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# Missed Connections in the U.N. Agenda: Applying the Women, Peace and Security Framework to the Feminization of Poverty

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## MISSED CONNECTIONS IN THE U.N. AGENDA: APPLYING THE WOMEN, PEACE AND SECURITY FRAMEWORK TO THE FEMINIZATION OF POVERTY

Lauren A. Fleming<sup>\*</sup>

#### Abstract

Women, Peace and Security, a multifaceted agenda intended to address the particular ways in which conflict affects women, has been on the United Nations agenda since the landmark Security Council Resolution 1325 passed in 2000. The unequal burden of poverty on women, a phenomenon that has been coined "the feminization of poverty," has been on the United Nations agenda for even longer, since the 1995 Beijing Conference on Women. Yet, despite the fact that poverty and inequality both cause and result in conflict in a violent cycle, the problem of the feminization of poverty has not been integrated into the United Nation's Women, Peace and Security agenda at large. This Note argues that the eradication of the gendered impact of poverty must be a central goal of the Women, Peace and Security agenda: first, to ensure the full enjoyment of women's human rights, and second, because an agenda for peace can only be achieved by increasing gender equality and women's political participation. This point is demonstrated through an analysis of the current system of international peacebuilding, which relies heavily on international financial institutions and perpetuates a neoliberal economy, to the detriment of both peace and women's rights. This Note concludes that applying the framework of the four pillars of Women, Peace and Security (participation, protection, prevention, and post-conflict relief and recovery) can disrupt the cycles that perpetuate conflict and deny women equality, opportunity, and adequate living conditions.

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#### INTRODUCTION

The term "feminization of poverty" describes the phenomenon that women are disproportionately affected by poverty compared to men globally.<sup>1</sup> Sociologist Diana Pearce coined the term in 1978 after observing that, over time, women and children had become disproportionately represented among the low-income population of the United States and worldwide.<sup>2</sup> Women have higher poverty rates than men in almost all societies.<sup>3</sup> Poverty is not limited to lack of income or resources; according to the United Nations, manifestations of poverty in-

<sup>1.</sup> MacKenzie A. Christensen, *Feminization of Poverty: Causes and Implications, in* ENCYCLOPEDIA OF THE U.N. SUSTAINABLE DEVELOPMENT GOALS: GENDER EQUALITY, 376, 376 (Walter Leal Filho, Anabela Marisa Azul, Luciana Brandli, Amanda Lange Salvia & Tony Wall eds., 2021).

<sup>2.</sup> Id. at 377.

<sup>3.</sup> Id.

clude "hunger and malnutrition, limited access to education and other basic services, social discrimination and exclusion, as well as the lack of participation in decision-making."<sup>4</sup> And despite an overall decrease in global poverty rates and strides made by women with respect to wages and labor force participation, women remain more likely to live below the poverty line than men.<sup>5</sup> The World Bank has reported that, among individuals between the ages of twenty-five and thirty-four, 122 women live in a household below the poverty line for every 100 men.<sup>6</sup>

This problem is not unknown to States, or to the United Nations. In 1995, the Fourth World Conference on Women (the "Beijing Conference") adopted a Platform for Action, which identified the eradication of the growing burden of poverty on women as one of its key areas of concern.<sup>7</sup> The United Nations "Fact Sheet" on the feminization of poverty says, "[a]n important achievement of the Beijing Conference has been the recognition by governments that there is a gender dimension to poverty," and as a result, an "overwhelming majority of countries reporting on their implementation" of the Platform for Action have established initiatives for ending the gender poverty disparity.<sup>8</sup> In a 2012 resolution, the UN General Assembly expressed deep concern "that gender inequality, violence, and discrimination exacerbate extreme poverty, disproportionally impacting women and girls."<sup>9</sup>

Despite the fact that poverty and inequality are both caused by and result from conflict,<sup>10</sup> and the fact that statistically, poverty has a greater impact on women, the problem of the feminization of poverty has not been integrated into the United Nations' Women, Peace and Security (WPS) agenda at large. Poverty is not mentioned in the Security Council resolutions which created and developed the WPS agenda. Additionally, of the ninety-eight UN Member States that have adopted National Action Plans (NAPs)—statements of national policy designed to implement goals of the WPS agenda—very few of them mention poverty

<sup>4.</sup> Global Issues: Ending Poverty, UNITED NATIONS, (last visited May 8, 2022), [https://perma.cc/F54Q-PZRP].

<sup>5.</sup> Id.

<sup>6.</sup> *Id.* 

<sup>7.</sup> FACT SHEET NO. 1: THE FEMINIZATION OF POVERTY, UN WOMEN (2020), [https://perma.cc/VFK6-S5WU] [hereinafter FEMINIZATION OF POVERTY FACT SHEET].

<sup>8.</sup> Id.

<sup>9.</sup> G.A. Res. 67/164, at 2 (Dec. 20, 2012).

<sup>10.</sup> See Radhika Coomaraswamy, Preventing Conflict Transforming Justice Securing the Peace: A Global Study on the Implementation of the United Nations Security Council Resolution 1325, at 206 (2015).

substantively.<sup>11</sup> This Note argues that the goal of eradicating the feminization of poverty must be a central goal in WPS, for two reasons.

The first is a rights-based reason. International human rights law, one of the legal foundations of WPS, binds States to respect and ensure that all individuals within its jurisdiction access the rights guaranteed to them "without distinction of any kind, such as . . . sex . . ."<sup>12</sup> States Parties are also treaty-bound to "ensure the equal right of men and women to the enjoyment" of their human rights.<sup>13</sup> The eradication of extreme poverty is necessary for the realization of all human rights, <sup>14</sup> and the gendered effect of poverty violates women's human rights.

The second reason is practical. There is a strong connection between women's inequality and conflict. Inequality—economic, social, and otherwise—and economic hardship are leading drivers of conflict.<sup>15</sup> The overarching policy goal of the WPS agenda is to bring about lasting peace. The WPS agenda was launched on October 31, 2000 by Security Council Resolution 1325, which roots the resolution in the responsibil-

<sup>11.</sup> South Africa's NAP highlights that "[f]emale-headed households were likely to be poorer than male-headed Households," NATIONAL ACTION PLAN ON WOMEN, PEACE AND SECURITY-2020-2025: SOUTH AFRICA 35 (Delien Burger ed., 2020). The South Sudanese NAP includes improving access to education and vocational training for women as one of their strategic goals, to address the root causes of women's poverty, SOUTH SUDAN NATIONAL ACTION PLAN 2015-2020 ON UNSCR 1325 ON WOMEN, PEACE AND SECURITY AND RELATED RESOLUTIONS 40 (2015). The Central African Republic describes how long-term conflict has increased poverty in ways that particularly affect women, for example by forcing them to become internally displaced, or refugees, and contributing to the creation of single-parent, woman-headed households, NATIONAL ACTION PLAN FOR THE IMPLEMENTATION OF RESOLUTION 1325 OF THE SECURITY COUNCIL OF THE UNITED NATIONS ON WOMEN, PEACE AND SECURITY: 2014-2016, at 7 (2014) (unofficial translation). Ireland's NAP similarly connects WPS to the SDGs, noting, "Conflict renders women acutely vulnerable to poverty with adverse impacts on livelihoods, and destruction of assets such as homes and agricultural land. Poverty in turn exhausts institutions, depletes resources, weakens leadership, and ultimately contributes to insecurity and conflict-with particular harmful effects on women." WOMEN, PEACE AND SECURITY: IRELAND'S THIRD NATIONAL ACTION PLAN FOR THE IMPLEMENTATION OF UNSCR 1325 AND RELATED RESOLUTIONS: 2019-2024, at 48 (2019).

<sup>12.</sup> International Covenant on Civil and Political Rights art. 2(1), Dec. 16, 1966, 999 U.N.T.S. 171 [hereinafter ICCPR]; International Covenant on Economic, Social and Cultural Rights art. 2(2), Dec. 16, 1966, 993 U.N.T.S. 3 [hereinafter ICESCR]. This anti-discrimination clause appears in largely similar terms in both treaties.

<sup>13.</sup> ICCPR, supra note 12, at art. 3; ICESCR, supra note 12, at art. 3.

U.N. General Assembly, Report of the Independent Expert on the Question of Human Rights and Extreme Poverty, Magdalena Sepúlveda Carmona, on the Draft Guiding Principles on Extreme Poverty and Human Rights, ¶ 4, U.N. Doc. A/HRC/15/41 (Aug. 6, 2010) [hereinafter Sepúlveda Carmona Report].

<sup>15.</sup> COOMARASWAMY, supra note 10, at 206.

ity of the Security Council to maintain international peace and security. The preamble of the resolution calls for the participation of women and girls in all levels of decision-making for conflict prevention and resolution, primarily because this can "significantly contribute to the maintenance and promotion of international peace and security."<sup>16</sup> Given that inequality, such as the feminization of poverty, can drive and perpetuate conflict, the WPS agenda will not be successful unless it tackles inequality. To fulfill WPS's goals of preventing conflict and protecting women, WPS must integrate the feminization of poverty into its core thinking about peacebuilding.

In Section I, this Note will apply the legal framework of WPS to the feminization of poverty to establish that the perpetuation of poverty, and the feminization of poverty in particular, is a violation of women's human rights. In Section II, this Note will apply the policy framework of WPS to the feminization of poverty to establish that the feminization of poverty undermines the goals of WPS by perpetuating conflict and furthering women's inequality. Section III will examine the current system of peacebuilding, which relies heavily on international financial institutions and perpetuates a neoliberal economy, to the detriment of both peace and women's rights. Finally, Section IV will show that the cycles which deny women equality, opportunity, and adequate living conditions can be disrupted by applying the four pillars to the feminization of poverty.

#### I. POVERTY AS A VIOLATION OF WOMEN'S HUMAN RIGHTS

The legal basis of the WPS agenda is rooted in international human rights law and international humanitarian law.<sup>17</sup> While humanitarian law doesn't apply in the post-conflict peacebuilding period, human rights law always applies.<sup>18</sup> At all times during, before, and after conflict, States must abide by their human rights obligations.

<sup>16.</sup> S.C. Res. 1325, pmbl. (Oct. 31, 2000).

<sup>17.</sup> International human rights law defines States' obligations to respect and protect the rights of individuals within their jurisdiction. International humanitarian law primarily defines States' obligations to limit the impact of armed conflict on civilians. *See* Robert Kolb, *Human Rights and Humanitarian Law, in* MAX PLANCK ENCYCLOPEDIAS OF INTERNATIONAL LAW (2013).

PAUL TAYLOR, A COMMENTARY ON THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS 5 (2020) ("The philosophy of the Covenant, as applied by the [Human Rights] Committee, is to promote the enjoyment of all rights, by all individuals, universally.").

The idea of a right to be free from poverty can be traced back to President Roosevelt's famous "Four Freedoms" speech in 1941. Roosevelt described four freedoms as the goals of future U.S. foreign policy. One of these freedoms was the "freedom from want-which, translated into world terms, means economic understandings which will secure to every nation a healthy, peaceful life for its inhabitants-everywhere in the world."19 This idea was brought to the drafting table for the UN Charter, but ultimately given only limited force in the text after the major powers (including the United States) pushed to water down the General Assembly's obligations to enforce human rights.<sup>20</sup> The Universal Declaration of Human Rights (UDHR) contains some provisions for economic, social, and cultural rights, but allots more space to civil and political rights. The UDHR also did not address the fact that many less developed States would face special problems with attempting to guarantee basic economic rights, like the rights to work, education, and suitable housing.<sup>21</sup> Moreover, the UDHR, though possessing lasting normative value, is a non-binding instrument.<sup>22</sup>

The International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of All Forms of Discrimination (CEDAW) serve as the major treaty bases for women's human rights. The ICESCR and its sister-covenant, the International Covenant on Civil and Political Rights (ICCPR), made binding the rights recognized in the non-binding UDHR. The ICESCR and the ICCPR were separated during the long drafting process in order to produce the most appropriate means of implementation and enforcement for their respective subjects.<sup>23</sup> The ICESCR binds States to a softer obligation than does the ICCPR: States Parties undertake "to take steps, individually and through international assistance and co-operation ... to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized" in the ICESCR.<sup>24</sup> In contrast, the ICCPR requires that States respect, protect, and fulfill their international human rights obligations.<sup>25</sup> The duty to respect means that States cannot violate human rights through State ac-

ANTONIO CASSESE, INTERNATIONAL LAW 377 (2d ed. 2005) (quoting Franklin D. Roosevelt, Address of the President of the United States (Jan. 6, 1941), *in* 87 CONG. REC. 46 (1941)).

<sup>20.</sup> Id. at 379-80.

<sup>21.</sup> Id. at 380-81.

<sup>22.</sup> TAYLOR, *supra* note 18, at 1-2.

<sup>23.</sup> Id. at 1.

<sup>24.</sup> ICESCR, supra note 12, at art. 2.

<sup>25.</sup> ICCPR, supra note 12, at art. 2.

tions. The duty to protect means States must protect individuals' rights from interference by other individuals or groups. The duty to fulfill means the State must take positive actions to ensure the enjoyment of human rights.<sup>26</sup> This last duty is crucial here, because poverty prohibits many people from accessing their civil and political rights, and so the continued existence of poverty constitutes a failure by States in their duty to fulfill their people's human rights.

The ICESCR includes the obligation to "take appropriate steps to ensure the realization" of the right to "an adequate standard of living ... including adequate food, clothing and housing, and to the continuous improvement of living conditions."<sup>27</sup> It also recognizes a right to "the enjoyment of the highest attainable standard of physical and mental health"<sup>28</sup> and "the right of everyone to education."<sup>29</sup> Article 3 specifically calls on States Parties to "undertake to ensure the equal right of men and women to the enjoyment of all ... rights set forth in the present Covenant."<sup>30</sup>

Poverty, which includes conditions such as a lack of healthcare, access to education, and adequate living conditions, is therefore a human rights issue. Under article 2 of the ICESCR,<sup>31</sup> States Parties are bound to take steps to improve these conditions, but because the language of that article is so weak, it is difficult to find States in violation of their obligation. For this reason, it is crucial that these rights be incorporated into concrete goals, such as the Sustainable Development Goals (SDGs) and the WPS agenda. States would then be expected to implement certain steps to promote human rights, and refusing to fulfill that obligation would be a clearer violation of their international obligation under the ICESCR.

The Secretary-General *has*, in fact, described the Sustainable Development Goals—which includes the goal of the eradication of pov-

<sup>26.</sup> TAYLOR, *supra* note 18, at 59.

<sup>27.</sup> ICESCR, *supra* note 12, at art. 11.

<sup>28.</sup> Id. at art. 12.

<sup>29.</sup> Id. at art. 13.

<sup>30.</sup> Id. at art. 3.

<sup>31.</sup> Article 2(1) provides: "Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures." *Id.* at art. 2. Article 2(3) allows even further flexibility for developing countries: "Developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to nonnationals." *Id.* at art. 2.

erty—as "underpinned by economic, civil, cultural, political and social rights, as well as the right to development."<sup>32</sup> The SDGs follow the "spirit as well as the letter" of human rights obligations, because "when everyone has equal access to opportunity and choice, and can claim their human rights, no one is left behind. This promise obliges us to address inequality in all its dimensions and eliminate all forms of discrimination."<sup>33</sup> Thus, the Secretary-General has supported the idea that eliminating poverty is a matter of fulfilling human rights obligations, and a matter of promoting the ability of all people to attain their rights. This applies to all individuals in poverty, not just women. However, since the ICCPR and the ICESCR both contain gender equality provisions,<sup>34</sup> the feminization of poverty is a discrete issue that should be recognized independently. Ultimately, because women are less able to enjoy their human rights, the feminization of poverty amounts to a failure to promote equality of human rights.

Moreover, the twin covenants in turn led to the development of successive specialist treaties, including CEDAW, the second major treaty basis for women's human rights, concluded in 1979.<sup>35</sup> The preamble to CEDAW, a multilateral treaty which entered into force in 1981, acknowledged "[c]oncern[] that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs."<sup>36</sup> In addition, under Article 3 of the Convention:

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.<sup>37</sup>

This binding obligation on States Parties calls on them to actively take measures to promote the economic advancement of women, so they can enjoy their human rights equally with men. Therefore, there is

<sup>32.</sup> ANTONIO GUTERRES, THE HIGHEST ASPIRATION: A CALL TO ACTION FOR HUMAN RIGHTS 4 (2020).

<sup>33.</sup> Id.

<sup>34.</sup> ICESCR, supra note 12, at art. 3; ICCPR, supra note 12, at art. 3.

<sup>35.</sup> TAYLOR, *supra* note 18, at 2.

<sup>36.</sup> Convention on the Elimination of All Forms of Discrimination Against Women pmbl., Dec. 18, 1979, 1249 U.N.T.S. 13 [hereinafter CEDAW].

<sup>37.</sup> Id.

an explicit obligation pursuant to CEDAW for States to work to end the inequality presented by the greater incidence of poverty among women, in addition to their obligations under the ICCPR and the ICESCR to address the problems of poverty in general without discrimination.

Human rights are often mentioned in the text of peace agreements signed at the nominal end of conflict.<sup>38</sup> Yet the purported commitment to human rights "rarely extends to the incorporation of economic and social rights into the agreements."<sup>39</sup> Measures for economic development get passed off to international financial institutions, donors' conferences, and foreign investors, rather than being viewed as an integral part of the peace process.<sup>40</sup> This is an unfortunate trend with economic and social rights. Frequently, conversations about economic and social rights "slide imperceptibly and almost naturally into broad discussions of development," rather than acknowledging human rights.<sup>41</sup> The difference is that human rights are owed to the individual, but development programs have collective interests, and human rights are needed to ensure that the rights of the individual are taken into account.<sup>42</sup>

The treatment of economic and social rights as second-tier rights, and the resulting lack of domestic legislation protecting those rights, allows the State to outsource issues of poverty and inequality to international financial institutions or development organizations. The protection of economic and social rights is crucial to efforts to fight extreme inequality and its consequences.<sup>43</sup> Yet, it is often due to inequalities in the distribution of economic and social rights that conflict arises in the first place.<sup>44</sup> If peacebuilding processes do not address the root causes of conflict like economic inequality, recidivism becomes more likely, perpetuating a cycle of violence that only further threatens human rights.

<sup>38.</sup> For example, Article VII of the Dayton Peace Accords (1995), reads: "Recognizing that the observance of human rights and the protection of refugees and displaced persons are of vital importance in achieving lasting peace, the Parties agree to and shall comply fully with the provisions concerning human rights set forth in Chapter One of the Agreement at Annex 6 ...." Dayton Peace Accords art. VII, Nov. 21, 1995, 35 I.L.M. 89.

Madeleine Rees & Christine Chinkin, Exposing the Gendered Myth of Post Conflict Transition: The Transformative Power of Economic and Social Rights, 48 N.Y.U. J. INT'L L. & POL. 1211, 1218 (2016).

<sup>40.</sup> Id.

Philip Alston (Special Rapporteur on Extreme Poverty and Human Rights), *Rep. of the Special Rapporteur on Extreme Poverty and Human Rights*, at 2, U.N. Doc. A/HRC /32/31 (Apr. 28, 2016).

<sup>42.</sup> Id. at 6.

<sup>43.</sup> Id. at 8.

<sup>44.</sup> Rees & Chinkin, supra note 39, at 1219

#### II. THE FEMINIZATION OF POVERTY FITS INTO THE POLICY GOALS OF WPS

### A. Poverty is a Complex Issue and Needs to Be Addressed in a Multidisciplinary Way

The persistence of poverty has a complex system of root causes, which cannot be addressed from a single angle. It has to be taken into account during all stages of a nation's development and integrated into a broad spectrum of state initiatives. As reported by the UN Special Rapporteur on Extreme Poverty, creating equality of opportunity to end the perpetuation of poverty "requires changing the conditions faced by children born in low-income families, and starting at the earliest age, by investing in early childhood education and care since the earliest interventions are likely to be the most effective in overcoming disadvantage."<sup>45</sup> Factors contributing to the perpetuation of poverty include poor access to health care, substandard living conditions, less access to quality education and impediments to educational achievement, and a system of income and wealth inequality.<sup>46</sup>

These factors cannot be wholly addressed solely within the framework of the WPS agenda, but they also cannot be wholly addressed without tackling how conflict and gender impact them. Therefore, it is essential to a broader battle against poverty that the WPS agenda be used as one of many lenses through which the problem of the feminization of poverty is viewed. It is also useful to note that the WPS agenda has twenty years of history and buy-in from the United Nations, Member States (ninety-eight of which have adopted National Action Plans to implement Resolution 1325), and large sections of civil society.<sup>47</sup> Mobilizing this machinery to combat poverty could disrupt cycles of poverty and violence and improve the situation of women and girls across the world. The WPS agenda set by the Security Council has been overly focused on sexual and gender-based violence, and has not sufficiently con-

<sup>45.</sup> Olivier De Schutter (Special Rapporteur on Extreme Poverty and Human Rights), Rep. of the Special Rapporteur on Extreme Poverty and Human Rights, Olivier De Schutter: The Persistence of Poverty: How Real Equality Can Break the Vicious Cycles, ¶ 3, U.N. Doc A/76/177 (July 19, 2021).

<sup>46.</sup> Id. ¶¶ 5-6.

<sup>47.</sup> See Christine Chinkin, Adoption of Resolution 1325, in THE OXFORD HANDBOOK OF WOMEN, PEACE, AND SECURITY 26, 28 (Sara E. Davies & Jacqui True eds., 2019).

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sidered directly addressing root causes of conflict in order to prevent conflict.  $^{\rm 48}$ 

#### B. Inequality Leads to Conflict . . .

Inequality is a key driver of conflict.<sup>49</sup> Societies experiencing high degrees of inequality are susceptible to increasing violence. While the presence of economic distress does not make violence inevitable, it can be a harbinger of violence-especially where combined with other aggravating factors, like rising nationalist sentiment.<sup>50</sup> States with high inequality are more likely to be overthrown by force, such as political violence and terrorism.<sup>51</sup> Depressed wages and high unemployment among men, typically the main breadwinners, lead to family instability and increase the attraction of crime and militarism. These forces often lead to gender-based violence and conflict. <sup>52</sup> Reductions in welfare spending caused by depressed economies, as well as increases in military spending, hit especially hard among rural and women-led households.<sup>53</sup> The 2015 Global Study on the implementation of Security Council Resolution 1325, published by UN Women, noted that "[w]hile inequality has always been among the key drivers of conflict . . . today there is cause for growing alarm," because of deepening income inequality in almost all countries.<sup>54</sup> Structural inequalities, such as lack of access to education, worsen income inequality for women, leading to the feminization of poverty.55

In addition, growing research shows that States with higher levels of gender equality in political, social, and economic spheres are less likely to resort to the use of force against other States.<sup>56</sup> Thus, in order to support international peace and security, the existence of *gender* inequal-

<sup>48.</sup> For examples of the repetitive discussion of rape as a tactic of war, see S.C. Res. 1820 (June 19, 2008), S.C. Res. 1888 (Sept. 30, 2009), S.C. Res. 1960 (Dec. 16, 2010), and S.C. Res 2106 (June 24, 2013). While this is a very serious problem, for lasting peace, focus needs to be given not just to individual violence, but to prevention of conflict as a whole. See COOMARASWAMY, *supra* note 10, at 207.

<sup>49.</sup> COOMARASWAMY, *supra* note 10, at 206.

Cynthia Cockburn, *The Continuum of Violence: A Gender Perspective on War and Peace,* in SITES OF VIOLENCE: GENDER AND CONFLICT ZONES 24, 31 (Wenona Giles & Jennifer Hyndman eds., 2004).

<sup>51.</sup> COOMARASWAMY, supra note 10, at 206.

<sup>52.</sup> Id.

<sup>53.</sup> Cockburn, *supra* note 50, at 31-32.

<sup>54.</sup> COOMARASWAMY, *supra* note 10, at 206.

<sup>55.</sup> Id.

<sup>56.</sup> Id. at 207.

ity must be addressed directly—particularly at the peacebuilding stage, the crucial point at which to address the root causes of conflict so States will not fall back into violence.<sup>57</sup> Currently, however, the conventional peacebuilding playbook used by the international community not only fails to address the problem of gendered poverty,<sup>58</sup> but it manufactures poverty and supports the cycle of violence that keeps women mired in poverty.<sup>59</sup> Where we fail to resolve the institutional and cultural problems that lead to women being in poverty more often than men, recidivism is more likely.<sup>60</sup> And given that more than half of peace processes relapse into conflict within five years,<sup>61</sup> the prevention of recidivism must take priority in any peace agenda.

Security Council Resolution 1325 explicitly integrates the product of the Fourth World Conference on Women, the Beijing Declaration and Plan of Action, into the WPS agenda.<sup>62</sup> The Beijing Declaration states that "[e]radication of poverty based on sustained economic growth, social development, environmental protection and social justice requires the involvement of women in economic and social development, equal opportunities and the full and equal participation of women and men as agents and beneficiaries of people-cent[e]red sustainable development."<sup>63</sup> Therefore, the WPS agenda should address the connection between poverty and conflict, particularly the ways in which it specially affects women. Those ways are numerous, particularly in the context of new wars, as explored in more detail in the next section.

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<sup>57.</sup> Rees & Chinkin, supra note 39, at 1218.

<sup>58.</sup> The UN's official guidance on peacebuilding mentions the goals for eradicating poverty and inequality once, in a quotation of a Security Council Statement found in an Annex on the history of the development of peacebuilding. Poverty does not appear within the sections on strategies for peacebuilding. UNITED NATIONS PEACEBUILDING SUPPORT OFFICE, U.N. PEACEBUILDING: AN ORIENTATION 48 (2010) [hereinafter U.N. PEACEBUILDING].

Jacqui True, Political Economy: Consequences of Political Economy and Political Economy of Violence, in FEMINIST (RE)INTERPRETATION OF THE DAYTON PEACE ACCORDS 21, 21-23 (2015).

<sup>60.</sup> COOMARASWAMY, supra note 10, at 205-06.

<sup>61.</sup> Id. at 40.

<sup>62.</sup> S.C. Res. 1325, *supra* note 16, pmbl.

Fourth World Conference on Women, *Beijing Declaration and Platform of Action*, U.N. Doc. A/CONF.117/20, A/CONF.117/20/Add.1 (Sept. 15, 1995) [hereinafter *Beijing Declaration*].

#### C.... And Conflict Leads to Poverty

The goal of the WPS agenda is to support lasting international peace and security by addressing the ways in which conflict particularly impacts women. This includes poverty. Women in poverty are often denied access to critical resources like credit, land ownership, and inheritance.<sup>64</sup> Women's work is often outside the formal labor force, and thus goes unrewarded.<sup>65</sup> Women's health care and nutritional needs are not prioritized, their education and support services are inadequate or inaccessible, and their decision-making power in the home and the community are minimal.<sup>66</sup> Women are thus trapped in this cycle of poverty, without the resources or power to lift themselves out.<sup>67</sup> All of these situations are exacerbated by conflict.

Military spending, increased in times of conflict, also draws resources away from human security.<sup>68</sup> The UN Secretary-General has reported the estimates that "the cost of providing basic water, sanitation and hygiene to unserved populations, achieving quality universal primary and early secondary education for all and eliminating extreme poverty and hunger would cost only 2 per cent, 6 per cent, and 13 per cent of global military spending, respectively."69 Further, research shows that COVID-19 pandemic-related measures aimed at supporting women and girls' particular needs "were significantly less likely to be enacted in countries that spend relatively more on their militaries as a share of government spending."70 The Secretary-General commented that this response to the pandemic suggests that "military spending not only crowds out broadly beneficial social spending but may also leave policymakers without the ability or attention required to respond to the particular needs of women and girls."71 High military spending is also correlated with lower levels of women's equality of choice and participation

<sup>64.</sup> See Sepúlveda Carmona Report, supra note 14, 9 45.

<sup>65.</sup> Gertrude Goldberg, *The Feminization of Poverty: Here to Stay*?, 5 BROWN J. WORLD AFFS. 161, 167 (1998).

<sup>66.</sup> U.N. Security-General, Women and Peace and Security: Report of the Secretary-General, ¶ 18, U.N. Doc. S/2021/827 (Sept. 27, 2021) [hereinafter Women and Peace and Security].

<sup>67.</sup> FEMINIZATION OF POVERTY FACT SHEET, *supra* note 7.

<sup>68.</sup> Human security is a people-centric conception of security which prioritizes conflict prevention and the empowerment and dignity of persons. *What is Human Security*, UNITED NATIONS TRUST FUND FOR HUMAN SECURITY (last visited Feb. 8, 2023), [https://perma.cc/8MGR-CX8T].

<sup>69.</sup> Women and Peace and Security, supra note 66, 99 4-5.

<sup>70.</sup> *Id.* ¶ 11.

<sup>71.</sup> Id.

in decision-making both during and after conflicts.<sup>72</sup> In order to address women's poverty, spending on social welfare programs must take priority over military spending.

Men are overwhelmingly the ones engaged in the fighting of conflict, as members of state militaries, rebel militias, police forces, and armed gangs.<sup>73</sup> While women undoubtedly participate, either through non-fighting support such as nursing and supplying food, or even as fighters, it is mostly men who die in combat.<sup>74</sup> This increases the number of female-headed households during and after conflict. The death of male family members can be economically devastating. The United Nations has said, "[f]emale-headed households that do not have access to remittances from male earners are generally assumed to be poorer than male-headed households. Female-headed households are more vulnerable to increased unemployment and reductions in social and welfare spending."<sup>75</sup> This can be exacerbated by local laws that make it difficult or impossible for women to inherit property.<sup>76</sup>

Conflict causes loss of opportunities for women. Education and vocational training for women are social measures that can fall victim to cuts in favor of military spending at all stages of conflict, including the post-conflict peacebuilding stage. Going to school or work also requires a basic level of safety; women and girls may refrain from going to school or work before, during, and even after conflict if they or their families do not feel it is safe. This leads to women lagging behind men in education after conflict, and creates another layer of difficulty for women to find formal employment when they are competing with male former combatants, whose integration is often prioritized in peacebuilding.<sup>77</sup> The loss of male breadwinners also increases women's childcare burdens by making them single parents, which further decreases their ability to leave the home to pursue education or employment during and after conflict.<sup>78</sup>

Becoming a refugee or internally displaced person is also a massive economic hardship. Refugee status often comes with loss of private

<sup>72.</sup> Id. ¶ 12.

<sup>73.</sup> Cockburn, supra note 50, at 34.

<sup>74.</sup> See id.

<sup>75.</sup> FEMINIZATION OF POVERTY FACT SHEET, *supra* note 7.

<sup>76.</sup> Some examples of countries where laws restrict women's property rights include Afghanistan, Bangladesh, Pakistan, Nepal, and Maldives, where daughters do not have equal inheritance rights to sons. Nayda L. Almodóvar-Reteguis, *Where in the World do Women Still Face Legal Barriers to Own and Administer Assets?*, WORLD BANK BLOGS (June 18, 2019), [https://perma.cc/F95H-UY93].

<sup>77.</sup> COOMARASWAMY, supra note 10, at 172.

<sup>78.</sup> Id.

property, loss of networks, loss of jobs—even loss of the basic necessities to reacquire those things, such as identification documents.<sup>79</sup> Social exclusion and discrimination based on refugee status also lead to greater challenges in accessing income and services, making refugees more vulnerable to poverty.<sup>80</sup> Women and girls make up about half of global refugees,<sup>81</sup> and the hardships they face are compounded by systematic discrimination against women.

The gendered perception of war as a masculine domain is also a discrete problem. In "old wars" (traditional interstate conflicts with political goals) conflict supported an image of masculinity in which men in military forces were heroes, courageously protecting their countries, including women and children.<sup>82</sup> The role and construction of masculinity in "new wars" (conflicts where violence is both local and transnational and the goal of the violence is often identity-based)<sup>83</sup> is more complex. New wars are often "sites of construction of extreme forms of masculinity and, at the same time, the loss of certain forms of masculinity."<sup>84</sup> As part of this developing masculinity, new wars can therefore lead to regression of traditional gender roles and more oppressive regimes for women.<sup>85</sup>

#### D. A Criticism of the WPS Agenda

The formal WPS agenda, as established through Security Council resolutions, is deeply rooted in the gender binary.<sup>86</sup> The WPS resolutions discuss gender as the equivalent of sex, which is clear, for example, in the assumption that only women need reproductive health care.<sup>87</sup> But it is crucial to acknowledge that, not just in situations of conflict but at all times, individuals who do not conform to the gender binary are at

See Neta C. Crawford, Omar Dewachi, Zainab Saleh & David Vine, Costs of War: Refugees & Health, WATSON INST. INT'L & PUB. AFFS. BROWN U. (Aug. 2021), [https://perma.cc/N9KU-YLAD].

<sup>80.</sup> Sepúlveda Carmona Report, supra note 14, 9 22.

<sup>81.</sup> GLOBAL TRENDS: FORCED DISPLACEMENT IN 2021, UNHCR 16, [https://perma.cc /2XVK-FRB3].

<sup>82.</sup> Christine Chinkin, Mary Kaldor & Punam Yadav, *Gender and New Wars*, 9 STABILITY: INT'L J. SEC. & DEV. 1, 7 (2020) [hereinafter Chinkin et al.].

<sup>83.</sup> Id. at 1.

<sup>84.</sup> Id. at 9.

<sup>85.</sup> *See id*.

<sup>86.</sup> See id. at 4.

See S.C. Res. 1889, ¶ 10 (Oct. 5, 2009); S.C. Res. 2106, ¶ 19 (June 24, 2013); S.C. Res. 2122, pmbl. (Oct. 18, 2013).

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highest risk of violence, poverty, and lack of social services.<sup>88</sup> This needs to be incorporated into the WPS agenda in general, as well as in its application to the feminization of poverty.

#### III. THE CURRENT FRAMEWORK OF PEACEBUILDING CREATES CYCLES OF POVERTY

#### A. Peacebuilding as an Action

The strategies and goals of the peacemaking process, and whether they address the root causes of conflict, are crucial in determining the likelihood of conflict recidivism. According to the UN Peacebuilding Support Office, the success of peacebuilding depends on the political decisions of stakeholders, effective leadership, and available resources.<sup>89</sup> It also must primarily be the responsibility of the citizens of the country where peacebuilding is underway. "National ownership is essential to success."<sup>90</sup>

#### B. The Results of Peacebuilding

On a broad level, more than half of peace processes relapse into conflict within five years.<sup>91</sup> Further, despite a correlation between references to women, girls, and gender in peace agreements and their success in ending conflict, only 29% of global peace agreements contained such references in 2020.<sup>92</sup> It is clear from this that more work needs to be done to make the peace process more effective and to include particular issues of gender in the peace process.

But even when peace agreements are hailed as successful, and violence does not recur, there can be negative consequences for women

The Struggle of Trans and Gender-Diverse Persons: Independent Expert on Sexual Orientation and Gender Identity, UNITED NATIONS, (last visited Feb. 11, 2023) [https://perma.cc/E2FT-XKC7]; Violence Against Trans and Non-Binary People, VAWNET, (last visited Feb. 11, 2023) [https://perma.cc/9F7Y-J8SD].

<sup>89.</sup> U.N. PEACEBUILDING, supra note 58.

<sup>90.</sup> Id.

<sup>91.</sup> COOMARASWAMY, supra note 10, at 40.

<sup>92.</sup> Six out of twenty-one total agreements. This is up from a low of 8% of peace agreements in 2017, but still very low. In 2000, the UN called on all peace process actors to adopt a gender perspective. Laura Wise, *Peace Agreements with a Gender Perspective are Still an Exception, Not the Rule,* LSE BLOG (June 18, 2021), [https://perma.cc //TTVE-P9ER].

where they are not thoughtfully included in the peace process—both as participants and subjects—and their particular problems are not addressed. As an example, the Women's International League for Peace and Freedom (WILPF) organized and published a study on the Dayton Peace Accords (DPA), the peace agreement that marked the end of the Bosnian War. The study reinterpreted the results of the DPA through a feminist lens to challenge its success.<sup>93</sup> The DPA is a useful example for the purposes of this argument. Though accepted as a successful peace agreement because war did not recur, the DPA did not include women in the decision-making process.<sup>94</sup> This gives us an opportunity to analyze the problems which result from a peace agreement that does not include women in the process, does not include women's issues in the text, but does build a new economic order based on the international neoliberal agenda.

One of WILPF's key findings was that the DPA did not recognize economic and social rights as fundamental.<sup>95</sup> This was hugely significant to the peacebuilding process, because it established an agenda not based on equity and individual rights, but rather the neoliberal ideology of economic development. Thus, issues of compensation and reparation were collapsed into a social welfare system, making them "benefits" rather than "rights."<sup>96</sup> Reparations and compensation must be realized as legally guaranteed economic and social rights, not benefits to be doled out or cut back based on budgets or political convenience. This is a symptom of economic and social rights being treated as second-tier human rights that are swept under the umbrella of "development," as defined by international financial institutions. The international financial institutions enforced structural readjustments to establish capitalism and neoliberalism in Bosnia,<sup>97</sup> further entrenching inequality into postconflict development.

#### C. The Problem of the Neoliberal Economy

In most post-conflict situations, there are a variety of international actors who contribute to the peacebuilding cause in various capacities,

<sup>93.</sup> WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM, FEMINIST (RE)INTERPRETATION OF THE DAYTON PEACE ACCORDS (2015) [hereinafter WILPF DAYTON STUDY].

<sup>94.</sup> Id.

<sup>95.</sup> *Id.* at 15.

<sup>96.</sup> Id.

<sup>97.</sup> Id. at 16.

including through security, development, and humanitarian projects.<sup>98</sup> Despite the United Nations' recognition of the crucial role of national ownership over the peace process, the important project of economic development often gets handed over to international financial institutions, donors' conferences, and foreign investors.<sup>99</sup> These institutions tend to impose a one-size-fits-all neoliberal system onto these States as their development plans. Neoliberalism is an ideology that values the free market and competition. It is characterized by a belief that sustained economic growth is the path to human progress and confidence in the free market's efficient allocation of resources over state intervention.<sup>100</sup>

Neoliberalism is ubiquitous in post-conflict States.<sup>101</sup> However, the installation of the free market and austerity measures—the guiding principles of international financial institutions—inhibit transitional justice and the goal of lasting peace.<sup>102</sup> "We saw the stress induced by forced economic liberalization and structural adjustment priming violence in societies continents apart: murderous communalism in India, imploding power vacuums in African countries."<sup>103</sup> The UN Special Rapporteur on extreme poverty and human rights has critiqued this economic agenda, arguing:

The capitalist system, which has become the dominant global economic system, is a tremendously powerful system . . . in terms of sheer productivity, innovation and dynamism, but it is ultimately unsustainable unless the excesses and predations that are built into the way it functions are tempered by systems that ensure the basic welfare of the many who would otherwise be victims of the uncertainty, instability and antisocial effects generated by capitalist processes.<sup>104</sup>

Economic transitions to capitalism and neoliberalism have paved the way for globalized economies in post-conflict areas, but without protecting local production, people's livelihoods, gender equality, or

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<sup>98.</sup> U.N. PEACEBUILDING, *supra* note 58, at 8.

<sup>99.</sup> Id.

<sup>100.</sup> Nicola Smith, *Neoliberalism*, BRITANNICA (Dec. 13, 2022), [https://perma.cc/83GD-VGH5].

<sup>101.</sup> Rees & Chinkin, supra note 39, at 1217.

<sup>102.</sup> *Id. See also*, WILPF DAYTON STUDY, *supra* note 93, at 20 ("The way the [International Monetary Fund] functions is opposite to what [they are] proposing with regards to [economic and social] rights and reparations.").

<sup>103.</sup> Cockburn, supra note 50, at 31.

<sup>104.</sup> Alston, supra note 41, at 8 (internal quotations omitted).

human rights.<sup>105</sup> Demonstratively, in the countries that comprised the former Soviet Union, their transitions to free market systems have led to "widespread increases in poverty, unemployment, hardship, income inequality, stress, and violence against women."<sup>106</sup>

Women disproportionately bear the negative impact of the globalization of the world economy.<sup>107</sup> The creation of "free trade" zones, which are exempt from many economic regulations, exacerbate gendered inequalities and create unregulated environments where genderbased violence thrives.<sup>108</sup> Though broadly celebrated as catalysts for development and national prosperity, many of the tools of trade liberalization heighten the prevalence of violence against women, and create volatile commodity markets, which exacerbate civil conflict over resources.<sup>109</sup>

The World Bank has acknowledged that the reliance of less developed States on primary commodity exports is a leading cause of armed conflict, yet it continues to explicitly support the development of such industries, spending fifty million dollars on growing the mineral sector in 2010, compared to \$3.2 million spent on all gender-based violence prevention initiatives combined.<sup>110</sup> Women are almost never included in the financial or social benefits of international financial institutions' support for resource extraction development, and they are very frequently exploited by the market and exposed to more violence.<sup>111</sup>

In addition, as the post-conflict economy becomes more linked to the global market, a reduction in public spending and social programs follows. This pushes many social welfare costs, like education, health, and childcare, onto individuals—and most often onto women, who shoulder the burden from the loss of State support.<sup>112</sup> Thus, neoliberalism not only fails to benefit women and increases violence and the likelihood of civil conflict—it also actively serves to remove the resources which could allow women to close the poverty gap with men and benefit from economic development.

The key practical problem of moving away from the neoliberal agenda is that the international financial institutions support this agenda, and they provide a huge amount of funding for post-conflict

<sup>105.</sup> JACQUI TRUE, THE POLITICAL ECONOMY OF VIOLENCE AGAINST WOMEN 77 (2012).

<sup>106.</sup> *Id.* at 78.

<sup>107.</sup> FEMINIZATION OF POVERTY FACT SHEET, *supra* note 7.

<sup>108.</sup> TRUE, *supra* note 105, at 77.

<sup>109.</sup> Id. at 80.

<sup>110.</sup> Id. at 87.

<sup>111.</sup> Id.

<sup>112.</sup> FEMINIZATION OF POVERTY FACT SHEET, supra note 7.

"peacebuilding" and development projects. Successful peace processes rely on resources to establish social and economic programming, so the loss of financial institution support due to a refusal to carry out their neoliberal agenda would be devastating to the peace process. Institutions such as the World Bank and the International Monetary Fund often condition international development loans on the adoption of economic reforms to force States to conform to the neoliberal agenda.<sup>113</sup> States that fund and control these institutions<sup>114</sup> must be called on to move away from the neoliberal agenda, pursuant to their human rights obligations. This will prove difficult, as some of the most powerful countries in these institutions (including the United States) are deeply committed to the neoliberal construction of the free market.

#### IV. THE NEOLIBERAL ECONOMY MUST BE REPLACED WITH A FRAMEWORK ROOTED IN THE FOUR PILLARS OF WPS

In order to revive the WPS agenda into a truly transformative political and legal agenda, the neoliberal economy must be replaced with a framework rooted in the four pillars of WPS, which were established in Resolution 1325 and set the framework for goals of the agenda: participation, protection, prevention, and relief and recovery.<sup>115</sup>

#### A. Participation

In addition to expressing women's human rights to engage in public life without being subject to discrimination based on sex,<sup>116</sup> increasing women's participation in peace processes and political transitions is crucial for the creation of de facto equality.<sup>117</sup> The Beijing Declaration,

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<sup>113.</sup> TRUE, supra note 105, at 95.

<sup>114. &</sup>quot;The organizations that make up the World Bank Group are owned by the governments of member nations, which have the ultimate decision-making power within the organizations on all matters, including policy, financial or membership issues." *Member Countries*, WORLD BANK (Dec. 19, 2022), [https://perma.cc/L4FF-TGWD]. "The International Monetary Fund (IMF) works to achieve sustainable growth and prosperity for all of its 190 member countries. It does so by supporting economic policies that promote financial stability and monetary cooperation, which are essential to increase productivity, job creation, and economic well-being. The IMF is governed by and accountable to its member countries." *What is the IMF?*, INT'L MONETARY FUND (Apr. 2022) [https://perma.cc/9Y29-UYN7].

<sup>115.</sup> S.C. Res. 1325, *supra* note 16.

<sup>116.</sup> ICCPR, supra note 12, at arts. 2, 25.

<sup>117.</sup> Women and Peace and Security, supra note 66, at 7.

which was integrated into the WPS agenda by the preamble of Resolution 1325, affirmed that "[w]omen's empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace."<sup>118</sup> The Global Study on the implementation of Resolution 1325 found that "in cases of women's participation and strong influence [in the negotiation process], an agreement was almost always reached. Furthermore, strong influence of women in negotiation processes also positively correlated with a greater likelihood of agreements being implemented."<sup>119</sup>

In 2000, Resolution 1325 urged the Secretary-General to increase women's participation in all United Nations operations. It also called on him specifically to "implement his strategic plan of action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes," and to guide Member States in "the importance of involving women in all peacekeeping and peacebuilding measures."<sup>120</sup> Yet, in 2021, the Secretary-General still found "persistent gaps and stagnation in women's participation in political leadership, peace and security and access to economic resources and decision-making."<sup>121</sup> The Secretary-General again called on States to take measures to increase women's participation in peace processes and other political decision-making processes.<sup>122</sup> Clearly, there is still a problem in involving women in the peace process.

Addressing issues of women and gender in the peace process is not as simple as mentioning women's and girls' issues in the peace agreement; in fact, research on the design of civil war peace agreements by Lounsbery and DeRouen in 2018 found that more complex peace agreements, with a larger number of provisions, actually correspond with a greater probability of failed implementation and recidivism.<sup>123</sup> That is not to say that women's issues should be left out of the text of peace agreements; the explicit inclusion of women's issues is correlated with greater success in peace agreements, and binds States to commitments to include women.<sup>124</sup> What this means is merely including wom-

<sup>118.</sup> Beijing Declaration, supra note 63, § 13.

<sup>119.</sup> COOMARASWAMY, supra note 10, at 41.

<sup>120.</sup> S. C. Res. 1325, supra note 16, ¶¶ 2-6.

<sup>121.</sup> Women and Peace and Security, supra note 66, § 17.

<sup>122.</sup> Id. ¶ 22.

<sup>123.</sup> Marie Olson Lounsbery & Karl DeRouen, Jr., *The Roles of Design and Third Parties* on Civil War Peace Agreement Outcomes, 43 PEACE & CHANGE 139 (2018).

<sup>124.</sup> Wise, *supra* note 92.

en in the text of the peace *agreement* is not sufficient. Women must be included in all stages of the peace *process*, which includes years of peace-building through governance after the signing of the agreement.

Participation of women cannot be encouraged without addressing one of the key barriers to their participation: poverty. Without full realization of their economic and social rights, poverty among women will impede their participation in peace processes, reconstruction institutions, and long-term positions of political decision-making power.<sup>125</sup> To organically increase the level of women's participation, we must address women's poverty, including women's lack of access to education and jobs which would make them candidates to participate in political and peace process decision-making. In the meantime, local women's participation should be intentionally increased through temporary measures such as quotas, and international organizations and civil society groups should be encouraged to send women representatives to governments, international organizations, and other positions of influence.

#### B. Protection

While protection as a pillar of WPS often means the protection of women from gender- based and sexual violence, it also applies to the protection of women's rights under the twin covenants and CEDAW. This includes the right to access justice.<sup>126</sup> Structural inequalities and discrimination, including poverty, make the justice system physically, economically, and socially inaccessible to women. These obstacles "constitute persistent violations of women's human rights."<sup>127</sup> Other factors which both make it harder for women to access justice *and* feed into the cycle of poverty that inhibits access, include: "illiteracy, trafficking, armed conflict, status as an asylum seeker, internal displacement, statelessness, migration, being a female head of household, widowhood, living with HIV, deprivation of liberty, criminalization of prostitution, geographical remoteness and stigmatization of women fighting for their rights."<sup>128</sup>

Without access to economic and social rights, women will also struggle to participate in post-conflict justice mechanisms, such as tri-

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<sup>125.</sup> Rees & Chinkin, *supra* note 39, at 1219.

<sup>126.</sup> Comm. on the Elimination of Discrimination Against Women, *General Recommen*dation No. 33 on Women's Access to Justice, ¶ 1, U.N. Doc. CEDAW/C/GC/33 (Aug. 3, 2015) [hereinafter CEDAW General Recommendation 33].

<sup>127.</sup> *Id.* ¶ 3.

<sup>128.</sup> *Id.* ¶ 9.

bunals or truth commissions. This denies them the protection of full access to justice for their experiences in conflict.<sup>129</sup> The CEDAW Committee has called for measures to increase impoverished women's access to justice through the establishment of legal aid programs and justice centers.<sup>130</sup> However, stakeholders must address the root causes of women's poverty, or these access programs will only gain more clients. Addressing the feminization of poverty must be considered a matter of protecting women's human rights, including access to justice.

#### C. Prevention

The most basic goal of the WPS agenda is to prevent war, because women are specially impacted by conflict.<sup>131</sup> With rates of recidivism as high as they are, prevention of conflict must include improvement of the peace process to increase the rate of lasting peace after conflicts. Poverty and inequality, as drivers of conflict, must be addressed at all stages of the peace building process. Given the harmful effects of neoliberalism on inequality, and on women in particular, peace processes cannot continue to pass off responsibility for economic and social concerns to international financial institutions. States must integrate economic and social rights into their laws, and protect those rights through economic programming and social welfare measures aimed at creating equality.

Peace processes must also address demilitarization. The perpetuation of militarism detracts from resources to support social and economic welfare and development post-conflict. Demilitarization is not simply a matter of taking away weapons and dismantling fighting forces, however; the peace process must prioritize dismantling the *narratives* of meaning, desire, and belonging through violence, and the constructions of masculinity through violence, in order to end the ideation of violence and create local responsibility for and commitment to peace.<sup>132</sup>

#### D. Post-Conflict Relief and Recovery

In addition to preventing recidivism, the peace process must prioritize addressing the root causes of conflict. Even if conflict ends in the

<sup>129.</sup> Rees & Chinkin, supra note 39, at 1219.

<sup>130.</sup> CEDAW General Recommendation 33, supra note 126, ¶ 17.

<sup>131.</sup> See COOMARASWAMY, supra note 10, at 191, 194.

<sup>132.</sup> WILPF DAYTON STUDY, supra note 93, at 10.

long term, it remains crucial that the economic and social rights of the people in the post-conflict area are fully realized. The WPS agenda must press for post-conflict investment in true equality through transformative reparations, increases in rights-based social programs particularly designed to increase women's access to education, vocational training, the formal workforce, health services, and other projects that can actively disrupt the cycle of poverty. The 2015 Global Study highlighted that militarism continues to perpetuate inequalities by underfunding human security needs, particularly on women's and girls' empowerment, reproductive health and rights, as well as health and education.<sup>133</sup> The Secretary-General issued an urgent call in his 2021 report on women, peace, and security for action "to reduce military spending and to increase investment in peacebuilding, education, health and other public programmes. Reversing the upward trajectory in military spending is a priority for the women's movement for peace and a core commitment of the United Nations."134 Ultimately, the problem continues, unresolved, despite numerous calls for change.

#### CONCLUSION

In adopting the WPS agenda, UN Member States have undertaken specifically to address the particular impact that conflict has on women. The continued problem<sup>135</sup> of the feminization of poverty reveals that, over twenty years after the first WPS resolution, the world has not managed to prevent conflict from exacerbating women's poverty. But it is more than the failure of a lofty, non-binding agenda. The feminization of poverty represents both a violation of women's economic human rights and a hindrance to the WPS goal of international peace. Since poverty and inequality feed conflict, the United Nations must make addressing the feminization of poverty a priority within the WPS agenda. Peace agreements would be a good place to start. The current system of peacebuilding through neoliberalism perpetuates inequality, and therefore undermines the goals of peace. By making gender equality and the eradication of poverty central goals for all peace agreements, the world may have a better chance of avoiding repeated conflict and protecting women's human rights.

<sup>133.</sup> COOMARASWAMY, supra note 10, at 207.

<sup>134.</sup> In Focus: Women, Peace and Security, U.N. WOMEN, (last visited Mar. 29, 2023), [https://perma.cc/LNZ9-Z23V].

<sup>135.</sup> Poverty Deepens for Women and Girls, According to Latest Projections, U.N. WOMEN (Feb. 1, 2022), [https://perma.cc/6XPT-T284].