be fully implemented within the national Armed Forces.

In this regard it is worth mentioning Chile, that since 2009, under Michelle Bachelet's government, has created a National Action Plan to improve gender mainstreaming within its defense and security forces.⁶⁹ Bolivia also presents an important female contribution to MINUSTAH and its personnel seemed to be well integrated into the contingent's daily activities.⁷⁰ However, one important observation ought to be made. With the exception of one young Lieutenant, who had received

⁶⁸ Interview with Argentine senior officers, gender focal point and personnel was carried out in Gonaives, June 2011.

⁶⁹ Interview with Chilean senior officers, gender focal point and personnel was carried out in Cap Haitien, June 2011.

⁷⁰ Interview with Bolivian senior officers, gender focal point and personnel was carried out in Port-au-Prince, June 2011 and September 2012.

military training and was able to carry out the same functions as the male peers, including patrols in the IDP camp of Tabarre under Bolivia's responsibility. The rest of the personnel were civilians, mostly from the health branch that works for the Army back in their home country as civilians, but are sent as military with the company deployed in Haiti.⁷¹ That is one of the main reasons why they are not allowed to go on patrols even though military medical personnel often go on patrols as well. However, the Bolivian case should further be highlighted because it was one of the first countries to incorporate women into the officer military academy, having women with the rank of colonels and soon to be general. Missions around the world, such as that established in the DRC count with female Bolivian commissioned officers serving as military observers.

Both Brazil and Paraguay do not have women in combat positions within their armed forces – with the exception of Brazil's air force – and thus their female personnel are limited to those allowed to join the military, comprising mostly doctors, nurses, dentists, and in the case of Brazil, there are also translators and others in logistic functions, such as lawyers.⁷² Interestingly though a recent law approved by Brazilian President Dilma Rousseff obliges the military institutions in Brazil to incorporate women in all positions within the next five years. It is an important development considering the country's aspiration to have a permanent seat at the Security Council, this step is indeed necessary to show to the world the country's ability to promote peace in accordance with the organization's guidelines. In fact, many countries of the developing world use the

⁷¹ This data refers to the period of September/2012. With the personnel rotation, the reality within Bolivian personnel may have changed.

⁷² Visits to Brazilian Battalions I and II and Interview with senior officers, gender focal point and personnel were carried out in Port-au-Prince, June 2011 and September 2012. Interview with Paraguayan Engineer Company senior officers, gender focal point and personnel was carried out in Port-au-Prince, September 2012.

participation in peace operations as a way to enhance its influence in international politics. An interesting way to accomplish national commitment to resolution 1325 is tying it to political national aspirations, perhaps through contact with the permanent mission in NY and/or diplomatic representations in the host nation.

An important consideration to be made is that in order to take advantage of women's presence within the military forces deployed, it is important that they are able to speak to the women directly or have female translators, particularly in cases of sexual crimes and gender based violence. This issue was raised by Brazilian Battalion I that explained that they lack local female translators and while they put their female personnel to participate in CIMIC activities and speak to local women, they are sent with local male translators and that may hamper this effort. This is an interesting point to be taken to MINUSTAH's administration. Although many of the military contingents do not have women, having local female translators may also support the contact with the local population.

In the case of Sri Lanka, two of the six translators were female, but differently from their male peers they were not allowed to do the night shift or go on patrols. Specific orientation on the use of female translators could thus contribute to enhance the component's overall capacity to respond to women's protection needs.

It is also important that women have the same routine duties, such as guard, so that male counterparts do not believe they have been privileged. In some contingents, women were sent on patrols even when not coming from combatant arms. Whilst this initiative supports the UN goal to have more uniformed women as facilitators of contact

between the military and the local population, it is not a UN nor a national policy, but a personal choice of the commander.

Table 6: Military contribution disaggregated by sex, as of October 2012

Country	Male	Female	Total	% of Women
Argentina	674	49	723	6.78%
Bolivia	194	15	209	7.18%
Brazil	1,872	21	1,893	1.11%
Chile	486	13	499	2.61%
Ecuador	66	1	67	1.49%
Guatemala	128	10	138	7.25%
Indonesia	178	0	178	0%
Japan	223	2	225	0.89%
Jordan	251	0	251	0%
Nepal	354	7	361	1.94%
Paraguay	160	2	162	1.23%
Peru	364	8	372	2.15%
Philippines	146	11	157	7.01%
Republic of Korea	235	6	241	2.49%
Sri Lanka	861	0	861	0%
Uruguay	922	34	956	3.56%
Total	7114	179	7293	2.45%

Source: DPKO Statistics, 2012

In the police, women representation amongst UNPols is considerably higher than within the FPU's, reaching 13.9% versus 7.6%, respectively. One of the main reasons is that UNPols interested in participating in peace missions are sent on individual missions and the process of selection and deployment is based on merit, not appointment. FPU's on its part has a similar modus operandi to that present in the military. They live within the constraints of their bases and usually have a paramilitary structure, mostly comprising military police.

In terms of proportional female representation within the UNPol, seven countries have women comprising more than 30% of national personnel. These are India with 66.67%, Norway with 57.14%, Thailand with 41.67%, Rwanda with 40%, Burkina Faso with 36.25%, and Russia and Uruguay with 33% each. The elevated percentage of women is also explained by the limited personnel deployed as most of these countries contribute to less than 10 UNPol (with the exception of Burkina Faso, Rwanda and Thailand).

Burkina Faso is further highlighted due to the important number of women police contribution in absolute terms. Out of 80 police officers deployed by this country in Haiti, 29 are women, being the country that most sends female police complying with individual mission. Rwanda, on its part contributes with 12 female UNPols out of a total of 30. Burundi, Canada, Cote d'Ivoire, Niger, and the United States, also contribute with more than 10 female UNPols.

Table 7: UNPol contribution as of October, 2012

Country	Male	Female	Total	% of Women
Argentina	17	3	20	15%
Bangladesh	10	0	10	0%
Benin	35	0	35	0%
Brazil	2	0	2	0%
Burkina Faso	51	29	80	36.25%
Burundi	30	10	40	25%
Cameroon	50	5	55	9.09%
Canada	78	10	88	11.36%
Central African Republic	3	1	4	25%
Chad	8	1	9	11.11%
Chile	10	4	14	28.57%
China	16	0	16	0%
Colombia	14	3	17	17.65%

Table 7: Continued

Country	Male	Female	Total	% of Women
Cote d'Ivoire	113	10	123	8.13%
Croatia	5	0	5	0%
Egypt	31	0	31	0%
El Salvador	10	4	14	28.57%
France	32	2	34	5.88%
Guinea	11	1	12	8.33%
India	1	2	3	66.67%
Indonesia	9	1	10	10%
Jamaica	1	0	1	0%
Jordan	34	0	34	0%
Madagascar	3	1	4	25%
Mali	27	1	28	3.57%
Nepal	9	1	10	10%
Niger	66	13	79	16.46%
Nigeria	3	1	4	25%
Norway	3	4	7	57.14%
Pakistan	10	0	10	0%
Philippines	23	3	26	11.54%
Romania	21	3	24	12.5%
Russian Federation	2	1	3	33.33%
Rwanda	18	12	30	40%
Senegal	20	2	22	9.09%
Serbia	5	0	5	0%
Sierra Leone	3	1	4	25%
Spain	17	1	18	5.56%
Sri Lanka	19	2	21	9.52%
Sweden	1	1	2	50%
Thailand	7	5	12	41.67%
Togo	3	0	3	0%
Turkey	17	1	18	5.56%
United States	72	13	85	15.29%
Uruguay	2	1	3	33.33%
Yemen	29	0	29	0%
TOTAL	951	153	1104	13.86%

Source: DPKO Statistics, 2012

Female representation amongst FPU is relatively high in Haiti due to Bangladesh's all female FPU. Bangladesh deploys two FPUs to MINUSTAH, a male and a female, consequently, its female representation reaches 33.13%, while the representation of women within the FPUs is of only 7.6%. Nepalese, Rwandan and Senegalese FPUs also contribute with limited number of police women, each with a total of 10, 4 and 7 women, and a total female representation of 7.25%, 2.5% and 5% each. India, Jordan and Pakistan do not deploy any women amongst their FPU personnel.

Table 8: FPU contribution as of October, 2012

Country	Male	Female	Total	% of Women
Bangladesh	214	106	320	33.13%
India	459	0	459	0%
Jordan	319	0	319	0%
Nepal	128	10	138	7.25%
Pakistan	140	0	140	0%
Rwanda	156	4	160	2.50%
Senegal	133	7	140	5%
TOTAL	1549	127	1676	7.58%

Source: UN Department of Peacekeeping Operations.

Bangladesh's female FPU has been sent to Haiti since 2010. The current personnel comprise a total of 160, 106 of which are women. In an interview with the Bangladeshi senior officers it was explained that all officers are women and that male representation in the unit comprises non-commissioned officers dedicated to minor tasks.⁷³ In this regard, it is important to emphasize that it is not only about having more women on the ground, but also putting them in key functions so that they can serve the

⁷³ Interview carried out with senior officers and personnel was carried out in Port-au-Prince, September 2012.

purpose the UN underscores as the reason why more women should be sent to peace operations. Not only a matter of gender balance, their position within MINUSTAH and what they are doing is what really matters to have a decisive impact on the ground.

During a first field work carried out in MINUSTAH in 2011, an interview with the 1st all female Bangladeshi FPU was carried out and it was argued that it was not until the end of their stay in Haiti that they were sent to IDP camps and patrolling activities that would promote an encounter with the local population, being previously restricted to security of UN facilities and other duties not directly related to the population.⁷⁴

The third Bangladesh contingent though, seemed to be fully integrated within MINUSTAH structure, performing the same kind of functions that other FPUs were carrying out including crowd control, IDP camp patrolling and security of UN facilities. In a conversation with the personnel, they confided that the language is the toughest barrier to bond with the population. Although they have various English interpreters, most of the troop does not speak English, and even less French. This further complicates the matter because if they cannot communicate with those they aim to protect, successfully fulfilling this duty can be challenging. This is felt even more so when the cultures of these two countries are so different and the interaction between them can be affected by the different codes of conduct that each culture has.

Security sector

As defined by the UN, a security sector is: “a broad term often used to describe the structures, institutions and personnel responsible for the management, provision and

⁷⁴ Visit to the Bangladesh Female FPU was first carried out in Port-au-Prince, June 2011.

oversight of security in a country.”⁷⁵ These include defense, law enforcement, corrections, intelligence services and institutions responsible for justice system, border management, customs and civil emergencies. Actors that play a role in the security sector include ministries, legislative bodies and civil society groups. For the purpose of this dissertation, only the initiatives related to the improvement of the justice system, rule of law and police institutions are taken into account.

Security sector reform is a vital component of stability and longer-term development in Haiti. However, due to the specific Haitian context where the sole state institution is the Haitian National Police, MINUSTAH’s approach to the reform of the country’s security sector differs considerably from other peacekeeping contexts.⁷⁶ Hence UN’s support to SSR in Haiti is mostly focused in police capacity building, an effort that has been undertaken since 1993, when the first of several UN missions mandated to strengthen HNP’s capabilities was established.

UN Police is the component most directly involved with SSR in Haiti. The provision of training, equipment and the building of internal control capacities have been the major focus. Moreover, with the purpose of building a strong national police able to respond to gender based violence, the UNPol presents two main initiatives dedicated to this goal: the first is the Police Academy, the second is the so called “Norwegian Sexual Violence Team”.

The Haitian Police Academy was created in 2006, and it is an important training center for the local police. There are 25 UNPol offices that work within the Academy

⁷⁵ United Nations Secretary General, “Report of the Secretary General on Securing Peace and Development: The Role of the United Nations in Supporting Security Sector Reform.”

⁷⁶ United Nations Department of Peacekeeping Operations, Office of Rule of Law and Security Institutions, Security Sector Reform Unit, “The United Nations Ssr Perspective,” (New York: SSR Unit, 2012).

overseeing the quality and standard of the training provided there. It is the HNP officers themselves who train their counterparts. Mostly, UNPol officers are responsible for providing the initial training for trainers and for a continued monitoring of the courses and training carried out by the Academy. In fact they are divided in different sections, considering their own skills and work with HNP officers to improve the different courses. According to a UNPol representative, “working together with the HNP and overseeing their training activities is a way of slowly passing all responsibility for them, so they can act on their own when MINUSTAH leaves.”⁷⁷

In regard to gender and SGBV, the police academy is mostly focused on the training of the judges, the HNP inspector and the Commissioner, while the Norwegian Team is responsible for the standardization of basic gender training of all HNP police agents. The content of the course covers specific techniques and methods for questioning victims and suspects and searching. More than providing HNP with the basic knowledge to carry out serious investigations regarding SGBV, this initiative is important because it brings gender to the forefront of police work and is the first steps toward making them accountable for addressing this problem and protecting the vulnerable.

The Norwegian Sexual Violence Team consists of a two-part project fully financed by Norway and implemented on the ground by a team of six Norwegian UNPols sent to Haiti to work exclusively on this particular project.⁷⁸ The independence of their work, in parallel to the UN's time consuming bureaucracy and separate budget is to

⁷⁷ Interview carried out UNPol representative within the Police Academy in Port-au-Prince, September, 2012.

⁷⁸ Interview with the Norwegian Team was carried out in Port-au-Prince, September, 2012. .

blame for the important accomplishments achieved by the Team in a period of only a year.

They carry out two main projects: 1. Strengthening individual local capacity through training courses, and 2. Strengthening institutional capacity through an improved HNP structure to conduct gender affairs and promote coordination with regional offices.

The first project focuses on the standardization of all gender training received by all HNP police officers. Having also trained the trainers, HNP now has certified gender instructors that provide training in Creole and advance gender issues within the local police. The second project, focuses on improving coordination and infrastructure, having accomplished the construction of an office for HNP's Head of Gender Policy and having the construction of regional offices for all administrative departments under way. The objective is to ensure that gender polices are easily implemented at the regional level and in accordance to its particular context.

Appointed in 2005 as the Gender Policy person for the national police, Madam Gauthier calls herself "an army of One" as she is the only currently appointed HNP officer to work on gender issues.⁷⁹ The Norwegian project also intends to address this lack of personnel by having officers appointed in each department and an office where they can carry out their activities.

As it was explained, the project initially financed by Norway is running out of money. Nonetheless, the members of the team explained this is a UN original idea that Norway endorsed and currently other countries are studying the possibility of joining the

⁷⁹ Interview with the Head of HNP's Gender Police Office, Madam Gauthier, was carried out in Port-au-Prince, September 2012.

project and contributing with the financial resources necessary to complete the project. Amongst the countries interested in funding the project are Brazil and Spain.

Since Haiti does not have military forces,⁸⁰ the MINUSTAH military component is not engaged with strengthening local's institutional capacity to maintain a stable and safe environment, its activities are mostly dedicated to carrying out activities that support the accomplishment of a stable Haiti. Nonetheless, few joint activities are carried out with the National Police. In this sense, the military carry out checkpoints and patrols with the local police in its areas of responsibility. This interaction has been qualified as positive by most of the contingents, as they do not have the jurisdiction to act on their own. Regardless, the relationship with the HNP has been often qualified as difficult, due to the bad reputation of their interventions.

Finally, there is a MINUSTAH Rule of Law section dedicated to strengthen the country's justice law. An important accomplishment in terms of SSR in Haiti has been the re-opening of the School of Magistrates in 2009, the presidential appointment of the President of the Supreme Court in October 2011, and the elaboration of the five-year 2012-2016 Haitian National Police (HNP) Development Plan, jointly presented by MINUSTAH and the Haitian National Police.

⁸⁰ The absence of a Haitian Army does not mean that this possibility is completely off the table. President Martelly has promised during his presidential campaign to bring the military back and former members of Haitian Armed Forces were seen occupying former military bases, training and on parades in the beginning of this year. The FC and the SRSG have both admitted they were indeed around, but with the cut of funds and without the international community's support, it is very difficult that Martelly can maintain its campaign promise. To curb their actions, MINUSTAH launched Operation Sunrise, in order to curtail the movement the circulation of illegal weapons. However, and despite the HNP's improvement, MINUSTAH needs to put some thought into this matter and maybe having the military component involved with special training on areas such as engineer, coast guard, and reforestation. The fact of the matter is that if Haitian armed forces are to be recreated or any other form of force, such as a gendarmerie or specialized forces such as those cited, a gender perspective ought to be included from the beginning, and the involvement of both Haitian government and MINUSTAH's gender experts is paramount.

The HNP Development Plan foresees the achievement of 15,000 fully operational service police officers serving by 2016. That would require an entry level of 1,200 cadets in each promotion year (currently at 241 level) and the improvement of middle level and senior officers to ensure adequate training and supervision of new recruits.⁸¹ Moreover, the Plan also includes the attainment of “adequate logistic and administrative capacity, accountability and respect for human rights and rule of law, a robust vetting process, and enhanced recruitment procedures and training, with an emphasis on specialized units and strengthened border control and deterrence of transnational organized crime.”⁸²

In regard to Haiti’s justice system, prison overcrowding and arrests without trial are amongst the top challenges. In an interview with a UNPol correction officer working at one of the prisons in Port-au-Prince, it was emphasized that there are many detainees who never had a trial and are just thrown in prison.⁸³ Cases of witnesses being arrested as criminals were also cited. According to a UN 2012 Justice Review,⁸⁴ MINUSTAH Justice Section has been providing logistical support for the establishment and overall management of legal aid offices. The report also mentions that since the opening of the first legal aid office in February 2008, 10,838 consultations have been provided and 4,793 liberations have been obtained.

⁸¹ United Nations Secretary General, "Report of the Secretary General on the United Nations Stabilization Mission in Haiti "

⁸² According to the Report of the Secretary General on MINUSTAH dated from August 31st, 2012, the progress in vetting police officers is a serious challenge. Although vetting centers have been established in 2006, “to date not a single officer has been dismissed as a result of the vetting exercise.” Ibid.(Paragraph, 23)

⁸³ Interview with UNPol Correction Officer was carried out in Port-au-Prince on June, 2011.

⁸⁴ United Nations Department of Peacekeeping Operations, Office of Rule of Law and Security Institutions, Criminal Law and Judicial Advisory Service, "2012 Justice Review," in *Justice Review* (New York: DPKO, 2012).

A final comment on SSR in Haiti, refers to the various reference by different actors on the field, including the Ministry of Women's Condition and Rights, and all MINUSTAH substantive sections on the existence of "informal community based arrangements." Interviewees confirmed the existence of a parallel justice system that tends to promote financial arrangements between the victim and the perpetrator, rather than taking it to the formal justice system.⁸⁵ As it was explained, the system formally exists under the name of "Justice de Proximité", where "a juge de paix", or judge, facilitates the arrangement usually between the victim's family and the perpetrator. The system was blamed by many as one of the sources of impunity and the persistence of a mindset that disregarded gender based violence, including rape, as minor crimes. However, it was emphasized by MINUSTAH Rule of Law section that it does not consist of an informal arrangement since it is foreseen in Haitian Law and that they are working to improve their capabilities as well.⁸⁶

Protection

This indicator is mostly concerned with actions undertaken by the police and military component to protect women and girls from gender based violence. Protection within MINUSTAH is undertaken by both the military and the police. Specifically in

⁸⁵ A group interview with MINUSTAH substantive sections – Gender Unit, Human Rights, Civilian Affairs, Child Protection, Community Violence Reduction, Joint Military Analysis Center, Conduct and Discipline and Rule of Law – was carried out in Port-au-Prince, February, 2012. Interview with Representatives of the Ministry of Women's Condition and Rights were conducted around the same period.

⁸⁶ This was an point of disagreement amongst different actors. Within the Ministry of Women's Condition for example, there were interviewees with different opinion in regard to the matter, emphasizing that the intervention of the *juge de paix* in minor cases would be ok, others would emphasize that is the Haitian Law prescribes an act as crime that should be dealt with the Justice System not *the juge de paix*. MINUSTAH Rule of Law section, left the meeting before more questions could be addressed and unfortunately the subject could not be thoroughly explored.

regard to gender, both the police and the military have initiatives to enhance women's protection, however, the approach tends to be limited and focused on the displacement feature of the Haitian context. The Gender Unit on its part provides tools by improving training on sexual violence and develops initiatives with local institutions to enhance their performance in these matters.

In this regard, one of the successful actions undertaken by the Unit in collaboration with the Ministry is the creation of private spaces within IDP camps to receive victims of sexual violence. The initiative was qualified by a Gender Unit representative as very good as "she [the victim] may not be in good conditions and may need a private place to be received." While one of those has already been established in the Carradeux IDP camp, two others are under way in two other IDP camps and in seven national police stations. These initiatives are important not only because they improve treatment to victims, but also because they support the establishment of an infrastructure and a mindset that will stay after the mission leaves, therefore having an enduring and positive effect on the local society.

Along with the International Organization for Migration the Gender Unit also organized 28 trainings for national police officers on police response to sexual and gender based violence, in addition to 27 training sessions for Haitian legal professionals on legal recourse for victims of sexual violence.⁸⁷ Interestingly, the Unit also participated in the training of 30 community leaders to support the establishment of community networks to raise awareness of how to prevent sexual and gender based violence. Finally, the Unit provided support to women's organizations during the 360 training and

⁸⁷ United Nations Secretary General, "Report of the Secretary General on the United Nations Stabilization Mission in Haiti " Paragraph 34

awareness-raising workshops that resulted in the creation of a national platform of action for women and their communities.

The military is directly involved with protection. Besides being tasked with the mandate to establish a safe and stable environment in Haiti, the military component in MINUSTAH is also tasked with protection of civilians, although different from MONUSCO it does not explicitly comprise a top priority in UN documents. In the fulfillment of its mandate, the protection of women and girls against violence and promoting gender is accomplished mostly indirectly. However, it is important to keep in mind that the military component has successfully carried out operations that curbed gang activities, and the analysis of Haiti's complex political situation showed that women were constantly victimized by these and other armed groups. Consequently, the capture of gangs leaders, their ban from some neighborhoods and the overall decrease in criminal activities had thus an immense effect on women protection that is not often cited as one the main contributions of the military component to women's protection, possibly because it is not directly associated by the military themselves as one of the merits of their actions.

In this context, it is also worth mentioning the work carried out by the engineer component. In a displacement environment where the differentiation between the public and private spheres is rather blurry, the building of infrastructure can be accounted as an important factor that affects the security of women and girls. Although dependent on a civilian structure within MINUSTAH - the Mission Planning Cell - six countries have sent military engineer companies to support reconstruction efforts in Haiti. The companies develop projects throughout Haiti and do not have a specific area of

responsibility being sent to carry out different projects in the capital and elsewhere. Although not under the direct leadership of the force commander, the engineer component is central to the overall efforts carried out by the mission.

Unfortunately, engineers have confronted enormous challenges to respond to all the demands received. Consequently they work under a priority plan. In this sense, it would be important to have gender defined as one of the priorities in this plan. In Haiti, private matters such as taking a shower is often done publicly, further complicating the context in which sexual and gender based violence take place. The engineer component could contribute to addressing this problem by focusing on gender sensitive projects that contributes to enhancing the separation between private and public spheres. In fact, possibilities are endless and the engineer component could be used to increase women's security and improving their status in the society by being tasked with projects that have a positive and direct effect on women's structural and physical vulnerabilities.

Protection by the police is undertaken by UNPols deployed in the various commissariats throughout Haiti. In regard to women's protection an important project is underway: the Gender Mobile Unit. The Gender Mobile Unit is responsible for patrolling IDP camps to support victims of sexual violence.⁸⁸ Currently formed by 15 UNPol, three of which are men, they are divided in three teams of five police officers, whose job is to be present in different IDP camps, promoting sensitization campaigns amongst local population regarding sexual violence and accompanying victims to get medical care and to report the incident. For that purpose, they ought to maintain a close relationship with

⁸⁸ Interview with members from the Gender Mobile Unit were carried out in Port-au-Prince, September 2012.

the IDP camp community leader and with local organizations involved with gender issues in order to organize and promote sensitization campaigns.

They also have a close contact with the HNP and the UNPol commissariat who receives victims and immediately calls them when a sexual violence case comes up. Furthermore, they have the contact of hospitals and clinics that will give the medical certificate necessary for victims to start a law suit against perpetrators. Finally, they also have contact with organizations that proceed with the follow-up on victims once the Haitian justice system is activated. In fact, a UNPol Gender Team representative commented that due to its non-executive mandate, the UNPol do not usually do the follow-up on cases. Nonetheless, MINUSTAH Human Rights Section does and consequently, they often consult with that section to learn about how cases are being handled within the Haitian judiciary.

One of the main constraints of the Gender Mobile Unit is that it only works within the IDP camps and only in a few of those (the biggest and most dangerous). As it was explained by a representative of the Gender Unit, the Gender Mobile Unit program initiated under the Police Gender Team covered areas other than the IDP camps. Nonetheless, with the reorganization of UN police structured they were transferred to the umbrella of the IDP camp pillar, and thus were constrained to patrols within those. Initiatives to relocate them would highly benefit Haitian women and enhance their protection.

An important component of protection is the ability of the mission to communicate with to the population and identify their priority needs. The military component is relatively well related to the local community and, in a few cases, to the

local government as well. Nonetheless, their relationship with women's organizations or government institutions related to women's affairs and gender issues is very limited and often channeled by the U-9 and Gender Unit. The police, on its part has an extensive contact with the local community and women's groups, particularly within the IDP camps where the Gender Mobile Unit operates.

The military component community outreach is mostly carried out through a steady relationship with local community leaders, particularly within IDP camps and the development of CIMIC activities.⁸⁹ CIMIC activities have become one of the central pillars of the military component and the face of the mission. All interviewed contingents carry them out in various places and neighborhoods. CIMIC activities are fulfilled on a voluntary basis and thus depend on resources each contributing country provides to its deployed military; nonetheless they are always carried out in consultancy with the U-9 and local partners that express the population's primary needs in a determined area.

The military component also has the chance of developing social and economic projects with the support of the Civilian Affairs (CA) and Violence Reduction Community (CVR) sections. These sections support the Quick Impact Projects (QIP) and the Labor Intensive Projects (LIP) and end up having a dual purpose: serving the community and facilitating the military component relationship with the population. These projects are varied and each component is entitled to identifying needs on its area of operation, formulating the project and carrying it out if funds are approved. In the case

⁸⁹ The constant communication with the local population, though is hampered by an important element: the language. Most personnel do not speak French and creole for that matter. English knowledge may also be limited, particular amongst non-commissioned officers and thus continuous communication with the population may be a problem. However, possibly because of the presence of foreigners in Haiti for so long, an increasing number of Haitians speak Spanish, Portuguese and English, the language of the intervening countries. This is mostly observed in the cities and is not generalized.

of QIPs, projects have a limited budget and must be carried out in a short period of time. As an illustration of the projects currently being carried out by the military component, a few can be cited: the construction of a school in Morne Casse, rehabilitation of a square in Cité Soleil, Vocational training in Cap Haitien, rehabilitation of drainage system, and provision of school.

Interestingly, none of the interviewed military contingents maintained regular meetings with local women's organizations to address the protection needs they view as important. In fact, the military component's relationship with the local women's organization is well below the optimum. Despite that, a few positive initiatives were cited in some of the contingents and are worth mentioning as a ways to encourage others to replicate the initiative.

A noteworthy initiative was undertaken by the Brazilian battalion under the leadership of the U-9 and the Gender Unit. Talks with couples about family matters and women's rights were carried out with the support of local groups that helped with translation and the adaptation to the local context. Although not originated within the battalion, this initiative is particularly important as it addresses one of the biggest problems regarding gender in Haitian society, that is, the discrimination that Haitian women are sometimes subjected to, encompassing a proactive action pursuing positive change. Other contingents should be involved with activities of this sort, maybe first under the leadership of the Gender Unit and U-9 until it becomes a regular activity as many others that have been incorporated into the military component's routine and are not part of its mandate, such as the CIMIC activities themselves.

Other talks about women's rights, breast feeding and sexual violence were also carried out by the same battalion. Other contingents have also mentioned similar activities, such as the Bolivian contingent. In fact, within the Bolivian contingent, it was mentioned that surprised by the high number of pregnant young women, they often carry out talks about how to protect themselves from sexually transmitted diseases such as HIV and how to avoid pregnancy. Some of the Bolivian women that have participated in these talks confided that many had seen a condom for the first time when they showed it to them. These talks were given to both men and women and were carried out by Bolivian male and female officers.

The doctors and nurses within this same contingent also said that in some occasions, during CIMIC activities they are provided with private rooms so they can treat local women that have genital infections, appointed as one of the most common diseases they find when examining the local population. Although they often do not speak the local language they are able to understand them by the gestures and provide medicines. On the positive side, most contingents mentioned offering medical services to the local population and have female staff to attend local women.

Amongst interviewed contingents, only one confirmed having received Haitian women victims of sexual and gender based violence. Brazil's Battalion II (BRABATT II) has a company permanently established in Bel-air, a complicated neighborhood in Port-au-Prince. Within the company's base Brazilian civil defense has established a clinic open to the local population. BRABATT II's commander reported that in a period of 4 months (April to September, 2012) they had attended 46 victims of SGBV in that clinic. Personnel stationed in that base commented that the population often trusts the military

component and looks for help. Interestingly, within that base there is a HNP commissariat dedicated only to gender issues as well as an UNPol establishment with a gender focal point. In an interview with a public information officer stationed in that base in 2011, the research team was informed that victims are treated or taken to hospital depending on the seriousness of cases, while the HNP and the UNPol are called to proceed with legal matters with the

In regard to the police, as previously mentioned, the police component is one of the most integrated on the ground and has a close relationship with the local population, the Haitian National Police, and NGOs and other agency partners. Particularly in regard to sexual violence victims' care, UNPol has an extensive network of contacts that varies from the HNP itself to hospital and organizations that can provide medical and psychological care, besides legal advising. The Mobile Gender Unit makes contact use of these contacts, for example.

Overall, UNPol tends to maintain a close relationship with community leaders and local women's organizations to bond with the local context and populace, particularly in the UNPol commissariats within the IDP camps. Community leaders channel the communication between the population living in the camps and organizations that works there, such as NGOs, UN agencies and the UNPol. They often have a few demands that are presented to different actors in the hope that requests are going to be fulfilled.

Empowerment

It refers to initiatives undertaken of the mission's components with the objective of strengthening women's social, economic and political status in the society. Women's political and economic empowerment are amongst the top of the Gender Unit objectives,

and various initiatives on this particular matter are undertaken in partnership with the Ministry of Women's Condition and local civil society organization. The military has also increased the promotion of gender sensitive QIPs and CVR programs that can economically benefit women, while Police efforts within the framework of Haitian SSR have contributed to promote Haitian women's participation within the National Police. Amongst UN agencies, various develop economic and empowering projects with the local population, particularly the UNDP, UN-Women and UNHCR.

The Gender Unit has accomplished a remarkable goal in terms of women's political empowerment. The inclusion of the 30% women representation in government quota in the constitutional amendment counted with the Gender Unit involvement and active support. Also, during the last elections, they were involved with activities that aimed to enhance women candidates and to protect them during the election. The increased number of women in politics can have long-term effects upon the effective promotion of Haitian women's rights. This initiative is also positive in terms of putting women's issues in the forefront of politics, having a spillover effect in terms of advancing a mindset change in Haitian society.

In regard to the military component empowerment activities, although CIMIC activities and the fulfillment of those social and economic projects with the economic support of Civilian Affairs and CVR are not part of the military mandate, those are part of their daily activities and some of them are designed exclusively to benefit women. While there is an emphasis on the distribution of food and water to women, some projects particularly those regarding professional training directly affect women's conditions by providing them with skills that can improve their economic and thus social position

within the society, further decreasing its vulnerability. Although these projects are limited, and mostly lack a conscious understanding on the part of the military component, if more gender sensitive projects are designed, more women can be benefited and enjoy enhanced status within the society.

UN agencies have strong linkages with local organizations and some have projects designed to benefit women.⁹⁰ In fact a gender marker has been created so that all projects implemented by the agencies explain how they can also benefit gender mainstreaming. UN-Women, UNFPA and UNHCR argued they have safe houses for victims of sexual violence. Most importantly, is that these houses also offer training and limited compensation, so that they can re-start their lives afterwards. They allow victims to stay in the houses for a period of 3 months and also provide them with training so that they are able to work and sustain themselves. After this period they refer to partners to do a follow up on the cases.

UNDP clarified, that since they finance projects undertaken by other organizations they have many projects that are gender sensitive. 70% of UNDP's programs streams gender, however, the UNDP representative highlights that mostly these projects are closely related to enhancing women's economic power and the other to their protection. Particularly after the earthquake special attention of projects that can specifically address women's vulnerability were enhanced.

Finally in regard to UN Women's work in Haiti. It was explained that their main focus is promoting gender equality and the empowerment of women as the main

⁹⁰ A group interview with UN agencies – UNHCR, UNDP and OCHA – was carried out in Port-au-Prince, September, 2012. An interview with UN-Women representatives was carried out in Port-au-Prince, June 2011.

ingredients for a successful reconstruction effort and the accomplishment of development goals. For these purposes, its representatives have emphasized the need to remove structural obstacles, such as cultural attitudes and institutions that prevent the progress of women within the Haitian society.⁹¹ One of its main areas of engagement is increasing women's voice, being through the political participation or in a broader sense, such as within professional organizations or the civil society. Another important priority for the UN Women is economic development. As most of Haitian households are headed by women there is an urgent need for encouraging employment opportunities and creating livelihood opportunities for women.

As the analysis has shown, women's empowerment is carried out by different actors in the field, including MINUSTAH components and UN agencies. Although the agencies are clearly separated from the mission, due to its impartiality principle, their relationship is increasingly strengthening and collaboration is necessary for sustainable positive outcomes to be accomplished in Haiti.

The analysis of each one of these indicators has provided a rich account of how MINUSTAH's gender policy is being incorporated throughout all mission's components and has offered some insights on the impact of these efforts in Haitian society. Overall, there are important advancements in all components and a gender perspective is slowly being incorporated as an integral component of all mission's policies. Although there is still the need for a separated structure to promote gender mainstreaming to exist, their efforts are impacting on personnel's ability to consider gender on the ground and progress, although slow, is continuous.

⁹¹ Interview with UN-Women representatives were carried out in Port-au-Prince, June, 2011.

Conclusions

Overall, MINUSTAH's compliance with UN resolutions on Women Peace and Security is relatively good, slow progress has been accomplished and a gender perspective has been integrated by and large as a cross cutting issue in the mission's actions on the field. Most advances though can be identified within the police component, due to the intrinsic features of police work and the Haitian context; being directly in contact with the population and local police on a daily basis puts them on alert to issues that may often be less clear to the military. The work developed by the Gender Mobile Unit, the Norwegian Sexual Violence Team and the sexual violence database are examples of how serious gender is taken within this component.

However, despite being slow, progress has also been accomplished by the military component. The appointment of gender focal points and the increasing awareness regarding gender issues is the result of a joint work between the gender unit and the U-9 and has proven to be invaluable for gender mainstreaming amongst military personnel. Nonetheless, challenges ahead are varied and mostly dependent on member states willingness to promote change.

The existence of a Gender Unit as a coordinator section on gender issues has been pivotal for accomplishments observed thus far. The generation of tools to enhance gender awareness and of initiatives throughout MINUSTAH civilian sections and police and military components have contributed to increase the mission's understanding of the reality for local Haitian women, their needs and specific threats. Although still far from accomplishing an equitable Haitian society, MINUSTAH has given important steps in

that direction, particularly when strengthening local institution's capacity and advancing an enhanced status for local women.

The different accomplishments though reflect the possibilities of the mission to have more or less interference in the different components and actions undertaken. The police component, for example, is divided in UNPols who come in individual missions and who do not respond to any national institution, and the FPU's that have a structure similar to that of a military institution. The creation of the different teams dedicated to different gender aspects was a top down initiative from the Police Commissioner – with the exception of the Norwegian Sexual Violence team – that is carried out by individual police personnel from different nationalities that do not come under a hierarchical structure. Although, the specialization and number of police sent by contributing countries matter; because they comply with individual missions, the Police Commissioner has the option of using most UNPol to perform whatever functions for which he or she is most suitable, and amongst those, having gender specialists to work within these teams.

For the military component though, it may be more difficult and it will reflect one of the main challenges for the UN to fulfill its learning process and accomplish institutional change. An example is that women's representation remains extremely low within the military component and in particular within Asian countries. The presence of uniformed women in peace operations reflects the kind of national policies implemented at home. The same can be said about the tasks and duties they perform.

Considerations regarding the role they perform within the battalion, if they have equal opportunities and similar duties, are also important for analysis. Often, though,

these important elements are dependent on the personal leadership of the commander who may have the female personnel performing similar tasks and duties according to their military branch. Unfortunately, it is also the case that because they are women they are given different tasks. Although manning policies and equal opportunities for uniformed personnel within peace operations is part of the UN normative, not all member states have similar initiative and attitude, particularly in regard to gender.

Pre-deployment training goes along the same lines. For the UN to comply with its protection of civilian mandates and be in a better position to protect women and girls from sexual violence, it matters how well the deployed personnel are trained on gender issues. It also matters how soldiers behave and how much the population trust them. Although the UN can and has in the past sent whole contingents back home due to accusations of SEA, what can the UN do to oblige states to incorporate more women into their military forces and have them incorporated into branches that results in more contact with the population?

The answer is very little. Nevertheless, states committed to peace operations with an interest in further enhancing its participation in international politics are adapting their internal context to that of the UN. Evidence points that some developing states are increasingly adopting UN Resolutions on Women, Peace and security; while developed states, particularly Europeans, promote change possibly as a ways to enhance performance on the ground and to serve as an example. Many Latin American countries have indeed promoted national policies to promote the participation of women in the military and these policies are being translated into the increasing presence of women in peace operations, at least amongst the military from this particular region.

Although the different historical and cultural context may put extra challenges amongst some countries to include a gender perspective into the work of the deployed personnel, few actions can be undertaken to prompt them to perform changes. The understanding of the operational needs of having military women, the performance of functions directly related to the protection of women, the contact with local women's organizations promoted on the ground may slowly show the advantage of promoting change.

The case study of Haiti showed, despite being slow, that a peace operation can promote gender within the host nation and into the contributing countries as well. Gender is an important instance through which the importance of the individual is being enhanced in the UN. If organizational learning is an interdependent process through which the organization creates and disseminates new practices, this case study has shown that these practices are indeed being adopted by some member states although at a different pace throughout different components and the various countries. The accomplishment of positive change in this particular area has spillover effects to the peacekeeping in general by promoting a more equitable society, sustainable economic development and strong institutions capable of carrying out the state basic functions.

CHAPTER 5

WOMEN, PEACE AND SECURITY IN THE DEMOCRATIC REPUBLIC OF

CONGO

The case studies provide an important insight into the specific challenges the UN confronts in disseminating a gender approach to peace operations with the intent of better responding to threats on the ground. The analysis of the efforts undertaken by United Nations Stabilization Mission in the Democratic Republic of Congo (MONUSCO)¹ is particularly important. Different from the Haiti case, where sexual violence is not an easily recognized feature of the crisis, the DRC is widely known as the world capital of rape. While the attention to the topic has generated a sound normative framework and specific strategies to protect civilians and combat sexual violence, the conflict does not dwindle, and fighting continues, particularly in the Eastern part.

The direct consequence of the extreme levels of sexual violence and the existence of a normative framework to deal with the problem is that awareness about gender and the impact of war on women and girls are disseminated and specific tasks to better protect them are in place. However, with the increasing levels of disturbances between armed groups, the constant displacement of the population and the government's inability to exercise state authority over its territory, sustained peace efforts are hampered.

Despite that, the UN's organizational learning as an interdependent process through which new practices are generated by the organization and disseminated to the states has met with fertile ground in the DRC. The country has been the scenario where

¹ From the French Mission de l'Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo.

numerous innovative actions to better protect the population are constantly generated. The Analytical Inventory² on how to address conflict-related sexual violence, for example, draws on a number of lessons learned from the Congolese case. However, it is also the place where levels of violence against women do not decrease and where more challenges are added every day.

Considering this complex scenario, this chapter will analyze MONUSCO's gender policy and the specific challenges it has confronted on the ground as a way to pinpoint where the implementation gap lies, whether in the UN itself or member-states' inability and/or unwillingness to adopt this renewed gender approach. Ultimately, this analysis will contribute to determine whether the UN's organizational learning and its renewed focus on the individual are being implemented, taken into account by member states and if changes towards that goal are being promoted.

The chapter will thus be divided in three main sections. The first provides a rich background on Congo's history and the vulnerable status of women within its society. An analysis of the UN's capacity of delivery could not ignore the extremely complicated context presented in the DRC. International and local dynamics constantly spurs violence within the country, and what is worst, the targeting of civilians has become an integral part of warring parties' strategy for territory dominance. "All bad things can be found in this one place"³: intruding neighbors; local and international militia groups; a corrupt government; an inadequate, unprepared and mischievous defense force; illegal

² United Nations Department of Peacekeeping Operations, "Addressing Conflict Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice."

³ Interview with representative of Doctors without Borders carried out in Eastern Democratic Republic of Congo, February, 2012.

exploitation of natural resources; widespread diseases and starvation and a population that has been violated, displaced, abused and attacked many times throughout history.

In this context, women's inferior status in Congolese society and historical incidence of sexual violence further contributed to have this crime become its most recognizable feature. The country has unfortunately earned the fame of being the world capital of rape and "the worst place on earth to be a woman," attracting the attention of the international community to the dreadful consequences of the massive and systematic use of sexual violence as a cheap and effective tool of war. While attention is welcome and joint efforts necessary, the feeling of insecurity has not faded, and social and economic indicators have even worsened in some parts of the country. Most importantly, in light of the Congolese context the effectiveness of the international community efforts are constantly questioned.

Considering this background, the second section evaluates the UN's presence in the country, focusing on the MONUSCO's structure and mandate in the light of current challenges. From the beginning, the UN's presence in the DRC has been "special." In fact, the first UN mission established in the country in 1960 did not follow the traditional parameters of UN peacekeeping practices of the time and was the first to incorporate a civilian component and functions that went beyond the traditional cease-fire monitoring to directly support the government in its efforts to maintain rule of law and oversee the withdrawal of Belgian forces. MONUSCO, the last of the UN missions established in the country, is one of the first missions that had a mandate to protect civilians as a high priority. Hence the UN approach to the increasing threats to civilians is based on the

robust use of force and innovative joint initiatives between civilian, military and police components to better assess threats against civilians.

The third section evaluates MONUSCO's gender policy in accordance to the five previously defined indicators – legal framework, gender balance, security sector, protection, women's empowerment. Protection against sexual violence is founded on a national strategy with various implementing partners. Likewise, peacekeepers are authorized to use all necessary means to protect women and girls from attacks. For that purpose, a renewed integrated mission structure with a strong protection component running through all its sections was established. Specific offices that deal with gender mainstreaming and sexual violence are also part of MONUSCO's task force to better protect the local population.

This approach is based on an inclusive protection concept that goes well beyond physical security. Under this premise, a strong linkage between democracy, development, a sound judiciary system and an environment free from sexual violence and other crimes committed against civilians exists. It then becomes evident that as such, MONUSCO's strategy is encompassing and depends on the joint efforts of all its components – the military, the police and the civilian - , UN agencies, civil society and local government to apply this inclusive view as a crosscutting strategy to better protect Congolese citizens.

The specific features of the Congolese background means that the military component, being the main armed institution on the ground, does have a special role in securing the civilian population, supporting the reaching out to remote areas, facilitating civilian expert outreach and supporting the national forces. It is thus imperative to understand the contextual challenges, achievements and shortcomings of their presence

on the ground along with the civilian initiatives as a ways of facilitating a thorough understanding of the UN's institutional transformation.

Despite the challenges posed by a state-driven international system, the United Nations Stabilization Mission in the DRC (MONUSCO) is a hub of initiatives that place the individual in the spotlight. These efforts are a direct consequence of the protection of civilians mandate as a top priority and the specific context encountered in the Congo that highlights the extreme insecurity lived by the population on a daily basis. While the mission was planned in accordance to this renewed mandate, having norms and a structure that fully supports this goal, there are still implementation gaps mostly related to the inability of Troops Contributing Countries (TCCs) to adequate their input as stipulated by the UN: the execution of a robust mandate where a gender perspective is integrated in terms of gender balance, adequate protection strategies and community outreach.

The Democratic Republic of Congo, its people and their struggle for peace

The history of the Democratic Republic of Congo is a sad story. The country is the second largest in Africa with a population of over 71 million and one of the poorest in the world, with a total of 1.7 million internally displaced people and 500 thousand refugees elsewhere.⁴ It is located in the heart of sub-Saharan Africa, having borders with eight different countries. Considering the immensity of its territory, Congo⁵ is lightly

⁴ UN High Commissioner for Refugees, "2012 UNHCR country operations profile - Democratic Republic of the Congo." January, 2012. Available at: <http://www.unhcr.org/pages/49e45c366.html>. Accessed: 11/28/2012.

⁵ From 1960 to 1965 the DRC's name was "Republic of Congo" as its neighbor, the French Colonized country that had Brazzaville as the capital. In that period the two Congos were distinguished either by

populated with its inhabitants spread across a vast territory and complex geography. Filled with jungles, natural resources and active volcanoes, the lack of infrastructure is still one of the main challenges for the implementation of a successful protection strategy.

The continued violence in the country reflects a past of foreign intervention, a corrupt dictatorship and presence of various armed groups, local and international, that constantly attack the population and exploit its resources. While the two Congo wars were an expression of the extreme levels of violence, corruption and exploitation always present in the country, the specific impact of war on women was the reflection of a continuum of violence and disregard associated with the inferior status they have held throughout the years in society.

Foreign interventions and the presence of armed groups are not the only explanatory factors for the extreme levels present in the country. Complicated civil-military relations and internal divisions also contribute to rising disturbances and comprise yet another layer of complexity to the causes of war. In a place where the armed forces were historically built to serve the elite and formed by elements of a controversial and ineffective DDR program, the level of brutality is high, and human rights violation common place. In this context, women have become the central elements of a hideous tactic to advance in war. Worst, sexual violence has become not only the most recognizable feature of the conflict but also normalcy in that society.

This complex scenario requires innovative actions on the part of the UN and other international actors involved with peace efforts. In order to adequately protect the population and incorporate a gender approach to the peace operation established in the

Congo-Leopoldville (today Kinshasa) and Congo-Brazzaville, or simply by “the Congo” and “Congo” respectively.

country it is imperative that the historical roots of the conflict and the multiple explanatory factors that prompted it are fully understood. This section then will be provide a thorough background of Congo's history, focusing on the underlining factors that led to the continued conflict in the Eastern part of the country, the context in which its armed forces were created and the status and current conditions of Congolese women.

A contextual note: exploitation and war

The history of Congo has been largely characterized by the exploitation of its resources, its people and war. Years of exploratory colonialism, decades of dictatorship and several years of war have left a mark in this country and its people. Many of the Congolese have not known peace or a different life than that of constant fear, militarization and foreign intervention. For women, the impact of war has been particularly harsh. Not only have they suffered with the movement of illegal armed groups, lack of economic opportunities and constant displacement, they have also been victims of gender based crimes and fallen prey of a vicious tactic to win the war.

The exploitation of Congo's riches began early.⁶ In 1885, King Leopold II of Belgium acquired the country as his private property, and exploited his land - the "Congo Free State" - with disregard to the population, having caused the death of several thousand indigenous Congolese and enriched at the expense of his colony.⁷ Following international pressure and criticism to Leopold's actions in the Congo, the country was "promoted" to being a Belgian colony from 1908 to 1960.

⁶ On a brilliant account of King Leopold's rule in the Congo see: Adam Hochschild, *King Leopold's Ghost : A Story of Greed, Terror, and Heroism in Colonial Africa* (Boston: Houghton Mifflin, 1998).

⁷ Crawford Young and Thomas Turner, *The Rise and Decline of the Zairian State* (Madison, Wis.: University of Wisconsin Press, 1985). p.7

As it is the case in most recently independent states, the Congo also had its share of dictators, one in particular. Mobutu Sese Seko, a young army officer promoted a *coup d'état* in 1965 ending with the initial democratic movement that followed Congo's independence in 1960 and concluding the government of the first elected Congolese president, Patrice Lumumba, assassinated in that same year.

In the Cold War environment, Mobutu's "kleptocracy"⁸ would not be of great concern to Western observers mostly concerned with events in Europe. The leader had successfully institutionalized a corrupt regime that contributed to the private enrichment of the elite in power. Violation of human rights and oppression were just the short list of numerous other problematic actions undertaken during his rule. Soon after his rise to power, Mobutu outlawed all political activity claiming political diversity was dangerous for stability and created his own party, the Mouvement Populaire de la Révolution (MPR) [Popular Movement of the Revolution].⁹ Although presidential and legislative elections took place in 1970, 1975, 1977, 1977, 1982 and 1987, they did not threaten Mobutu's autocracy, who ran as the sole candidate in a few of those.¹⁰

As opposition grew stronger against Mobutu, disturbances re-started in the 1990's. In addition, in 1994, when 2 million Hutu refugees, including the *Interahamwe* militia, who actively participated in the massacres in Rwanda, were placed in the South Kivu, the situation deteriorated quickly. The Hutu Rwandan refugees were perceived as a threat to Congolese with Rwandan ancestry (mostly Tutsis), who were brought to Congo

⁸ The term refers to the kind of regime established during Mobutu's rule. Widely recognized as extremely corrupt, Mobutu's regime would benefit a small elite by the personal enrichment through embezzlement of state resources.

⁹ Zoe Marriage, "Divisive 'Commonality': State and Insecurity in the Democratic Republic of Congo," *Third World Quarterly* 32, no. 10 (2011). p.1895-6

¹⁰ René Lemarchand, *The Dynamics of Violence in Central Africa*, National and Ethnic Conflict in the Twenty-First Century (Philadelphia: University of Pennsylvania Press, 2009). p.194

in the 1930's by the Belgian colonizers to alleviate the over-populated neighboring country. Violence soon broke out with attacks promoted by the recently placed refugees against the Congolese Tutsis and Rwanda through the border and vice-versa. Rwanda then launched an invasion in the DRC to allegedly defend these Tutsi Congolese, having as partners anti-Mobutu elements including Laurent-Desire Kabila,¹¹ soon to be president of the Democratic Republic of Congo. (DRC)¹²

Laurent-Desire Kabila would play an important role in the following years. He gathered support from neighboring countries, Angola in particular, and advanced through the East and West Kasais, leading Mobutu to flee the country and the capital Kinshasa to fall. Kabila initially placed Rwandan and Tutsi in important key positions in the government. In fact, even the chief of staff post was occupied by a Rwandan army officer. However, the relationship between them soon deteriorated, prompting the president to expel all foreign forces from Congolese territory. Angola, Zimbabwe and Namibia came in support of the president and so began the Second Congo War.

Also known as the Third World War, the Second Congo War initiated in 1998 can hardly be considered a civil war. Congo was divided in three parts: 1. Kabila had Kinshasa and the south part of the territory from the Atlantic to the southern parts of the Kasais and Katanga, maintaining control over oil and mineral resources; 2. The north including Equateur (Mobutu's former Province) was controlled by the Mouvement de

¹¹ Thomas Turner, *The Congo Wars: Conflict, Myth, and Reality* (London ; New York: Zed Books, 2007). p.2

¹² Congo's name has changed many times. After independence from Belgium, the Belgian Congo became the Republic of Congo. In 1965, though, the name was once again changed to the Democratic Republic of Congo, until 1971, when Mobutu named the country Republic of Zaire. At that time, city names were also changed such as Leopoldville (Kinshasa), Stanleyville (Kisangani), Elisabethville (Lubumbashi), and Coquilhatville (Mbandaka). Finally after Kabila was in power in 2003, Zaire became once again the Democratic Republic of Congo.

Liberation du Congo (MLC) [Congo Liberation Movement] backed by Uganda; 3. And finally the East was held by Rwandan backed Congolese rebels from the Rassemblement Congolais pour la Democratie (RCD) [Congolese Rally for Democracy] and comprised the former Kivu, and parts of Katanga, the Kasais and Orientale.¹³

Following increasing pressure from the international community a ceasefire agreement was signed in Lusaka, 1999. The agreement fell short of its objective and with the assassination of Kabila and the emergence of his son Joseph Kabila as a new leader, hopes to an effective agreement increased. The Inter-Congolese Dialogue with the different warring parts was formed, having served as a platform of negotiation between the different groups during the Sun City process in 2001 and Pretoria, later the same year. Agreements with Rwanda and other foreign forces were accomplished and in exchange for the demobilization, disarmament and reintegration of Rwandan militia forces, Rwanda left the DRC accompanied by the forces of other countries.

However, one should not consider the international involvement of Rwanda and other regional states as the sole cause of the First and Second Congo Wars, the Rwandan genocide was just the catalyst for the continued violence that has taken place since then.¹⁴ The conflict in Congo is multi-layered and effortless explanations are deemed to be oversimplistic. Autessere argues that dominant narratives that focuses on the illegal exploitation of minerals as the cause of violence, sexual violence as the main consequence and the extension of the Congolese state authority as a solution to the problem have in fact contributed to the deterioration to the situation of Congo during the

¹³ Turner, *The Congo Wars: Conflict, Myth, and Reality*. p.6

¹⁴ Gerard Prunier, *Africa'S World War: Congo, the Rwandan Genocide and the Making of a Continental Catastrophe* (New York: Oxford University Press, 2009).

transition period (2003-2006).¹⁵ Her argument is that grassroots rivalries over land, corruption, controversial civil-military relations and the influence of external powers have all contributed to the violence in the Congo during and after the wars.

It seems indeed that the “resource curse” is a popular explanation for Congo’s demise. The simplicity of the logic, though, may hinder domestic aspects that are of utmost importance to understand the events that took place in 1996 and 1998 and which resulted in the escalation of violence committed by various armed groups, national and international, against the civilian population. The understanding of these complex aspects of the Congolese context is imperative to the design of adequate strategies of protection, including those regarding women and girls from sexual violence.

During the war, 81% of the Eastern population was obliged to flee the country and more than one third had been abducted for at least a week.¹⁶ The presence of foreign forces, in particular foreign militia, aligned to Mobutu’s elitist government led the indigenous population to organize themselves as well. That was the origins of the Mai Mai, which comprise different indigenous combatant groups originally dedicated to protecting the native population from the attacks of foreign bands.

The Mai Mai, which in Swahili means “water water”, became numerous and powerful, particularly over the 1990’s with 10 to 25 thousand soldiers that joined forces with Kabila in the 1996/97 conflict against Mobutu.¹⁷ They maintain a confusing relationship with the local population until nowadays. Although originally formed to

¹⁵ Severine Autesserre, "Dangerous Tales: Dominant Narratives on the Congo and Their Unintended Consequences" *African Affairs* 111, no. 443 (2012).

¹⁶ Turner, *The Congo Wars: Conflict, Myth, and Reality*. p.10

¹⁷ Jocelyn Kelly, "Rape in War: Motives of Militia in the Drc," in *Special Report* (Washington D. C.: United States Institute of Peace, June, 2010). p. 4

protect the local villages, with the deterioration of economic conditions over the war, they soon started to loot them too.¹⁸ As explained by a military observer in the Walikale territory “Many Mai Mai know nothing but to combat, and so they try to integrate them into the national army. They protect the people, but also attack them, it is a paradoxical relationship.”¹⁹ In fact, some Mai Mai groups are also involved in massive rapes and other human rights violations, one of the reasons why they are also included in the peace negotiation process and the following DDR approach to be integrated into the national army.²⁰

As this brief description of the Congolese context shows, there are foreign and international factors accounting for the wars as much as macro and micro dynamics that contributed to spur violence locally. Although the peace settlement had momentarily solved the international and macro-level dynamics with the disengagement of the neighboring countries from the Congolese conflict, the sub-national and micro-dynamics continued to take place with the alleged backing of bordering states and the constant attack and looting of villages, especially in the eastern part of Congo. The continued failure of the international community to address conflict mediation at this local level partially explains the unrelenting violence that continues to take place in the DRC.²¹

These micro and macro dynamics influence and feed each other. Although the peace process has formally brought an end to the conflict, the influence of external

¹⁸ Séverine Autesserre, *The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding*, Cambridge Studies in International Relations (Cambridge ; New York: Cambridge University Press, 2010). p.7

¹⁹ Interview carried out with military observer deployed in the Walikale territory on February, 2012.

²⁰ On an interesting account of motivations and reasons for committing sexual violence against the population, USIP has conducted a number of interviews with members of two different Mai Mai groups. For a report on the research results, see: Kelly, "Rape in War: Motives of Militia in the Drc."

²¹ Autesserre, *The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding*. p.8

powers in the DRC continues affecting thus the local levels of violence. Rwanda in particular is accused by several local organizations and experts of illegally supporting militia groups as a way to continue benefitting from Congo resources and influencing Congolese politics in regards to the Tutsi minority with Rwandan ancestry. As an illustration, in November 2012, a “new” militia group - the M23 - had taken over the city of Goma in North Kivu increasing the levels of insecurity and uncertainty regarding the future of Congo as a unified state.²²

Amongst civil society representatives accusations of Rwandan intervention in the DRC were numerous. “The conflict keeps going, the weapons multiply, it is obvious that there is someone behind it. Where are they [rebels] getting the weapons from? The international community needs to speak to Rwanda and they need to be out of here.”²³ In another instance, the interviewee questioned: “This is a Rwandan occupation, and everybody knows, why the silence?”²⁴

Amongst women’s group, Rwanda was accused of using sexual violence in the DRC, as a strategy of occupation. “It is an act of humiliation and of destruction. They introduce weapons, objects and sand in the women, they transmit AIDS. It is a form of

²² As of March 2013, the group left the city of Goma and other key cities that were occupied and his leader turned himself in to the ICC. It is argued that the group was weakened when divided in two as they fought against each other. As of March, rebels were on the run or had turned themselves to UN peacekeepers. For an account of M-23 invasion of Goma. See: Anjan Sundaram, “That Other War,” *Foreign Policy*, November 20th 2012. For more recent information see: Malcom Webb, “Congo's M23 Rebels on the Run,” *Al Jazeera*, March 18, 2013.

²³ Interview carried out with representative from the local organization Caucus de Femme Congolaise in Bukavu, February, 2012.

²⁴ Interview carried out with representative from the Panzi hospital in Bukavu, February, 2012.

genocide and a strategy of occupation by the foreign forces to annex the DRC, explore its resources and exterminate the local population.”²⁵

M23 is not the only group though, fighting continues amongst several armed groups, both Congolese, including the Mai Mai and from neighboring countries such as the Democratic Forces for the Liberation of Rwanda (FDLR), acting especially in the Kivus and the Lord Resistant Army (LRA) in the Orientale Province, just to cite some. Although some of these groups still fight for the domination of different territories, especially in the East, some of them have lost force, consisting in groups of bandits who promote looting and banditry, sometimes by extremely violent actions, including mass rapes.

Despite that, the top-down conflict resolution implemented by the United Nations and other involved organizations and diplomatic efforts have allowed the country to experience relative calm in the Western part of the country, where democratic elections in 2006 and 2011, elected Joseph Kabila as President of the Democratic Republic of Congo. By no means a strong and democratic state has been established in the Congo though. Besides unable to control the immense Congolese territory, various irregularities were noted on election day, such as missing ballots and voter registration; and prior to the elections, constitutional amendments have allegedly changed electoral rules in favor of Kabila “in blatant violation of democratic principles”.²⁶

The reality thus is that the DRC is in the limbo between a conflict and post conflict state, with armed groups moving around, shifting motivations and alliances,

²⁵ Interview carried out with representative from the local organization *Caucus de Femme Congolaise* in Bukavu, February, 2012.

²⁶ Mvemba Phezo Dizolele and Pascal Kalume Kambale, "The Drc's Crumbling Legitimacy," *Journal of Democracy* 23 no. 3 (2012). p.110

many of them using sexual violence and other forms of abuse as a weapon of war and a way to undermine the enemy's ability to fight by raping men, women and children.

The security sector in the DRC

The security sector in the DRC is in deep need of reform. Both the police and the armed forces have been continuously implicated in pillages and abuses against the civilian population. The common assumption emphasizes that the main reason for the recurrence of these acts is the low salaries and living conditions of Congolese security forces.²⁷ However, this one dimensional explanation may be too simplistic, leaving aside important contextual factors that are important to understand Congolese security forces behavior associated with rampant human rights violations (including sexual violence)²⁸, illegal exploitation of natural resources, deteriorated civil-military relations, and low quality service.

In varied occasions during the field work in the DRC uniformed personnel's low salary was pointed to as an important factor explaining the opportunity cost of security forces personnel involved with illegal activities.²⁹ The average salary of the police and military is between 45 to 70 dollars as was informed by many of the interviewees on the

²⁷ Maria Eriksson Baaz and Ola Olsson, "Feeding the Horse: Unofficial Economic Activities within the Police Force in the Democratic Republic of the Congo," *African Security* 4, no. 4 (2011). p.224

²⁸ According to a Harvard Humanitarian Initiative research. 52% of victims of rape that were taken to Panzi hospital described their perpetrator as armed combatant ,including Congolese uniformed personnel; while 42% were identified as "assailants". The research strongly suggests though that the pattern of violence indicates that this group is also mostly comprised of armed combatants. See: Harvard Humanitarian Initiative, "'Now, the World without Me': An Investigation of Sexual Violence in Eastern of the Democratic Republic of Congo," (Cambridge: OXFAM International; Harvard Humanitarian Initiative, April, 2010).

²⁹ Different actors on the ground, including MONUSCO high rank civilians, military and police representatives from Kinshasa and elsewhere shared concern regarding personnel low salaries and delayed payments, attributing it as an important explanation for their involvement in criminal activities.

field.³⁰ Although, it is certainly true that the reported amount is not enough to establish acceptable standards of living for the personnel and their families, explanations focused on a deteriorated payment structure for security agents should be accompanied by considerations on the background facts on the security sector in the DRC.

Congo has never had a military force with adequate functioning standards as envisioned by the West. Even before independence, Congo's force, the "Force Publique," [Public Force] was formed by Belgian officers and native soldiers with the objective of refraining any resistance to the exploitation of the country by the metropolis.³¹ In fact, it was not until the end of the colonization period that Congolese nationals would start to be trained as commissioned officers. Consequently, when the sudden independence came, the recently created Armée Nationale Congolaise (ANC) [Congolese National Army] would soon be dragged into a mutiny.

The expulsion of more than 1,000 European officers from the army and the concession of officers' rank to Congolese non-commissioned officers did not improve the situation, and when Mobutu and his kleptocratic state came into power the same pattern of exploitation was established. The leader would privilege a few divisions, often from the same ethnic group that he pertained to, exporting to the now Congolese Armed Force (from the French Forces Armées Congolaise - FAC) the same model he used to rule the country: a small privileged group that received most of the resources, creating thus division and tensions within the army.³² After the 1990's the situation of the armed forces

³⁰ Information gathered through a series of interviewees with different actors on the ground that have repeatedly repeated the low salaries as one explanatory factor for continued violence by Congolese forces.

³¹ Colin Robinson, "Army Reconstruction in the Democratic Republic of the Congo 2003–2009," *Small Wars & Insurgencies* 23, no. 3 (2012). p. 475

³² *Ibid.* p.477

would deteriorate even more as they were left to forage on its own when Mobutu considered his position could be threatened by a strong national army.

Congolese forces also presented – and still do – very low quality, having been “saved” by foreign support that came in their help during the 1970’s against Angola’s incursions (Morocco, France and Belgium) and in the 1990’s against Rwanda (Angola, Zimbabwe and Namibia). It is thus in this context that the process of Disarmament, Demobilization and Reintegration (DDR) took place after the signing of the Global and All-inclusive Agreement in 2002 that put a formal end to the conflict in the DRC. It was then decided that the new military force, the French Forces Armées de la République Démocratique du Congo – FARDC) [Armed Forces of the Democratic Republic of Congo], would be formed by warring factions including the former FAC, Congolese Rally for Democracy, Movement for the Liberation of Congo, Ituri militias and Mai Mai. Later, in 2009, an accelerated process of integration also allowed members of the National Congress for the Defense of the People (CNDP), highly implicated in human rights violation, to be part of the national military forces.³³

The inclusion of the warring parties was done through the “brassage” process, consisting in the re-grouping of disarmed fighters, 45-day training at different orientations centers and the creation of 18 brigades to defend Congolese territory.³⁴ Most critics to the process refer to the incipient training, delayed brigade formations and the issuance of ranks to militia men that have abused and looted the population for years as

³³ The CNDP is a political armed militia established by Laurent Nkunda. Nkunda and his rebel force are accused of having swept through from the northeast and occupying the city of Bukavu in an episode that passed to history as “the killing of Bukavu”. The destruction path caused by Nkunda earned him an arrest warrant from the International Criminal Court, brought about in 2009 in Rwanda.

³⁴ It is also important to add that since Mobutu’s reign and still nowadays, Congolese government prefers bilateral agreements with donors willing to support the national armed forces, resulting in different countries being responsible for different training centers, without a unified method and doctrine.

one of the main factors that explains the continued levels of violence in the country.³⁵ Moreover, it is arguable that the formation of new brigades to break down old loyalties and establish a unified chain of command was achieved. Baaz and Stern argue that mostly they remain responsive to their former belligerent leaders creating thus a dysfunctional accountability and command structure.³⁶

While the armed forces of Congo have never had an ethos directed towards national security or of protection, the re-integration of combatants into society through their inclusion in the armed forces, and occasionally in the police, has been the object of criticism by various observers and counted as one of MONUSCO's main failures. The involvement of these groups with sexual violence prior and after the DDR process further fuels the discussion.

Indeed, considerations regarding MONUSCO's role in the pacification process of the DRC varied according to different actors, particularly amongst different local and international civil society organizations, but critics would focus on the organization's involvement in the DDR. Most were aware of MONUSCO's role in supporting the security situation and argued that without the fortified UN presence, the country would quickly revert to generalized chaos.³⁷ Some though, would directly blame the

³⁵ Interviews with local civil society organizations showed that these were particularly critical of DDR process and how it promoted the institutionalization of violence against civilians through the integration of combatants into the armed forces.

³⁶ Maria Eriksson Baaz and Maria Stern, "The Complexity of Violence: A Critical Analysis of Sexual Violence in the Democratic Republic of Congo (Drc)," in *SIDA Working Paper on Gender based Violence* (Uppsala, Sweden: SIDA, 2010).p. 17.

³⁷ Interviewed civil society organizations included two major international organizations, International Committee of the Red Cross and Doctors Without Borders; local organizations included the Reseau Action Femme (a network conformed by several grassroots organizations dedicated to different aspects of women empowerment), the Comité National Femme et Développement (another network of organizations throughout all Congolese territory that work to advance a gender approach in the society) and Caucus de Femme Congolaises du Sud Kivu (an organization that attempts to advance women's rights and empowerment in South Kivu).

organization for the continued levels of violence due to its direct involvement in the DDR process that resulted in unprepared and unwilling state force that often harasses those they should protect, and their inability to act and stop massacres, that often happen not far away from peacekeepers' military bases.³⁸ A representative from a local civil society organization explains "In order to have them join the army, they promote them, increase their ranks. What they are doing is giving state authority to criminals".³⁹ Along the same lines, an employee from Doctors without Borders highlighted the problem of having militia men without resources as an official state authority "Problem is that they let them join the military with the same fictitious rank they had when part of the militia and with no money, they blatantly attack the population."⁴⁰

Others though, would blame MONUSCO's contradictory mandate of protecting the population and supporting a weak government and its inadequate security forces. "MONUSCO has the mandate to protect civilians and support local government. That then becomes, MONUSCO observes and the government supposedly protects. It doesn't work. In the end, the government does not protect and MONUSCO does not interfere. MONUSCO is a spectator, it is the civil society who does it all."⁴¹

³⁸ Accounts of UN inability to respond to attacks are various. A well-documented case is the Walikale massacre, when in the period of three days 303 men, women and children were raped in six villages within the Walikale territory, North Kivu. Although a UN military base was not far from the place where the incident took place, it was not until three days later that the UN allegedly learned about the incident. It was argued that the poor infra-structure for transport and communication contributed to UN's alienation. Since then, an Indian company was detached to the territory to improve the security. On the investigation of the case, see: MONUSCO and Office of the High Commissioner for Human Rights, "Final Report of the Fact-Finding Missions of the United Nations Joint Human Rights Office into the Mass Rapes and Other Human Rights Violations Committed by a Coalition of Armed Groups Along the Kibua-Mpofi Axis in Walikale Territory, North Kivu, from 30 July to 2 August, 2010" (Kinshasa: United Nations, July, 2011).

³⁹ Interview carried out with representative from the Caucus de Femme Congolaises du Sud Kivu in Bukavu, February, 2012.

⁴⁰ Interview carried out with representative of Doctors Without Borders in Bukavu, February, 2012.

⁴¹ Interview carried out with representative from the Caucus de Femme Congolaises du Sud Kivu in Bukavu, February, 2012.

Although less in the spotlight, the involvement of Congolese police, the Police National Congolaise (PNC) [Congolese National Police], has also been reported. According to Baaz and Olsson, the predation of resources and other abuses is also found in the police.⁴² In fact, they argue that these acts are not the result of random undisciplined soldiers but a well-organized movement that goes all the way up into the hierarchy. As much as the armed forces are in deep need of reform, so is the police. Although at a much lesser extent, combatants were also integrated into the police formed by a wide range of Congolese that include former members of the military and the newly integrated militia men.⁴³

Women in the DRC

The continued presence of armed groups, particularly in the Eastern part of the country, the long history of political instability and the vulnerable status of the population, particularly women and children have facilitated the continued recurrence of sexual violence and attacks. In fact, over 200,000 cases of rape have been recorded in the DRC since 1996. The precise data is unknown since the limited access to remote areas, stigma and fear of victims to come forward, and lack of clinics for medical treatment, have impeded the appropriate data collection and it is believed that many more cases remain unnoticed.

The root causes of sexual violence in the DRC are varied and cannot be oversimplified. While widespread and systematic violence committed by uniformed

⁴² Baaz and Olsson, "Feeding the Horse: Unofficial Economic Activities within the Police Force in the Democratic Republic of the Congo." p.223

⁴³ Ibid. p.226

personnel (armed groups and government security forces) comprise the majority of cases, the conflict is not the only to blame. The practice is not new in the country, and is also connected to the inferior status of women. Since the time of King Leopold II, sexual violence was practiced as a way to punish communities and teach a lesson.⁴⁴ The inferiority of women has been an embedded feature of the indigenous social system since the colonial era and has persisted ever since.⁴⁵

Restrained to the private sphere, as wives and mothers, Congolese women have always had limited access to education, being mostly involved with agricultural work, firewood gathering, water hauling and the conduct of informal small businesses. According to Puechguirbal,⁴⁶ prior to the conflict there was a gap between Congolese law and reality in regard to gender equality. Evidence of that was the reaffirming of the equality of rights between men and women and the prohibition of forced marriage to young girls, when customary practice indicated the opposite. Not only girls were and continue to be forced to marry at a very young age, women were deprived of inheritance at the death of the husband, and in-laws would keep the house and goods the couple had acquired. Activities outside the household required an authorization from the husband, including acquisition of passport, severely limiting their possibilities of becoming independent and strengthening their social and economic status in the society.

Another paradoxical reality is the legal prohibition of polygamy and the customary practice. According to a representative of the Gender Affairs Office, these are

⁴⁴ Muadi Mukenge, Aimée Mwadi Kady, and Caitlin Stanton, "Funding Women's Movement against Sexual Violence in the Democratic Republic of Congo: 2004-2009" (San Francisco: Globan Fund for Women, February, 2010). p.10

⁴⁵ Sandra W. Meditz et al., *Zaire: A Country Study*, 4th ed., Area Handbook Series, (Washington, D.C.: The Division : For sale by the Supt. of Docs., U.S. G.P.O., 1994).

⁴⁶ Nadine Puechguirbal, "Women and War in the Democratic Republic of the Congo," *Signs* 28, no. 4 (2003). p.1272

gender issues that persist in Congolese society and ought to be considered in all actions carried by the UN.⁴⁷ The Disarmament, Demobilization, Repatriation, Reintegration and Resettlement program (DDR/RR), for example, needs to consider the fact that a combatant may have more than one wife and each have different kids. In practice, what happens is that only one of the women is included in the DDR/RR program and the others are left behind with the children without a place to stay, further increasing their vulnerability.

As it is seen from this example, this was true in the pre-war period and it still is nowadays, putting into evidence the need of a better understanding of Congolese culture and customs as a way to better protect the population. A research carried out with leaders of local communities supports this claim.⁴⁸ According to the study, women are from a young age socialized that men are positioned above her, and while they grow up with the pride of superiority women are raised accustomed to their inferiority. "Leaders implied that violence against women was tacitly condoned by institutionalized, male dominance with husbands often cited as perpetrators."⁴⁹

It is also important to note that most literature depicts Congolese women as victims, when their role as active participants of the peace process should also be reinforced. War affect men, women and children in different ways, however, it also changes established gender relations by empowering women left behind. It is thus

⁴⁷ Interview carried out with Gender Affairs Office representative in Eastern Democratic Republic of Congo, February, 2012.

⁴⁸P. Olssona and B.M. Ahlberg J.E. Trenholma, "Battles on Women's Bodies: War, Rape and Traumatization in Eastern Democratic Republic of Congo," *Global Public Health* 6, no. 2 (2011).

⁴⁹ Ibid. p. 145

imperative to reconsider gender relations in the post-war period so that local society does not return to pre-war normalcy.

The two Congo wars have affected the women in many ways: they end up bearing the brunt of the household, being left behind to care for the children and the elderly, confronting shortage of food, wood, water and health care. They often have to travel large distances to find resources, further exposing themselves to violence. Moreover, to escape violence, many run to the jungle where access to humanitarian aid, food or medical assistance is limited. The International Rescue Committee has reported that deaths in 2001 were mostly indirectly caused by the conflict as they were the result of malnutrition and disease due to the population's difficulties to access resources.⁵⁰

However, the war has also brought women some independence and comprised an important moment seized by women's organization as a way to start changing the pattern of gender relations in the DRC. When they were left alone to care for themselves, they were able to control their own income, gaining relative independence.⁵¹ As prices of goods would become higher during the conflict, women would organize themselves to acquire goods and sell for increased prices, being able to maximize their profits.

Nevertheless, their presence in the peace process that took place was limited, particularly in the initial phase and confronted several challenges. The 1999 Lusaka Agreement did not have any women delegates and did not consider specific gender needs. Moreover, as the integration of women delegates was not a requirement for the Inter

⁵⁰ Robert Les et al., "Mortality in Eastern Democratic Republic of the Congo: Results from Eleven Mortality Surveys," (Bukavu, Democratic Republic of Congo: International Rescue Committee, 2001).

⁵¹ Puechguirbal, "Women and War in the Democratic Republic of the Congo." p.1274

Congolese Dialogue⁵², it became extremely difficult for Congolese women to join the negotiation table.⁵³

Parties of the Inter-Congolese Dialogue included the Government of the Democratic Republic of the Congo, the Congolese Rally for Democracy (RCD), the Movement for the Liberation of the Congo (MLC), the political opposition, civil society, the Congolese Rally for Democracy/Liberation Movement (RDC/ML), the Congolese Rally for Democracy/National (RCD/N) and the Mai-Mai.⁵⁴ The objective was to agree on the reunification of the Congo and on pressing matters of post-war reconstruction, such as the judiciary system, the security sector, peace process, etc. It was thus important to include specific concerns of Congolese women, highly victimized during the conflict, and establish landmarks to the creation of a more equitable local society.

Being an important interested party, the women should thus be included. As expressed by a representative of the Caucus de Femme Congolaise, an organization that participated in the Dialogue, "In war, women are the first victim. There is no peace if women are not at peace. Peace for men is different from the peace for women. A sustainable peace is only accomplished if the two are considered."⁵⁵ And so, despite initial difficulties, with the support of UNIFEM and the Dialogue facilitator, Sir Ketumile

⁵² The Inter Congolese Dialogue consisted in a series of conversations between the warring parties, members of the Congolese government and civil society organization to draft a peace agreement between all parties. It was facilitated by the former president of Botswana, Ketumile Masire, and was opened in Addis Ababa. Its main contribution though occurred during the Sun City process, when parties to the Dialogue discussed and agreed on various issues to be included in the Global and Inclusive Agreement on Transition in the DR Congo signed in Pretoria, South Africa.

⁵³ Shelly Whitman, "Women and Peace-Building in the Democratic Republic of Congo: As Assessment of Their Role in the Inter-Congolese Dialogue," *AJCR* 6, no. 1 (2006). p.37

⁵⁴ Inter Congolese Dialogue, "Political Negotiations on the Peace Process and on Transition in the Drc: Global and Inclusive Agreement on Transition in the Democratic Republic of Congo" (Pretoria: December 16, 2002).

⁵⁵ Interview carried out with representative from the Caucus de Femme Congolaises du Sud Kivu in Bukavu, February, 2012.

Masire, former President of Botswana, financial support, expertise and pressure on the agreement parties and regional governments 40 women delegates participated in the negotiations. They were able to provide limited, although invaluable, contributions to peace efforts and include gender considerations in some of the Dialogue's commission, particularly on the Humanitarian, Social and Cultural Commission, during the 2001 Sun City negotiations.⁵⁶

Amongst contributions, specific recommendation on the need of rehabilitation centers for victims, establishment of a national watchdog on human rights issues, the review of legal instruments that discriminate women, and in the framework of the Peace and Reconciliation Commission, the presence of women in the National Commission for Truth and Reconciliation so that their specific concerns are heard and considered. Nonetheless, some pressing issues, including discussions on the reconfiguration of the armed forces and the reform of the judiciary system were not fully discussed during the 2001 Sun City process. Although parties reached and signed the agreement in Pretoria, December 2002, containing specifications on these two issues, gender issues were not fully considered.

This is not a complete backlash though. The participation of the female delegates contributed to bringing the subject to the table and reinforcing women's movement in Congo. Delegates and other women activists received multiple training on gender issues to better participate during the process, women's organizations increased considerably

⁵⁶ On the participation of the female delegates in the Inter-Congolese Dialogue See: Whitman, "Women and Peace-Building in the Democratic Republic of Congo: An Assessment of Their Role in the Inter-Congolese Dialogue.", Puechguirbal, "Women and War in the Democratic Republic of the Congo."

during the period and finally they were also in contact with women's movement from neighboring countries, particularly Burundi, Kenya and Rwanda.⁵⁷

In February 2002, women from across the DRC met with warring parties, government and civil society representatives to share their concerns. The product was the Nairobi Declaration and an Action Plan that called for an immediate cease-fire, inclusion of women and their concerns in all aspects of the peace process, the formation of a Congolese women's caucus and the adoption of a 30% quota for women at all levels of government. The document was delivered to His Excellency Ketumile Masire, facilitator of the Dialogue, to be included in the agenda of the initiative.

Although the 30% quota of women in government was not included and the underrepresentation of women in the Congolese government continues until nowadays, important achievements were made. Women political participation has increased and women's social movements have multiplied and gathered resources. In the 2005 referendum on the new Constitution, women comprised 60% of voters and despite the limited number of candidates (and elected representatives for that matter) their participation in the 2006 democratic elections was massive.⁵⁸ According to the Inter-Parliamentary Union, today women comprise 12.5% of all ministerial positions, 8.9% of Congress representatives and only 4.6% of Senate delegates.⁵⁹

⁵⁷ Workshops and conferences with regional women's organization were important as it offered a forum to share experiences and strengthen a regional perspective. More on this topic, see Doris Mpomou, "Women's Participation in Peace Negotiations: Discourse in the Democratic Republic of the Congo," in *The Implementation of Quotas: African Experiences, Quota Report Series*, ed. Julie Ballington (Institute for Democracy and Electoral Assistance, 2004).

⁵⁸ Mukenge, Kady, and Stanton, "Funding Women's Movement against Sexual Violence in the Democratic Republic of Congo: 2004-2009 ". p.8

⁵⁹ Data concerning Congolese women ministerial positions is from 2010 while women position in the Congress and Senate are from 2010. Information can be found at: www.ipu.org. Access: 11/11/2012

Women's organizations have received renewed support and have worked tirelessly on the promotion of women's rights and awareness through workshops and trainings, the economic and political empowerment of women through the promotion of professional education and support to women candidates, legal and medical assistance to victims of rape, strengthening networks and contributing thus to the solidification of their movement in the country and across the region.⁶⁰

It is also important to note that in 2006, a landmark bill criminalizing rape was passed by the government, providing thus the legal support victims need to accomplish justice. However, the implementation gap is still wide, "Law is good, but implementation gap is very big" confirmed a representative from the UN's Gender Affairs Office.⁶¹ Women's vulnerable status in a war torn society, weak state authority and incapacity to apply the law and activate the judiciary system (when there is one) along with the breakdown of the community's protection mechanisms all contribute to the escalation of sexual and gender based violence in conflict and post conflict situations, including the DRC.

While rape and other forms of sexual violence remain widespread amongst militia groups and even government forces, recent statistics have shown that male civilian perpetrators are increasing, bringing yet another challenge: avoid that rape and sexual violence be normalized in society. In an interview with a Sexual Violence representative in Eastern DRC, it was explained that the case of Province Orientale, where most

⁶⁰ On the work of different women's organizations in the DRC. See: Muadi Mukenge, "Funding Women's Movement Against Sexual Violence in the Democratic Republic of Congo: 2004-2009 ". The analysis is limited to the organizations that received the financial support of the Global Fund for Women, however it comprises an illustration of the varied work developed by these grassroots and local organizations in English and the impact they have at the local level.

⁶¹ Interview with representative of MONUSCO Gender Affairs Office was carried out in Kinshasa, February, 2012.

recorded cases of sexual violence are caused by civilians, is a quagmire and a sign that these acts may be becoming “normalized” in Congolese society.⁶² It was added that the existence of traditional mechanisms of compensation between the family and the perpetrator is contributing to this process.

In a visit to Bunia, located in that same province, representatives from Human Rights and Rule of Law sections reinforced that claim.⁶³ They both mentioned that most cases in this region are committed by civilians against other civilians, in which case they cannot interfere since the UN has jurisdiction only in cases where combatants and uniformed personnel are involved. Consequently, only the cases involving armed groups, the national police or the armed forces benefit from their role of supporting the national judicial system.⁶⁴ According to the Human Rights representative, the biggest problem in the country is corruption and the challenge to put the judicial system in place in detriment of financial arrangements.

The Rule of Law representative on its part also spoke about the local mindset and the perception regarding Congolese women. Many times, young girls are given to marry in exchange of a dowry, and so changing a local practice may also present itself as an extra challenge. Another problem he pointed out is the lack of resources for PNC and FARDC. “You know what they often do? They just give them a weapon and say ‘Here is

⁶² Interview with representative of Sexual Violence Unit was carried out in Eastern Democratic Republic of Congo, February, 2012.

⁶³ Interviews with MONUSCO substantive sections in Province Oriental were carried out in Bunia, Province Oriental, February, 2012. Besides representatives from the Human Rights and Rule of Law Sections, Civilian Affairs, STAREC, Child protection, CDU and UNPol were also present. The meeting was presided by the Head of Office.

⁶⁴ Although the MONUSCO cannot start judicial process, they can put pressure on local authorities and support investigation and trial processes. The Prosecution Supporting Cells, for example, are multi-sector teams, conformed by civilian, military and police experts that actively engage with the national military justice system to advance prosecutions of human rights violence cases.

your salary, your food and your woman'. And so they use the weapon, they loot and rape."⁶⁵

The number of cases in Province Oriental is impressive, particularly when considering that most cases involve civilians and as such, the UN has no jurisdiction to act on victims' behalf. However, it is the provinces of South and North Kivu where the greatest number of cases of sexual violence have been reported. In these places, perpetrators are often uniformed personnel, either belonging to armed groups or government forces. The UN does have jurisdiction to act in cases involving armed groups and it has often done so, as in the case of the Walikale massacre; however, getting the Congolese justice system to work is a challenge that cannot be understated.

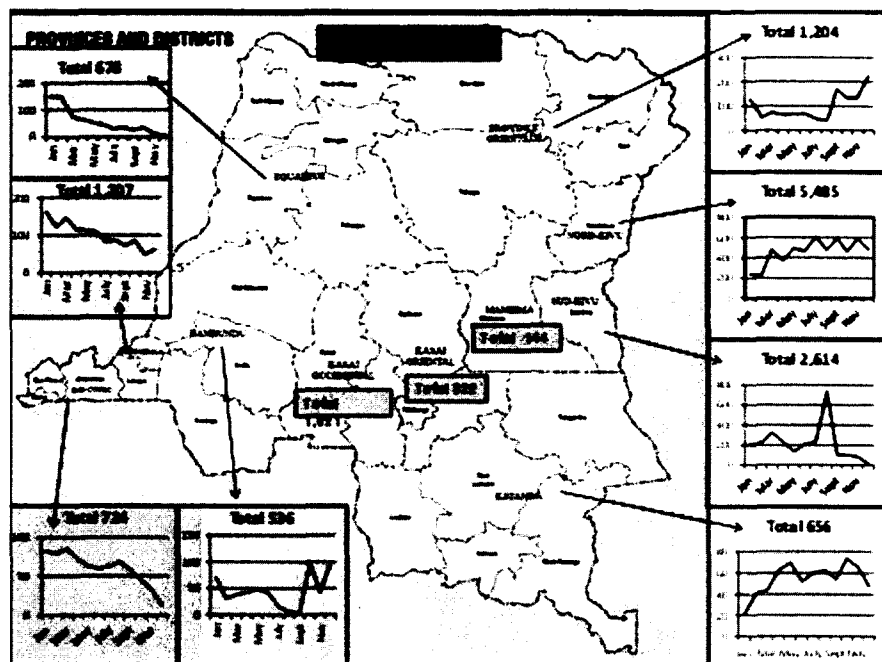
Statistical analysis is complicated. First they do not show all actual cases and may in fact hide an even more abominable reality; secondly, it can misguide actions. The increase of recorded cases may only indicate that reporting systems are more readily available for victims, while a decrease in recorded cases may be a sign that women are less willing to come forward or fearful of reprisals.

Despite that, collecting information and mapping cases of sexual violence in the DRC facilitate the provision of an adequate response based on geographical area where incidents happen, perpetrators' profile, type, etc. The data provided by MONUSCO's Sexual Violence Unit indicate that cases in 2008 summed up 15,314, in 2009 15,297 and in 2010 14,591.⁶⁶ The figure below shows the breakdown of cases in 2010 for each province.

⁶⁵ Interview with representative from MONUSCO Joint Human Rights Office was carried out in Bunia, February, 2012.

⁶⁶ Data provided by Sexual Violence Unit by e-mail on February, 2012.

Figure 5: Cases of rape in the DRC, 2010



Source: Sexual Violence Unit – MONUSCO, 2010.

There are different trends regarding the recurrence of sexual violence in the DRC:⁶⁷

Widespread and systematic: this is mostly identified in the East, particularly in the South Kivu Province, with frequent occurrences in North Kivu and more randomly in Orientale Province. It refers to those cases in which rape is deployed as a method of warfare by armed groups and is used to subjugate and undermine the enemy and mark control of territory.

Widespread and opportunistic: also mostly identified in the East, these are unfortunately a common feature of attacks by armed groups and ordinary civilians taking

⁶⁷ The categorization and analysis on sexual violence trends were provided by the Sexual Violence Unit by e-mail on February, 2012.

advantage of conflict and chaos to attack women. Interviews carried out in the three Eastern provinces, showed that many armed groups, foreign and national, and even the Congolese National Armed Force, attack and loot villages randomly, sometimes without a political agenda as is the case of LRA in Orientale. A side effect of these attacks is rape against women and young girls.

Isolated and random: encompassing a domestic criminal matter, unrelated to political strategy or to international peace and security, these were commonly found in the Western part of the country, but also in the Eastern provinces. The UN's difficulty in dealing with these cases is that it is usually committed by civilians, corresponding exclusively to the national government the responsibility to act and push for a judicial response.

Sexual violence, including rape, forced prostitution, sexual mutilation and slavery is a particular hideous crime that has serious consequences for the whole community and not only for the victim. Occasionally, members of the family are forced to watch rape or to have sexual intercourse with their relatives leading to moral destruction and the erosion of the fabric of the society. Besides the public humiliation, victims are often exposed to sexually transmitted diseases, including HIV, and are seen as a source of destruction by the rest of society. Husbands and children are often traumatized too, not only because of public stigmatization, but also because they are often unable to defend their family, thus affecting men's mental health and masculinity.

Denis Mukwege is a doctor at the Panzi hospital, one of the few centers specialized in gynecology and obstetrics in Bukavu, South Kivu Province. Throughout

his life he has dedicated his life to women victim of sexual violence. In an interview with Eve Ensler to *Glamour*, he says:

When rape is done in front of your family, it destroys everyone. I have seen men suffer who watched their wives raped; they are not mentally stable anymore. The children are in even worse condition. Most of the time, when a woman suffers this much violence, she is not able to bear children afterward. Clearly these rapes are not done to satisfy any sexual desire but to destroy the soul. The whole family and community are broken.⁶⁸

For that reason, specific provisions for women have been present in UN resolutions concerning the mission's mandate from the beginning. Security Council Resolution 1291 (2000)⁶⁹, for example, included as MONUC's mandate the facilitation of humanitarian assistance and human rights monitoring, with particular attention to vulnerable groups including women, children and demobilized child soldiers. Resolution 1565 (2004)⁷⁰ on its part mandated MONUC with the assistance in the promotion and protection of human rights, with particular attention to women, children and vulnerable persons, including investigating human rights violations to put an end to impunity. Finally, resolution 1794 (2007) condemned sexual violence perpetrated by militias, armed groups, elements of Congolese Armed Forces (FARDC), National Police (PNC) and any other security forces and urged UN Country team and partners "to strengthen prevention, protection, and response to sexual violence, including through training for the Congolese security forces in accordance with its mandate, and to regularly report,

⁶⁸ Eve Ensler, "Women Left for Dead – and the Man who is saving them", *Glamour*, August, 2007. Available at: <http://www.glamour.com/magazine/2007/08/rape-in-the-congo>. Accessed: 11/11/2012.

⁶⁹ United Nations Security Council, "Resolution 1291", February 24, 2000, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1291\(2000\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1291(2000)).

⁷⁰ "Resolution 1565", October 1, 2004, http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1565%20%282004%29.

including in a separate annex if necessary, on actions taken in this regard, including factual data and trend analyses of the problem”.⁷¹

Since then, MONUSCO has supported Congolese government efforts to combat sexual violence through a coordinated work of all its components. The national ownership of the Strategy to Combat Sexual Violence, the involvement of a broad range of actors, a strengthened coordination mechanism and continuous exchange of information are the core of the UN’s efforts. On another note, actions to improve women’s status and strengthen their position in Congolese society are also taken by the mission. These are to be analyzed in the following sections.

The analysis in this section has shown that Congo’s long history of exploitation and war have had an unforgiving impact on the population. From its inception, Congo has been exploited at the expense of its people and has been the object of foreign interventions aimed at exploiting its riches and its population. At the same time though, Congo itself has been the scenario of micro-level and internal conflicts amongst different ethnic groups that further enhanced the vulnerability of its population. The lack of government capacity to exercise authority over its territory and the ill-trained and implicated armed forces are extra challenges to add to this already complex scenario where rule of law is practically absent.

In this context women have been and remain the biggest victims. As much as the Haitian case, there is a continuum of violence that has been present before the wars in Congo. Rather than simply a war-time atrocity, rape in the DRC is a reflection of the vulnerable status of women in that society. Throughout time they have been regarded as

⁷¹ "Resolution 1794", December 21, 2007, http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1794%282007%29.

second class citizens and stripped from their rights. That is why, any protection strategy will only be effective if it considers this continuum of violence and addresses their structural vulnerability as well.

The following section will provide a rich background on the UN's past intervention in the DRC and the current configuration of the peace mission present in the country for the analysis of how gender was integrated in the DRC.

The UN in the DRC

As much as foreign involvement in the DRC and recurrence of violence against an unarmed civilian population is a constant in its history, the involvement of the UN is also not new in the country. During the 1960's crisis the UN was called by the new Congolese government to support the country's independence and territorial integrity. Interestingly, the United Nations Operations in the Congo (ONUC)⁷² is considered a milestone in the history of UN peacekeeping "in terms of the responsibilities it had to assume, the size of its area of operation and the manpower involved."⁷³

ONUC comprised one of the first peacekeeping missions that had an important civilian component and whose military strength reached a peak of 20,000 personnel.⁷⁴ Compared to past peace operations, ONUC was considerably more comprehensive and had a mandate that went well beyond the traditional cease-fire monitoring, including the

⁷² From the French *Opération des Nations Unies au Congo*

⁷³ Information available at ONUC's website. "United Nations Operation in Congo," 11/14/2012, <http://www.un.org/en/peacekeeping/missions/past/onucB.htm>.

⁷⁴ ONUC was authorized by Resolution 143(1960). United Nations Security Council, "Resolution 143", July 14, 1960, <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0157/32/IMG/NR015732.pdf?OpenElement>.

support of rule of law and the maintenance of Congo's territorial integrity and political independence.

Along the same lines, following the first and second Congo Wars, MONUSCO's predecessor, MONUC, represented yet another innovation within the UN system. It had a specific protection of civilians mandate and a structure that fully supported that goal. As a result MONUSCO is an example of strong civilian leadership and collaboration between components. The specific characteristics of the Congolese context require that the military is fully integrated into civilian work, supporting the outreach in isolated areas and providing security for the personnel. At the same time, the multi-dimensional threats posed against civilians entail that force is not the only source of security and that a comprehensive protection strategy is necessary. This section will thus discuss past UN interventions and explain the current structure that supports peace efforts

Past operations

In a first demonstration of how grassroots conflicts could escalate into a national issue, from 1960 to 1963, secession movements took place in the provinces of Katanga and South Kasai. These provinces declared themselves independent from the rest of the country and counted on the support of Belgian forces. The national government, wary of increasing levels of violence and the presence of foreign troops, requested the UN to intervene, and thus in July 1960, ONUC was established.

Although the initial mandate was to support the Congolese government to ensure the withdrawal of Belgian forces, the secession movements of the provinces of Katanga and South Kasai prompted a mandate change and Congo's territorial integrity and

political independence was considered the mission's primary goal.⁷⁵ Even after national reunification, a reduced number of UN troops remained in the Congo at the government's request and civilian aid continued in the years to come. The UN program of assistance to the Congo was the largest undertaken at that time and it reached a peak of up to 2,000 civilian personnel, foreseeing the importance that civilians would eventually fulfill with the structure of UN peace operations.

It was not until 1999, after the Lusaka Ceasefire agreement that the UN would return to the country. Since then, its presence has expanded quantitatively and qualitatively. Following the Lusaka Ceasefire Agreement, the United Nations Organization Mission in the DRC (MONUC) was established with the mandate of monitoring the ceasefire between signatories.⁷⁶ However, over the years its strength and mandate have expanded enormously, reaching a peak of 20,000 uniformed personnel in 2007. The revised mandate of MONUC included increasing military, police and civilian personnel to establish a safe environment; contribute to the improvement of the security conditions for humanitarian assistance access and for the voluntary return of refugees and internally displaced persons; support operations to disarm foreign combatants led by the Armed Forces of the Democratic Republic of the Congo (FARDC); contribute to the DDR program of disarmament, demobilization and reintegration (DDR) of Congolese combatants and their dependants as well as support the disarmament, demobilization,

⁷⁵ ONUC's mandate was reinforced with renewed objective and means by Resolutions 161 (1961) and 169 (1961) that authorized "vigorous" action to prevent civil war in the Congo. See: "Resolution 161", February 21, 1961, <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/171/68/IMG/NR017168.pdf?OpenElement>; "Resolution 169", November 24, 1961, <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/171/76/IMG/NR017176.pdf?OpenElement>.

⁷⁶ MONUC was established by Resolution 1279 (1999). See: "Resolution 1279", November 30, 1999, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1279\(1999\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1279(1999)).

repatriation, resettlement and reintegration (DDR/RR) of foreign armed groups; contribute to the successful completion of the electoral process; assist in the promotion and protection of human rights, with particular attention to women, children and vulnerable persons; investigate human rights violations and finally support a security sector reform.

The crisis in the Eastern part of the country received particular attention over the years with the re-deployment of forces to that region and the adoption of the protection of civilians as the top priority in the UN's mandate. Extending MONUC's mandate, in June 2010, the Security Council decided that MONUC would bear the title of UN Stabilization Mission in the DRC (MONUSCO), in view of the new phase of transition towards peace consolidation and a strong partnership with the Congolese government.⁷⁷ While most of MONUSCO's functions remained the same under the new name, there was a reduction of military personnel from areas considered secured and a re-deployment of forces to the East where most incidents occur. Future reconfigurations would thus be determined as the situation evolved on the ground, including: the completion of ongoing military operations in North and South Kivu as well as Orientale provinces; improved government capacity to protect the population effectively; and the consolidation of state authority throughout the territory.

The special feature of MONUSCO/MONUC is the protection of civilians mandate as a top priority and a mission structure that fully supports this goal. As part of challenges inherent to the transition from war to a lasting peace and to better protect civilians and address the complex situation in the DRC, the Security Council provided MONUC and

⁷⁷ MONUSCO was established by resolution 1925 (2010). See: "Resolution 1925", May 28, 2010, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1925\(2010\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1925(2010)).

later MONUSCO with a structure that allows a system-wide UN response. As an integrated peace mission, MONUSCO aims to bring together the civilian, military and police components to act under the leadership of the Special Representative of the Secretary General (SRSG) in order to fulfill its integrated mandate.

There has been however “systematic shortcomings in terms of fostering the necessary political will and military capabilities to implement its robust mandate”.⁷⁸ It is common that TCCs prefer not to have its forces involved with direct combat and have special provisions so that their actions are constrained to certain activities. MONUSCO/MONUC has adapted its mandate and actions on the ground to better address protection needs. The number of articles and books that accounts the mission responsible for different massacres and accusation of inability to act holds true in many cases, however, it is also true that throughout time the mission has incorporated a number of mechanisms to enhance its performance.

The successful implementation of this mandate is thus dependent on civil-military cooperation and in this regard, MONUSCO is an example and a hub of lessons learned. MONUSCO has created a series of joint mechanisms undertaken and carried out by all its components in an integrated manner. These mechanisms are supported by a UN System-Wide Strategy on the Protection of Civilians facilitated by MONUSCO and the UN Refugee Agency (UNHCR) and endorsed in January 2011. The UN system-wide strategy is responsible for building and implementing innovative protection mechanisms that include the comprehensive package of protection-related measures including Joint Protection Teams (JPTs), Community Liaison Assistants, amongst others that are

⁷⁸ Stian Kjeksrud and Jacob Aasland Ravndal, "Emerging Lessons from the United Missions in the Drc: Military Contributions to Protection of Civilians," *African Security Review* 20, no. 2 (2011). p. 11

overseen by Civilian Affairs, but implemented by all components and UN agencies on the ground, in a clear example of cooperation between the humanitarian community and the mission, including its armed personnel.

MONUSCO: mandate, structure and personnel

The United Nations Stabilization Mission in the DRC is the largest UN mission in the world, and a clear example of an integrated mission, in which the civilian, military and police components ought to coordinate its actions. The operational challenges presented by the geography of the country, the characteristics of the conflict and its central mandate to protect civilians make this mission one of the most challenging nowadays. It is also illustrative of the renewed context in which the UN establishes peace operations and its transformed role in the field.

The transformation in the nature and scope of modern conflicts has affected the UN capacity to respond. Peace operations have assumed a plethora of renewed functions that goes far beyond reestablishing security. In a context in which central authority is weak or absent and years long conflict and internal upheavals have seriously damaged a country's infrastructure and social economic and political system, the UN has also assumed the role of laying the foundations for the state to function on its own.

That is the context found in the DRC. As a consequence, MONUSCO civilian section's role to strengthen the local authority and promote capacity comprise its main functions. Showing that civilians in the UN no longer comply with peripheral and political roles only, they are in fact responsible for most of the mandated tasks of contemporary peacekeeping operations, with functions that range from observing monitoring human rights violations to reestablishing the judicial system .

In peace operations, where its protection strategy is based on an inclusive conception of security that considers both physical and structural threats to the population's well-being, UN civilian staff form the backbone of military operations. As in other UN integrated peace operations, each civilian section is responsible for a different sector and sections are roughly the same as in other missions: Human Rights, Civilian Affairs, Child Protection, Rule of Law, Political Affairs, Gender Affairs Office, Sexual Violence and so on. Nonetheless, since protection of civilians is a high priority, to a more or lesser degree these sections are involved with joint operations with the military. With specific expertise and know how, they are responsible for identifying priority needs and adopting an integrated approach to protection beyond physical security.

MONUSCO's police component has been in place since 2001 with the main role of strengthening the capacity of Congolese National Police (PNC) through the reform of its institutions and training of its members. Besides that, the police component also supports rule of law efforts, being engaged in crowd control in the main urban centers and in the security efforts to maintain a stable environment. The fight against sexual violence and against the trafficking of Congo's natural resources are also two important elements of the mandate of MONUSCO's police in the DRC.

MONUSCO's police component is formed by UNPol officers and Formed Police Units (FPU). While UNPol officers offer direct support and mentoring to the PNC in the framework of its institutional reform and improvement of its operational capacities, the FPU complement and strengthen PNC actions, especially through the support to law and order and joint patrols.

MONUSCO's military component is the largest but also one with the toughest jobs. Protecting civilians in such an immense territory such as that of the DRC can be indeed a challenging task. The lack of infra-structure connecting the different regions, its geographical traits with 80% of its territory covered by jungle and volatile weather conditions only adds to a diversified array of challenges confronted by this component on the ground.

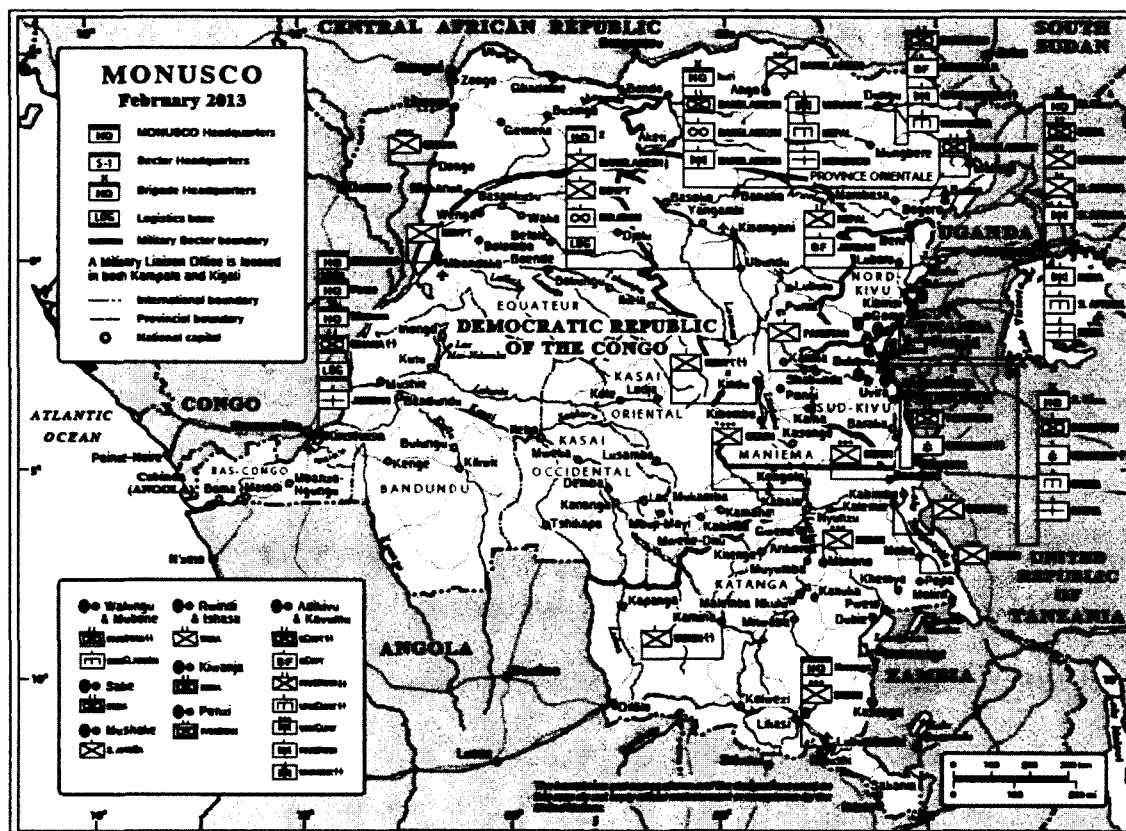
Besides having the top priority of protecting civilians and humanitarian personnel, MONUSCO's military component is also responsible for: supporting Congolese government to establish sustainable defense security forces, minimize armed groups threats and establish stability, support the consolidation of state authority over the territory and support DDR/RR activities and security during electoral process, besides protecting UN facilities and equipment. Nevertheless, often these roles may be contradictory, especially in regard to the support of Congolese national armed forces when they are responsible for an important percentage of sexual violence (18% as of February 2012 in the South Kivu Province).⁷⁹

In order to accomplish all these goals, MONUSCO counts on a total of seventeen Infantry Battalions, three Special Forces Companies, six Aviation Units, one Riverine Company, six Engineer Companies, several Water treatment Units, Airfield Support Units, four hospitals, and forty-eight military observer team sites. The absolute majority of the force is placed in the Eastern part of the country. As a matter of fact 95% of all military personnel are in the 4 Brigades MONUSCO has in the East – North and South

⁷⁹ Randi Solhjell et al., "Turning Unsc Resolution 1325 into Operational Practice: A Cross-Country Study on Implementing Resoltuion 1325 in Peacekeeping and Military Operations," (Oslo: Norwegian Institute of International Affairs, November, 2012). p.20

Kivu Brigades with 35% and 34% of the strength respectively, Ituri Brigade with 21%, the Katanga Brigade with 3% and Sector 3 with 2%. In the Western part there is only the Western Brigade encompassing the remaining 5% of the military personnel.

Figure 6: MONUSCO's military contingents



Source: MONUSCO, 2013.

Despite the strong presence, it is not enough to cover the whole area as a great part of Congolese territory is covered by jungle, and most roads and airport fields are unpaved. The lack of infrastructure combined with the difficult geography and volatile weather makes it even more difficult to reach remote areas. As informed by the airfield units interviewed during the field work, because of weather conditions, flights are

constantly cancelled also because of the challenges for landing and taking off under severe weather conditions on unpaved landing airfields.⁸⁰ For that reason, helicopters are an important asset for the mission. As a matter of fact, many remote areas can only be reached by helicopters, and it is common that military personnel are transported by air to be able to carry out foot patrols in these more isolated villages hidden in the entrails of the Congolese jungle. This ability is particularly important in the context of protection of civilian mandate. As analyzed in the following sections, MONUSCO military component carries out a series of joint operations with civilian teams in order to better assess security threats in remote areas as described above.

This section has shown that UN's presence in the DRC has been marked by a strong integrated mandate present even in the first UN mission established in the country. Indeed, ONUC was considerably different from the kind of peace operations established throughout the Cold War period, and counted not only with a civilian component but also had tasks that resembles those that are currently part of the UN's mandate worldwide. At the same time, MONUC, the predecessor of MONUSCO, has an encompassing and robust mandate that from the very beginning had protection of civilians as a top priority. It becomes clear that the presence of a clear protection of civilian mandate results in a specific and context driven normative framework as expressed by the System-Wide Strategy to protect civilians in the DRC.

The existence of this normative framework and the highly publicized and extreme levels of violence in the country led to a context in which incorporating a gender perspective into the activities of all the mission's components is not only expected but

⁸⁰ Interviews with Uruguayan and Bangladeshi airfield units were carried out in Bukavu and Bunia, February, 2012.

pursued by most actors on the ground. As the following section will describe the path towards a full incorporation of this perspective into the daily work of MONUSCO, a clearer view of UN's organizational learning will be provided. While in Haiti the lack of widespread understanding in regard to the importance of incorporating a gender approach to MINUSTAH may be the result of an almost complete silence in official documents that establish the mission's mandate, in the DRC, challenges are found in multiple fronts from member-states' straightforward unwillingness to the complexity of the context itself.

Incorporating gender into peacekeeping: MONUSCO gender policy and the UN's learning process

On paper, MONUSCO has a strong gender policy substantiated by its mandate resolutions and supported by the Office of Gender Affairs (OGA) as the main section involved with the advancement of gender issues within the mission and the Congolese government. Gender is considered a cross cutting issue, taken into account by all civilian sections and police and military components on the development of projects and actions on the ground. Gender focal points are thus appointed within civilian sections, police and military components as a ways to enhance the mission's capacity of delivery in gender matters. However, the amount of different mechanisms, sections, agencies and other organizations working on gender and sexual violence may be overwhelming and coordination is often a problem. It also became clear that some military contingents confronted serious difficulties in applying a gender approach to their actions.

Measuring the impact of MONUSCO's policy, however is very difficult. The organization reportedly lacks personnel to provide impact assessment after new policies

are created and implemented. Additionally, data on levels of violence against women are unreliable and may hinder the truth. At the same time though, it becomes clear that the mission has supported national authorities to create a local normative framework and structure to combat sexual violence and to improve the living conditions and status of Congolese women.

However, challenges still remain. If a successful learning process entails an interdependent relationship between the organization and member states, analyzing the incorporation of a gender perspective in a mission that has a normative framework fully developed can offer valuable insights on where the limits of UN action lies.

The following section will thus provide detail information on MONUSCO's gender policy and describe its accomplishments and shortcomings for each of the five variables: legal framework, gender balance, security sector, protection and empowerment.

Gender policy

The Gender Office is the main coordinator for gender mainstreaming in MONUSCO institutions; it is mainly responsible for guaranteeing that a gender approach is taken under consideration at all levels within the UN and its partners and supporting activities in this area. The office was established in March 2002 following recommendations of Resolution 1325 and also ensures linkages between women's organizations and government institutions so that women's participation in peace and post reconstruction efforts are guaranteed. At the same time, it also makes sure that their needs are taken into account by MONUSCO sections and other UN partners.

For the successful promotion of gender mainstreaming within MONUSCO, the Gender Office works with the appointment of gender focal points within all components and different civilian sections. Currently, the UN Police and Correction Units, along with all other substantive MONUSCO sections have gender focal points. With regard to the military, the appointment of gender focal point is a work-in-progress. OGA is currently working with the office of the Force Commander to have gender focal points in all military units, from Brigades HQ down to the Battalion level. Particularly within the military they have the important role of guaranteeing that patrol routes are defined according to local women`s needs and concerns.⁸¹

Due to Congo`s territory size and complexity, particularly in the Eastern part, there is a central office in Kinshasa to coordinate all efforts in the DRC and another in Goma to coordinate efforts in the Eastern part of the country. Other field offices are found in different provinces, such as South Kivu and Province Orientale.

For the successful fulfillment of its role, OGA establishes an annual priority plan⁸² and works in close cooperation with other UN and local partners, promoting sensitization campaigns, conducting training, and defining joint strategies. These areas are very encompassing and symbolize how an inclusive conception of security requires an inclusive protection strategy. Consequently, not only do they provide training on gender issues for MONUSCO, UN partners and local institutions, they also support women`s candidates in electoral processes, and attempt to strengthen local institutional

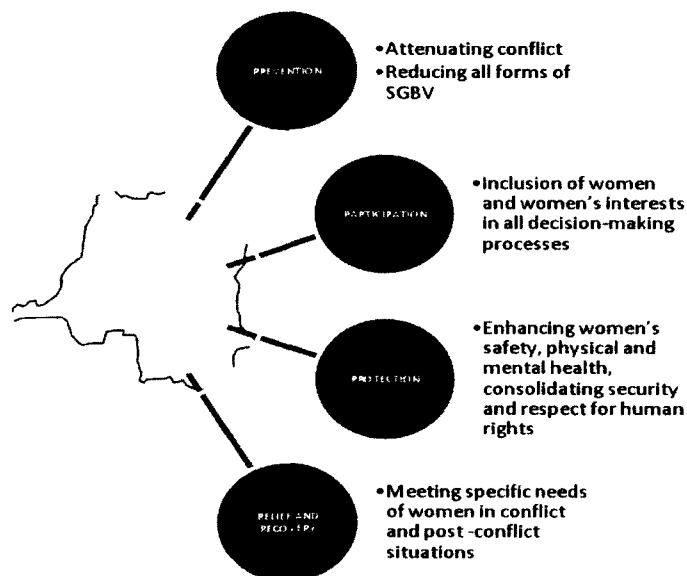
⁸¹ MONUSCO, "Spotlight on Female Peacekeeper", 12/10/2012, <http://monusco.unmissions.org/Default.aspx?tabid=10750&ctl=Details&mid=13744&ItemID=19376&language=en-US>.

⁸² The 2012 Plan of Action has seven priority areas: 1. Protection of civilians, 2. Support to electoral process, 3. Development of security sector and fight against impunity, 4. Gender in DDR/RR, 5. Gender focal points, 6. Stabilization and Peace Consolidation, and 7. Communication Strategy

capacity to respond to specific gender needs through a gender sensitive security sector reform and a strong legal system. It also focuses on an important aspect emphasized by Resolution 1325; the full participation of women in peace negotiations, political talks and the economic life of the state. The improvement of the system aligned to the betterment of women's status in Congolese society would have a positive spillover effect in its protection needs.

In order to assess and evaluate the progress of the mission in gender related issues, OGA has taken advantage of the UN System Wide Action Plan's operational targets - Prevention, Participation, Protection and Relief and Recovery – as a way to measure the impact of its actions on the ground. Interestingly, it requires close cooperation with MONUSCO's uniformed personnel reinforcing the comprehensive character of actions aiming to curb women's vulnerability on the ground.

Figure 7: Gender Affairs Office operational targets



Source: Office of Gender Affairs, April, 2012.

Amongst MONUSCO's main achievements in terms of advancing a gender policy, the inclusion of articles 14 and 15 on gender parity in the Constitution and the co-participation in the production of the country's National Action Plan based on resolution 1325 are most significant. The office's actions during the 2011 elections were also important as they advanced training on gender and elections and promoted sensitization and monitoring on gender based violence during elections.⁸³

An interesting initiative, the gender affairs office originated, was to create a specific category for sexual and gender based violent crimes for military flash reports, so that they are accurately categorized in the Joint Military Analysis Center (J-MAC) database, facilitating data mapping and collection. This is an important step. The absence of a specific category for sexual and gender based violence previously caused sexual and gender based violent crimes to be categorized under other types of crime, such as murder and kidnapping.

Another section directly involved with gender affairs is the Sexual Violence Unit (SVU), primarily responsible for the coordination efforts to implement the National Strategy for the Fight against Gender Based Violence and to guarantee that the government is taking ownership of it. The establishment of the SVU is a direct consequence of Resolution 1820 that requires sexual violence to be addressed by all components in peace operations as a security problem.

MONUSCO's Sexual Violence Unit was created in 2009 and it became fully operational not only in Kinshasa but also in other field offices in Bukavu (South Kivu,

⁸³ Information presented by MONUSCO Senior Gender Adviser, Elsie Efange Mbella at the International Conference "Promote Gender to Build a Lasting Peace: Reflection on the Latin American Experience", Buenos Aires, April 25-26, 2012.

Maniema and Katanga) and Goma (North Kivu and Province Orientale) throughout 2010 and 2011. Besides coordinating the implementation of the Strategy, SVU field officers also promote training on do's and don'ts of how to act in cases of sexual violence amongst military observers, troops and police.

Representatives from this Unit continuously expressed their concern regarding military capacity to appropriately deal with the victims:

(...) the military observers are important actors collecting information and the contingents are usually the first to reach victims. Problem is, they don't know how to collect information on sexual violence or how to question victims. They take pictures, identify victims, collect documents and addresses and often are not very careful keeping victims' anonymity. They don't intend to put victims under danger, but they might end up doing so if their identity is not protected. This is why we have started with a training on do's and don'ts. When trained they understand the reasons and follow instructions.⁸⁴

The problem is that the personnel assigned to military contingents change constantly and the learning curve is rather steep, since there is very limited transferred knowledge from one contingent to the other.

Other mechanisms of coordination to strengthen the UN's capacity to respond to gender specific needs were also implemented in partnership with other actors, mostly UN agencies. Amongst those, there is the International Security and Stabilization Strategy (I4S)⁸⁵, that has sexual violence as one of the five main pillars; the UN system-wide strategy on the protection of civilians in the DRC; the Senior Management Group, that

⁸⁴ Interview carried out with representative of MONUSCO Sexual Violence unit in Eastern Democratic Republic of Congo, February, 2012.

⁸⁵ In order to support the Stabilization and Reconstruction Plan for War-Affected Areas (STAREC), the UN system and key partners revised the existing Stabilization strategy to align with the government priorities as defined in the new STAREC Plan. The I4S has the objective to support national efforts to promote a secure and stable environment in key conflict-affected areas of Eastern DRC. The five main areas covered by UN's I4S are: improving security, supporting political dialogue, strengthening the state, return and re-integration and sexual violence.

plans operational response on identified threats to civilians at the local level, and the Humanitarian Action Plan (HAP), designed to provide an emergency response to areas considered to have major humanitarian risks, being protection one of them.

The coordination mechanisms put in place by varied civilian institutions on the ground have positively impacted the efforts to better address sexual violence in the DRC. These efforts seem to prioritize a strategic and encompassing view based on particular challenges encountered on the field at provincial levels. All analyzed sections and mechanisms have field offices to expedite and improve a UN tailored response to specific threats, incidents and needs.

However, the existence of numerous mechanisms with overlapping functions may confuse and duplicate efforts, adding an extra problem of coordination. While a UN System-Wide Strategy allows better coordination of existing protection mechanisms within the UN, the relationship is not clear between those and HAP on one side and I4S on another. It becomes evident that the challenges to a successful implementation of a gender policy lie primarily on coordination strategies and widespread understanding of the matter. Besides avoiding duplication by different UN bodies, the involvement of the national government and the implementation of initiatives that attempt to improve women's social, economic and political status are necessary for sustained stabilization efforts.

A final comment on MONUSCO's gender policy refers to the missions' commitment to curb inappropriate behavior. Different from expected, most complaints regarding sexual abuse and exploitation of locals by UN staff is directed against civilians, who also are in a much smaller number than military and police units. Proportionally,

civilians are the champions in complaints regarding cases of Sexual Exploitation and Abuse (SEA), followed by the police and the military. However, inappropriate acts by the military tend to be more visible than those committed by civilians and since the military members have immunity, it becomes an issue between the contributing and host countries. In most cases, these soldiers are repatriated and the incident becomes an internal issue to be tried by the national military justice system in the home country. In the case of civilians, where control over inappropriate behavior is more difficult, they confront more consequences. For example, in the event of an offspring resulting from a sexual assault, a portion of their salary may be taken to support the child.

As shown, MONUSCO's gender policy is comprehensive and takes under consideration specific features of the Congolese context, such as the geography of the country and the widespread sexual violence. While the attention to that topic is positive, there needs to be careful attention not to oversimplify the implications of war as solely sexual violence, nor condemn it as a merely spoil of war. It is necessary that the continuum of violence be fully understood and that protection strategies are sufficiently attentive to the pre-existent vulnerable status of women.

The following sections will evaluate MONUSCO's gender policy according to the five previously defined variables: legal framework, gender balance, security sector, protection and empowerment.

Legal framework

The legal framework indicator refers to the existence of specific mandates and guidelines regarding protection of civilians, particularly women and girls against sexual violence and how it translates into practice. One of MONUSCO's biggest contributions is

the presence of a clear protection of civilians mandate, including the protection of women and girls against sexual violence. The clear statement of this goal as a top priority is in the Security Council Resolution that specifies the mission mandate provide the normative framework for protection strategies and other initiatives to take place. As determined by Resolution 1925 (2010) that defines MONUSCO's mandate, the mission is tasked with the responsibility of supporting Government efforts to fight impunity and ensure the protection of civilians from violations of international human rights and humanitarian law, including all forms of sexual and gender-based violence.⁸⁶

In this sense, the mission also has a UN System-Wide Strategy to Protect Civilians in the Democratic Republic of Congo⁸⁷ and a Comprehensive Strategy to Combat Sexual Violence, both of which comprise important documents that frame the scope of actions to be undertaken on the ground. Importantly, they consider an inclusive concept of protection not limited to physical security.

The UN System-Wide Strategy to Protect Civilians defines the specific role of UN actors to better mitigate threats against Congolese population and takes into account the need to reconcile and integrate MONUSCO's mandate, including the support of FARDC operations, with the protection of civilians responsibility. It also recognizes the primary responsibility of the state to protect its own citizens, and adopts a protection concept that consider the humanitarian, security and human rights considerations as important dimensions of the concept.

⁸⁶ United Nations Security Council, "Resolution 1925."

⁸⁷ MONUSCO, "Un System-Wide Strategy to Protect Civilians in the Democratic Republic of Congo," (Kinshasa: United Nations, 2010).

The Strategy to Combat Sexual Violence was initially designed by the Sexual Violence Unit in April 2009 under the name of Comprehensive Strategy to Combat Sexual Violence. Nonetheless, it was important that local ownership was accomplished so that in the future the Congolese government could implement it on its own. Consequently, in November 2009, the national government endorsed the UN's strategy. The Strategy to Combat Sexual Violence is now under the auspices of Congolese national authorities in partnership with the UN.⁸⁸

The Strategy encompasses important aspects of the different types of response needed by victims of sexual violence, spanning from improving the security forces and the overall situation on the ground to legal, medical and even financial assistance to victims. The collection of data is also a component of the Strategy and will not only provide reliable data on cases, but will impact assessment and generation of more accurate policies strategies. Most importantly, each of its five components are co-chaired by a UN and a government partner ensuring that local ownership is accomplished and local capacity to respond is enhanced.⁸⁹

The existence of a strong legal framework and structure to guarantee that gender is considered as a cross-cutting issue led to an important fact: gender is fully integrated in MONUSCO's military planning and analysis. The enormous amount of sexual violence cases could not be ignored in the DRC and the UN has replicated on the ground a

⁸⁸ Republique Democratique du Congo, "Stratégie Nationale De La Lutte Contre Les Violences Basees Sur Le Genre."

⁸⁹ The five components are: 1. Fighting impunity, led by the Ministry of Justice and UN Joint Human Rights Office; 2. Protection and Prevention, led by the Ministry of Social Affairs and Human Rights and UN High Commissioner of Refugee (UNHCR); 3. Multi-Sector Assistance, led by the Ministry of Health and UNICEF; 4. Security Sector Reform, led by the Ministry of Defense and MONUSCO's Section of Security Sector Development; 5. Collection and Mapping: led by the Ministry of Gender and the UN Population Fund. The role of the MONUSCO's SVU role is to coordinate all efforts amongst implementing partners. See Appendix on the National Strategy on the Fight Against Gender Based Violence.

structure able to firmly establish the importance of Women, Peace and Security resolutions within the mission. In fact, the design of policies and operational activities all take gender under consideration and attempt to foster the full incorporation of the differential impact of peacekeeping activities on women, men, girls and boys as well as advance equal rights and reverse gender-based discrimination in all aspects of the post-conflict and peace-building processes.⁹⁰

Gender balance

The Gender Balance indicator refers to female representation amongst uniformed personnel and the role they carry out. It also refers to the existence of affirmative policies to include more women amongst personnel (uniformed and civilian), and in decision-making positions within the mission. Unfortunately data on civilian personnel disaggregated by sex is not available and thus an analysis of the civilian component could not be included. Nonetheless, it is important to note that the presence of women as head of the two main sections related to gender issues is ensured. Both the Office of Gender Affairs Office and the Sexual Violence Unit are headed by women. Moreover, the Rule of Law Special Representative of the secretary General is also headed by a woman. In regard to uniformed personnel, however, there is still a lot to improve, particularly within the military contingents.

⁹⁰ Elsie Effange-Mbella, *DPKO Mission in the DRC: Evolution of the Gender Mandate*, Presentation by MONUSCO Senior Gender Adviser at the International Conference “Promoting Gender to accomplish Peace: Reflecting on the Latin American experience,” Buenos Aires, 26-28 April 2012.

While within the military the participation of women reaches only 2.5%, the participation of women is considerably higher in the police component reaching 10%.⁹¹ Mostly, they are sent as UNPols by member states, although they also comprise an important number within FPU's due to the presence of a female FPU from Bangladesh. Indeed, an analysis of the incorporation of women in police and military institutions show that women have been allowed to join the police before the military and are carrying out functions more similar to those carried out by their male counterparts. That does not mean that they are not victims of discriminatory behavior. Although, interviews carried out in the DRC did not indicate the recurrence of discrimination, interviews carried out with female police officers in Brazil, that have participated in more than one peacekeeping mission, indicated that they are usually the object of discriminatory practices, mostly related to a male superior, or they become the center of the attention, particularly if they are single.⁹²

⁹¹ DPKO statistics as of October 2012. Available at: Department of Peacekeeping operations, "Troop and Police Contributors," 12/10/2012, <http://www.un.org/en/peacekeeping/resources/statistics/contributors.shtml>.

⁹² Interviews carried out with Brazilian UNPol were performed under RESDAL's projects "Improving and Sharing a Latin American gender approach to build peace: the United Nations Security Council Resolutions 1325 and 1820"; "Women in the Armed and Police forces in Latin America and the Caribbean: a gender approach to peace operations." Field work in Brazil was performed throughout 2008 and 2009 in Brazil and in July, 2012. Interviews included women in the military and in the police who had participated in peace operations and main Brazilian institutions related to the participation of Brazilian personnel in UN peace missions, including: peacekeeping training center, Ministry of Defense, Ministry of Foreign Affairs, and COTER (Comando de Operações Terrestres).

Table 9: Police Contribution disaggregated by sex, as of October 2012

Police Contribution	Male	Female	Total	% of Women
Individual Police	209	39	248	15.73%
FPU	957	90	1047	8.60%
TOTAL	1166	129	1295	9.96%

Source: DPKO Statistics, 2012.

Table 10: Military contributions disaggregated by sex as of October 2012

Military contribution	Male	Female	Total	% of Women
Military observers	665	23	688	3.34%
Military troops	16641	425	17066	2.49%
TOTAL	17306	448	17754	2.52%

Source: DPKO Statistics, 2012

Military contributions are divided into military observers and military troops. Military observers are assigned to individual missions. They are usually placed in small team sites often located in red area zones. Members of these teams are often of different nationalities. They are unarmed and their main function is to gather intelligence on the movement and activities of armed groups, and displacement of the population. As a result, a good relationship between them and the local population and strong communication skills are necessary. In areas coded as red or extremely volatile, they must go with a military escort provided by troop contributing countries in their specific area of operation. As informed by one of the military observers interviewed, they usually stay for a period of 12 months – although that may vary from one country to another – and initiate in a red zone, being later transferred to calmer places either a green or yellow zone.

The participation of women as military observers is extremely important since they could facilitate the contact with local women and serve as an important bridge between the local women and the mission.⁹³ As Captain Caroline Obame, military observer from Cameroon, argues in an interview with MONUSCO: “The Congolese women we meet are often hesitant to speak to outsiders. When they meet female patrolling officers, even if they are still uncertain, they will be more likely to speak. I have spoken to victims of sexual violence and there is still a lot of stigma they face from their husbands and in their communities.”⁹⁴ Nonetheless, military observers must have a minimum rank and receive adequate military training. Most countries have only recently allowed women to enter the military academy in various branches, including combat and command. For that reason, the number of military women that comply with the requirements to participate in peace operations as observers is very low.

Female participation amongst military observers reaches only 3.34%. Moreover, only 12, out of 48 military observer contributing countries send women. Amongst those, the United States, Zambia, Bolivia and Cameroon present the highest proportional percentage with 33%, 25%, and 20% respectively (Bolivia and Cameroon with 20% each). In absolute terms, Malaysia, South Africa and Zambia with a contribution of 3 female military observers each are the top contributing countries. Interestingly, the top military observer contributing countries - India (62 observers), Pakistan (52 observers),

⁹³ The necessity for more female blue helmets is a question of gender equality, which sets an example to the Congolese population that MONUSCO is here to support. However, UN documents also point out to the fact that victims of sexual violence, may be more responsive to other women.

⁹⁴ MONUSCO, “Spotlight on Female Peacekeeper”, 12/10/2012, <http://monusco.unmissions.org/Default.aspx?tabid=10750&ctl=Details&mid=13744&ItemID=19376&language=en-US>.

and Tunisia (31 observers) - present low female representation. India sends only 2 women, comprising 3.2% and both Pakistan and Tunisia, do not send any.

Table 11: Military observers contributions as of October, 2012

Country	Male	Female	Total	% of Women
Algeria	5	0	5	0%
Bangladesh	34	0	34	0%
Belgium	3	0	3	0%
Benin	8	0	8	0%
Bolivia	8	2	10	20.00%
Bosnia and Hezergovina	5	0	5	0%
Burkina Faso	7	0	7	0%
Cameroon	4	1	5	20%
Canada	7	0	7	0%
China	16	0	16	0%
Czeck Republic	3	0	3	0%
Egypt	26	0	26	0%
France	5	0	5	0%
Ghana	22	2	24	8.33%
India	60	2	62	3.23%
Indonesia	17	0	17	0%
Ireland	3	0	3	0%
Jordan	26	0	26	0%
Kenya	22	2	24	8.33%
Malawi	7	1	8	12.50%
Malaysia	14	3	17	17.65%
Mali	17	0	17	0%
Mongolia	2	0	2	0%
Morocco	6	0	6	0%
Nepal	22	0	22	0%
Niger	13	2	15	13.33%
Nigeria	22	1	23	4.35%
Norway	1	0	1	0%
Pakistan	52	0	52	0%
Paraguay	17	0	17	0%
Peru	7	0	7	0%
Poland	2	0	2	0%
Romania	21	0	21	0%
Russian Federation	27	0	27	0%
Senegal	22	0	22	0%
Serbia	2	0	2	0%
South Africa	12	3	15	20%
Sri Lanka	4	0	4	0%
Sweden	5	0	5	0%
Switzerland	3	0	3	0%
Tanzania	2	0	2	0%
Tunisia	31	0	31	0%

Table 11: Continued

Country	Male	Female	Total	% of Women
Ukraine	15	0	15	0%
United Kingdom	4	0	4	0%
United States	2	1	3	33.33%
Uruguay	37	0	37	0%
Yemen	6	0	6	0%
Zambia	9	3	12	25%
TOTAL	665	23	688	3.34%

Source: DPKO Statistics, 2012

Troop contributions comprise the bulk of UN peacekeepers. They are the ones responsible for the daily routine military activities, such as patrols, checkpoints and escorts, in addition to the planning and execution of special operations and strategies to combat armed groups and protect the civilian population. This is the area where the full incorporation of women has been the slowest. Primarily because it depends on states willingness to adopt national policies that allow the participation of women in their military. However, it is also important to analyze the role women carry out on the field. The absolute majority of military women sent to peace operations comply with “professional” or “logistics” duties, being confined to the barracks and they have very limited, if any, contact with the population.

In regard to vetting procedures for inadequate behavior, it tends to be easier amongst troops since they are usually confined within the base and are not allowed to leave the barracks unless accompanied by officers or in groups to special events where their participation is authorized, these include for example national medal parades, peacekeeping day festivities and MONUSCO house, where some contingents take their

soldiers over the weekend for entertainment.⁹⁵ However, they are also the ones that have the most visibility. Consequently, although inappropriate behaviors amongst troop contributors are the lowest, these can harm the UN image the most.

Female participation amongst troop contributing countries reaches only 2.5%. The low participation is due to the fact that the biggest troop contributing countries – Pakistan (3,698 troops), India (3,694 troops) and Bangladesh (2,520) – either do not have any women in the case of Pakistan and India, or have very few in the case of Bangladesh (6). In contrast, some countries present a much larger female representation, highlighted in the case of South Africa with a total contribution of 268 military women that represent 22.7% of its total troop contribution.

This positive South African female participation reflects the kind of national policies implemented at home. Unfortunately, the South African battalion could not be interviewed during the field work. However, amongst civilians involved with gender efforts, the contingent was mentioned as an example of gender mainstreaming policy. It also important to mention that South Africans speak Swahili, an important asset to get closer to the population as some of the Congolese people speak that language. Nonetheless, interviews with a civil society organization emphasized that the UN had problems in the past with South Africa military involved with prostitution and other abuses.⁹⁶

⁹⁵ These are just some of the locations that peacekeepers are allowed to go. During the field work, most contingents would emphasize that soldiers are not allowed to leave unless to one of those events. The MONUSCO house is a UN establishment, usually within the field headquarter where UN staff, including civilians, police and military personnel can get together and entertain.

⁹⁶ Interview carried out with an important international civil society organization in Eastern Democratic Republic of Congo, February, 2012.

Ghana also presents a good female representation amongst its troops with 37 military women (8%) of its total contribution of 462 military personnel. The field work indicated that currently, Ghana women do not have many constraints to join the military in that country. Although most of the interviewed personnel were in “professional” positions, the commander emphasized that there are combatants and that they perform the same duties as their male counterparts.

Table 12: Military troops contribution as of October, 2012

Country	Male	Female	Total	% of Women
Bangladesh	2514	6	2520	0.24%
Belgium	20	1	21	4.76%
Benin	438	12	450	2.67%
China	206	12	218	5.50%
Egypt	1000	0	1000	0%
Ghana	425	37	462	8.01%
Guatemala	145	5	150	3.33%
India	3694	0	3694	0%
Indonesia	175	0	175	0%
Jordan	216	4	220	1.82%
Morocco	831	0	831	0%
Nepal	1005	19	1024	1.86%
Pakistan	3798	0	3698	0%
Serbia	4	2	6	33.33%
South Africa	911	268	1179	22.73%
Ukraine	154	0	154	0%
Uruguay	1105	59	1164	5.07%
TOTAL	16641	425	17066	2.49%

Source: DPKO Statistics, 2012.

Police contributions are divided in UNPols and FPUs. UNPols are sent in individual missions, just like the military observers. They are placed in varied positions all over the territory of the Democratic Republic of Congo. Interviews with UNPols were mostly carried out in Goma, where they were directly involved with the construction of a training center for the PNC and with one UNPol involved with a Prosecution Supporting

Cell, responsible for assisting the national government to prosecute Congolese uniformed personnel perpetrators.

The participation of women amongst UNPols reached 15.7%, well above that of military observers. The top UNPol contributing countries are Cote d'Ivoire (35 UNPols), Chad (28 UNPols), Benin (26 UNPols) and Burkina Faso (26 UNPols), all of which present an important female representation with 34.3%, 21.4% and 11.5% (both Benin and Burkina Faso) respectively. Djibouti and Central African Republic also present an important proportional female participation – 66.7% and 42.86% - although their overall contribution is relatively low, with totals of 3 and 7 respectively.

Table 13: Individual Police Contribution as of October, 2012

Country	Male	Female	Total	% of Women
Belgium	1	0	1	0%
Benin	23	3	26	11.54%
Burkina Faso	23	3	26	11.54%
Canada	2	1	3	33.33%
Central African Republic	4	3	7	42.86%
Chad	22	6	28	21.43%
Cote d'Ivoire	23	12	35	34.29%
Djibouti	1	2	3	66.67%
Egypt	4	0	4	0%
France	9	0	9	0%
Guinea	19	4	23	17.39%
Jordan	7	0	7	0%
Madagascar	17	1	18	5.56%
Sweden	5	1	6	16.67%
Senegal	18	2	20	10%
Togo	9	0	9	0%
Turkey	13	1	14	7.14%
Ukraine	5	0	5	0%
Yemen	4	0	4	0%
TOTAL	209	39	248	15.73%

Source: DPKO Statistics, 2012.

Finally, only four countries contribute with FPUs, these are Bangladesh, Egypt, India and Senegal. Female representation amongst these reached 8.6%. Bangladesh contributed the highest percent of women with 19.3%, followed by Senegal with 10% female representation. As in Haiti, one of Bangladesh's FPU in the DRC is a female FPU, where the majority of the personnel are women (75 out of 124), including the post of commander and its staff. Male personnel tend to be of the non-commissioned corp. A visit to Bangladesh's female FPU in Kinshasa was carried out during the field work, and although they were still receiving training (after 3 months of their arrival), it was emphasized that they would be soon deployed and develop similar duties as those carried out by other FPU units, including protection of UN facilities and crowd control.

Table 14: Formed Police Unit Contribution as of October, 2012

Country	Male	Female	Total	%of Women
Bangladesh	313	75	388	19.33%
Egypt	140	0	140	0%
India	265	5	270	1.85%
Senegal	239	10	249	4.02%
TOTAL	957	90	1047	8.60%

Source: DPKO Statistics, 2012.

Although all contingents, military and police, receive induction training on the field regarding gender and sexual violence, there is still room for improvement. In some field offices, Gender Affairs and Sexual Violence representatives talked about the existence of training programs developed with the military component to improve their know-how on gender mainstreaming and gender analysis as well as expertise on how to

deal with sexual violence victims.⁹⁷ However, they also pointed out the lack of civilian personnel that could enhance outreach and continue efforts to refine response.⁹⁸

At the same time, the lack of facilities to receive women in some military bases is worrisome. Although some of them do not have women in the military, they should be prepared to receive female UN civilian staff if a joint action is taken. In these cases, the inability of placing female Community Liaison Assistants (CLA)⁹⁹ that have an important role in communicating with local women in some places, especially in the eastern side of the country can seriously undermine actions.

The military component is usually the first one to arrive after attacks and have a primary role during these first hours. They should know how to deal with victims, first by being able to provide immediate care and then have references for specialized medical centers. Investigations should comply with victim confidentiality in order to protect them. Moreover, they should use the standardized template and forms to report cases to facilitate data collection and mapping.

However in interviews with MONUSCO in substantive sections of South Kivu province, it was revealed that the military component not only was unaware of the confidentiality policy, ultimately putting victims in danger, they would also conclude that

⁹⁷ Interviews carried out with representatives from the Gender Affairs Office and Sexual Violence Unit in Kinshasa, Bukavu, Goma and Bunia, February 2012.

⁹⁸ The lack of civilian experts in UN peace operations in general is worrisome. As an illustration, the Sexual Violence Unit has only one person, responsible for the provinces of South Kivu, Maniema and Katanga and another for North Kivu and Province Orientale. A third officer coordinates the Units efforts in the Eastern part of the country. These regions are where most cases of sexual violence are encountered and it becomes evident that although those are dedicated professionals, they lack resources and personnel for a successful fulfillment of the Unit's mandate.

⁹⁹ As it will be explained in the following section CLA's are local people that work as translators for the military personnel. Their role however, is not only to support communication between the military and civilian personnel, but also to promote confidence building between the local population and UN blue helmets.

no sexual violence had happened if for example victims and perpetrators lived under the same roof. Rape and other forms of violence would not be considered as such if committed by another family member. As one interviewee stated: "There are many cases that the population search for us and say they were raped. But when we arrive there, they all live together, it is the husband. So there is no rape."¹⁰⁰

This example illustrates the need for increased training in gender and sexual violence for the military component. It was also evident that different contingents had different perspectives regarding gender roles, sexual violence and the role of civilian and uniformed women that can affect the kind of responses they provide for victims. This makes the guidelines on specific actions to be undertaken extremely important. The guidelines then need to be included in training so that a pattern of response is established.

Security sector

As defined by the UN, security sector is: "a broad term often used to describe the structures, institutions and personnel responsible for the management, provision and oversight of security in a country."¹⁰¹ These include defense, law enforcement, corrections, intelligence services and institutions responsible for the justice system, border management, customs and civil emergencies. Actors that play a role in the security sector include ministries, legislative bodies and civil society groups. For the purpose of this dissertation, only the initiatives related to the improvement of the justice system, rule of law and police institutions are taken into account.

¹⁰⁰ Interview carried out with a senior military officer deployed in the Eastern Democratic Republic of Congo, February, 2012.

¹⁰¹ United Nations Secretary General, "Report of the Secretary General on Securing Peace and Development: The Role of the United Nations in Supporting Security Sector Reform."

Security Sector reform is a necessary step towards the strengthening of accountability, effectiveness and respect for human rights and rule of law in a society.¹⁰² MONUSCO's efforts in this area can be divided in three main components: 1. Improving victim's access to Justice; 2. Curtailing impunity; and 3. Structuring the PNC and FARDC through the development of joint actions, monitoring of actions and DDR/RR program. Unfortunately, though, MONUSCO's ability to improve Congolese justice system responsiveness is limited, since the mission only has jurisdiction over military justice.

"Access to Justice" Program is mainly concerned about fighting impunity for sexual violence, and developing new, appropriate mechanisms for reparations with increased victim and Government participation. The program, overseen and implemented by the Human Rights section, is a multi-disciplinary office that covers varied issues regarding human rights. It is one of the biggest and most interlinked sections within MONUSCO.¹⁰³ The Access to Justice Program also attempts to reinforce women's capacity and position within Congolese society in order to improve their status and decrease their vulnerable condition. As a matter of fact, the difficulty in prosecuting and accomplishing justice was one of the main topics discussed in all interviews. Regretfully though, representatives from Kinshasa and Goma emphasized the difficulties to accomplish justice in any case as corruption and impunity rein in the Congolese judiciary system.

¹⁰² Ibid.

¹⁰³ Interviews carried out with representatives from MONUSCO Joint Human Rights Section were carried out in Kinshasa, Goma and Bunia, February, 2012.

Quite complementary to the work undertaken by the Human Rights section, the Rule of Law section focuses on the Congolese Legal system, including military justice with the aim of building a strong justice system in the DRC. An interesting mechanism under Rule of Law and which has a direct impact on sexual violence trials are the Prosecution Supporting Cells (PSCs). Following a decade long of insecurity and patterns of incidents that signaled an institutionalized impunity, Resolution 1960¹⁰⁴ stressed the importance of fighting impunity and improving the capacity to respond to human rights violations. In this context, the PSCs were created under the MONUSCO Rule of Law section in order to support national efforts to prosecute perpetrators of human rights violations.¹⁰⁵

The Walikale massacre trials illustrate their work in dealing with sexual violence. In order to support Congolese authorities, in this particular case, PSC fact finding teams carried out a reconnaissance mission for places where the court could be established and the trial done, evaluated the security situation, provided technical expertise, and in conjunction with Human Rights provided transport for victims.

Finally, in regard to the strengthening of the police and armed forces capabilities, both MONUSCO's military and police components perform a series of actions with the PNC and FARDC, opening the opportunity to provide mentoring on joint actions and patrols as well as monitoring. The support to the establishment of training centers and

¹⁰⁴ United Nations Security Council, "Resolution 1960", December 16, 2010, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/698/34/PDF/N1069834.pdf?OpenElement>.

¹⁰⁵ They are entitled to two major forms of support to the local authorities: 1. through technical advice in all procedures, from the investigation to the trial; and 2. through material and logistical support, through the provision of vehicles, transportation and even security. This work is coordinated with UN-agencies and MONUSCO components that can adequately provide the logistic support needed. Their support is provided according to requests coming from the Congolese authorities; however they are entitled to suggest cases as well.

training modules are overseen by the UNPol, most focused on improving local capacity.¹⁰⁶ As part of MONUSCO conditionality policy, the military component can only participate in joint operations with the FARDC if they do not have a record of human rights violations. At the same time, it is well known that a great percentage of sexual violence perpetrators are members of FARDC. Part of the military component's role is to monitor members of FARDC and report misbehaviors.

In partnership with the Ministry of Defense, the military component occasionally participates in training and sensitization campaigns. Handbooks and training manuals on the subject of sexual violence have been distributed to the local forces; however, "the actual implementation of these codes would mean fundamental changes to the army structure, the political, economic and social situation within the military and in the country more broadly."¹⁰⁷ As explained earlier, the Congolese military (and police for that matter) is widely unprepared and more importantly it lacks an ethos of protection. Having entered the military through the brassage process or previously, personnel are part of a military structure that previously promoted looting and attacks as a form of survival and which has parallel commands and confusing loyalties. The new policies, regulations and handbooks encompasses not only appropriate behavior and guidelines on how to act, they also represent a different mindset that cannot be fully comprehended in a single day.

The military, in conjunction with MONUSCO's DDR/RR section, is also responsible for overseeing the government led process of developing an effective security

¹⁰⁶ A visit to a training center financially supported by Canada and overseen by UN Police was undertaken during the field work in Goma, Democratic Republic of Congo.

¹⁰⁷ Solhjell et al., "Turning Unsc Resolution 1325 into Operational Practice: A Cross-Country Study on Implementing Resoluition 1325 in Peacekeeping and Military Operations." p.25

sector to assure that the state will provide its population with a safe environment, rule of law, and good governance. While their mandate is to monitor and support government actions, they also provide sensitization and training for Congolese defense and security forces as a way to promote gender mainstreaming, improve their capacity to respond to SGBV and prevent recurrence of SGBV.

It is usually within and/or nearby the military bases that DDR/RR camps are based as they are in constant contact with various armed groups. Military personnel are thus the first to encounter combatants willing to join the DDR program. It is thus important that they are also aware of a gender perspective in DDR/RR and that they include female officers who can support outreach to women combatants, as well as wives and children of male combatants.¹⁰⁸

DDR/RR is an important instance where promoting a gender approach is extremely necessary. After arms are handed over and conflict settled, violence against women tends to increase. DDR programs need to incorporate a gender perspective that also demobilizes masculinities. During conflicts, gender relations within a society tends to change, while a masculine role may become important to protect the community, the family and its goods, women also have a differentiated role as they may have to flee, be subjected to different forms of violence, and have intensified previous domestic responsibilities as they become responsible for securing food, shelter and protecting themselves and immediate family. Consequently not only must DDR programs consider

¹⁰⁸ UN's Standard Operation Procedures on Gender and DDR focuses on the negotiation process when the parameters of the DDR process to take place are defined. It aims to contribute that women and girl ex-combatants, women working in support functions to armed groups and forces, wives and dependents as well as members of the receiving community are informed and included in shaping any peace accord and related DDR plans. For more information on this particular subject, see: United Nations Development Fund for Women, "Standard Operations Procedures on Gender and Ddr" (2004).

these differentiated gender relations during war, there is yet another challenge. As DDR program advances and weapons are collected up and conflict settled, rehabilitation needs to focus not only on economic aspects of the community life but on the psychological consequences of demobilization and disarmament. Often, rates of domestic violence increase after war.¹⁰⁹ “Demobilizing masculinities” though is not an easy task and requires a deep understanding of the issue and the local culture. As previously mentioned earlier, the DDR program carried out with MONUSCO’s support lacks a gender perspective. Although the families of combatants are included, not all of his “wives” and children may be included, as they tend to have more than one women. Moreover, the DDR program for female combatants is very limited.¹¹⁰

Protection

The Protection indicator is mostly concerned with actions undertaken by the police and military component to protect women and girls from gender based violence. As previously analyzed in this chapter, MONUSCO’s protection strategy is comprehensive and considers the economic, political and social vulnerabilities of women, besides those mostly related to the physical threats they are subjected to. MONUSCO has specific protection mechanisms that have been cited in various documents, including the Analytical Inventory on Peacekeeping practices,¹¹¹ an effective lessons learned inventory, to be exported to other missions. The accomplishments of the mission include military

¹⁰⁹ United Nations, "Gender Perspectives on Disarmament, Demobilization and Reintegration," (2001). p.2

¹¹⁰ However, actors on the field agreed that a limited number of female combatants exist in the DRC. The main gender concern, would be with the “abandoned” wives and children, not included in the DDR program that are left behind without a house a ways to survive.

¹¹¹ United Nations Department of Peacekeeping Operations, "Addressing Conflict Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice."

patrols and escorts and the establishment of joint mechanisms with the civilian component to enhance the mission's capacity to address women's structural vulnerabilities.

The main of these mechanisms are the so called Joint Protection Teams (JPTs). These are planned by the Civilian Affairs section, but carried out as a multi-sectoral team that aims to assess and identify the primary protection needs and threats to the security of local population; they are a promising tool that can improve UN's overall capacity to respond to these context driven needs of the local population. Moreover, they can also improve the relationship between UN civilians and military and the local population, bring diverse civilian expertise to inaccessible areas and provide a tailored response to the population's needs.

JPTs are implemented in all DRC territories and add to the presence of varied MONUSCO sections, such as Civilian Affairs, Child Protection, Human Rights, Sexual Violence and others, along with the police and military components and other UN agencies, such as UNHCR, UNICEF, etc. More importantly, though, after a thorough assessment of the situation, a specific response is planned, being thus a pro-active and preventive mechanism paramount to protection of civilians.

In a context of widespread sexual violence, JPTs can activate mechanisms of coordination between local women's organizations and the military, resulting in improved patrols in the market and at firewood and water recollection places, establishment of temporary and mobile military operating bases in close-by areas and escorts to women. At the same time, bringing women to the spotlight of the protection

planning strategy empowers them and is key for improving their overall vulnerable status.

Another important mechanism where the military component has an important participation is the Joint Assessment Mission (JAM). While JPTs are designed to assess primary protection needs, JAMs are concerned with the overall situation of a particular place. It consists of a general evaluation of the humanitarian, protection, development, human rights and/or social political situation of a specific area and as JPTs, provides a tailored response. JAMs are put in place more frequently than JPTs and may support the overall situation of local women by addressing their needs. Same as JPTs, these are also a pro-active and preventive response mechanism.

The Joint Investigating Team (JIT) is also an important mechanism that the military component can take part in, but usually as experts under MONUSCO's leadership, rather than part of a military contingent. JITs are designed to support the Congolese Justice system to conduct investigations on alleged human rights violations, including sexual and gender based violence allegedly committed in remote and inaccessible areas. In this case, military contingents can support logistics, with transportation and security. Different from JPTs and JAMs, JITs are a post facto response that intends to improve the judiciary and ultimately fight impunity.

Finally, the military can also take part in Joint Monitoring Teams (JMTs), established in support of MONUSCO's strategy to restore state authority by deploying PNC units, government and Justice delegates to stabilized zones in eastern provinces after disengagement of armed groups. These are primarily focused on police capabilities and are overseen by UNPol and civilian observers, but may have the military component

taking part to support logistics and security. Indirectly, by improving the Congolese government's authority in Congolese territory, the overall situation of the civilian population, as well as women and girls vulnerability to sexual and gender based violence, is decreased.

However, in any of these mechanisms, it is paramount that personnel with expertise in sexual violence and/or gender be included in order to be able to identify and assess specific needs. Engaging local women and women's organizations with JPTs' activities is also a necessary condition to better evaluate protection needs. Moreover, the presence of women in these teams may facilitate the contact with possible victims, supporting the information data collection as well as formulation of a perpetrator profile. This improves the capacity to plan a security response.

These initiatives comprise important innovations in the traditional ways the military operate. This information was provided by the office of the Force Commander and very limited military personnel on the ground seemed to be aware of the initiatives.¹¹² Interviews with the different military contingents¹¹³ showed general awareness regarding the importance of JPTs, although these were not brought up as an important part of their protection mandate. JPTs were usually discussed after the topic was brought up by interviewers and interpreted as a civilian activity to which the military component offered mere protection. Joint Assessment Missions, Joint Investigation Teams and Joint Monitoring Teams, were never brought up by any of the military

¹¹² Data provided by the MONUSCO's military component gender focal point during presentation at the International Conference "Promoting Gender to Build a Lasting Peace: Reflections on the Latin American Experience" carried out in Buenos Aires, April, 2012. See: RESDAL, "International Conference," 03/22/2013, www.resdal.org.

¹¹³ Interviews carried out with the military included contingents from Bangladesh, Egypt, Ghana, Guatemala, India, Morocco, Pakistan and Uruguay deployed in different parts of the country.

contingents interviewed. However, high ranking civilian personnel commented that a possible explanation was that low ranking soldiers may be unaware of the specific names of these activities.¹¹⁴

Although this may indicate only unawareness regarding the proper names of these operations, it may also be a sign that the central role of the joint effort between civilians and military to protect civilians may be overshadowed. It is imperative that the military component see themselves as an integral and central part of each of these mechanisms, particularly JPTs, rather than just “escorts.” An important analysis would be to evaluate, by rank and function of military personnel sent along with civilians in these different mechanisms, what they understand their role to be.

Other important actions carried out by MONUSCO military component include: foot patrols in market areas, long-term patrols, establishment of Temporary Operating Bases (TOB), Mobile Operating Bases (MOB) and Company Operating Bases (COB) in sexual violence affected areas, and emergency cells. The interviews with the different military contingents showed varied response to these specific protection mechanisms. The following actions were observed:

- Patrols: Although all interviewed contingents are engaged with patrols, some are less eager to proceed with foot patrols in areas not accessible by vehicle. However, it is in these remote areas, where women confront higher risks of being attacked, far from main roads and in the forest or jungle. Interviews with contingents from North Kivu (India, Uruguay) and Ituri (Bangladesh, Guatemala) Brigades had a very positive response, reaffirming the necessity to perform foot patrols in areas inaccessible by vehicle. In the

¹¹⁴ Interview carried out with high rank civilian personnel in Kinshasa, February, 2012.

case of the Indian Battalion in North Kivu, some of these patrols were planned according to previous contact with local women's organizations.

In Province Orientale, due to characteristics of the terrain, widely covered by the jungle, long-term patrols ought to be carried out. In some cases they go by vehicles, camping during the night on the way, until reaching the final destination where a perimeter is set and foot patrols are done in that particular area. In other cases, a helicopter drops soldiers on the ground where they patrol for a few hours. Both Bangladesh and Guatemala carried out patrols of this sort in their areas of responsibility.

- Establishment of COBs, TOBs and MOBs. All interviewed contingents in the East (Pakistan, Egypt, Uruguay, India, Bangladesh, Morocco and Guatemala) had COBs and TOBs established in more isolated areas. The main objective of having these bases established is to cover a wider area, showing MONUSCO's presence and supporting the government's efforts to control the territory.

As a matter of fact some of these are established in quite stark environments and are cut out of the rest of the contingent. An example is the Uruguayan COB in Kimua, reachable only by helicopter. Living conditions in these COBs and TOBs vary. As informed by the Mission Support representative, due to budget constraints a few TOBs intended to be established for only a few months became COBs without much amelioration.¹¹⁵ Currently, the policy is to not open any more TOBs unless another one is closed, putting into evidence the budgetary limits of the peace mission.

- Emergency Cells: these are envisioned to provide victims of sexual violence with an emergency response that includes medical and psychological care along with an

¹¹⁵ Interview carried out with MONUSCO Mission Support representative in Kinshasa, February, 2012.

investigation in less than 72 hours. Although, at the time of the field work, they were still not in place, conversations with South Kivu Brigade were already in place to start implementing them in that region. We could not verify if the initiative was also being discussed in other regions, or if currently they are already in place in South Kivu and/or elsewhere.

An important component of the protection strategy is the relationship with the local population and the capacity to respond to their needs in a timely manner. Amongst the civilian components and UN agencies, the contact with local leaders and the development actions with national institutions is common ground. Nonetheless, the military component's engagement with the local population, despite their primary protection role is still limited. Some initiatives aiming to improve this relationship are being put in place.

The scope of engagement between the military and local population will depend on the tasks of each unit, resources available and language barriers.¹¹⁶ It is often common that the population in rural areas does not speak French and translators of Lingala and Swahili, the largest spoken languages in the DRC are relatively rare. Occasionally, contact is established with the chief of a village and maybe his wife to determine the main needs of the villagers. However, each battalion has very large areas of responsibility and a constant presence and steady communication is a challenge.

One of the main instruments put in place to establish a connection with the local population is the placement of Community Liaison Assistants (CLAs) in military bases. CLAs are local staff with the double function of serving as translators and as a bridge

¹¹⁶ Solhjell et al., "Turning Unsc Resolution 1325 into Operational Practice: A Cross-Country Study on Implementing Resoltuion 1325 in Peacekeeping and Military Operations." p.22

between the local population and the military component. All CLAs can speak English, French and the local language. Living within the military compound, they are responsible for collecting information with the local population to support the military component efforts to identify protection needs. Due to security reasons, they are never placed in the same city or region where they come from.

Another important channel of communication between the military and the civilian population is the Community Alert Network (CAN). These refer to electronic and telephone communications placed within communities and serve as an early warning system or hot line. However, in an interview with military contingents it was suggested that CAN often confronts challenges of implementation due to conditions in the field, such as limited to no electricity and know how to manage the system amongst locals.¹¹⁷ Moreover, there is also a certain lack of willingness to fulfill this role on the part of the population who tend to be afraid of assuming a more active role for fear of being repressed.

In regard to communication with local women's organizations, the only military contingent to mention frequent contact with the local women's organization was the Indian contingent, particularly those settled in the COB located in the Walikale territory. The initiative took place after the Walikale massacre, when MONUSCO was heavily criticized when a nearby COB did not respond to an attack until a few days later. As informed by the Indian COB commander of that particular area, weekly meetings with the women's organization are carried out as well as market patrols and escorts for the local women are provided upon request.

¹¹⁷ Interview with senior officers from Indian Battalion was carried out in Goma, February, 2012.

Several MONUSCO sections have confirmed the difficulty in working with some contingents, particularly the Pakistan contingent, that not only avoids talking to local women, but also with UN women staff. As a matter of fact, it was confirmed in more than one interview that women (civilian or military) are not allowed to stay in any of their bases. This may undermine the possibility of having UN female personnel, or local female translators participate as CLAs in JPTs, JAMs, or in any other joint activities that they may have to carry out. Moreover, by refusing to talk to local women's organizations about their protection needs, protecting them may become an even more challenging task.

The existence of these initiatives shows that the protection of civilian mandate generated a series of actions towards improving UN capacity to respond to threats against the local population. In addition, the difficult context confronted by Congolese women, has led the mission to create specific mechanism for their protection, such as the market patrols and special escorts. However, the extent to which these initiatives are actually implemented by the different military contingents is a different story. Interviews with different civil society organizations and humanitarian actors, including UN agencies, reinforced the existence of differences between each contingent, some being more prone than others to act and use the authorized means to protect the population. Allegations that UN peacekeepers did not act in a timely manner in various incidents proved indeed to be true, including in the recent takeover of Goma by the rebel group M23. While there are mechanisms that put into practice the UN's normative focus on the protection of the individual, not all military contingents put them in place. In fact, one interviewed contingent commanders affirmed that before taking an order from the UN he awaits a

response from his capital, indicating that in some instances the UN still struggles in a state dominated world.

Empowerment:

Empowerment refers to initiatives undertaken by all mission components with the objective of strengthening women's social, economic and political status in the society. Different MONUSCO sections have been involved in activities that directly impact the empowerment of women within Congolese society. The financial support provided by different sections and components to women's organizations, the training and protection of female candidates during elections and support to the implementation of a 1325 Plan of Action can be highlighted.

UN agencies and sections are often involved with the financial support of *grassroot* organizations, government institutions and individuals involved with the fight of women's rights and the improvement of their status in the society. Besides the Human Rights section compensation program to victims of sexual violence, OGA maintains partnerships with various women's organizations and the Ministry of Women's and Children's Affairs aiming to strengthen women's economic and social conditions.

At the forefront of these actions is the support and training of female candidates for elections. An increased presence of women in Congolese politics will facilitate a top-down approach, thus facilitating gender mainstreaming and the implementation of a political agenda that is responsive to women's needs. Pressure to change discriminatory Congolese law is also undertaken aiming to elevate the society from the intrinsic obstacles for the full development of social and gender equity.

Also worth mentioning is the training of PNC and FARDC members on gender related issues and the pressure for the implementation of an Action Plan that would contribute to the inclusion and full participation of Congolese women in the armed and police forces of the country. Their full participation would represent an important accomplishment in terms of empowerment since military and police institutions tend to be the last bastions to open their doors to women and allow equal participation between men and women.

Likewise, the military component is involved with empowerment initiatives. Quick Impact Projects (QIPs) and Civil-Military Activities, commonly known as CIMIC are an important way through which the military component can communicate with the local population and support women's empowerment to reduce risks of exposure to all types of violence. While QIPs allow the military component to propose projects that can be rapidly implemented (3 months) with a small budget (up to 25,000 USD) to support the local community in varied ways, CIMIC provides activities with the local community such as soccer matches and distribution of food, water and other supplies.

The implementation of QIPs and CIMIC activities has a double objective. They can improve the life conditions of local population through the implementation of these small projects within the area of responsibility of each military contingent, alternatively, they support efforts to win the hearts and minds of the population, building a more trustful relationship between the military and the population.

It was interesting to observe that there are not many QIP and CIMIC activities being carried out in the DRC. Distribution of fuel and firewood could, for example, decrease women's exposure to attack by being alone in the woods. At the same time, the

construction of women's shelters, female latrines and placement of self-efficient stoves would all enhance women's security. Moreover, projects dedicated to building self-sustainable small businesses in charge of local women could also be an important way of strengthening women's status in the society thus decreasing their vulnerability.

These are just some of the various examples in which the military can contribute to local women's security and status. However, we did not observe many of these actions taking place. In a few cases, such as in Province Orientale, application to QIPs was denied. For example, every Guatemalan contingent attempts to leave behind something they built for the population;¹¹⁸ however, we were informed that their last QIP application had been denied. Consequently, their support to population resorted to CIMIC activities all funded by their home country.

Alternatively, the Pakistani contingent was involved with the remodeling of a school which contributed to the education of several Congolese boys and girls as a result of QIP. At the same time, Uruguayan personnel commented that they frequently (every day) provide food to different organizations in the city of Goma, including a shelter for handicapped boys and a school for young boys and girls. In previous years they supported a shelter for abused girls.

The context in the DRC, where troops are daily involved with security activities explains why they are not as involved in CIMIC activities as military contingents in other missions, such as MINUSTAH, where CIMIC has become a central part of their role. Although, these contribute to establishing an improved relationship with the local population, other initiatives, such as the contact with community leaders and women's

¹¹⁸ Interview with Guatemalan personnel, including commander, commissioned and non-commissioned officers and troops were carried out, in Dungu, February, 2012.

organizations may enhance this relationship, building trust and improving their capacity to respond to the specific threats confronted by the local population within their area of responsibility.

The analysis of MONUSCO's gender policy and how a gender perspective is incorporated into the work of all its components indicates that the existence of a context marked by extreme high levels of sexual violence. This has influenced the creation of a normative framework that offers a blueprint for an adequate protection strategy. Progress, however is slow and in a few areas MONUSCO has been confronted with serious implementation challenges. The most easily recognizable are the difficulties encountered by some of the military contingents to incorporate a gender perspective. Not only do they purposely not have any women in their military, they have different conceptions of what sexual crimes consist of and tend to be wary of training. That of course, is not a general trend and was present only in a few contingents.

Having a "support national authority" mandate, although extremely important, can be problematic. Accomplishing national ownership of projects so that the local government acquires the necessary capabilities to sustain peace efforts on its own is necessary; however, when institutions are corrupt and involved with human rights violations, it becomes a central obstacle for a successful protection strategy. This is particularly true in the case of the national military, highly implicated in rape cases in the DRC. Not only may joint operations with the FARDC bring MONUSCO a negative image, but working with the Congolese military justice system to accomplish prosecution can also be challenging. Moreover, as previously mentioned, MONUSCO does not have the mandate to interfere in the case of sexual crimes committed by civilians. These

however are the kind of crimes in ascent and there is a lack of initiatives as to how the mission can further contribute in this area.

Finally, there is the problem of a lack of resources in general. It is clear that the mission indeed has an encompassing and thorough approach to the problem of sexual violence and has attempted to implement different policies in all of the five indicators. However, there is only so much the UN can do with limited staff, reduced uniformed personnel and scarce resources to further support national efforts to pacify the country and protect its people.

Conclusions

The protection of civilian mandate dictates that the needs of individuals should be the mission's highest priority and as a consequence, MONUSCO's efforts are centralized towards identifying and responding to these needs in cooperation with government institutions and humanitarian actors, including the UN agencies and civil society organizations. The analysis showed that MONUSCO has indeed accomplished a number of important benchmarks in terms of incorporating a gender perspective into the daily work of its staff and most importantly into the planning, execution and evaluation of protection operations, often carried out jointly by the military and the civilian components.

As much as pre-deployment training helps any commander and its soldiers to go through situations in which the lives of civilians are under threat, the truth is that in such a context driven environment, sometimes they have to learn on the spot and have a proactive attitude in order best attend those in need. That is not always easy; as General Cammaert pointed out when talking about his own experience in the DRC as a

commander, “The majority of the troops were physically and mentally insufficiently prepared to implement the mandate of protection of civilians, including sexual violence, and had insufficient knowledge of the Rules of Engagement.”¹¹⁹

That was true in 2005 when he was a commander and is still true. Years after the first mandated operations to protect civilians, including from sexual violence, the UN and the international community in general still struggle to grasp this renewed context in which the physical and psychological damage directed towards the population is a central feature. In the light of uncertainty, and the need to act, the UN has come up with innovative actions that contribute to improving the organization’s capacity to adequately respond to this complex and multi-layered context.

As seen, the implementation of these actions varies from contingent to contingent and from area to area. Complicating factors related to the volatile environment where troops operate, along with ill-trained personnel, impose further challenges to a successful learning process. Still, a clear mandate for the protection of civilians generated a normative framework and practices that aimed to place the individual lives of each Congolese as the mission’s top priority. As such, the mission is a hub of lessons learned that can be exported to other missions. The problem has been approached in a comprehensive manner that attempted to increase security by strengthening the economic, administrative and judicial capacity of Congolese state. Most importantly, joint actions between all components have been generated.

¹¹⁹ General Patrick Cammaert, “The practical Implications of a Gender Perspective in Peacekeeping operations”, Lecture delivered at the International Conference *Promoting Gender to Build a Lasting Peace: Reflecting on the Latin American Experience*, Buenos Aires, 25th-26th April, 2012. See: RESDAL, “International Conference,” 03/22/2013, www.resdal.org.ar.

In this context, considerations regarding gender equality, economic empowerment of women, and an environment free from sexual violence, aim to generate initiatives to improve the functionality of the government, the judicial system and the inclusion of women's voices in the peace process. In this regard, the UN has achieved very limited results. By one side it lacks resources and experts, by another, the persistent of patriarchic societal features are not simply erased overnight. A long-term impact assessment will be necessary.

CHAPTER 6

**PROMOTING GENDER TO BUILD PEACE: A SUCCESSFUL LEARNING
PROCESS?**

The incorporation of a gender approach to peace operations is part of a learning process initiated since the 90's when the international security environment changed abruptly. As individuals living within the states became targets and the main victims of wars, UN peacekeeping practices passed through a transformation and incorporated a series of actions whose scope went well beyond the traditional ceasefire monitoring and incorporated efforts to strengthen the state and its institutions (e.g. judicial system, police, rule of law, etc) as a way to protect the population and promote international peace and security. Along these lines, the incorporation of a gender approach was the result of a number of factors, among which the disproportionate impact of war on women and children and the use of sexual violence as weapon of war comprise the central reasons for this increasing concern.

Nonetheless, as it was shown in Chapter Three, the UN's strategy to combat sexual violence and the organization's normative and legal framework to pursue a gender approach in a peace operations setting established a strong link between the improvement of women's lives and peace. While this logic is perfectly plausible, it implies an underlying reasoning that assumes that "fixing" gender relations in accordance with a Western cultural pattern will result in peace. Evidence of this are the numerous UN documents that repeatedly establish this relationship and the UN strategy to approach the problem. As the analysis of UN resolutions on Women, Peace and Security showed, the

UN's strategy to combat sexual violence is comprehensive and considers war-time violence as a continuum of violence resultant from the previous status and vulnerability held by women in these societies. The implementation of broad gender approaches that attempts to not only provide protection against physical violence but also promote women's empowerment and the reform of state's institutions illustrate this concern.

While advances have been made, major obstacles remain. In terms of accomplishments, the elaboration of a strong normative framework based on Security Council resolutions, and supporting documents, such as the Analytical Inventory on the military role to combat sexual violence and the guidelines to incorporate a gender approach to peace operations by the police, are by themselves noteworthy successes. Indeed, as suggested by the case studies, it is only after some form of legal base and normative framework exist that specific tasks to promote gender approaches are passed on to the different missions' components. Furthermore, these documents established important monitoring and implementing mechanisms and benchmarks to evaluate the organization's progress on the issue. Among those are the goal of 10% female uniformed personnel in the field, the reports of the Secretary General on the advancement of these resolutions, the "naming and shaming" strategy to prosecute perpetrators and shame countries that do not hold them accountable and the establishment of an "infra-structure" (Gender and Sexual Violence Units) to support gender mainstreaming in operations. As a matter of fact, the appointment of senior gender advisers in the field and at headquarters levels was central to increase the understanding of gender issues within different missions and to the establishment of gender sensitive actions by the different missions' components.

At the same time, however, the case studies showed major implementation gaps on the specific issues that, from the beginning, comprised the main puzzle of this dissertation. The implementation gap remained wide on those issues that depended more on member state's compliance, such as gender balance and protection. In both case studies, it was evident that member states are still far from reaching an ideal gender balance among uniformed personnel. Nonetheless, what is worse is the fact that national identity and culture played an important role in determining how actions on the ground were carried out. The multiple complaints among female personnel (from different components) in regard to some of the contingents' behavior toward women were worrisome, especially in the light of unanimous endorsement of UN resolutions on Women, Peace and Security.

What do these challenges say about the UN's organizational learning and its ability to act as an agent of norms disseminator? The reality in the field and the mandates' scope remain disconnected. The likelihood that the UN mandates will become a reality is low. The question of whether setting high aspirational goals contributes to norm diffusion, even at a slow pace, cannot be answered conclusively in this dissertation. Nonetheless, important evidence supports this claim, including the generation of local instruments to better protect women and girls (such as local laws and government strategies); women's empowerment, particularly in the political domain, an area where missions have been very active; and finally an improved understanding among member states of the operational need to have both more female uniformed personnel and more economic assistance dedicated to combat sexual violence.

The analysis of the case studies also identified some elements that, when present, would either facilitate or impede learning. For example, it became clear that in the presence of specific mandates to protect civilians and combat sexual violence, better protection strategies are adopted and more detailed tasks are issued to the military component. Nonetheless, the study of the specific case of Congo showed that even though a strong gender normative framework was in place its protection strategies constantly failed, as is illustrated by the increasing levels of violence in the country. Success was stymied by three complicating factors. They are: the presence of an ongoing and complex conflict, the geo-political environment of the country, and intrinsic obstacles to reaching the population.

Overall the analysis showed that gender approaches to peace operations are a Western based idea that is difficult to implement due to the distinct political and cultural reality in the majority of the member states. Nonetheless, it was successfully put in the international agenda and will remain so in future years. As a consequence, despite the slow pace, the UN has been an agent of dissemination. This conclusion not only supports the UN's specific role in disseminating a gender approach to its member states, but most importantly, it also shows that institutions can indeed serve as agents of norms dissemination by influencing member states to adopt new norms that are at odds with their traditional practices.

In order to further discuss the contributions of this dissertation, this chapter will be divided into three main sections. The first compares the results from the two case studies. It evaluates whether the implementation gaps found in field missions were hampering the learning process and defines which elements can be considered learning

enablers which should be disseminated to other missions. The second section discusses the UN's role as an agent of dissemination and will evaluate its success in promoting gender approaches to member states participating in these missions. The third section discusses the contributions of this dissertation's conclusions to the study of institutions in general, particularly their role in generating and disseminating norms to member states.

Lessons from the field

The learning model used in this dissertation attempted to show the dynamic process through which new norms are created and incorporated within organizations, and specifically how gender norms were incorporated into the scope of peacekeeping practices by the UN. As previously discussed in Chapter 2, an important part of the learning process refers to disseminating these norms throughout the UN's different bodies, agencies, and institutions and to its member states. The analysis of the case studies was paramount to determining the areas where the UN learning process confronts major difficulties.

As expected it is the distant political and cultural reality of member states and host nations themselves that posed the greatest obstacle to a successful learning process. This is particularly true in the specific areas where UN's mandate was carried out by member state's troops or through their direct contribution. In other cases, it became clear that, despite the push for the reform of local institutions to incorporate gender approaches, local security forces remained ill-trained and/or maintained a patriarchic structure.

However, a few advances were achieved, some lessons were learned, and there is evidence of slow norm diffusion. In particular, observations included the development of

local legal mechanisms to protect women and girls, the political empowerment of women, the recognition within some contingents of the operational requirement to include uniformed women in their ranks, and the need to address women's needs in the field.

These indicators are the basis for a comparison of the accomplishments and shortcomings of the two case studies in this section. From this evidence conclusions are drawn regarding the best practices for successful gender mandate implementation and improved ways to promote organizational learning.

Legal framework

In this regard the analysis showed a major difference between the two case studies with differing impact in the field. The Haitian case is marked by the constant absence of protection of civilian mandates to combat sexual violence which led to the absence of gender considerations in the mission's planning. In fact, it was not until the earthquake and the massive displacement of the Haitian population to IDP camps that resolutions acknowledged the need to protect civilians in those areas, including women and girls, who were increasingly becoming victims of sexual violence. The inclusion of this issue in the mandate led to the incorporation of specific tasks for each of MINUSTAH's components to address this issue more effectively. For example, the military was tasked with patrols within some of the most dangerous IDP camps, the police created a mobile team that operated within the camps, and the Gender Unit worked closely with government institutions and police to improve the commissariat's ability to receive victims, e.g. creation of separate spaces to receive victims.

However, as previously discussed, sexual violence is a constant in Haiti's history. Civil society organizations and scholarly analysis point out to the recurrence of sexual violence as a form of political oppression when women were targeted due to their, or their relatives' political affiliation. Moreover, as mentioned on different occasions by members of the Gender Unit gang, rapes still occurs in the country and comprise vestiges of the high levels of violence committed by those paramilitary and militia groups created by governmental authorities to protect their power.¹ Although the areas where they operate have been pacified, gang activities and occasional sexual violence occurs, often related to the initiation of new gang members or to their other activities. Consequently, although the inclusion of protection mandates to MINUSTAH has produced positive results and generated specific tasks to address sexual violence, it perpetuated a single-minded view of this crime in Haitian society as a bi-product of the earthquake, rather than the continued societal violence that existed before January 2010.

By contrast, the case of Congo shows a different picture. Sexual violence has been widely recognized as a central feature of the conflict and thus it is always included in MONUSCO's mandate. As a result, specific strategies to protect civilians and combat sexual violence have been generated and each of MONUSCO's components has specific tasks aimed at protecting women and girls from sexual violence. Besides the mission's initiatives there are also complementary plans of action in cooperation with UN agencies and other organs of the international community, such as the Humanitarian Action Plan and the Protection Cluster along with the I4S Plan for the Stabilization in the DRC that also contemplates efforts to combat sexual violence.

¹ Interviews with representatives from MINUSTAH's Gender Unit carried out in Port-au-Prince, September 2012.

Paradoxically though, despite the presence of a strong legal and normative basis to address the problem in the DRC the situation has not improved and, in fact, it worsened with the systematic resurgence of different armed groups that openly attack the population and usurp the country's resources. In fact, the DRC case is further complicated by the persistence of the ongoing conflict, the lack of strong local leadership and inability to reinforce state authority throughout its territory, and the inaccessibility of population segments living in isolated areas, often only accessible by helicopters. While these do not offer a full explanation as to why the situation in the Congo has not improved, despite the implementation of a normative framework and corrective action, they do explain the contextual complexity. They also show that further attention and robust action on the part of the international community is required.²

Gender balance

Gender balance is one of those areas that is very dependent on member state's national policies and their political willingness to adopt resolutions' provisions, particularly among uniformed personnel. The civilian personnel hired to staff peace missions are selected by the Department of Peacekeeping Operations (DPKO). Even though the exact gender balance in the two missions for the civilian component could not be assessed, the number is relatively low. An inability to support accompanying family members was cited by some interviewees as an important factor that explained the

² On March 28th, 2013 the Security Council approved yet another resolution as a ways to improve the security situation in the DRC. Resolution 2098 created a specialized "intervention brigade" in an attempt to "neutralize and disarm the notorious 23 March Movement (M23), as well as other Congolese rebels and foreign armed groups in strife-riven eastern Democratic Republic of Congo." See: Department of Public Information, "Intervention Brigade Authorized as Security Council grants mandate renewal for United Nation Mission in Congo," 04/17/2013, <https://www.un.org/News/Press/docs/2013/sc10964.doc.htm>.

decreased number of women in the civilian component. Nonetheless, in both missions, women led the major civilian sections dedicated to improving these missions' response to gender specific needs (i.e., Gender Unit in Haiti and Gender Affairs Office and Sexual Violence in the DRC). Moreover, in the DRC, the Special Representative of the Secretary General for Rule of Law was a woman.

Since UNSCR1325 gender balance among uniformed personnel has improved in both missions. The approval of the resolution by the Security Council and the initiatives generated by the organization, such as the creation of gender units, and the inclusion of guidelines and training modules have influenced member states to send more female uniformed personnel to peace missions. However, the military remains the main challenge, especially because increasing the number of female military depends on member state's national policies and their willingness to change them. Currently 2.45% of the military and 10% of the police force are women among MINUSTAH uniformed personnel; and 2.52% of the military and 9.96% of the police are women in MONUSCO.

As was previously suggested, the presence of women in the field reflects national policies of member states. The late incorporation of women in the military and their complete absence in some specialty fields, particular combatant positions, explains why – until now - they have low ranking and remain restricted from some tasks, such as security patrols and escorts that would allow them to have direct contact with the population. In both UN missions, military women were mostly confined to the barracks of the military based on their specific military branch and specialty. In the case of the Congo, interviews indicated that within the South African and Ghana Battalion there were combatant women in patrols, however, the contingents present in the areas where most rape cases

are recorded (North and South Kivu and Province Oriental) have a very limited number of female personnel (Pakistan, India, Bangladesh, Morocco).

Interviews with female uniformed personnel and some male personnel indicated that they agreed with the idea that the presence of female personnel facilitates contact with the local population and may serve as a role model to the local society. Almost all accounts included observations that they attracted a lot of attention among the local population and that could serve as an example used by local women to enhance their own empowerment.

Security sector

In both missions, the bulk of action towards improving the security sector refer to strengthening local capabilities, particularly national security and military forces and the justice system. Because Haiti does not have a military force, efforts are focused on the police, while in the DRC both the military and the police capabilities are tackled. It is also important to note that there is increased attention towards providing gender training for police and military in the two countries, with varying results. Haiti is considered more successful in this regard because it has a special UNPol team dedicated only to that matter. Nonetheless, in the DRC there is increased attention on the military due to the elevated number of rape cases that have been perpetrated by them. In fact, as the UN supported DDR processes that incorporated subjects responsible for serious violations of human rights into the Congolese military, the UN is also considered responsible for the current gruesome condition of Congolese forces. Unfortunately about half of the reported cases in South Kivu were allegedly committed by members of the Congolese military.

In regard to strengthening the local justice system, interviews in Haiti and in the DRC showed that deployed civilian personnel tend to think that cultural features hamper the efficacy and liability of local systems and impunity remains common place. Local mechanisms of mediation between community leaders and families were cited in the two countries as factors that contribute to low prosecution rates. It is common practice that agreements between the family of the victim and the perpetrator are settled, usually incurring in financial compensation. The main concern is that by having these informal mechanisms, the formal legal pathways are under-utilized and continue to be perceived as untrustworthy by victims. Other factors also affect these systems, such as corruption and a lack of functioning local justice system. This is one of UN's major challenges, not only in regard to improving its responsiveness to sexual violence, but to enhancing its performance in peace building and post-reconstruction. The UN lacks civilian capabilities and resources to send experts to support the re-habilitation of local institutions, a step that is necessary for the full recovery of any society.

Part of building a sound justice system is having the necessary legal framework. Many of these countries have inadequate laws prohibiting violence against women, including rape. In fact, laws criminalizing rape were not passed in Haiti until 2005 in Haiti and in the Democratic Republic of Congo until 2006. The UN missions, particularly its gender offices, actively participate in the efforts to improve national laws related to sex discrimination, gender equality and violence against women. However, in both cases the hard work of grassroots organizations, UN agencies that work separately from the mission, and, in particular, UNIFEM (now UN-Women) were key players in addressing the deficient legal system. A recent project to reform Haitian penal code and tighten the

law on sexual violence was sent to the parliament. Among the provisions, the criminalization of marital rape and facilitating measures for prosecution, such as the abolition of the need of a medical certificate, are important measures that will improve domestic response to sexual violence.³

Protection

Protection was yet another area in which the UN's organizational learning and its capacity to disseminate norms was tested. These aspects are heavily dependent on member states willingness to comply with UN guidelines and best practices for protecting local women from sexual violence. This indicator was highly correlated to impediments of member state culture.. The analysis of the two cases revealed that contingents in both the DRC and Haiti were charged with serious allegation of sex discrimination. This is problematic because some of the DRC contingents are deployed to areas of high levels of sexual violence, as is the case of the Pakistani contingent in South Kivu and the Moroccan contingent in Province Oriental.

The field work showed that contingents in general have a limited understanding of their role in protecting women and girls. Despite clear UN guidance directing communicate with local women's organizations for the purpose of gathering first-hand information on their need to provide patrols and escorts in dangerous areas, the military contingents argue that UN policy strictly forbids their interaction with local women. UN policy forbids sexual contact between troops and locals. The military interpretation that routine interaction is forbidden undermines the development of more effective protection

³ For more information on the recent Haitian law project, see: Ansel Hertz, "Haiti moves to tighten laws on sexual violence," *Global Issues*, 04/15/2013, <http://www.globalissues.org/news/2013/03/07/16030>.

strategies. Some contingents, such as the Indian and Latin Americans, affirmed that they interact with locals, although only the Indian contingent confirmed having a close relationship with local women's organization. Specifically they have established an effective relationship in the Walikale territory, the site of, where previous massacres.

Allegations against contingents included their refusal to speak to women, even UN staff, or to host them in their base during joint activities. As previously shown in the Congolese case, joint operations between civilians and military often include female civilian participants. Interviewees stated that they were restricted from the base which contradicts the military function of protecting civilian and UN personnel. Female military personnel from other contingents also complained that they were excluded from participating in joint patrols because the Pakistani contingent forbade them from entering their base.

The interviews showed a differentiated attitude towards the female researchers in the team. The research team was comprised of two female interviewers and one male. Some military contingents would not shake hands with women interviewers and would only speak with the male interviewer. These impressions were confirmed by interviews with different civilian sections in both missions. In the most extreme cases sexual exploitation and abuse against the population were viewed as normal.

Consequently, although great lessons learned could be observed in the DRC, an example of which are the escorts and patrols of the Joint Protection Teams, these actions are of varying impact due to the prevalence of these attitude. The strong influence of attitude as an obstruction to norm diffusion works at cross purpose to the UN "Women, Peace and Security" resolutions. These resolutions prescribe addressing gender relations

as a way to accomplish peace, but have little if any enforcement mechanisms for appropriate gender relations in troop-contributing countries. The question of whether these high aspirational goals support the dissemination of norms to, and acceptance by, member states cannot be fully answered although there is evidence of positive effects in some countries. Further research of the military contingents that originate from countries with ingrained cultural attitudes against gender equality is needed to evaluate the effectiveness of the UN as an agent of norm dissemination.

In Haiti, protective actions are undertaken by both the military and the police, however it is the predominantly the police component that works with cases of sexual violence. They primarily focus on the IDP camps. Although it is well known among members of the Gender Unit staff that sexual violence is widespread, their attempt to expand police activities beyond IDP camps have not yet been successful. The military, from troops to leadership, has a very limited understanding of the nature of the problem in Haiti. They associate sexual violence with the lack of security in the camps and, thus, praise the military's security enforcement within the camps as instrumental to reducing. However, equally important were the military efforts to stabilize and pacify the neighborhoods of Port-au-Prince. This was instrumental in reducing sexual violence, yet the military seems to be unaware its importance.

A final comment on this topic is necessary. Interviews with contingents from some nationalities showed that, despite the UN's provision that peacekeepers are deployed on a voluntary basis, some contingents affirmed that they are ordered and deployed abroad. Among those military contingents interviewed, battalions from Jordan,

India, Bangladesh, and Pakistan were ordered. This is another factor to consider as influencing peacekeepers' performance.

Empowerment

In both missions, the gender office is involved with actions toward women's empowerment in all domains, from compensation for victims to support during electoral campaigns to female candidacy opportunities. This last domain has seen the highest level of success as exemplified in by increased participation of women in elections both as voters and as candidates. Joint work with the military component to protect women candidates, who are often targeted, was performed in both cases.

However, the different reality in the two countries led to varying degrees of involvement by the different missions' components in actions toward women's empowerment. In Haiti, as the country becomes more stable and the mission enters the consolidation phase, political volatility and fragile democracy are the main threats to reversing women's gains. Interestingly, since the security situation has improved in the country, all components - including the military - have worked with social and economic projects to promote women's empowerment. Battalions have implemented Quick Impact Projects (QIPs) that benefit local women, by both improving the mission's image and their contact with the population and by promoting women's empowerment.

The volatile environment in the DRC creates further challenges which have stymied reducing sexual violence and increasing the social and economic conditions of women. As a consequence, MONUSCO civilian sections finance the activities of women's organizations and support government efforts to implement UNSCR1325. Mechanisms of compensation to victims of violence have been put in place and a few

QIPs focus on women's specific needs, such as the construction of latrines, maternity facilities, etc. One of MONUSCO's biggest contribution, in partnership with other UN agencies, especially UN-Women, is the generation of a strong civil society and a space for women's voices.

This analysis highlighted the UN's main accomplishments and challenges for the future. The comparative analysis specified areas in which the UN's organizational learning process has been more successful and which factors contributed or hampered that process. As expected the UN's attempt to incorporate a gender approach faced major difficulties of norms dissemination to member states. This is illustrated by the difficulty of implementing gender mandates that are being carried out by culturally diverse troops. There is another differentiated cultural matter that affects actions and is important to address. Different organizational cultures, such as those of humanitarian personnel, UN civilian staff, and the military each have unique ethos, norms and behavioral approaches to problems. Yet the problems they face require joint solutions. Healthy civil-military relations are a necessary condition for the implementation of these mandates.

The two countries showed different realities in that regard. Because Haiti is stabilized through military action, the military troops are increasingly involved with humanitarian activities, which is a source of friction with the humanitarian community. In the DRC, the relationship between the military and civilians is generally positive. However their relative unawareness of each other's unique institutional cultures caused occasional friction, particularly when dealing with information sharing. An area that worked well was the coordination mechanisms to incorporate gender approaches in the military work. At the higher level, such as heads of civilian units, force commanders, and

the component's gender focal point leader, the relationship was extremely positive characterized by frequent meetings.

The comparative analysis of the case studies has shown that despite the shortcomings, there are important accomplishments that should not be taken for granted. In particular, the generation of a space where gender themes are discussed and action towards promoting gender equality are increasingly becoming a priority (at least at the missions' leadership level). Despite difficulties in changing traditional patriarchic features in host nations, the continued weakness of domestic institutions, and member state's unwillingness to implement certain changes themselves, it is important to recognize the accomplishments. Important steps have been taken toward recognizing gender issues as central when addressing conflict roots and establishing the foundation of a lasting peace.

The analysis, however, did point out important elements that are necessary for successful implementation of a gender mandate. It identified the major obstacles for the UN's renewed policy focused on the individual, its attempt to improve protection of women and girls, and to identify and address their needs. The contextual analysis of the cases shows that indeed war violence is a continuation of previously existing unbalanced gender relations in these countries that were exacerbated by instability and conflict. In both countries, the status of women and the state's capacity and willingness to protect their rights were extremely limited. Moreover, there was a prevailing inferior social status of women that further increased their vulnerability and decreased their access to basic economic opportunities. This reality shows that indeed "fixing" gender relations is an essential step to re-building societies. Thus the UN has adopted an appropriate strategy

that focuses on the root causes of wartime violence against women and establishes the conditions for ensuring those gains are not reversed in the aftermath of war.

Nonetheless, the political and social reality of member states entrusted with the responsibility of carrying out these mandates is the foremost obstacle to improving local gender relations. As shown, the different domestic reality of member states was influential and shaped the action of troops in the field. There is another potentially harmful effect. The UN troops serve as a role model to local societies. One of the main justifications for incorporating more female uniformed personnel was that their inclusion would serve as a role model. They would exemplify a different reality, one in which women could pursue the same career paths as men, including the military. What are the harmful effects of deploying contingents whose gender views reflect the same problems that these policies are supposed to address? If the UN is working with the notion that these norms generated at headquarters and perfected through lessons learned from the field can be disseminated to host nations and member states, then it should also consider the possibility that by having these contingents in these areas, rather than fixing, they may be reinforcing those same prevailing patriarchic features the organization is trying to change. Their actions are at cross-purposes with their intention and stated policy objectives.

The UN's problem of generating member state support in terms of troops, financial contributions, and equipment are not new. However, better assessment of the cultural background of troop-contributing countries should be conducted before deploying troops to sensitive areas where the impact of war on women and girls is particularly harsh. The UN should place a higher priority on assigning troops that

exemplify the gender norms that the UN intends to diffuse to target countries. This is a difficult but necessary task.

To conclude this section, indicators are identified that can be used to evaluate the effectiveness of the UN in implementing a gender approach in its peacekeeping practices and disseminating gender norms.

Table 15: Analytical indicators for assessing the UN's implementation capacity in the field

Strategy component	Indicators
Legal framework	Presence of gender sensitive mandates with specific protection provisions.
Gender balance	Female personnel comprise at least 10% of uniformed personnel and 30% of civilian personnel. Military women in patrols and police women in constant contact with victims and involved in all efforts to address sexual violence. Civilian women in decision-making positions.
Security sector	Generation of local legislation regarding sex discrimination and other forms of sexual and gender-based violence and the criminalization of rape. Gender training for local security and defense forces and initiatives to increase the number and contribution of women in these institutions. Initiatives to improve the justice system.
Protection	Consultation with local women's organizations and participation of women, uniformed and civilian, in assessment missions to both identify protection needs and the impact of war on women.
Empowerment	Increased number of women participating in elections as voters and candidates. Improved economic and social indicators disaggregated by sex. Initiatives to improve the status and benefits of women undertaken by all components.

These indicators comprise a useful method to assess the UN's ability to implement a gender approach to peace operations and to point out the specific areas in

which the organization's efforts have experienced the most difficulties. At the same time, given that gender is a hard case, the analysis will identify the UN's deficiencies in promoting norm dissemination to other countries as well as within its own organization.

The following section explores the final stage of organizational learning - dissemination. This assessment will provide insight regarding the UN's effectiveness in influencing member states to implement national policy that reflects the UN's new gender norms. Is the UN an effective role model for member nations?

The UN as an agent of dissemination

The learning model proposed in this dissertation attempts to assess whether or not organizational learning can take place when member states have not yet learned themselves and serve as an agent of norms and practice dissemination. This focus was derived from the main puzzle of this dissertation, that is, the fact that the UN has linked a lasting peace with "normalized" gender relation and proposed a comprehensive strategy aimed at improving women's status, state capacity, and the security environment. The focus on gender relations seems plausible, however it entails certain cultural features that are still not acceptable among member states. The question is whether the UN could "fix" gender relations in host nations when member states, whose troops are responsible for carrying out mandates in the field, originate from a domestic societal context in which gender equality does not exist.

In this regard, the analysis of the case studies showed that the UN's gender approach is adequate since there seemed indeed to exist previous unbalanced gender relations that contributed to the increasing levels of sexual violence during wartime, in the case of the DRC, and during political disturbances, in the case of Haiti. Despite the

differences in scale and applied tactics, women were targets in both countries as a result of a strategic thinking that aimed to either punish them for political views or, in the complex case of Congo, undermine opponent's will to fight, distress local society, and exterminate a particular ethnicity.

The difference in the degree in which violence has been used is the result of the particular context in each country, the level of conflict instability, and the international community's scale of success establishing a lasting peace. As the security environment improves and political disruptions decrease in Haiti, the cause of violence against women has become less of a tactic and more opportunistic. This clarifies the root of the problem as being Haitian women's structural inferior status in the society. In Congo, as armed conflict continues so does the violence against women. Rape and other forms of sexual violence may be accepted and normalized in their society.

The field work identified the UN's difficulty in norm dissemination in both host nations and member states. This is shown by the limited impact of its policies on national institutions and the slow pace at which member states have taken in adopting the provisions of "Women, Peace and Security" resolutions. However, the successful actions, pointed out in the previous section, should not be underestimated. Creating domestic laws to establish and protect women's rights, eradicate violence and sex discrimination, strengthen the role of women's organizations, and create a space in the political arena for women are significant. These are important advances that may contribute to further disseminate the new norms and practices regarding gender. They also may have spillover effects in other areas, such as reform of host nation's security sector, institutional

improvement of women's physical and structural vulnerability (and thus decreased levels of violence against them), and lay the foundation for lasting peace.

The case studies show that a member state's inability to comply with certain provisions does affect UN actions in the field, particularly in regard to protection strategies that can be seriously undermined with contingents that are not prepared to deal with this problem or that are unwilling to incorporate gender approaches to their actions. In these cases, the main problems are: 1. Inability to adequately communicate with local women's organizations or local women as a way to better understand their protection needs; 2. Failure to adequately prosecute these crimes and protect victims, as exemplified by improper interrogation methods and reporting procedures that reveal victims' identities and endanger them; 3. Ignorance in regard to the nature of the crime itself as illustrated in an interview with one of the interviewed battalions commander who affirmed that sexual violence committed within the family is not a crime; 4. Difficulties derived from some of the battalions' unwillingness to host female personnel which hinders joint protection strategies and effective communications with local community; 5. Misbehavior and involvement in cases of sexual exploitation, abuse, and violence, including rape.

Despite the adverse effects resultant from troop contributing countries inability to adopt a gender approach, it is important to note that the abovementioned problems are not ignored by the civilian sections responsible for improving the UN's response to sexual violence and for incorporating gender approaches throughout all UN actions. In fact, interviews with members of the Gender Unit in Haiti, the Gender Affairs Office, the

Sexual Violence Unit in Congo, and other civilian sections in the two countries show that they are aware of these problems and are addressing them.

For example, the Sexual Violence Unit in Bukavu, DRC, was aware of recurrent inadequate interrogation procedures in the South Kivu area and created a training course for military contingents. The simple and straightforward language, “Do’s and Don’ts” format, provided guidelines for how to deal with a victim of sexual violence. The UN staff responsible for that course commented that the military responded very well to the instruction and became more involved with the unit. Their relationship improved considerably because they understood the importance of their role. For example, after a recent massacre in Walikale, a Mobile Operating Base was established, continuous patrols were conducted, and weekly meetings with local women’s organizations were organized. Another example is in Haiti. Contingents continued to display a lack of understanding in regard to gender issues. In response the Gender Unit worked closely with the military component gender focal point to promulgate a force commander directive that all contingents must appoint a gender focal point at the battalion and/or company level. Further, these liaisons should participate in a specific three-day training on gender which would enable them to disseminate the information to the rest of the contingent.

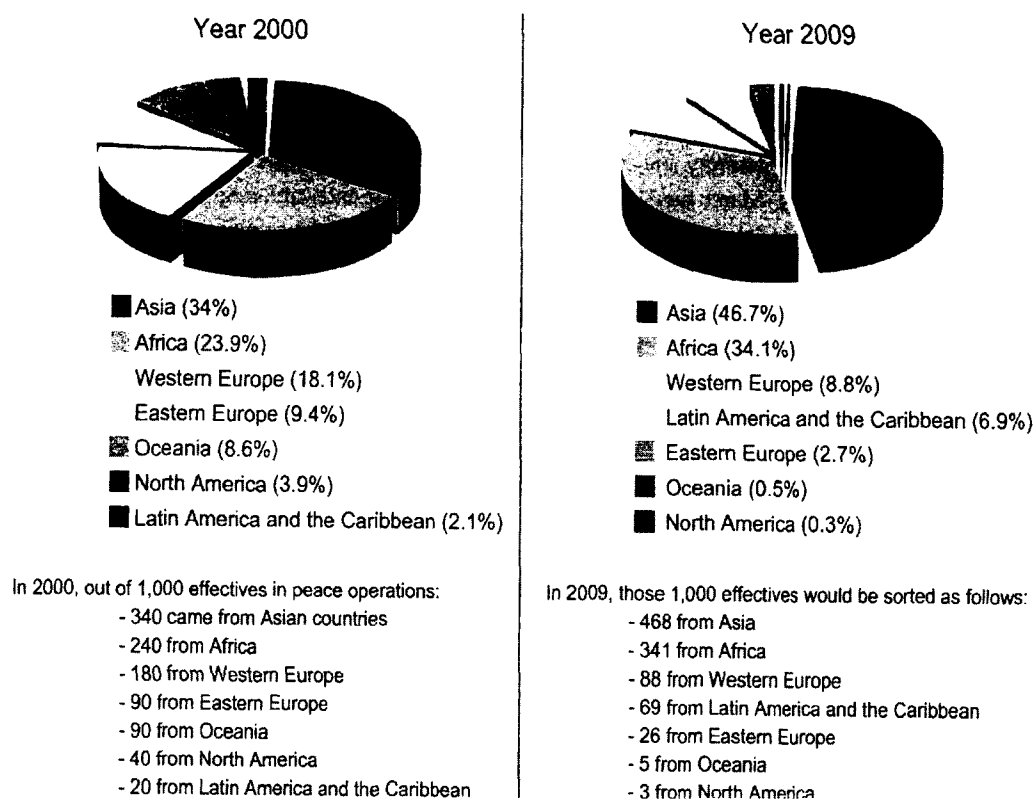
These initiatives illustrate that even though member states do not adopt UN provisions which may hamper efforts, the infrastructure put in place as a result of “Women, Peace and Security” resolutions has a positive impact. An example is the appointment of gender advisers and emplacement of sexual violence units which have the effect of circumventing member states’ non-compliance. Most importantly, these efforts

identify another instance through which institutions can promote norms dissemination to member states. The constant repetition of contingent deployment and readministration of appropriate gender sensitive training to the troops diffuses these norms to the member states. This is a result of the continuous replacement of military and law enforcement contingents. Once their six, nine or twelve month tours end they return home and new personnel take their place in the contingents. However, that also means that the learning curve is rather steep due the constant replacement of troops in the field.

Although this study does not provide enough evidence to conclusively trace the ways through which gender norms and practices are adopted by member states, it provides important insight on norm dissemination and confirms that some diffusion takes place. Future research and long-term analysis is necessary to adequately assess the UN's ability to act as an agent of norm and practice dissemination in the gender domain. Assessing the hard case of gender in the UN is an important step toward evaluating an institution's ability to promote norm dissemination and their efficacy.

The analysis carried out in this dissertation, however, also contributed to identify factors that contribute to the dissemination of norms by motivating member states to adopt these changes. In the specific case of gender in peace operations, the use of peace operations as a foreign policy pillar led some states to incorporate provisions of “Women, Peace, and Security” resolutions in their national policies.

Figure 9, below, shows that contributions to peace operations have increasingly switched from developed countries to developing states over time. International organizations are usually the arena of choice through which these states attempt to propagate their national interests and participate in international politics architecture.

Figure 8: Contributions to peace operations by region

Source: RESDAL, 2009.

An important factor to be considered in regard to these developing states is that most have passed through the processes of political, economic, and social upheavals themselves. This gives them a comparative advantage when acting in the other conflict and post-conflicts scenarios. In some cases, this experience is reflected in specific tactical capabilities that create a safe and secure environment through a comprehensive approach to security. This approach includes development projects as key to achieving long-term stability and building relationships of trust with the local population that facilitate overall goal accomplishment. This is the case of Latin American countries. Brazil, in particular,

has a special interest in showing its capabilities in peace operations as a way of strengthening its pledge for a more active role in the international security agenda and to support its pursuit of a permanent seat on the UN Security Council.

Not all countries that have increased contribution have the same motivation and commitment to the UN's principles and norms, as say Brazil and South Africa, too. In some cases, an increased contribution to peace operations reflects a need to employ national armed forces and take advantage of an extra source of income. In these cases, countries have limited incentives to comply with UN provisions. As the case studies further showed, some contingents order personnel to participate in peace operations, rather than sending them on a voluntary basis. This was the case with all Asian and Middle Eastern contingents interviewed (Bangladesh, India, Jordan, Pakistan, Sri Lanka and Morocco). The result may be an elevated number of troops that do not comply with minimum training standards and often misunderstand some of the norms the UN attempts to foster in host nations.

While this may be true in some instances, as was shown in the case studies, some of these countries are taking important steps toward incorporating UN norms into their own practices as a way to enhance their international image. Bangladesh and India, for example, have created all female FPU's. The Sri Lanka battalion in Haiti will incorporate female military in its next contingents based on what they learned regarding the operational needs of female uniformed personnel through the interaction with gender specialists in the field. These examples show that in some instances, the UN's role as an agent of norms and practices dissemination has worked and contributes to improve its own response in the field. It depicts a cycle of learning.

As the analysis has shown, there is evidence that the UN serves as an agent of dissemination to member states, although evidence does not support drawing a definitive conclusion. Regions and countries that use the UN as a platform to actively participate in international politics have a stronger incentive to comply with UN norms. An example is the advancement of gender norms in Latin American countries.

Since 2000, Latin American participation in peacekeeping operations has increased by nearly 1,000 percent. Unlike troops from other large contributing countries, Latin American troops present an open institutional culture recognized as an important asset to work in an environment such as that in the DRC or Haiti. Moreover, the “Latin American way of doing peacekeeping” seems to emphasize two important actions that are at the core of modern peacekeeping operations: close contact with the population and development of projects aimed at enhancing local capacity.

Latin American participation in peace operations has a long history. A few countries have participated since the first UN missions, namely Argentina, Brazil and Uruguay, and have accumulated almost 60 years of experience. These Latin American countries have adapted to the new international demands in line with the transformation of the UN’s peace operations. They have created national peacekeeping training centers and training course with high standards to satisfy the demands of the international community.

Since 2008, these countries have reaffirmed at the biannual Conference of Defense Ministers of the Americas their intention to retain a gender perspective in peace operations. Individually, some Latin American countries have achieved measurable progress. Chile adopted a National Action Plan for RES1325 in 2009. Others, such as

Argentina and Uruguay, evaluate the possibilities of launching their own National Action Plan. In 2012, Brazilian president Dilma Rousseff announced that within five years all military branches of Brazilian armed forces should include women, something considerable unthinkable just few years ago. A diplomatic-military partnership is being forged between Ministries of Foreign Affairs, who are concerned with the international image of their countries, and Ministries of Defense. The partnership serves to reinforce UN gender norms. Adequately incorporating these norms becomes a priority for those aiming to have a major role in the organization.

It is in this particular area that further research is needed. Separate studies concentrating on the mechanisms of norm dissemination and methods of gender norms adoption in other regions, particularly Africa and Asia, are necessary. As Chapter Three showed, there are only 39 states that have adopted National Action Plans. Those that are developed states adopted their NAPs independently and those African states have NAPs as a result of receiving UN intervention. However, implemented is another matter altogether. Senegal, for example, adopted a NAP on its own initiative. It would be interesting to analyze to what extent the NAPs are, or are not, being implemented in these African nations. Senegal is an ideal case for such a comparison.

Another area for future research is the measuring the effect differential of gender training modules between countries that do not deploy military women, such as Pakistan and Jordan, to countries that deploy women. Interviews with personnel that return home from peace operations where gender units are established and gender training is conducted would also be interesting as a way to assess how much information is retained and if there are instruments to further disseminate these norms nationally. Finally,

focusing on which countries contribute troops when analyzing the dissemination of gender norms and practices may be central to understanding and explaining the impact of national culture on the UN's organizational learning process.

The analysis of the specific case of the UN's organizational learning process in adopting a gender approach to peace operations can contribute to a general analysis of how institutions can lead the way in facilitating norm dissemination and influencing states to adopt international practices.

International organizations, norms dissemination, and organizational learning

The objective of this section is to explain the main implications of the study of gender in peace operations to the overall study of institutions as central actors in the international system, the nature of their relationship with member states, and their role as agents of norm dissemination and facilitators of learning.

The analysis of how the UN incorporated a gender perspective to peace operations highlighted three elements that are central for the study of institutions and their importance for international politics. First, the international organization's culture, specifically the organization's composition, purpose and relationship with its members. Second, the dynamics behind organizational learning and how norms and practices are created and disseminated through this process. Third, the international organization's role in influencing states to adopt new policies.

First, the study of UN's organizational culture proved that membership composition affects the IO's values, purpose, and, most importantly, its capacity to learn and change over time. An organization such as the UN, composed of 193 culturally different states is subjected to the pressures and political dynamics of each of its member

states. These cultural and political differences present major obstacles to creating norms that require consensus among all members.

It then becomes clear that IOs' composition incur in differentiated challenges when changes in its original purposes, norms and practices are needed, as the more culturally diverse the organization is, the harder it will be reach a consensus. In this regard, the analysis of organizational learning not only clarified all five steps behind the dynamics of learning, but it also showed how IOs can serve as facilitators, assuming a leading role in disseminating norms. As a consequence, learning can be understood as a process that aims not only to improve IOs' capacity to adapt to changes in the environment in which they operate; but also their ability to generate consensus amongst member states about the need to change policies in accordance with new international challenges.

The study of the UN's organizational learning process and how gender was incorporated as a new practice necessary to accomplish peace underscores the importance of IOs as facilitators of learning and identifies the difficulties associated with this role. Indeed, it became clear that incorporating gender approaches to peacekeeping was the result of the combined efforts of the epistemic community and a few concerned member states. As the Secretariat assumed the leadership of this process and had major resolutions approved by the Security Council, it transformed wishful thinking into institutionalized policies, influencing member states to adopt them when acting under the organization's scope.

Nonetheless, gender is a hard case. It is one of those issues that is far from reaching consensus amongst member states. Moreover, the UN's gender norms and

practices represent values that are mostly associated with the West and are at odds with the cultural reality of the majority of member states, many of who are major troop-contributing countries. As a result of these cultural differences it was anticipated that gender norm dissemination in the field and to member states would be a difficult process. This project supports that expected outcome but also identified instances through which norms dissemination occurred at the field level where first-hand experiences facilitated learning as well as at national level.

This realization has implications for the study of institutions. As pointed out in Chapter Two, this dissertation departs from an understanding of institutions as autonomous actors that can generate knowledge and learn on their own. The fact that international organizations are comprised of member states that define institutional purpose, design budgets, and allocate resources provides both opportunities for, and limitations on, IOs' actions. While limits are obvious and related to institution's dependence on member state resources and willingness to support IOs' policies, opportunities come from the authority, legitimacy, and reach that IOs can provide to norms and practices directed to the common good.

In other words, their contribution to international politics comes less from their capacity to act on their own and more from their ability to generate knowledge, norms and practices and, most importantly, from their leading role in influencing member states to transform policies. In this regard, the analysis of the UN's organizational learning process was paramount to identify the instances through which knowledge was transmitted from the organization to member states pointing the way through which organizations can further enhance their leading capacity as agents of norm dissemination.

For future research, the mechanisms through which knowledge is transmitted from the organization to the member states should be emphasized. In particular, if and how first-hand experience and accumulated field learning is transmitted and incorporated at the national level. This analysis would be paramount to conclusively determine IO's influence in constructing international politics and the norms and rules to which states abide.

As a final word, I would like to emphasize that this research strives to view institutions differently. Rather than seeing them as instruments of states or actors in their own right, we should analyze them as facilitators and enablers of norm creation and diffusion through the world. The understanding of institutions as enablers and facilitators indicates that the role of IOs in international politics is greater than realists would think though not as protagonist as institutionalists would argue. In practice, it is an important venue to connect different actors and form epistemic communities, who in turn create and transmit specialized information and knowledge designed for the common good to different national governments.

Conclusions

The analysis provided in the chapter summarized the UN's main successes and shortcomings in implementing its learning process as well as highlighting the implications of this analysis to the study of institutions. Among shortcomings and proposed future research is a deeper analysis of the UN as an agent of gender norm dissemination and the mechanisms to improve channels of communication and norms diffusion between the organization, the field and to member states.

There are, however, other observations that need to be further evaluated. The analysis of the two case studies and how gender has been incorporated to peacekeeping practices encountered a few discrepancies. For example, despite the existence of a strong protection mandate where gender considerations are fully integrated into the mission's mandate and military planning in Congo, advances have not been noticed. In this regard, compared to Haiti which has experienced an improvement, the role of individual personalities is noteworthy. The absence of specific guidelines on how to incorporate gender into MINUSTAH's work or strategies to better protect women and girls is problematic because personality contingent action ends when leadership change. Gender needs to be institutionalized in the mission mandate. Until this occurs it is imperative that like-minded individuals be placed in key roles to support the UN's performance in this regard.

Finally, the analysis showed that learning is a dynamic process in which the different phases happen simultaneously making it impossible to determine when a process has finished and learning has been successfully accomplished. In fact, successful learning processes may be those that are continuous and are characterized by constant transformation of the policies being implemented in accordance to the evolution of the context in which missions are deployed.

To conclude, a positive impact in the field should not be a definitive criterion determining the success or failure of a learning process. While the impact of these policies in the field are important and should be taken into consideration, there are often complicating factors, such as the local culture and violence levels that may hinder the effects of these approaches. Long-term assessment is necessary and provides a method of

evaluating whether these policies address the root causes of unbalanced gender relations and their effectiveness as a foundation for lasting peace.

CHAPTER 7

CONCLUSIONS

The analysis showed that the United Nations has incorporated a gender approach to peace operations as a way to better respond to the challenges that modern day conflict has imposed on the international community in general. In fact, throughout time, UN peacekeeping operations have evolved as much as the nature of conflicts and of threats have changed, highlighting the UN's capacity to adapt its practices in accordance to transformations in the security environment and the resulting impact for the security of states and its people. These adjustments, however, have not come without difficulties and still remain today, despite the enlargement of mandates and of peacekeeping personnel, particularly civilians, and the transformation of peacekeeping practice itself, the UN is constantly put in the spotlight for its failures in the field.

Beyond the specific topic of gender discussed in this dissertation, the UN has proposed a number of solutions that follows a Western recipe of success with limited analysis of whether or not these may work in host nations and if one solution can indeed fit all cases. As underlined by Paris, the UN's peace template seems to be based on the idea that founding Western, liberal and capitalist democracies where there barely was a state is the best approach to lay the foundation of a lasting peace. He admonishes, however, that establishing democratic elections in places where there has not been previous democratic experience and promoting market liberalization "is inherently

tumultuous, it can exacerbate social tensions and undermine the prospects of stable peace in the fragile conditions that typically exist in war-shattered countries.”¹

This and other related “recipes of success” are habitually relayed by the UN and other organizations, often conditioning their support to the adoption of policies that were formulated in the West and by the West. In the UN however, particularly in the field of international peace and security, these Western recipes are carried out by non-Western countries as most uniformed personnel come from African and Asian countries whose political, economic and social traditions are considerably diverse from the policies they are entitled to implement. Amongst civilian experts many come from the West with no historical memory of a post-conflict reconstruction of their own, or from countries that are currently passing through similar situations as host nations where they are deployed, but whose experience is most likely to be different from the policies they put in practice.

This is not to say that throughout time UN staff does not learn the specificities from the field and develop a strong sense of what should and can be implemented, but rather, they become pragmatic and immersed in this world. A world in which the mismatch between headquarters’ policies and the reality in the field is just too big to be implemented “by the book,” but where there is space for creativity and few innovative actions that attempts to strengthen local capacity and ownership. The pace of progress, however, is slow and not enough to compete with the constant changing and deteriorating conditions that are usually present in intervened societies.

As part of this discussion, this dissertation embarked in the account of how gender considerations became a central piece in UN peace efforts despite the unrelenting cultural

¹ Paris, *At War's End: Building Peace after Civil Conflict*. p.7

diversity of its membership. While the presence of cultural chasms was Ernst Haas main point of contention when discussing his own model of organizational learning, in light of the already adopted renewed normative framework on gender approaches to peace operations, this dissertation attempted to assess whether or not learning could effectively take place without member states' full compliance and if the organization could ultimately serve as an agent of dissemination.

The model proposed here predicted a five step learning process – organizational dysfunctional, re-examination, minimum consensus, institutionalization and dissemination – that reinforced the last phase or dissemination as the most problematic and one of the main factors that explains the UN's limited impact in the field. However, it also showed that putting forth these policies has contributed to limited diffusion among member states and host nations and further research on possible long term effects should be carried out.

Indeed, the UN's incorporation of gender approaches to peacekeeping was the direct result of continued dysfunction observed in the field. The UN's difficulty to successfully carry out peace mission mandates was common place throughout the 90's, however in no other situation, as those occurred in Rwanda and Bosnia, it became clearer that the available set of norms, practices and tools at the UN's disposal were inadequate to adequately address the horrors experienced in these war-torn societies. Sexual violence was never before perceived as a weapon or as part of a strategic thinking underlying war strategies. The international community was unprepared to even understand these acts and thus it was not until much later that they became widely recognized as a powerful tactic and first propositions as to how to address them were put forth.

The realization of the UN's inability to act generated a process of re-examination in which its peace efforts passed through a transformation still in place nowadays but that ultimately rests on the assumption that it is no longer states' security that matter the most but that of the individuals living within them. In other words, the security of the state became associated with that of the individual, and thus measures to secure the state included actions to address individuals' needs and vice-versa measures to protect the individual included efforts to strengthen the state.

The incorporation of gender approaches to peacekeeping is part of this process and was generated as a consequence of increasing considerations in regard to human security, the incorporation of protection of civilians mandates and the increasing importance of women's rights in the international agenda. It also resulted from the increasing efforts of civil society organizations, practitioners and scholars – in other words members of the epistemic community – concerned with the UN's capacity to adequately address renewed challenges in the field, but most importantly, connoisseur of the reality on the ground, the specific needs of the populations and alarmed with the relative absence of any discussions in regards to the impact of war on different gender groups, particularly women and girls.

Despite time, these discussions entered the UN through the front door. It managed to forge a minimum consensus and debut in the international peace and security arena through the adoption of a series of resolutions by the Security Council as a way to incorporate a gender perspective to all peace efforts and to institutionalize it as a new international practice.

The appointment of senior gender advisers in the field and at headquarters levels and the advancement of gender guidelines, training modules and strategies to better respond to the specific needs of women and girls in conflict and reconstruction settings were the first initiatives undertaken. Moreover, the organization also urged member states to incorporate a few changes, such as increasing the number of female uniformed personnel as a way to both serve as a role model, but also to improve the outreach to local communities and potential victims. The strategy put forth was based on the concept of gender equality and had gender balance and gender mainstreaming as main components. As a result, actions aiming to improve national capabilities, promote women's empowerment and enhance protection were put in place.

Nonetheless, the case studies showed that while this approach is being implemented in the field, challenges remain, specifically in regards to the generation of context specific frameworks, a volatile security environment, and member states' differentiated response for adopting the new gender normative. It then becomes clear that while the UN has already institutionalized gender as a new practice, it has confronted difficulties disseminating it.

This dissertation argued that while the UN has adopted gender mainstreaming as a central part of peace efforts, the impact on the ground has been slow, due especially to member states inability or unwillingness to comply with provisions. This was indeed the case, as shown throughout the dissertation, however, other complicating factors also contributed to this limited impact. The unrelenting violent context in some of these countries, lack of resources and challenges to reverse patriarchic institutions and transform them further complicates the UN's capacity to successfully fulfill its mandates.

Moreover, as it was pointed out in the previous sessions, despite the slow pace and limited scope a few instances of dissemination could be observed and partial accomplishments obtained. The generation of local instruments to better protect women and girls and improve their social, political and economic status is an important indicator of success. Considering that local ownership of policies and capabilities is necessary for sustainable peace efforts and a lasting peace, the UN's success in strengthening national legal systems, generating national policies and strategies and improving the national security sectors are important steps towards that goal.

However, this dissertation also highlighted the need to reinforce certain mechanisms as a way to improve the UN's overall response and accelerate this learning process. Amongst which, I would like to cite four:

1. Strengthening feedback loops between field operations and headquarters and between those and member states.

The mismatch between the "bubble" and the field is symptomatic and a constant reality in peace practices. Even though there are sound mechanisms to inform headquarters of the reality in the field, documents, policies and reports seem to constantly ignore the intricate challenges to incorporate these policies in light of the lack of resources, personnel and a reality so far from the farfetched proposed solutions. At the same time, it became clear that the UN has limited ways to engage states in complying with resolutions where learning has been most challenging. Nonetheless, the case studies analysis identified a few instances in which some of these proposed norms and practices were transmitted to member states personnel in the field, as was the case of the Sri Lankan battalion increasing understanding of the operational needs of having female

uniformed personnel and the decision to send a few in the next contingent's deployment. Supporting feedback loops between field and member states themselves, can thus support an accelerated learning process.

2. Including gender mainstreaming and provisions to protect women in all missions' mandates.

It became clear in Haiti's case that the absence of specific provisions on protection of civilians and impact of sexual violence contributed to the lack of specific and context driven strategies to better protect the Haitian population in general and women and girls against sexual violence in particular. Adding the topic to missions' mandates is a relatively easy step that can immensely affect the kind of policies, actions and operations that are planned in the field. In fact, all missions that have gender provisions in the mandate have presented increasing efforts to address the issue, as shown by the case of Haiti itself, when the issue started to be included in the aftermath of the 2010 earthquake.

3. Provide follow-up assessment analysis to all new policies implemented on the ground, documenting its specific accomplishments and setbacks in the light of community stability and women's status.

The field work carried out in Congo showed a myriad of initiatives in the East that are often unknown not only by the international community in general but even to headquarters in Kinshasa in the same country. These initiatives rise in the wake of unforeseen circumstances, such as the need to improve military capacity to interrogate victims, and do not receive follow up analysis on the specific impact that they promote in the field. The UN's lack of civilian capacity is no news, however, increasing the presence

of civilian experts in position to provide insightful analysis on UN's own policies is valuable to ascertain the next steps for an improved response and phase out actions that have had limited impact.

4. Improve monitoring mechanisms to oversee member states troops gender training.

As much as the UN needs personnel and troops to carry out its mandates, it needs well-trained personnel able to successfully impact host societies. It is often the case that ill-trained personnel become involved in the conflict themselves, even participating in atrocities or silencing of them. As training is carried out by member states themselves, often without the UN's supervision, it would be important to establish monitoring and vetting mechanisms as a way to preempt the involvement of peacekeepers with the mayhem in the field.

These are just some of an endless list of actions needed to improve the UN's own response to the challenges present in peace operations. Despite that it is necessary to recognize the advances that have been made and continue working to accelerate the UN's organizational learning process so that improved implementation tools are put in place and information sharing mechanisms allow different missions to take advantage of the innovative actions that are sometimes spontaneously generated as a way to curb an unforeseen obstacle. Altogether these actions comprise valuable efforts towards the improvement of the international community's assessment and capacity to delivery when dealing with crimes of this nature.

This dissertation offered a nuanced analysis of the UN's organizational learning process, pinpointing the many obstacles and few advances that have been accomplished thus far. The take away is that learning is a fluid and dynamic process where boundaries

separating successful processes from failed ones is grey and must consider more than just measurable and positive impacts in the field. Improving national legal frameworks and strengthening the local civil society, for example, is an important advance that will lead to spillover effects, accelerate dissemination and lay the seeds for the successful implementation of UN mandates and the foundations for a lasting peace.

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APPENDICES

1. Interviews Questionnaire

A) Military Component

1. What are your daily activities and tasks?
2. What are the most common incidents reported during patrols?
3. Do you perform joint operations with local institutions? (National Police and Military) How is it?
4. Do you perform joint operations with other UN military contingents? How about the police? How is it?
5. Do you carry out activities with UN civilian component? What activities? How is the relationship?
6. Do you carry out activities with UN humanitarian agencies and other organizations? What activities? How is the relationship?
7. What kind of CIMIC activities and Quick Impact Projects does your battalion develops with the local population?
8. How do you think the security situation in Haiti/DRC have changed since you arrived?
9. Have you encountered any cases of SGBV? Tell the story. If not, what is the procedure?
10. Do you think the female peacekeeper have a special role?
11. Do you receive pre-deployment training? How is it?
12. Is your participation voluntary?

13. What is biggest challenge in participating on a peace operation? What have you learned?

14. Would you participate again? Why?

B) Police Component

1. What are your daily activities and tasks?

2. What are the most common incidents reported during patrols?

3. Do you perform joint operations with local institutions? (National Police and Military) How is it?

4. Do you perform joint operations with UN military contingents?

5. Do you carry out activities with UN civilian component? What activities? How is the relationship?

6. Do you carry out activities with UN humanitarian agencies and other organizations? What activities? How is the relationship?

8. How do you think the security situation in Haiti/DRC have changed since you arrived?

9. Have you encountered any cases of SGBV? Tell the story. If not, what is the procedure?

10. Do you think the female police have a special role?

11. Do you receive pre-deployment training? How is it?

12. Is your participation voluntary?

13. What is biggest challenge in participating on a peace operation? What have you learned?

14. Would you participate again? Why?

C) Civilian Component and UN Agencies

1. What is the role of your unit/agency?
2. What is the relationship between your unit/agency and the military component?
3. What programs do you have regarding gender and sexual violence?
4. What do you think is the perception of the local population regarding the UN?
5. What channels of communication exist between your unit/agency and the national government.
6. What is the nature of sexual violence in Haiti/DRC?
7. How has the situation improved or not over time?

D) Civil Society

1. What is the main activities carried out by your organization?
2. What is the relationship if there is any between your organization and the UN?
3. What do you think of UN military component?
4. What programs do you have regarding gender and sexual violence?
5. What do you think is the perception of the local population regarding the UN?
6. What channels of communication exist between your unit/agency and the national government.
7. What is the nature of sexual violence in Haiti/DRC?
8. How has the situation improved or not over time?

E) Government

1. What are the channels of communication between the government and the UN?
How is the relationship?

2. What other organizations do you cooperate with? What kind of activities are developed together?
3. What do you think of UN's military component?
4. What is the nature of sexual violence in Haiti/DRC?
5. How has the situation improved or not over time?

2. Interviewed actors

I. Haiti

1) Military Component

1.1 Contingents:

Argentine Battalion (ARGBATT)

Argentine Aviation Unit

Argentine Military Hospital

Bolivian Company (BOLCOY)

Brazilian Battalions (BRABATT I and II)

Chilean Battalion (CHIBATT)

Chilean Helicopter Unit

Chilean-Ecuadorian Engineer Unit

Jordanian Battalion (JORBATT)

Nepalese Battalion (NEPBATT)

Paraguayan Engineer Company (PARENCOY)

Peruvian Company (PERCOY)

Sri Lanka Battalion (SRIBATT)

Uruguayan Battalion (URUBATT I and II)

Uruguayan Naval Unit (URUMAR)

1.2 Others:

Force Commander

Chief of Operations

Chief of CIMIC

2) Police component

2.1 UNPol

MINUSTAH Police Commissioner

MINUSTAH UNPol Gender Adviser

MINUSTAH IDP camp Chief

Gender mobile Units

Norwegian Police Officers

Brazilian Police Officers

Argentine Police Officers

2.2 Formed Police Units:

Bangladesh Female Formed Police Unit

Indian Formed Police Unit

3) Civilian component

- Special Representative of the Secretary General
- Deputy Special Representative of the Secretary General - Humanitarian Coordinator
- Deputy Special Representative of the Secretary General - Security Coordinator

3.1 MINUSTAH substantive sections:

Gender Unit

HIV Office

Rule of Law

Human Rights Section

Child Protection

Community Violence Reduction

Civil Affairs

Conduct and Discipline

Joint Military Analysis Center (J-MAC)

4) UN Agencies

UN-Women

UNDP

OCHA

UNHCR

5) Civil Society

5.1 Local civil society organizations

Concertacion Nacional

SOFA

5.2 Internacional civil society organizations

Red Cross

Doctors Without Borders

Lawyers without borders

Viva Rio

World Vision

AVSI

International Organization for Migration

6) Government.

Ministry of Women`s Conditions and Rights

Hatian National Police

II. Congo

1) Military component

1.1 Contingents

Guatemalan Special Forces (GUASFOR)

Uruguayan Battalion (URUBATT)

Uruguayan Airfield Support Unit (URUASU)

Uruguayan Naval Company

Ghana Battalion (GANBATT)

Moroccan Battalion (MORBATT)

Pakistan Battalion II (PAKBATT II)

Indian Battalion IV (INDBATT IV)

Bangladesh Battalion I (BANBATT I)

Bangladesh Aviation Unit (BANAIR)

1.2 Others

North Kivu Brigade Commander

South Kivu Brigade Commander

Military Observers (various nationalities)

2) Police component

2.1 UNPols

UNPol Representatives in Bukavu

UNPol Representatives in Goma

UNPol Representative in Bunia

2.1. Formed Police Units

Senegalese Formed Police Unit

Indian Formed Police Unit

Bangladesh Female Formed Police Unit

Bangladesh Formed Police Unit

Egyptian Formed Police Unit

3) Civilian component

Special Representative of the Secretary General for Rule of Law

2.1 MONUSCO substantive sections

Office of Gender Affairs

Sexual Violence Unit

Civil Affairs

Rule of Law

Prosecution Supporting Cells

Joint Human Rights Office

Political Affairs

Security Sector Reform

Mission Support

Conduct and Discipline Unit

Child Protection

4) UN Agencies

UNHCR

UNFPA

OCHA

5) Civil Society Organizations

5.1 Local civil society organizations

Reseau Action Femme in Kinshasa

CONAFED in Kinshasa

REFED in Goma

Caucus de femme Congolaise in Bukavu

5.2 International Civil Society Organization

ICRC representatives in Goma

ICRC representatives in Kinshasa

MSF representatives in Bukavu

6) Government

- Minister of Gender, Children and Family

3. National Strategy to Combat Sexual Violence

The mechanism of coordination for the implementation of the National Strategy is done at three different levels, nationally through the office in Kinshasa, regionally through the provincial units, and locally through a network of partners on the field. All the three levels focus on five main components, each with a UN and a government counterpart.

1. Fighting impunity: led by the Ministry of Justice and UN Joint Human Rights Office, this component aims to improve access to justice for victims of Sexual Violence and reinforce and evaluate the judicial referral and treatment of cases of sexual violence, including the collection and analysis of statistics on the judicial process.

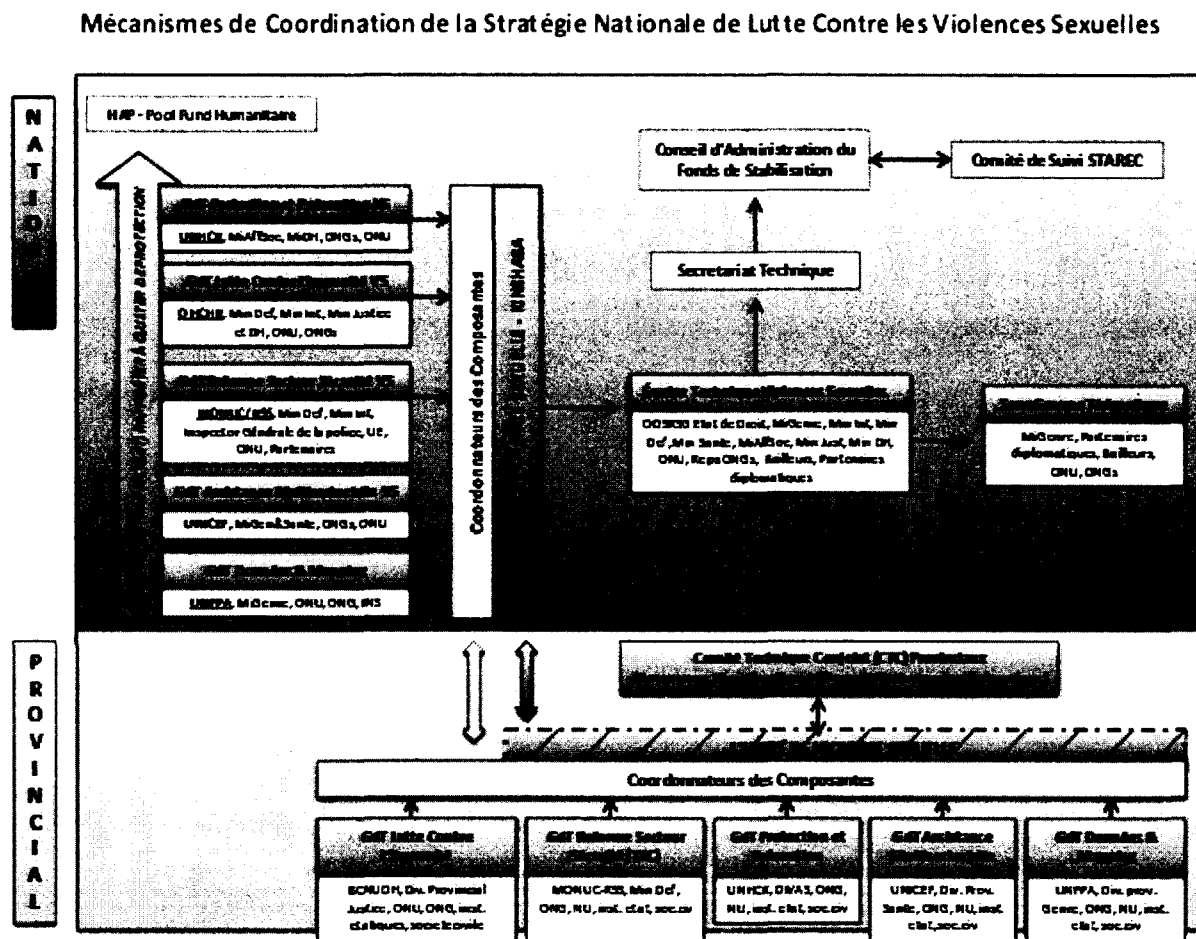
2. Protection and Prevention: led by the Ministry of Social Affairs and Human Rights and UN High Commissioner of Refugee (UNHCR), this component aims to contribute to protection and prevention of sexual violence and work with local actors to improve awareness of sexual violence within communities.

3. Multi-Sector Assistance: led by the Ministry of Health and UNICEF, this component aims to contribute to improve national protocol on multi-sectoral assistance and assuring access to qualify services for victims.

4. Security Sector Reform: led by the Ministry of Defense and MONUSCO's Section of Security Sector Development, this component aims to sensitize elements of FARDC on the prevention and reduction of sexual violence.

5. Data Collection and Mapping: led by the Ministry of Gender and the UN Population Fund, this component aims to improve and reinforce data collection on sexual violence.

Figure 9: Mechanism for the coordination of the National Strategy on the fight against sexual violence



Source: MONUSCO Sexual Violence Unit, 2012.

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