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### Adoption of 1325 Resolution

Christine M. Chinkin

*University of Michigan Law School, cchinkin@umich.edu*

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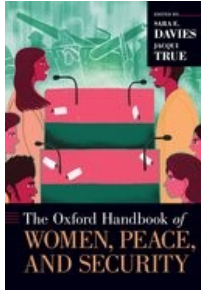
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## The Oxford Handbook of Women, Peace, and Security

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CHAPTER

### 3 Adoption of 1325 Resolution

Christine Chinkin

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#### Abstract

UN Security Council Resolution 1325 was not adopted in a vacuum, but rather can be read with a number of other programs within the Security Council (SC) and UN architecture. These include other thematic resolutions, as well as broader policy initiatives. Taken together, these diverse strands sought to shift the understanding of the SC's role in the maintenance of international peace and security, away from a classic state-oriented approach to one that places people at its center. The adoption of Resolution 1325, along with these other developments, had implications for the making of international law (the place of civil society and experts within the international legal and institutional framework), for rethinking participation, and the meaning of security/protection. This chapter suggests that 2000 was a pivotal moment when a more human-oriented international law seemed a real possibility and before the turn back toward militarism and national security in the wake of the terrorist attacks of September 11, 2001.

**Keywords:** [human security](#), [international law](#), [security](#), [civil society](#), [thematic resolutions](#), [Security Council](#)

**Subject:** [International Relations](#), [Politics](#)

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UN Security Council Resolution 1325 on Women and Peace and Security<sup>1</sup> was widely celebrated by women's NGOs who had advocated for its adoption. It was the first time that the Security Council had devoted a full session to debating women's experiences during and after conflict, and the resolution drew attention to the fact that "peace is inextricably linked with gender equality and women's leadership" (UN Women 2015: 5). However, although it was a "first", Resolution 1325 was not adopted in a vacuum; it can be seen alongside and in conjunction with a number of other thematic resolutions and broader policy initiatives around the same time within the Security Council, and, more generally, the UN. This chapter briefly outlines contemporaneous developments that are founded upon some of the same principles as Resolution 1325 in order to sketch the peace and security landscape in 2000 and to place the resolution in its legal and policy

context. It argues that some of the goals of 1325 were already finding support in international law and relations but with variable application, especially with respect to women in conflict-affected situations. The end of the Cold War had generated optimism for a “new world order” in which democracy, rule of law, and human rights would be the prevailing values,<sup>2</sup> but a different reality soon became clear. The violent conflicts that erupted in the former Yugoslavia, Somalia, Haiti, Burundi, the Caucasus, and elsewhere; the 1994 genocide in Rwanda; and the ensuing conflict in the Democratic Republic of Congo were all incidents of what were termed “new wars.” Mary Kaldor identified a number of characteristics of these “new wars”:<sup>3</sup> they were fought by loose networks of state and non-state actors—armed militia, criminal gangs, and warlords—that operated across state borders; they were fought in the name of identity—ethnic, religious, or tribal—rather than for political ideas or geopolitical goals; they generated a distinctive and predatory war economy; and extreme violence was directed toward civilians, including highly visible atrocities—executions, torture, rape and other forms of sexual violence, suicide bombings, planting landmines, looting, arson—as a way to generate fear and cause people to flee (Kaldor 2012). Indeed, forced displacement is perhaps the defining characteristic of new wars.

The conflict in Bosnia was the archetypal example of “new wars.” And it was in Bosnia that allegations of “massive, organized and systematic detention and rape of women” were brought to the attention of the Security Council and the public (UN Security Council 1993). Against this backdrop, and also that of revelations about the fate of so-called “comfort women” at the hands of the Japanese military in World War II (Dolgop and Paranjape 1994), with their chilling resemblance to the crimes going on in Bosnia, women activists pursued a two-pronged campaign to have gender-based violence explicitly recognized as a violation of human rights law, and, as the decade progressed, of international criminal law. The first success was the groundbreaking formulation in 1992 by the Committee on the Elimination of Discrimination against Women (CEDAW) describing gender-based violence against women “as violence that is directed against a woman because she is a woman or that affects women disproportionately.”<sup>4</sup> The Committee asserted it to be “a form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality with men,” and, as such, it comes within the definition of discrimination in article 1 of the 1979 Convention on All Forms of Discrimination against Women, despite the lack of any explicit reference to violence therein. Although the applicability of the Convention during armed conflict had not then been stipulated, the Committee also noted under paragraph 16 that “[w]ars, armed conflicts and the occupation of territories often lead to increased prostitution, trafficking in women and sexual assault of women, which require specific protective and punitive measures” (CEDAW 1992).

Campaigning and network building by the global women’s movement led to the concept of gender-based violence being taken up by the World Conference on Human Rights in Vienna in 1993. The Declaration and Programme of Action adopted at Vienna affirmed that “violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. All violations of this kind, including in particular murder, systematic rape, sexual slavery, and forced pregnancy, require a particularly effective response” (UN General Assembly 1993a). This assertion challenged the classic division between international humanitarian law and human rights law and thus also between violence against women committed in wartime and in so-called peacetime. Indeed, in its recognition of women’s rights as “an inalienable, integral and indivisible part of universal human rights” (UN General Assembly 1993a), it was widely asserted that “the biggest winners” at the Vienna Conference were women (Whelan 2010: 186). The UN General Assembly (1993b) followed suit adopting the Declaration on the Elimination of Violence against Women (DEVAW) in December of the same year. In 2000, just a month before the adoption of Resolution 1325, at the Millennium Summit, the UN General Assembly (2000a) reiterated the need “to combat all forms of violence against women and to implement the Convention on the Elimination of All Forms of Discrimination against Women.”

Individual criminal responsibility for the commission of sexual violence in conflict as an international crime was sought alongside the provision under human rights law for state responsibility for the wrongful acts of state agents (including military personnel) and for state failure "to exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons" under article 4(c) of DEVAW. The first international criminal courts to be established since those following World War II at Nuremberg and Tokyo, the International Criminal Tribunal for former Yugoslavia (ICTY) in 1993 and the International Criminal Tribunal for Rwanda (ICTR) in 1994, provided for the criminal prosecution of those violating international humanitarian law. The tribunals have subject matter jurisdiction with respect to war crimes, crimes against humanity, and genocide, and criminal prosecution is either aimed at individual perpetrators or at force commanders through command responsibility. In 1997 the Women's Caucus for Gender Justice was formed to promote and defend women's concerns at the negotiations, first in the "precoms," and then at Rome for the statute for a permanent International Criminal Court. By 1998, such feminist advocates had the statutes, prosecution policies, and the early jurisprudence of the ICTY and ICTR to draw upon. They succeeded in securing state-of-the-art provisions with respect to sexual violence: "rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity" were spelled out as crimes against humanity (now decoupled from armed conflict), as "serious violations of the laws and customs applicable in international armed conflict," and as serious violations of laws applicable in armed conflict of a non-international character.<sup>3</sup> In addition, "[c]ommitting outrages upon personal dignity, in particular humiliating and degrading treatment," constituted a violation of the laws and customs of war in international and non-international armed conflict.<sup>4</sup> Gender-based persecution was included as a crime against humanity,<sup>5</sup> and provision was made for "[a] fair representation of female and male judges."<sup>6</sup>

Resolution 1325 was not adopted under UN Charter Chapter VII and is therefore not subject to the requirement in article 25 that UN member states "agree to accept and carry out" decisions of the Security Council. However, these significant legal advances clarified that rape and sexual violence constitute violations of human rights law and international humanitarian law and, through the evolving international criminal law, constitute legal and practical tools for combating wartime violence against women. Without these developments there would have been less reason for the explicit call in Resolution 1325 for all parties to a conflict to respect international humanitarian law, human rights law, and the Rome Statute.<sup>7</sup> They also imbued the resolution with the strong normative content it might otherwise have lacked.

Civil society activism, especially that of NGOs lobbying and networking within international institutions, was crucial in achieving the reform necessary to take account of women's human rights and to recognize the harms committed against women as violations of international law. So too was seeking new and international law-making processes for achieving these objectives. Such activism and pursuit of legal change were also evident in other initiatives that sought to mitigate the harms caused by conflict and its aftermath. For example, the Landmines Convention stemmed from civil society outrage about the indiscriminate and ongoing harm the use of landmines caused to civilians (United Nations 1997). The preamble makes this clear: "[D]etermined to put an end to the suffering and casualties caused by anti-personnel mines, that kill or maim hundreds of people every week, mostly innocent and defenseless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement" (United Nations 1997). The movement for adoption of the Convention was initiated and progressed by a global NGO coalition, the International Campaign to Ban Landmines (ICBL), supported by like-minded states, notably Canada, Austria, and Norway (Cameron, Lawson, and Tomlin 1998). It sought a new forum for treaty negotiation, deliberately working outside the Geneva Disarmament Conference, the traditional location for disarmament issues, by preferring the more flexible diplomatic Ottawa process. The successful negotiation of the Landmines Convention, like that of the Rome Statute of the ICC a year later,

demonstrated that strong coalitions—a partnership between like-minded states and NGOs—can be effective in securing change in international law, even against the interests of powerful states. There was a pattern throughout the 1990s of strategic coalition building, lobbying, and advocacy by civil society that took place within the UN human rights treaty bodies, at global summit meetings and at diplomatic negotiations, that led to normative developments with humanitarian objectives at their core. The adoption of Resolution 1325 fits this pattern: it was motivated by civil society for the advancement of women's interests, assisted by an international agency, the United Nations Development Fund for Women (UNIFEM) and involved engagement with like-minded states that instigated and supported the initiative through the relevant institutional processes. Strategic use of the Aria formula for information sharing with members of the Security Council, as described in chapter 6 in this volume, was also key.

The need to combat the violence experienced by civilians and their deliberate targeting in the context of new wars that was central to many of the campaigns previously described also galvanized the Security Council into several initiatives around protection of civilians in armed conflict in the 1990s. These took a number of different directions. First was the use of military operations for humanitarian purposes. Without referring to women or sexual violence but in response to “continuing reports of widespread violations of international humanitarian law occurring in Somalia, including reports of violence and threats of violence . . . deliberate attacks on non-combatants” in 1992, the Security Council adopted unanimously Resolution 794 (UN Security Council 1992). The resolution was widely considered to break new ground by authorizing “all necessary means” (that is military force) to relieve human suffering through the establishment of a “secure environment for humanitarian relief.” This paved the way for recognition of violence against civilians as constituting a threat to international peace and security within the competence of the Security Council. It was, of course, a country-specific mandate and was followed by a slew of resolutions, notably with respect to Bosnia and Herzegovina and to Haiti, which mandated various measures in response to atrocities committed against civilians, including, in the context of Bosnia, the creation of the ICTY, and subsequently for Rwanda, the ICTR.

Later in the decade a second initiative gained momentum. Thematic resolutions for the protection of civilians were adopted (see chapter 46 in this volume), which were general rather than specific to a threat to international peace caused by the situation within a named country and accompanied by measures decided upon under UN Charter Chapter VII. The first such resolutions were directed at categories of people deemed especially vulnerable in armed conflict. One such category, children, was addressed first by the UN General Assembly. Following Graça Machel's (UN General Assembly 1996) pioneering report on children in armed conflict, the Assembly recommended that the Secretary-General appoint a Special Representative on the impact of armed conflict on children to report annually to it (UN General Assembly 1997a). Three years later, the Council took up this issue in its Resolution 1261 (UN Security Council 1999a). While primarily drafted in gender-neutral terms, including with respect to condemning the targeting of children in armed conflict and sexual violence, it also urged “all parties to armed conflicts to take special measures to protect children, in particular girls, from rape and other forms of sexual abuse and gender-based violence in situations of armed conflict and to take into account the special needs of the girl child throughout armed conflicts and their aftermath, including in the delivery of humanitarian assistance” (see chapter 47 in this volume). A year later, the UN Security Council (2000a) underlined “the importance of giving consideration to the special needs and particular vulnerabilities of girls affected by armed conflict, including, *inter alia*, those heading households, orphaned, sexually exploited and used as combatants.” In 1998, following two reports of the Secretary-General on insecurity in Africa,<sup>8</sup> the Council adopted a thematic resolution on the protection of refugees and the humanitarian character of refugee camps that stressed the “security needs of women, children and the elderly, who are the most vulnerable groups in refugee camps and settlements” (UN Security Council 1998b).

The Council's thematic agenda for the protection more generally of all civilians in armed conflict commenced in 1999 following the report of the Secretary-General on conflict and insecurity in Africa (UN General Assembly 1998) and a further report on the protection of civilians in armed conflict (UN Security Council 1999b). Making the "human rights of women . . . an integral part of the United Nations human rights activities" (or "gender mainstreaming") and had become stated UN policy since the Vienna and Beijing Global Summits on Human Rights and Women respectively.<sup>9</sup> In line with this policy, both reports address the position of women in armed conflict, albeit not in great detail. In similar language to that of "new wars" the first report noted that in armed conflict, civilians had become "often the main targets, with women suffering in disproportionate numbers while often being subjected to atrocities that include organized rape and sexual exploitation" (UN General Assembly 1998: para. 49). It also recognized the importance of eliminating discrimination against women, and, from an instrumental perspective, that "investing in women's capabilities and empowering them to exercise their choices is a vital and certain way to advance economic and social development" (UN General Assembly 1998: para. 89). The second report noted the differential impact of war on women and men: the dramatic increases in the number of children and women heads of households, the vulnerability of women and girls to gender-based violence and sexual exploitation, including rape and forced prostitution, and the disproportionate burden of displacement borne by them (UN Security Council 1999b: para. 18). Under the heading "Special measures for children and women," the Secretary-General also called for "parties to conflicts to make special arrangements to meet the protection and assistance requirements of children and women" (UN Security Council 1999b: Recommendation 21).

In Resolution 1265, on the protection of civilians in armed conflicts, the UN Security Council (1999c) noted that civilians "are increasingly targeted by combatants" and grouped women with children and "other vulnerable groups," while also recognizing the "direct and particular impact of armed conflict on women." The Council urged states to comply with human rights law, international humanitarian law, and refugee law, and expressed its "willingness to respond to situations of armed conflict where civilians are being targeted or humanitarian assistance to civilians is being deliberately obstructed." However, that resolution made no reference to the wider consequences of conflict for women as referred to in the report on *Protection of Civilians in Armed Conflict* (UN Security Council 1999b). The next resolution on the protection of civilians, Resolution 1296, continued in a similar vein, depicting women as a vulnerable group in need of protection (UN Security Council 2000b). The Council reaffirmed "its grave concern at the . . . particular impact that armed conflict has on women, children and other vulnerable groups" that "their special protection and assistance needs" be taken into account in peace operations, as well as the possibility of "undertaking special arrangements" when appropriate to ensure protection and delivery of humanitarian assistance (UN Security Council 2000b).

Some of the themes of Resolution 1325 had thus already entered into the Security Council's work through these generic resolutions. However, there is one obvious omission. Despite the limited reference to women's empowerment in the report on conflict and insecurity in Africa (UN General Assembly 1998), for instance, the representation of women is as in need of protection; there is no reference to women's active participation and representation in policy- and decision-making. Women's active agency was not recognized, as it had been in the requirement for equality in political participation in the 1979 Convention on the Elimination of All Forms of Discrimination against Women,<sup>10</sup> and specifically in the context of conflict in strategic objective E.1 in the Beijing Platform for Action: "Increase the participation of women in conflict resolution at decision-making levels." The stark omission of local women from the negotiations at Dayton (which brought an end to the war in Bosnia) and which took place in 1995 only months after the Beijing Conference, was a motivating factor in the push for adoption of Resolution 1325.

Thematic resolutions are the exception in the practice of the Security Council. The majority of its resolutions are directed at country-specific threats to international peace and security. In these resolutions the absence

of—or minimal reference to—the concerns expressed in the thematic resolutions is striking. For example, two situations in 1999 led to an especially high level of intervention by the Security Council through the authorization of a civil presence with legislative and executive authority, including the administration of justice. In 1998 and 1999 the Security Council was faced with determining its response to the “grave humanitarian situation throughout Kosovo and the impending humanitarian catastrophe” (UN Security Council 1998c). Following the unauthorized NATO military intervention, acting under UN Charter Chapter VII the Council mandated the establishment of an international security presence (KFOR) and an international civil presence (UNMIK) (UN Security Council 1999d). UNMIK’s mandate included the promotion of human rights but without any reference to harms committed against women or, indeed, protection of children and civilians. Later the same year, when violence erupted following the popular consultation in East Timor through which the Timorese people voted for independence, the Council did express that it was “[a]ppalled by the worsening humanitarian situation in East Timor, particularly as it affects women, children and other vulnerable groups” and emphasized the need “to ensure the protection of civilians at risk” (UN Security Council 1999e). It also referred to its deep concern at the “large-scale displacement and relocation of East Timorese civilians, including large numbers of women and children” (UN Security Council 1999f). However, neither the multinational force, the United Nations Mission in East Timor (UNAMET), nor the territorial administration, the United Nations Transitional Administration in East Timor (UNTAET), was mandated to take steps to address gendered crimes. Security Council awareness of the gendered dimensions of the violence did not result in explicitly mandated measures for their redress by UN authorized bodies. It seems that the Council did not relate its emerging thematic agenda to its direct in-country responses to threats to international peace and security, suggesting that in mandating specific powers it did not prioritize the former.

p. 32

Other resolutions demonstrate an apparently haphazard concern about the position of women in conflict, sometimes referred to, more often not. For instance, in 1999 and 2000, in resolutions concerning the Democratic Republic of Congo and Haiti, there were no such mentions; in the case of Sierra Leone, the Council recalled its Resolution 1265 on protection of civilians and underlined the importance in the training of United Nations Mission in Sierra Leone (UNAMSIL) personnel of the “child and gender-related provisions” of relevant international law (UN Security Council 1999g). In imposing targeted sanctions on Taliban-controlled Afghanistan, preambular mention is made to “discrimination against women and girls,” a somewhat minimalist reference in view of that regime’s record of violence against women.<sup>11</sup> That the gender mainstreaming policy had not been fully internalized or insisted upon within the UN system (Gallagher 1997) is further demonstrated by its absence from the Brahimi Report on UN Peace Operations. The panel, which had been commissioned to “assess the shortcomings of the existing system [of conflict prevention, peace-making and peace-building]” and “to make frank, specific and realistic recommendations for change,” made no recommendations with respect to the protection, inclusion, or participation of women. Indeed, in assessing the difficulties in securing implementation of peace, Brahimi noted the level of wartime casualties, population displacement, and human rights violations as adding to the complexities of peacemaking, but without any consideration of the gender dimensions or of the importance of participation by women (UN General Assembly 2000b). Yet the 1999 Secretary-General’s Report on *Protection of Civilians in Armed Conflict* had recommended that the Council ensure “that the special protection and assistance requirements of children and women are fully addressed in all peacekeeping and peace-building operations” (UN Security Council 1999b: Recommendation 20) and Resolution 1325, adopted just two months later, expressed a “willingness to incorporate a gender perspective into peacekeeping operations.”

What is evident from this brief survey of reports and resolutions is that by the end of the 1990s, there was Security Council acknowledgment of the deliberate targeting of civilians in armed conflict and of the “vulnerability” of women and girls to rape and sexual violence. The Security Council was becoming receptive to the importance of adopting provisions for the protection of civilians and “vulnerable” groups in

conflict and for addressing the “special needs” of women and girls and making “special arrangements” for them, yet it only occasionally made any reference to the experiences of women in armed conflict in its country-specific UN Charter Chapter VII resolutions. There was no sense of a holistic or routine recognition of the need to take account of the gendered violations of international humanitarian or human rights law, although there were sufficient indicators that such acceptance would not be impossible to secure. In this sense the adoption of Resolution 1325 is perhaps unsurprising, but the warning signs that it would be seen more as rhetoric than as a blueprint for action and implementation were already present.

As the Security Council grew more ready during the 1990s to accept that harms to individuals could constitute threats to international peace and security, a number of policy-oriented reports and other initiatives within the UN focused on the need to safeguard the security of individuals rather than just that of the territorial state. There was a recognized urgency “to redefine our concept of security, as security for people, not security for land” (United Nations Development Programme [UNDP] 1993: iii). One illustration of this was the prominence accorded to the concept of human security in the 1990s, although there was no agreement about either its scope or formulation. A broad form of human security, encompassing development and disarmament, was pioneered by UNDP, notably in its 1994 *Human Development Report* (UNDP 1994), which emphasized “material security—freedom from want—although the link with freedom from fear was also acknowledged. The report lists seven types of security: economic, food, health, environmental, personal, community, and political, of which only “personal security,” referred to physical safety from violence (UNDP 1994). Gender security was not identified as a distinct category concerning targeted measures for its achievement. The narrow form of human security was more directly concerned with freedom from physical harm and drew on the growing influence in international affairs of the link between security and human rights. In the words of the then Minister for Foreign Affairs of Australia, Gareth Evans (1995),

the first [approach] is to develop the notion that “security,” as it appears in the Charter, is as much about the protection of individuals as it is about the defence of the territorial integrity of states. “Human security,” thus understood, is at least as much prejudiced by major intra-state conflict as it is by inter-state conflict. The second approach, which could either stand alone or be seen as reinforcing the “human security” approach, would pursue to its logical limits the international community’s basic human rights, bearing in mind that the most basic human right of all, that of life, is violated on a very large scale in intra-state conflicts.

The high point of the human rights strand of human security thinking as directing policy may be the work of the International Commission on Intervention and State Sovereignty (ICISS), established by the Canadian government just one month before the adoption of Resolution 1325 in September 2000. The Commission was established in reaction to the legal and moral debates around the unauthorized NATO military intervention in Kosovo in March 1999, which had been in response to the oppression and human rights violations committed by the Serbian authorities against the Albanian population in Kosovo. This use of force was considered by many commentators to be in violation of the UN Charter, article 2 (4), which prohibits the use of force in international relations. Others considered military intervention when carried out for humanitarian purposes to be legitimate, even if technically illegal. After wide consultation to gauge broad global opinion, the Commission argued for a “Responsibility to Protect” as a principled response to such violence: “that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe—from mass murder and rape to starvation—but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states” (ICISS 2001; see also chapter 45 in this volume). The debate around intervention in Kosovo, the formation of the Commission and its enunciation of the Responsibility to Protect were thus contemporaneous with the adoption of Resolution 1325 and the more general focus on protection of civilians expressed in the thematic resolutions of the Council. These parallel developments highlighted the distinction between the *jus ad bellum* (the legal use of



force) and the *ius in bello* (protective constraints on behavior in conflict), the former remaining seemingly

impevious to the latter.

The decade that followed the end of the Cold War was in some ways one of optimism, in which ideas relating *inter alia* to human security, civilian protection, legal accountability, and gender equality were all given voice within the mainstream international institutions. But it was also a decade of extreme violence, new wars, and growing awareness of the threats of terrorism. The global women's movement that had gained traction since the UN Decade for Women (1975–1985) was especially focused on combating violence against women both in "peacetime" and in armed conflict. Taken together these diverse strands – to some extent shifted the understanding of the Security Council's role in the maintenance of international peace and security, away from a classic state-oriented approach to one that takes account of the violence directed at people and bringing human rights and international humanitarian law into its decision-making and operations. They created an environment that was conducive to the acceptance of a Security Council resolution addressing women's experiences in armed conflict. But what especially differentiates Resolution 1325 from these other initiatives such as human security, the Responsibility to Protect, or disarmament, is the inclusion of a requirement of gender balance and a gender perspective in all policy and decision-making relating to conflict prevention, management, and resolution, as well as post-conflict reconstruction. This entailed making the rule of law, human rights, and democracy, a mantra that characterized the decade, equally applicable to women, ensuring women's inclusion and agency and not merely grouping them with other "vulnerable" groups needing protection and with "special" needs. Security Council Resolution 1325 gave institutional legitimacy to the goals of the women's movement, set a new standard for the Security Council, UN member states, and the UN system as a whole. It launched detailed studies into the impact of armed conflict on women and girls, the role of women in peace-building and the gender dimensions of peace processes and conflict resolution (United Nations 2002; Rehn and Sirleaf 2002). While conceived of as a human rights agenda, there was also an unexplained instrumentalization in the preamble assertion of Resolution 1325 that women's "full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security."

The adoption of 1325 has implications for the making of international law (the role of civil society within the international legal and institutional framework), for rethinking participation and empowerment, and the meaning of security and protection. However, in retrospect, the year 2000 was a pivotal moment when a more human-oriented international law seemed a real possibility (Teitel 2011), and before the turn back towards militarism and national security in the wake of the terrorist attacks of September 11, 2001. The price of bringing the pillars of women, peace, and security into the security agenda of the UN Security Council may have been the high one of losing the transformative potential sought by civil society (Otto 2015).

## Notes

1. UN Security Council, Resolution 1325. S/RES/1325. October 31, 2000, [https://undocs.org/S/RES/1325\(2000\)](https://undocs.org/S/RES/1325(2000)).

2. For example. George Bush, Address before a Joint Session of the Congress on the State of the Union, *January 29, 1991*.

3. Rome Statute of the International Criminal Court, Articles 7 (1) (g); 8 (2) (b) (xxii). United Nations Human Rights, Office of the High Commissioner, 1998, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalCriminalCourt.aspx>.

4. Rome Statute, Articles 8 (2) (b) (xxi) and (2) (c) (iii).

5. Rome Statute, Article 7 (1) (h).

6. Rome Statute, Article 36 (8) (a) (iiii).

7. For examples, paras. 9–11 of UN Security Council Resolution 1325.

- p. 35
8. UN General Assembly (1998) and UN Security Council (1998a).
  9. See Part I, para 18 of the Vienna Declaration and Programme of Action and paras. 221 –231(b). The definition of gender mainstreaming and the strategy to promote it are outlined under the “Agreed Conclusions” of the Economic and Social Council (ECOSOC) (UN General Assembly 1997b).
  10. See Articles 7 and 8, for example, in UN General Assembly (1979).
  11. Noted in UN Security Council (1999h, 2000c).

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