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## **Women in Armed Opposition Groups in Africa and the Promotion of International Humanitarian Law and Human Rights**

**Report of a workshop organized in Addis Ababa by  
Geneva Call and  
the Program for the Study of International Organization(s)  
November 23-26, 2005**

*by  
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WOMEN IN ARMED OPPOSITION GROUPS IN AFRICA  
AND THE PROMOTION OF INTERNATIONAL HUMANITARIAN LAW  
AND HUMAN RIGHTS

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## ACRONYMS AND ABBREVIATIONS

<b>AIDS</b>	Acquired Immune Deficiency Syndrome
<b>ANC</b>	African National Congress, South Africa
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>DDR</b>	Disarmament, Demobilization, and Reintegration
<b>DRC</b>	Democratic Republic of Congo
<b>HIV</b>	Human Immunodeficiency Virus
<b>ICRC</b>	International Committee of the Red Cross
<b>IDP</b>	Internally Displaced Persons
<b>IHL</b>	International Humanitarian Law
<b>IHR</b>	International Human Rights Law
<b>NGO</b>	Non-governmental Organization
<b>SC Res.</b>	United Nations Security Council Resolution
<b>SPLA</b>	Sudan People's Liberation Army
<b>UN</b>	United Nations
<b>UNICEF</b>	United Nations Children's Fund
<b>UPDF</b>	Ugandan People's Defense Force
<b>USD</b>	United States Dollars

## EXECUTIVE SUMMARY

What role do women leaders within armed opposition groups play in promoting or violating international humanitarian law and human rights law during situations of armed conflict? Are there ways for national and international humanitarian and human rights actors to work more effectively and successfully with such women to promote these laws during armed conflict? In addition, during the tenuous periods of peace negotiations, disarmament, demobilization and reintegration (DDR), and the emergence of new forms of power-sharing governments in the aftermath of conflict, what are the key human rights issues that arise for women associated with armed opposition groups? Finally, what are the ways for such women to work in conjunction with NGOs and civil society organizations to address some of the key issues of violence and inequality that propelled many of them to join the armed opposition in the first place? During November 2005, a workshop was held in Addis Ababa, Ethiopia, to address these questions, learn more about the experiences of women and girls within armed opposition groups in Africa during and after armed conflict, and put forward recommendations regarding their potential roles in promoting international humanitarian law and human rights law in conflict and post-conflict periods.

The impetus for the workshop is grounded in international law and regional human rights treaties, including provisions within the Convention on the Elimination of All Forms of Discrimination against Women and the Protocol on the Rights of Women in Africa (which entered into force November 2005). Impetus is also provided by the solemn Declaration on Gender Equality in Africa, in which the Heads of State of the African Union agreed to ensure the full and effective participation and representation of women in peace processes, including the prevention, resolution and management of conflicts, as well as in post-conflict reconstruction. In addition, the workshop's rationale and framework draw strongly from UN Security Council Resolution 1325 (2000) and a series of recent reports by UN Secretary-General Kofi Annan and Security Council Resolutions. These reports and resolutions call for the UN and international actors to enhance the protection of civilians, as well as to engage in dialogue with armed opposition groups.<sup>1</sup> They also mandate and support increased actions for women's role in enhancing peace and security, addressing the impacts of armed conflict, and for their meaningful participation in building peace and security in armed conflict and post-conflict situations. The Africa-focused workshop also came at the request of women leaders within armed opposition groups in Africa who had attended an earlier workshop in August 2004 in Geneva, Switzerland, also organized by Geneva Call and the Program for the Study of International Organization(s).

The November 2005 Addis Ababa workshop brought together 39 women leaders from armed opposition groups and civil society in Africa from countries currently in conflict, as well as those that have recently moved into post-conflict phases. These women leaders met with a small number of women and men human rights activists, humanitarian actors, disarmament, demobilization and reintegration and conflict transformation specialists, scholars, and former African women ex-combatants who had successfully transitioned into leading governance and

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<sup>1</sup> Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/1999/957); Security Council Resolution 1265 (1999) on the Protection of Civilians in Armed Conflict (S/RES/1265); Security Council Resolution 1296 (2000) on the Protection of Civilians in Armed Conflict (S/2000/1296); Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/2001/331); Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/2002/1300); Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/2004/431); Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/2005/740).



civil society roles (see Annex 1). Participants came from Angola, Burundi, the Democratic Republic of Congo, Liberia, Rwanda, Sierra Leone, Somalia, Somaliland, South Africa, Sudan, Uganda and Zimbabwe<sup>2</sup>.

The objective of the 2005 Addis Ababa workshop was to identify ways of strengthening the understanding and observance of international humanitarian law and human rights law within the African armed groups and their political wings. At the same time, the workshop sought to contribute to African and international organizations' understanding of and ability to work with armed opposition groups to promote and uphold international humanitarian and human rights norms. Four topics were discussed during the workshop: humanitarian law, human rights law, disarmament, demobilization and reintegration (DDR) and transition into governance roles. This report presents information and analyses that came out of these four thematic working groups.

The first working group focused on international humanitarian law and other limits on actions in armed conflict. During this working group, participants deliberated on the limits on actions and behaviour in armed conflict and where these limits arose from, including the participants' own traditional and religious values, personal beliefs, and the groups' ideology or code of conduct. Participants described how, within their own groups, these limits were disseminated or enforced. Recognizing that the limits were often not followed or respected, participants also reflected on reasons for non-compliance. Participants then discussed ideas and strategies on how to improve knowledge of and compliance with the limits - both those identified as already existing within the armed groups and those contained in international humanitarian law - and their ability, as women, to influence the conduct of other members of their armed groups.

In the working group on human rights, participants exchanged views on the meaning of human rights from their experiences as women within armed groups, the interpretation of the laws from the various human rights conventions, and strategies of enforcement of these rights. Sexual and gender-based violations were frequently raised throughout the discussions, with the participants making clear statements regarding that as women, their rights and those of other women and girls, were consistently violated. The participants highlighted that a strong understanding of women's human rights was a necessary step in working towards the realization of those rights.

The working group on DDR processes discussed what occurred in those processes and who was able to benefit and who was excluded. They came up with concrete actions that needed to occur in order to have more successful DDR programs that benefited men and women combatants and the communities into which they sought to reintegrate. The participants also exchanged views on what security means for women, including women ex-combatants, in the presence of the numerous weapons that remain in communities even after a DDR process.

The working group on governance deliberated on the leadership roles the participants undertook in their armed groups and which of these skills were transferable to leadership capacities in a civilian setting. The group furthermore discussed the challenges women in armed groups face in participating in peace negotiations or constructing peace agendas. They also addressed the numerous challenges they face in playing a role in post-conflict governance and civilian leadership roles, and discussed strategies on how to address and overcome some of the challenges.

Throughout, the participants emphasized the importance of advocacy, networking nationally and regionally, information-sharing, capacity-building and training to strengthen women's leadership abilities to help them gain a greater voice in: promoting humanitarian and human rights norms; DDR; taking on meaningful roles in governance; and addressing injustice in their societies.

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<sup>2</sup> For reasons of security we do not list the names of the participants in the annex, but only the resource people and facilitators.



# EXECUTIVE LESSONS LEARNED AND RECOMMENDATIONS

## INTERNATIONAL HUMANITARIAN LAW AND THE RULES OF ARMED CONFLICT WITHIN ARMED OPPOSITION GROUPS

### Lessons Learned

1. Many of the armed opposition groups the women participated in have internal rules and limits on action and behaviour that are consistent with the provisions contained within international humanitarian law, particularly related to the necessary distinction between combatants and civilians, the treatment of civilians and wounded or sick enemy fighters, the protected status of pregnant women and small children, and prohibitions on rape and sexual violence, deliberately attacking civilian targets or their water, food, land and livelihood support systems, and the need to respect and refrain from attacking international humanitarian aid workers and medical personnel. Individual members within armed groups will often acknowledge these limits, even if they are not articulated collectively for the group as a whole.
2. The armed opposition groups' internal rules and limits that are consistent with provisions contained within international humanitarian law do not necessarily come from any knowledge of international humanitarian or human rights law but, rather, from a combination of sources, including personal and religious beliefs, traditional and cultural values, superstitions and beliefs in the supernatural, military command structures and trainings both within the group and, to a lesser extent, by international actors such as the Red Cross and ICRC.
3. The rules and limits on conduct during armed conflict are most effective when they are upheld by the groups' military commanders, come through the proper command chain and are explained in relation to the culture and belief systems of those within the armed groups.
4. Holding violators accountable was not the norm among most of the armed opposition groups. When it did occur, corporal punishment was the most common response. Often the punishment is not proportionate to the violation or crime committed and is often tantamount to egregious human rights violations. Actors looking to further strengthen adherence to international humanitarian and human rights law within these groups should be aware that they cannot necessarily rely on the existing mechanisms within the groups to hold perpetrators accountable. Consequently, these actors should recognize the concurrent need to help inform and strengthen justice and accountability mechanisms within these groups in ways that do not violate core human rights.

### Recommendations

*To the ICRC, Governments of Africa, the International Donor Community, the United Nations, the African Union, the World Bank and NGOs:*

1. **Increase** the frequency and types of trainings that commanders receive regarding the applicable international humanitarian and human rights law, with clearly defined application of those laws regarding women fighters and male and female civilians.
2. **Strengthen** and increase monitoring and enforcement mechanisms that hold individual

troops accountable for their actions in ways that comply with core human rights (e.g., those that prohibit torture, inhuman treatment and killing).

3. ***Distribute*** simple, ready-made forms to the regular troops within the armed groups regarding international humanitarian and human rights law. Where possible, ensure the information presented is described in ways that are in line with their cultures and belief systems, with clearly defined application of those laws regarding women fighters and male and female civilians, and emphasizing the individual responsibility of each member of the group to comply with the law and to seek to influence the behaviour of others.

4. ***Undertake*** efforts to inform and strengthen justice and accountability mechanisms within armed opposition groups in ways that do not violate core human rights.

#### ***To the Leaders of Military and Political Wings of Armed Opposition Groups in Africa:***

1. ***Develop*** clear policies and rules regarding the conduct of the armed conflict that are in line with applicable international humanitarian and human rights law and standards, coupled with increased awareness-raising among the commanders and troops.

2. ***Strengthen*** and increase monitoring and enforcement mechanisms that hold individual troops accountable for their actions in ways that comply with core human rights (e.g., those that prohibit torture, inhuman treatment and killing).

3. ***Increase*** the cooperation of the group's political wings and military wings to set positive examples for the population through the behaviour of the military forces.

## HUMAN RIGHTS

### **Lessons Learned**

1. Human rights violations committed against women and girls by members of fighting forces during situations of armed conflict are widespread, and these violations are both strategic and due to widespread gender discrimination that is often heightened during conflict.

2. Few women and girls associated with fighting forces know their rights and obligations under international humanitarian and human rights law. Women's and girls' lack of knowledge about their rights is used by private and state actors to deny them their rights. Correspondingly, women's and girls' understanding of human rights and women's human rights is essential for stronger monitoring and implementation of those rights. In particular, the Protocol on the Rights of Women in Africa is an important tool for advancing women's and girls' realization of their human rights on the African continent.

3. Women formerly associated with fighting forces identified what they thought were the principal rights they needed both during and after armed conflict, including the freedom of expression, freedom of association, sexual and reproductive rights, the right to education and the right to participate in decision-making and public life.

4. In line with the Protocol on the Rights of Women in Africa, CEDAW and SC Res 1325, the women participants clearly identified the need to have unobstructed access to take part in decision-making and public life in order to effect the kinds of changes necessary for themselves

and others to realize their rights and to be treated with dignity. Yet their access to decision-making and public life was systematically blocked in a number of cases through gender discriminatory practices within the government, justice systems and police.

## **Recommendations**

*To the Governments of Africa, the International Donor Community, the United Nations, the African Union, the World Bank and NGOs:*

1. ***Ratify with no reservations*** (or support African government's ratification of) CEDAW and the Protocol on the Rights of African Women.
2. ***Ensure*** that national laws regarding rape and sexual violence reflect current international standards and are in compliance with CEDAW and the Protocol on the Rights of African Women.
3. ***Allocate*** budgets specifically for human rights and women's rights education within governments, in particular the justice and security sectors, and for providing support for such education undertaken by international bodies (such as the African Union), civil organizations and NGOs.
4. ***Support*** training on human rights and women's human rights for police, judges and prosecutors, especially surrounding issues of rape and other forms of sexual and physical violence. Establish monitoring and accountability mechanisms to ensure that these groups are responsive to violations of women's rights in the form of rape and other sexual and physical violence. Provide funding to establish and support services that support women and girls who have been raped, including medical care, counseling and legal assistance.

## **DISARMAMENT, DEMOBILIZATION AND REINTEGRATION**

### **Lessons Learned**

1. The majority of women and girls associated with armed opposition groups in Africa did not participate in official DDR programs. The first primary reason is they are blocked by narrow definitions of 'combatant', and the second is due to widespread corruption and deception on the part of male commanders trying to maximize benefit for themselves and their relatives from the DDR process.
2. Women and girls associated with fighting forces can face high levels of stigma upon returning to their communities, which results in their exclusion from social networks needed to access shelter, land, property, food, labor exchange, family and child support, and, hence, more sustainable livelihood opportunities. Primary obstacles to successful reintegration include rejection by the community and male partners, inability to marry (and thus blocked access to social networks for land and property) and lack of support to provide for children born while in the fighting forces.
3. Reintegration works best when those formerly associated with the fighting forces engage in activities that allowed them to work together with civilians, such as attending the same schools or skills training programs, and helping rebuild the communities and infrastructure together.

4. Women formerly associated with the fighting forces uncritically endorse a system of ‘sensitizing’ the community to accept them, without attention to the need for an equal or greater effort on the part of those associated with the fighting forces to acknowledge the violations their forces carried out against the community and seek forgiveness from and reunion with their community of return. If these violations are not addressed, it is likely there will be no justice and thus no real reconciliation. In the absence of justice mechanisms and processes of recognizing rights violations, a focus on ‘sensitization’ of civilian populations to accept women (or men) associated with fighting forces may increase tensions.

## **Recommendations**

*To the Governments of Africa, the International Donor Community, the United Nations, the African Union, the World Bank and NGOs:*

1. **Increase** women’s meaningful participation in peace talks, mediations and other negotiation processes, including during the peace negotiations and planning processes of DDR and other security sector reform programs, as called for in SC Res 1325 (2000) and CEDAW.
2. **Acknowledge** that formal DDR processes continue to fail the majority of women and girls associated with fighting forces and that putting all energy and focus on simply trying to add more of them into the current programs is unlikely to produce satisfactory or sufficient results. Acknowledge that it is necessary to create and support parallel systems that provide the necessary support needed by these populations through community-based approaches.
3. **Develop** livelihood policies and programs that take into account and are responsive to the skill sets women and girls formerly associated with armed groups may possess. Increase access to and quality of education, health care, including sexual and reproductive health care, skills training, livelihood support and services for survivors of sexual violence for young mothers and their children, abducted women and girls, and women and girls formerly associated with fighting forces who are left out of official DDR process.
4. **Develop and support** safe forums and spaces (outside of military spaces) in which those who violated rights come forward, acknowledge that they committed violations, renounce those violations and seek reconciliation with the community. Develop and support justice mechanisms and processes of recognizing rights violations to support processes of civilian populations accepting women and men associated with fighting forces.

## **WOMEN’S LEADERSHIP AND GOVERNANCE**

### **Lessons Learned**

1. Women’s meaningful participation in peace negotiations marks a pivotal step in setting post-conflict governance and reconstruction agendas that takes women’s and girls’ needs and priorities into account. However, most women leaders within armed opposition groups are excluded from these processes. Absence of women negotiators and representatives or tokenistic inclusion of women at the peace negotiations does not produce positive results for women and girls in the frameworks and agendas that emerge.
2. Patriarchal traditions, practices and national and customary laws are the central factors as to why women are unable to enter decision-making positions. High levels of illiteracy and

poverty, unequal work burdens within their homes and communities are often the result of these patriarchal customs, practices and laws and are among the main factors why women leaders formerly associated with fighting forces as well as women civilians have a difficult time accessing the formal political sphere and, thus, why they have correspondingly low representation in decision-making positions.

3. It is unclear whether or not women formerly associated with fighting forces are among those who could or should play a public role in advocating for more inclusive and just social, political and economic change. What is clear is that they face a daunting task in accessing both public decision-making forums and civil society spaces.

4. Civil society organizations whose agendas are women's rights, peace, equality and reconstruction often have similar goals to those of women leaders coming from fighting forces. However, networks and alliances with such organizations are particularly difficult for women formerly associated with fighting forces to build, often because there is little agreement or trust among the former women fighters and these civil groups.

## **Recommendations**

**To the Governments of Africa, the International Donor Community, the United Nations, the African Union, the World Bank and NGOs:**

1. ***Increase and support*** efforts for women's meaningful participation in peace negotiations so that they have voice in determining the groundwork for new governance and security structures that will be put into place, as called for in SC Res 1325 (2000) and upheld within the Protocol on the Rights of African Women and CEDAW.

2. ***Increase and support*** efforts to build the educational and skill capacity of women so that they can obtain the necessary skills to enter and function within civil society and government structures.

3. ***Support*** women leaders in civil society and government in Africa to share strategies and learn from each others' experiences.

4. ***Support*** training for women leaders in civil society and government to develop the necessary skills to function in government and governance systems.

# INTRODUCTION

## Workshop Overview

To learn more about the experiences of women and girls within armed opposition groups and to answer questions about their potential roles in promoting international humanitarian and human rights law, a unique workshop was held in August 2004, in Geneva, Switzerland, organized by Geneva Call and the Program for the Study of International Organization(s) of the Graduate Institute of International Studies, Geneva. During the four day workshop, 32 women leaders from 18 armed opposition groups from Asia, Africa, Europe, Latin American and the Middle East met with a small group of peace and human right activists, humanitarian actors, and scholars. A full report on the workshop was published, *Women in Armed Opposition Groups Speak on War, Protection and Obligations under International Humanitarian and Human Rights Law*, and is available at [www.genevacall.org](http://www.genevacall.org).

At the request of participants from the 2004 workshop and drawing on the lessons learned there, Geneva Call and the Program for the Study of International Organization(s), sponsored a unique workshop in Addis Ababa, Ethiopia, from November 23-26, 2005 that brought together 39 women leaders from armed opposition groups and civil society in Africa that are from countries currently in conflict or that have recently moved into post-conflict phases. These women leaders met with a small number of women and men human rights activists, humanitarian actors, disarmament, demobilization and reintegration and conflict transformation specialists, scholars, and former African women ex-combatants who had successfully transitioned into leading governance and civil society roles (see Annex 1 for list of resource people and facilitators). Participants came from Angola, Burundi, the Democratic Republic of Congo, Liberia, Rwanda, Sierra Leone, Somalia, Somaliland, South Africa, Sudan, Uganda and Zimbabwe.

The drive for the workshop was grounded in international law and regional human rights treaties, including provisions within the Convention on the Elimination of All Forms of Discrimination against Women and the Protocol on the Rights of Women in Africa. Impetus was also provided by the solemn Declaration on Gender Equality in Africa, in which the Heads of State of the African Union agreed to ensure the full and effective participation and representation of women in peace processes, including the prevention, resolution and management of conflicts, as well as in post-conflict reconstruction. In addition, the workshop's rationale draws strongly from UN Security Council Resolution 1325 (2000) and a series of recent reports by UN Secretary-General Kofi Annan and UN Security Council Resolutions. These reports and resolutions call for the UN and international actors to enhance the protection of civilians, engage in dialogue with armed opposition groups.<sup>3</sup> They also mandate and support increased actions for women's role in enhancing peace and security, addressing the impacts of armed conflict, and for their meaningful participation in building peace and security in armed conflict and post-conflict situations.

Adopted in 1979 by the UN General Assembly, CEDAW is an international bill of rights for

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<sup>3</sup> Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/1999/957); Security Council Resolution 1265 (1999) on the Protection of Civilians in Armed Conflict (S/RES/1265); Security Council Resolution 1296 (2000) on the Protection of Civilians in Armed Conflict (S/2000/1296); Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/2001/331); Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/2002/1300); Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/2004/431); Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict (S/2005/740).



women. CEDAW's preamble and 30 articles define discrimination against women and set up an agenda for national action to end such discrimination.<sup>4</sup> By ratifying the Convention, States legally bind themselves to uphold the Convention's provisions and to carry out a series of actions aimed at ending all forms of discrimination against women, including to:

- incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;
- establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and
- eliminate all acts of discrimination against women by persons, organizations or enterprises.

“The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life - including the right to vote and to stand for election - as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms. In addition, the Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. States parties also agree to take appropriate measures against all forms of traffic in women and exploitation of women.”<sup>5</sup>

The African Union adopted the Protocol on the Rights of Women in Africa in July 2003 and it entered into force November 2005. As a supplementary Protocol to the African Charter on Human and People's Rights, the Protocol on the Rights of Women guarantees women's civil and political rights as well as their economic, social and cultural rights. The Protocol includes the right to life, integrity and security of person, prohibition of discrimination, protection of women in armed conflict, freedom to marry and rights for widows including automatic custody of children. Furthermore, the Protocol guarantees the right to health and reproductive rights, access to justice, equal protection before the law and prohibits exploitation of women. State parties to the Protocol agree to enact appropriate legislation and integrate a gender perspective in their policy decisions, legislation, development plans and justice systems.

UN Security Council Resolution 1325 reiterates the importance of bringing gender perspectives to the centre of attention in all United Nations conflict prevention and resolution, peace building, peacekeeping, rehabilitation and reconstruction efforts. It calls for increased representation of women, particularly at decision-making levels, increased consultation with women, and attention to the special needs of women and girls, for example, in refugee situations. It emphasizes the respect for the human rights of women and girls, the need to draw attention to violence against women and girls, and calls for an end to impunity and the prosecution of those responsible for crimes related to sexual and other violence against women and girls. It mandates the UN to incorporate gender perspectives in negotiation and implementation of peace agreements, in all peacekeeping operations, in refugee camps, and in DDR and rehabilitation initiatives. The Security Council itself is requested to ensure that Security Council missions

<sup>4</sup> The Convention defines discrimination against women as “...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

<sup>5</sup> United Nations Division for the Advancement of Women, “Convention on the Elimination of All Forms of Discrimination against Women” <http://www.un.org/womenwatch/daw/cedaw/> (accessed June 1, 2006).



take gender considerations into account, including through consultation with women's organizations. Member States are specifically called upon to increase voluntary financial, technical, and logistical support to gender-sensitive training efforts and incorporate gender perspectives in national training programs. The Secretary-General is requested to include progress in gender mainstreaming in reporting on peacekeeping missions. He is also requested to provide Member States with training guidelines and materials on the protection, rights and needs of women and girls and invites Member States to make use of these materials, as well as HIV/AIDS awareness training. The Secretary-General is asked to ensure that civilian personnel of peacekeeping operations receive similar training.

In his recent report to the UN Security Council regarding women, peace, and security (S/2005/636) the Secretary-General laid out clear, specific steps and time-lines by which UN agencies and key international organizations (such as the World Bank) should increase their actions in support of addressing the impact of armed conflict and realizing peace and security in line with Security Council Resolution 1325 (2000). The Secretary-General's report detailed steps for ensuring women's equal participation with men and their full involvement in all efforts for the maintenance and promotion of peace and security. The report reaffirmed the need to fully implement international humanitarian and human rights law to protect women and girls from human rights abuses, including gender-based violence. It identified what steps individual UN and international agencies needed to take in order to mainstream gender perspectives in relation to conflict prevention, peace negotiations, peacekeeping operations, humanitarian assistance, post-conflict reconstruction and DDR initiatives. It also called on increasing the representation of women in decision-making positions and gave clear directives on how to reach this goal.

Building on the strength of these laws, initiatives, resolutions and reports, the primary objective of the 2005 Africa workshop was to identify ways of strengthening understanding and observance of international humanitarian and human rights law by women leaders either presently or formerly associated with African armed opposition groups and their political wings. At the same time, the workshop sought to contribute to African and international organizations' understanding of and ability to work with armed opposition groups to promote and uphold international humanitarian and human rights norms. The workshop also sought to better understand the experiences of women and girls within DDR to better uphold their human rights within these processes. Finally, recognizing that women's realization of their rights will only be obtained through active engagement by women themselves in the public sphere, the workshop explored the challenges, and strategies to overcome these challenges, of women moving from armed opposition groups into leadership roles within public and civil spaces.

The report draws on information and insights that came out during the workshop and its' four thematic working groups. The first working group focused on international humanitarian law and other limits on actions in armed conflict. During this working group, participants deliberated on the limits on actions and behaviour in armed conflict and where these limits arose from, including the participants' own traditional and religious values, personal beliefs, the groups' ideology or code of conduct. Those limits were then compared to the limits contained within the provisions of international humanitarian law. Participants described how, within their own groups, these limits were disseminated or enforced. Recognizing that the limits were often not followed or respected, participants also reflected on reasons for non-compliance. Participants then discussed ideas and strategies on how to improve knowledge of and compliance with the limits - both those identified as already existing within the armed groups and those contained in international humanitarian law - and their ability, as women, to influence the conduct of other members of their armed groups.

The second working group focused on human rights, including women's rights. Participants exchanged views on the meaning of human rights from their experiences as women within armed groups, the interpretation of the laws from the various conventions and strategies to enforce these rights. Sexual and gender-based violations were frequently raised throughout the discussions, and participants clearly stated that their own and other women and girls' rights were consistently violated both during armed conflict and in the post-conflict period. The participants highlighted that a strong understanding of women's human rights and networking, coalition building and advocacy around women's human rights were necessary steps towards the realization of those rights.

The third working group focused on DDR. Participants developed a comparative understanding of different DDR processes undertaken in Africa, discussing what occurred during the DDR process and explaining who was able to benefit and who was excluded. They identified key factors that hindered their reintegration and came up with concrete actions that would increase the efficiency and reach of future DDR programs to more equitably benefit both men and women combatants and the communities they sought to reintegrate into. They also debated the links among reintegration, reconciliation and justice processes, and discussed the steps that would likely need to be taken in order for them to join with other coalitions to work for their rights. Through a discussion of their experiences and roles, participants generated a list of the key skills they had developed during their time in fighting forces that could be built upon in transitioning into civilian life. They exchanged views on what security means for women, including women ex-combatants, in the presence of the numerous weapons that remain in communities even after a DDR process.

The fourth working group focused on women's leadership and governance roles in a post-conflict situation, deliberating on the leadership roles the participants undertook in their armed groups and deciding which of those skills were transferable to leadership capacities in a civilian setting. The group discussed the challenges women in armed groups face in participating in peace negotiations or constructing peace agendas and addressed the challenges they face as women in transitioning into civilian leadership roles. They then generated strategies to help overcome some of these obstacles.

On the last day of the workshop, participants requested additional working groups that explored information-sharing, networking and coalition building, capacity-building and advocacy to strengthen women's abilities to gain a greater voice in promoting humanitarian and human rights norms, in the disarmament, demobilization and reintegration of those formerly associated with the fighting forces, in realizing their human rights, and in taking on meaningful roles in their post-conflict societies.

## **Report Overview**

This report draws upon the information, insights, and recommendations that came from participants during the workshop, particularly the thematic working groups. The report is divided into five main sections.

Section I focuses on international humanitarian law and the rules of armed conflict within armed opposition groups and, where relevant, notes parallels within international humanitarian and human rights law. It explores the sources of prohibitions on conduct by group members during armed conflict. It documents and analyzes the lack of enforcement of rules regulating conduct during armed conflict. Where rules are enforced, the report documents punishment for violators and critiques those punishments in light of international humanitarian and human

rights law. Participants' suggestions are presented for ways to better enforce humanitarian and human rights norms within their groups.

Section II presents information from the participants' discussions of human rights during armed conflict and in the post conflict period. It examines several pervasive violations of women's human rights highlighted by participants that occur during armed conflict. It puts forward the women participants' discussions regarding the limits, duties, and responsibilities of human rights. It documents and analyzes the human rights identified by the women participants as central to their ability to move forward in their lives. It concludes with the participants' insights on strategies to realize human rights, including the rights of women and girls.

Section III focuses on DDR experiences of women and girls formerly associated with fighting forces. It examines women's familiarity with disarmament and demobilization and their insights into current methods of weapons collection. It presents the participants' input on factors that help and hinder women's and girls' reintegration. It provides one of the most comprehensive lists of skill sets held by women and girls formerly associated with fighting forces. It raises issues regarding the central role of justice and truth-telling in women's and girls' reconciliation and reintegration within their societies.

Section IV focuses on the roles of women formerly associated with fighting forces in leadership and governance. It identifies peace negotiations as a key process in setting the security and governance framework in post-conflict societies, yet highlights women's continual marginalization and exclusion from this arena. It documents the challenges women formerly associated with fighting forces face in participating in post-conflict leadership and governance roles. It also documents their strategies to overcome obstacles to gain access to leadership spaces within civil society and government.

Section V focuses on skills needed to move women formerly associated with fighting forces from the margin to the center. This session presents the participants' strategies on information sharing, networking and coalition building.

Sections I through V are all followed by analytic conclusions and key recommendations.

# I. INTERNATIONAL HUMANITARIAN LAW AND THE RULES OF ARMED CONFLICT WITHIN ARMED OPPOSITION GROUPS

*“There was a song, it was our code of conduct, that indicates all the limitations and restrictions in the group. The song talks about no stealing from the civilians, no looting. Don’t force them do what they don’t want to do. The fighters were not to kill animals. The rules in the group were no rape of the civilians. Don’t force the civilians to have sex. Elderly and children were to be taken care of.”*

*Zimbabwean participant*

The working group on international humanitarian law was led by representatives of the International Committee of the Red Cross (ICRC), Geneva, and included participants from Angola, Burundi, the Democratic Republic of Congo, Liberia, Rwanda, Sierra Leone, Somalia, Somaliland, Sudan, Uganda and Zimbabwe. The objective of this working group was to document and better understand what rules and limits on action and behaviour might be in place within armed groups or might be recognized by individual members of armed groups during situations of armed conflict, the origins of those rules and limits including core principles or values, and the monitoring and enforcement mechanisms in place. Throughout the discussions of these limits on action within armed groups, where applicable, comparison was made to similar standards within international humanitarian law.

During armed conflict, international humanitarian law and applicable human rights law provide women and girls nondiscriminatory general protection and specific protection (where relevant).<sup>6</sup> Briefly, international humanitarian law seeks to protect the lives and physical and mental integrity of persons directly participating in hostilities. It also offers universal and non-discriminatory protection against the effects of fighting to the civilian population, in particular regarding prohibitions against coercion, corporal punishment, collective punishment, torture and reprisals. Furthermore, it stipulates that the members engaged in hostile activities must grant special respect and protection to women and children. For women, this protection centers on their distinct health, hygiene and physiological needs and on their role as mothers (such protections also apply to girls in similar circumstances). For children, protection is given to orphans and children separated from their families, as well as in regards to children’s care and education (e.g., protection of school buildings), special nutritional requirements, prohibition on the death penalty and the prohibition on recruiting children under 15 to take direct or indirect part in hostilities. At any time in which they take a direct part in hostilities, women and girls are no longer covered by the general protections afforded to civilians, although girls are still entitled to specific protection as children. At such times, like men, women and girls are entitled to protective provisions regulating legitimate means and methods of combat and the treatment of prisoners of war, the wounded and the sick.

<sup>6</sup> See in particular, *Women facing War: ICRC Study on the Impact of Armed Conflict on Women*, International Committee of the Red Cross, Geneva, 2001; *Violence Against Girls in Africa during Armed Conflicts and Crises*, International Committee of the Red Cross, Geneva, 2006.

Several other key universal or regional treaties that also provide protection to women and girls during and after armed conflict and are worth noting here:

- the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly in 1993;
- the African Charter on the Rights and Welfare of the Child, adopted in 1990;
- the Convention on the Rights of the Child, adopted in 1989, and its 2000 Optional Protocol on the Involvement of Children in Armed Conflict;
- the 1998 Rome Statute of the International Criminal Court;
- the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, which came into force in November 2005.

Importantly, while women and girls are entitled to the relevant protections of international humanitarian and human rights law, they also incur obligations within the laws.<sup>7</sup>

## THE LIMITS ON ACTIONS OR BEHAVIOUR DURING ARMED CONFLICT WITHIN ARMED OPPOSITION GROUPS

The women participants discussed at length rules and limits on action regarding the conduct of fighters and treatment of civilians and enemy fighters that influenced the behaviour of some of the armed groups and their members. The groups varied between some with very detailed codes of conduct containing such limits and others with looser or less formal articulation of such limits. Notably, sometimes the women participants spoke of rules recognized within groups, whereas at other times the limits were self-imposed by individuals and not necessarily reflective of a group as a whole. Most of the rules identified as existing in certain groups or acknowledged by certain individuals were consistent with international humanitarian law, in particular, provisions concerning suffering, prohibitions on torture, treatment of the wounded and protection of civilians who are vulnerable in times of armed conflict.

Limits and rules that were in line with international humanitarian law that were observed at times by the various fighting forces included prohibitions on purposefully attacking certain categories of people who were not taking part in the fighting, in particular children, women and the elderly.<sup>8</sup> In addition, there was widespread acknowledgement by the women participants that groups of civilians not participating in the fighting, those who were not supporting other armed forces and fighters who had laid down their weapons were not legitimate targets during attacks.<sup>9</sup> The participants acknowledged that they were obligated to make efforts to distinguish between enemy fighters and civilians in planning for and carrying out attacks. Some of the groups re-

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7 This section draws from *Violence Against Girls in Africa during Armed Conflicts and Crises*, International Committee of the Red Cross, Geneva, 2006; *Women facing War: ICRC Study on the Impact of Armed Conflict on Women*, International Committee of the Red Cross, Geneva, 2001.

8 See Article 3, Geneva Conventions and Article 4, Additional Protocol II to the Geneva Conventions. Article 3 common to the four Geneva Conventions of 1949 applies to conflicts not of an international character, i.e. armed conflicts between a government and armed opposition group(s). Common Article 3 prohibits attacks on civilians, including violence to life and person, cruel treatment and torture, taking of hostages, outrages upon personal dignity, and the passing of sentences and carrying out of executions without previous judgment pronounced by a regularly constituted court.

9 See Common Article 3 of the Geneva Conventions and Article 4, Additional Protocol II.



called that civilians were sometimes removed from the line of fire during attacks<sup>10</sup>; for others, however, attacks against civilians were considered to be part of the aim or normal practice of their group. In discussions regarding how groups determine who is an enemy combatant and who is a civilian, a participant from an armed group in Darfur explained:

*“In our group we have intelligence, so we know who is working with us and against us. If a civilian supplies food to our enemy, he is considered like an enemy. We capture him but do not kill him.”*

Several groups had prohibitions specifically against targeting populations based on their ethnicity or tribe. Additionally, most participants said that there were rules that they should not loot or destroy civilian’s property.<sup>11</sup> Specifically regarding women and girl civilians, most participants said it was known within their groups that raping women and girls or specifically attacking pregnant females was against the international laws of war.<sup>12</sup>

Most of the participants said that they were aware that civilians should not be forced to join the armed groups, and in particular that children should not be abducted or recruited for use in the fighting.<sup>13</sup> At the same time, a number of the participants themselves had entered the fighting forces when they were under 15 years of age, and most all participants said their groups accepted children<sup>14</sup> into their forces and used children as fighters and to perform support services.

The women participants discussed their obligations to care for wounded or sick enemy combatants under their power. They also discussed internal prohibitions against the ill treatment or torture of captured enemy fighters.<sup>15</sup> Within this discussion, there was specific reference to not torture those who the group had designated to be killed. For example, a participant from an armed opposition group in Darfur stated,

*“Our rules are if you want to kill don’t torture, and don’t kill in front of children.”*

It was widely known among the participants that members of the armed groups should show respect for and not attack neutral humanitarian aid organizations and in particular medical teams

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10 See footnote n. 9. Indiscriminate attacks, i.e. those attacks which, although not targeting civilians, are of a nature to strike military objectives and civilians or civilian objects without distinction on civilians, are prohibited. For international conflict see, Article 51, Additional Protocol I; for non-international conflict including deliberate attacks on civilians, see Rome Statute of the International Criminal Court, Article 8(2)(b)(1).

11 For international conflict, pillaging is prohibited as are reprisals against protected persons and their property, Article. 33, Geneva Convention IV. For non-international conflict, see Article 14 of Additional Protocol II, prohibiting acts to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works. Additionally, Articles 4(2)(g) and 8 of Additional Protocol II prohibit pillage against those who have ceased to take part in hostilities including the wounded and sick. The Rome Statute defines pillaging a town or place as a war crime, Article 8(2)(e)(v).

12 In addition to Article 3 of the Geneva Conventions and Article 4 of the Additional Protocol II, Article 27 of Geneva Convention IV states that women shall be protected from rape and any form of indecent assault. The Rome Statute criminalizes rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence, Articles 7(1)(g) and 8(b)(xxii). Within the Geneva Conventions, expectant mothers shall be the object of special protection and respect, Article 16, Geneva Convention IV.

13 Within the Additional Protocols to the Geneva Conventions, the minimum age of recruitment and participation in international and internal conflicts is 15, Additional Protocol I, Article 77(2) and Additional Protocol II, Article 4(3)(c); The Rome Statute sets the age of 15 as the threshold for recruitment, Article 8(2)(b)(xxvi) and Article 8(2)(e)(vii). The Optional Protocol to the Convention on the Rights of the Child sets the minimum age for direct participation in armed conflict at 18 years for State groups, Article 2. Additionally, the Optional Protocol sets the minimum age for recruitment and participation in non-state groups at 18 years, Article 4.

14 Here children refer to males or females under 18 years of age, as defined by the Cape Town Principles and the Convention on the Rights of the Child.

15 Common Article 3, Article 17 and 87 of the Geneva Convention III, Article 32 of Geneva Convention IV, all prohibit torture against prisoners of war and protected persons. In international conflict, Article 13 of Geneva Convention III prohibits torture of wounded and sick prisoners of war. Furthermore, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment bans torture of any kind at anytime and is a non-derogable right.

who came into their areas to assist civilians.<sup>16</sup>

The participants talked about how natural resources, including agricultural land, water sources, trees, animals, and people's means of sustaining themselves from the land, were to be respected and protected from attack.<sup>17</sup>

The groups all had their own internal rules regarding how group members should treat each other, mostly related to allegiance within the groups, sometimes including prohibitions on some forms of rape and sexual assault. Penalties for forbidden forms of rape and sexual abuse of members within the armed group, when they existed, were said to usually be more severe than for similar violations by fighters against civilians.<sup>18</sup>

## SOURCES OF LIMITS ON ACTION OR BEHAVIOUR WITHIN ARMED OPPOSITION GROUPS DURING ARMED CONFLICT

Having identified the limits on action or conduct that sometimes existed within their own armed groups or by individual armed group members during armed conflicts, the women participants then detailed the sources from which these limits originated. The rules came from a variety of sources including individual beliefs or principles, religious values, cultural beliefs and social and traditional values. In an example of the role of religion in informing rules, a participant who was a fighter from the DRC stated:

*"International humanitarian law is not at all known. Leaders used to give instruction to the fighters. The instructions were based on the Ten Commandments. So when you are at the front line, it's either you will be back wounded or not at all because we did not have medical assistance. If someone has a bad spirit and doesn't respect the Ten Commandments, they will face all the risks [unprotected]."*

In some cases, women commanders from armed opposition groups said they made special efforts to protect women and girls from rape in part because of their own cultural and traditional beliefs. A participant from Sudan explained:

*"We try to protect women and girls from rape. If a woman is raped in our culture we say 'She is spoiled, she is useless'... This is our belief, our culture, to protect the women and children. But this is not happening in the field."*

Superstition and belief in the supernatural also played an important role in a number of the groups' internal codes of conduct. According to a participant from Zimbabwe:

16 See Common Article 3 of the Geneva Conventions, and Article 4 of Additional Protocol II. There are numerous other provisions outlining protections and activities pertaining to the ICRC throughout the Geneva Conventions and Additional Protocol I. Article 8(2)(b)(iii) of the Rome Statute defines as a war crime intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the UN.

17 Within Additional Protocol I, prohibitions exist on attacks on objects indispensable to the survival of the civilian population, Article 54(2); on carrying out attacks on "works or installations containing dangerous forces" (dams, dykes and nuclear electrical generating stations), attacks on which may cause the release of dangerous forces and severe losses among the civilian population, Article 56; and on the use of methods or means of warfare intended or expected to cause widespread, long-term and severe damage to the natural environment and thereby to prejudice the health or survival of the population, Article 55. These basic principles apply in both international and non-international armed conflicts. Additional Protocol II contains similar prohibitions on attacks on civilians, on starvation of the civilian population as a means of warfare and on attacks on works and installations containing dangerous forces, Articles 13-15. The Rome Statute prohibits the intentional use of starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including willfully impeding relief supplies as provided under the Geneva Conventions, Article 8(2)(b)(xxv).

18 Some forms of rape and sexual assault of group members were allowed, in particular against females taken as sexual slaves and forced wives. For another member of an armed group to rape or sexually assault the forced "wife" of another, however, was most often strictly forbidden and severely punished.



*“Some of these rules were constructed based on international law, religion and culture. Some of the rules were also based on superstition. Women’s blood is believed to be evil. If you have sex with a woman without her wish [rape], you will have bad luck [when fighting].”*

Additional sources for rules include internal formal and informal codes of conduct, military trainings, Red Cross trainings on international humanitarian law and, to a much lesser extent, international humanitarian and human rights law taught in school. During discussions it became clear that each armed group was drawing on a number of sources to set limits on behaviour during armed conflict. For example, a participant from Rwanda explained:

*“The rules in our group came from our code of conduct... We were following the ICRC as a norm. The code of conduct was based on education, our culture and mostly the law and Red Cross recommendations.”*

## ENFORCEMENT OF RULES AND LIMITS ON ACTION AND BEHAVIOUR DURING ARMED CONFLICT

The participants discussed what happens when individuals violate the rules or limits and are held accountable. The women participants revealed that rules limiting conduct during armed conflict were most effective when they were upheld by the groups’ military commanders, were explained in relation to the culture of those within the armed groups, and were enforced with punishment. A participant from Sudan gave an example of how cultural norms regarding rape, sexuality, control of female sexuality and customary law were drawn upon to explain to the fighters why they should refrain from raping civilian females:

*“Culturally rape is not acceptable. This is our cultural values. A girl in our culture is considered a source of income. The whole family protects her. She is considered an expensive property. Therefore, the punishment for raping a girl or a woman costs you seven cows and if she is pregnant due to the rape, the born baby will go to the victim’s family. The criminal has no right to claim on the baby.”*

While the participants said that a number of these rules and limits were implemented willingly, they also explained that some were forced on the members of the group by their commanders through threat and use of violence.

Significantly, these rules were conveyed by a variety of methods. The rules on behaviour and conduct were disseminated using the military chain of command, trainings, oral traditions, visual means and in formal and informal codes of conduct. To illustrate, a former fighter from Zimbabwe recalled:

*“The rules in the group were no rape of the civilians. Don’t force the civilians to have sex. Elderly and children were to be taken care of. To protect the civilians we fighters wore black, green [and other dark colors] so our fighters would be distinguished from the civilians and the enemy. The rules were enforced in so many ways. There was a song, it was our code of conduct, that indicates all the limitations and restrictions in the group. The song talks about no stealing from the civilians, no looting. Don’t force them do what they don’t want to do. The fighters were not to kill animals. The rules in the group were no rape of the civilians. Don’t force the civilians to have sex. Elderly and children were to be taken care of [and left unharmed during fighting].”*

Significantly, the participants stated that each woman as an individual has the possibility and ability to try to influence the behaviour of their co-combatants, especially those under their command.

Participants gave numerous examples of the leadership roles they should play in influencing their groups in upholding the rules and limits set forth by the group. For example, according to a leader from an armed opposition group fighting in Darfur:

*“We the leaders, we must remind our group what our agenda is. Why we are fighting. We have to respect the rules ourselves then the soldiers will follow. We have to understand the situation and after that we practice it.”*

Throughout these discussions, it was clear that among the armed groups that the woman as an individual has the latitude or margin of choice to comply or not comply with orders that go against the groups internal rules and limits. In other words, the women acknowledged that there was the possibility to refuse to carry out orders to commit violations.

The participants also spoke about how using their understanding of the group and how it was structured, monitored and motivated they could identify the key areas where pressure could be put to better influencing others in the group to uphold their rules and limits. To illustrate, another leader from Darfur said:

*“The top military commander should be under the political monitor. Commanders can also make mistakes so they too have to be under political monitor. If anyone commits a crime against civilians they have to report it. Tell the civilians our mission statement. Make sure that our rules and regulations are put out in a clear way. There should be a specific punishment for those who don’t follow them. The singing women can also sing towards changing the rules, not only to encourage the fighters to achieve the goal of war.”*

While holding violators accountable was not the norm, when it occurred corporal punishment was the most common response. Typically, the accused would be brought before commanding officers and the complaints against them voiced.<sup>19</sup> If they were deemed guilty, they were most commonly beaten, starved, forced to do manual labor, forced to undertake risky assignments or tortured. For example, a woman from an armed opposition group in Sierra Leone recalled:

*“If rules are not respected, the punishments also include starvation, beating and killing [the guilty person].”*

Some participants gave specific examples in which the guilty person was killed or had parts of their body amputated as punishment. A participant from an armed group in the DRC explained how corporal punishment was used within the group:

*“If you do not respect the rules, you will be killed by the war commander.”*

The ICRC facilitator then asked,

*“Have you ever witnessed a killing because of not respecting a rule?”*

The participant responded,

*“Yes, I did. One time a commander captured an enemy and killed him. Therefore, he was killed himself. He should not have killed him, he should have handed him to the right people.”*

A number of different rules and punishments for violations of those rules existed within the armed groups. To illustrate, a participant from Sierra Leone explained:

*“If you go for fighting you have to protect the civilians. You can burn government buildings but*

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<sup>19</sup> Given the state of most of the armed opposition groups represented at the workshop, it is highly unlikely that such complaints or cases were brought before a regularly constituted military court or if any, even the most basic, rights to due process were guaranteed. In non-international armed conflict, Article 3 of the Geneva Conventions states that parties to the conflict are banned to the passing of sentences and the carrying out of executions without previous judgment by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples. Additionally, Article 6 of Additional Protocol II outlines a number of provisional requirements to be followed in carrying out penal prosecutions of criminal offenders related to non-international conflict.

*not civilians homes... You also can't harm NGOs such as UNICEF or ICRC. If they catch you collaborating with enemies, you will be killed. That is the punishment."*

In most cases punishment of lower level commanders and fighters appears to have been carried out publicly, including public amputations and killings, to serve as a warning to others within the armed group. For high ranking officers, corporal punishment appears to be infrequent, instead they were demoted in rank. A participant from Liberia who participated in fighting said:

*"The training and teaching was through punishment by killing those who loot. But [the level of punishment] should be appropriate because so many people have died because of excessive punishment, which was sometimes wrongfully done or too severe for the crime."*

The women participants agreed that punishment should be proportionate to the violation or crime committed, and a number spoke out against what they deemed was an excessive use of force by their groups in punishing violators.

In some cases, participants contended that people within the armed group were wrongly accused and executed by senior commanders who were looking to consolidate power. For example, a participant discussed how a regional leader would use the group's internal 'justice' system to murder rivals within the force based on unfounded accusations, as well as kill those within the group who were not from his region.

## LACK OF RESPECT FOR THE RULES AND LIMITS ON ACTION AND BEHAVIOUR DURING ARMED CONFLICT

While there were rules and limits regarding conduct of the armed groups during conflict and those rules came from a variety of sources, the participants stressed that there was a great deal of human suffering occurring because too often the rules were not respected or followed. The participants then discussed why their groups repeatedly violated their own rules of conduct and international humanitarian law. A participant from the DRC explained:

*"The law was not respected because of ignorance. Our group was using civilians as a shield. It was also the responsibility of the civilians. If they accept and engage in supporting the enemy, our group would consider them equally enemies because they support the enemies. Our group has very few resources. So they get the food, clothing, etc. through the civilians, which means they have to loot, and they have to force the civilians to give them what they need. Our group was disorganized, therefore there were no rules implemented. In reality, the fighters were the ones who decided whatever they want to do. They don't respect the civilians at all. All they want is to make the civilians suffer. Some leaders and commanders were trying to set rules, but there was no respect for the rules at all. Even when commanders have to go from one place to another they would loot bicycles and so on, even though the rules existed. Sometimes the commanders and leaders themselves don't respect the rules. They would force a woman to rape her own child and some women would die because of the horror of it. In one incident, a commander was raping someone's wife, when the husband came and tried to stop him to save his woman, the commander killed the husband. All this is due to ignorance. There was no punishment either. There was no consequence for what they do."*

The above narrative highlights many of the different factors that the women participants identified as contributing to lack of respect for the groups' own rules or provisions of international humanitarian law.

A number of the participants agreed that rape and sexual attacks by their forces against civilian women

and girls, and to a lesser extent civilian men and boys, was widespread and went largely unchecked and unpunished. Many participants disclosed that they witnessed the rape of women and girls, as well as attacks on and mutilation of pregnant females by members of their forces, including their commanders. As such actions often went unpunished they further contributed to a climate of brutality and impunity. To illustrate, a former fighter from Sierra Leone recalled:

*“Leaders should live by example. At one incident, two commanders were arguing about whether a certain pregnant woman will have a boy or a girl. Since they want to prove their bet, they opened up the woman’s belly. Therefore, looking at such cruel behaviors [by the commanders], it seemed ok for us as fighters to do criminal acts.”*

Many participants cited ignorance or negligence by the forces at large and the flaunting of rules to protect civilians by the commanders as the primary reasons the rules were violated. Other factors contributing to what was often a willful violation of the rules and limits included: lack of discipline, disorganization, and a lack of a clear command and enforcement structure to prevent or punish violators. These contributing factors were despite efforts by some leaders to follow the rules in line with international humanitarian law.

In addition, because many armed groups lack sufficient resources and are not supported by the local population, they resort to violence to obtain the necessary food, clothing, medicines and supplies they need to sustain their troops. Some groups intentionally attacked civilians and their settlements to drive the children into joining their armed groups. According to a commander from the DRC:

*“One of the methods was to suffer the civilians so children would be forced to join our army looking for protection.”*

In cases where civilians were thought to be assisting the enemy, most women participants said their forces would target those civilian populations. This sometimes meant going after individuals, but at times it included attacks against the general population to make them suffer for supporting the enemy. For example, a participant from Zimbabwe stated:

*“If civilians support the enemy or there is anyone identified as ‘sell out’, they will be considered as enemies and will be killed with no negotiation.”*

In some conflicts, the fighters themselves are drugged by their commanders or are using drugs and other substances to deaden the horror of their reality and therefore are nearly impossible to control. According to a former fighter from Liberia:

*“The soldiers were under age, drugged and had high illiteracy rates and that’s why there was no discipline.”*

In a number of cases the participants gave specific examples of commanders flagrantly violating international humanitarian law, and their actions were then used as a primer and justification for abuse committed by lower ranking troops. Other reasons included ethnic and tribal motivated violence in which internal rules regarding conduct of conflict would be suspended to attack particular ethnic and tribal groups. A participant from Somalia relayed:

*“All these rules are based on our culture. Even when enemies are caught you do not torture them. If she or he is wounded, they will be treated. If an enemy is wounded we do not kill. We only kill enemies if they are not wounded. In reality though, these rules are not implemented fully. The explanation for this is tribalism. They hate each other so much. There is no compassion for one another.”*

## IMPROVING RESPECT FOR THE LAW AND THE LIMITS REGULATING ARMED CONFLICT

The final discussion in the humanitarian law working groups centered on ways to improve armed



groups' awareness of, respect for and adherence to international laws regulating armed conflict, as well as the limits on action and behaviour that are consistent with international standards, as practiced within the groups.

As a primary means by which to encourage better respect for the law and limits, the women argued that it should be stressed to those associated with the armed groups that, in long term, the objectives of the group will not be met if the rules and codes of conduct are violated. This is particularly true for groups who were concerned about their reputation and image and who have future political aspirations. In such circumstances, the participants recommended that there should be efforts both from outside and within the armed group to remind them that violations of the rules of war will create a bad image for the group at the local, national and international level. At the local level, the participants said members of the armed groups should be informed that violations on the rules of war, particularly in regards to the targeting of civilians, will result in civilians not supporting them or their cause. At the national level, the women contended that future bids for power through elections and political legislation will be influenced by the groups' respect for or violation of the rights of the population during the conflict. At the international level, they said flagrant violations can result in targeted sanctions against the group, increased international assistance to support the ruling party that the group is fighting against, and withdrawal of economic and political support among the diaspora who may be supporting the group. Those whose groups had clear political agendas and political wings argued that the political wings should work with the military wings to set positive examples for the population through the behaviour of their forces.

The women also recommended increasing the frequency and types of trainings that commanders receive regarding the rules of war, and to increase the means of dissemination of this information to the armed groups in general. For example, a women commander from Sudan suggested:

*"Commanders at all levels should know this information or be taught first. These are the people who can pass the information on to the rest of the force, so that in case of violations the guilty person can be punished."*

They proposed that after commanders are trained, organizations like the ICRC could have simple, ready-made forms that could be distributed to the regular troops within the armed groups. Several participants from the armed groups who had received trainings by outside groups on international humanitarian law spoke about the need for those trainings to clearly articulate the application of the laws as they relate to female fighters and female civilians. A participant from Sudan said:

*"We do a lot of workshops and so on in regards to international humanitarian law, but not a single workshop is about or in regards to women's issues. We have to make civilians in general and women in particular know about international humanitarian law, especially the women who are coming into power so they can also teach the other women."*

Within their own groups, the women highlighted a need for clear policies and rules regarding the conduct of the armed conflict, coupled with increased awareness-raising among the commanders and troops. All acknowledged a strong need for increased monitoring and enforcement and the necessity to hold individuals accountable for their actions. However, it was not clear as to whether these recommendations included the continuation of the kinds of corporal punishment the groups were using, the majority of which are in violation of human rights law, including prohibitions against torture, inhuman treatment and killing. The women also recommended increasing civilians' awareness of their rights, though few had suggestions on how to enforce those rights in the face of violations by their own armed groups.

## Conclusion

Many of the armed opposition groups the women participated in have internal rules and limits on action and behaviour that are consistent with the provisions contained within international humanitarian law, particularly related to the necessary distinction between combatants and civilians, the treatment of civilians and wounded or sick enemy fighters, the protected status of pregnant women and small children. In addition, their internal rules often contained limits similar to international humanitarian law provisions regarding prohibitions on rape and sexual violence, deliberately attacking civilian targets or their water, food, land and livelihood support systems, and the need to respect, refrain from attacking and allow the work of international humanitarian aid workers and medical personnel. Individual members within armed groups will often acknowledge these limits, even if they are not articulated collectively for the group as a whole.

Additionally, these internal rules and limits that are consistent with provisions contained within international humanitarian law do not necessarily come from any knowledge of this body of law or from human rights law but, rather, from a combination of sources including personal and religious beliefs, traditional and cultural values, superstitions and beliefs in the supernatural, military command structures and from trainings both within the group and, to a lesser extent, by international actors such as the Red Cross and ICRC.

Significantly, the participants stated that each woman as an individual has the possibility and ability to try to influence the behaviour of their co-combatants, especially those under their command, to uphold the groups' internal rules and limits. Among the armed groups, the women as individuals do have some latitude or margin of choice to comply or not comply with orders that go against their groups' internal rules and limits. In addition, the women commanders had a good understanding of the group and how it was structure, monitored and motivated, and thus could identify the key areas where pressure could be put to better influencing others in the group to uphold their rules and limits.

The rules and limits on conduct during armed conflict are most effective when they are upheld by the groups' military commanders, come through the proper command chain, are explained in relation to the culture and belief systems of those within the armed groups and are backed by punishment. While there are efforts by some leaders to follow rules in line with international humanitarian law, very often there is willful violation of the rules. However, ignorance of the limits contained in international humanitarian law is not the primary reason commanders and troops commit gross rights violations. Rather, the primary factors contributing to lack of respect for the rules and limits include: lack of discipline, disorganization, a lack of a clear command and enforcement structure to prevent or punish violators, and lack of clear policies, monitoring and enforcement mechanisms by commanders and leaders within their armed groups.

At the same time, commanders were often noted to be among the worst rights violators, which set a tone of tolerated criminality and brutality among the group, sometimes resulting in such action becoming "*the norm*" or expected behaviour among the members of the group.

While holding violators accountable was not the norm among most of the armed opposition groups, when it occurred, corporal punishment was the most common response. Often, the punishment is not proportionate to the violation or crime committed and groups use torture, mutilation and killing in punishing violators. Thus, although the armed groups may have some rules that parallel international humanitarian law and in some cases may enforce these laws, the manner in which the laws are enforced is often tantamount to egregious human rights viola-

tions. Actors looking to further strengthen adherence to international humanitarian and human rights law within these groups should be aware that they cannot necessarily rely on the existing mechanisms within the groups to hold perpetrators accountable. Consequently, these actors should recognize the concurrent need to help inform and strengthen justice and accountability mechanisms within these groups in ways that do not violate core human rights.

## **Recommendations**

### **To the ICRC, Governments of Africa, the International Donor Community, the United Nations, the African Union, the World Bank and NGOs:**

***Increase*** the frequency and types of trainings that commanders receive regarding the applicable international humanitarian and human rights law, with clearly defined application of those laws regarding women fighters and male and female civilians.

***Strengthen*** and increase monitoring and enforcement mechanisms that hold individual troops accountable for their actions in ways that comply with core human rights (e.g., those that prohibit torture, inhuman treatment and killing).

***Distribute*** simple, ready-made forms to the regular troops within the armed groups regarding international humanitarian and human rights law. Where possible this information should be described in ways that are in line with their cultures and belief systems, with clearly defined application of those laws regarding women fighters and male and female civilians, and emphasizing the individual responsibility of each member of the group to comply with the law and to seek to influence the behaviour of others.

***Undertake*** efforts to inform and strengthen justice and accountability mechanisms within armed opposition groups in ways that do not violate core human rights.

***Apply*** targeted sanctions against armed groups that flagrantly violate international humanitarian and human rights law and use legal means to encourage the withdraw of economic and political support among the diaspora who may be supporting the group.

***Increase*** efforts from outside and within the armed group to remind fighters that violations of the rules of war will create a bad image for the group and may lessen support for them at the local, national and international levels.

### **To the Leaders of Military and Political Wings of Armed Opposition Groups in Africa:**

***Develop*** clear policies and rules regarding the conduct of the armed conflict that are in line with applicable international humanitarian and human rights law, coupled with increased awareness-raising among the commanders and troops.

***Strengthen*** and increase monitoring and enforcement mechanisms that hold individual troops accountable for their actions in ways that comply with core human rights (e.g., those that prohibit torture, inhuman treatment and killing).

***Increase*** the cooperation of the group's political wings and military wings to set positive examples for the population through the behaviour of the military forces.



## II. HUMAN RIGHTS LAW

*“Human rights are about respecting humanity. When the rights of women are respected in terms of freedom of expression, participation in public life, decision-making, having the right to say what is right and wrong and having these rights respected by men, then we will have seen our rights.”*

*Sudanese participant*

*“We need a good understanding of women’s rights in particular. As women we need to understand our rights. We should develop a common voice so as to address those rights.”*

*Somali participant*

The working groups on human rights were led and facilitated by women from the Women’s Rights Program, Rights & Democracy, Montreal, the Center for Conflict Resolution, Kampala, and the International Human Rights Law Program, University of Essex, United Kingdom. Participants in the human rights working groups came from Angola, Burundi, the Democratic Republic of Congo, Liberia, Mozambique, Rwanda, Sierra Leone, Somalia, South Africa, Sudan, Uganda and Zimbabwe. The working groups began by discussing the meaning of human rights and women’s human rights based on the participants’ understanding and experiences during armed conflict and in post-conflict situations. These meanings were then compared to the relevant human rights conventions and parallels drawn with applicable human rights law. Within these discussions, participants identified common issues, concerns and priorities surrounding human rights and women’s human rights. The participants then detailed ways they could promote the enforcement of these rights.

Briefly, the main difference between human rights law and international humanitarian law is that international humanitarian law applies only during situations of armed conflict, whereas human rights law applies at all times. During situations of armed conflict, core human rights, such as freedom from torture or inhuman treatment, can never be suspended and are protected under both international humanitarian and human rights law.

The participants discussed the significant differences among rights, values and traditional and religious beliefs. It was noted that the most important difference among these is that only human rights law may be legally enforced through the justice system of each of their countries, and that human rights law applies regardless of a person’s values, traditions and religious beliefs. The participants also talked about that under human rights law, cultural and traditional practices and beliefs cannot be used as an excuse to deny human rights to women. Participants agreed that while it was necessary to be inclusive of both men and women in talking about rights, there was a need to interpret some rights differently so as to ensure that women’s day to day reality is properly addressed. For example, the right to health must be interpreted differently for women as for men.

## VIOLATIONS OF HUMAN RIGHTS LAW DURING ARMED CONFLICT

In their discussions of what human rights mean to them, the participants highlighted rights violations that occurred to them during armed conflict. A participant from Sierra Leone noted that while human rights exist in theory and to an extent in the laws of her country, in her experience:

*“During war those rights are violated. My right was violated in Sierra Leone when I was abducted and forced to leave school. Anyone who refused to join would have their hands amputated. Since I was among the few women who could read or write, I was forced to join the [armed opposition group]. In the rebel camp, there was a lot of harassment and sexual abuse. Discrimination towards women was very high.”*

Many of the women spoke about violations committed against women and girls during situations of armed conflict, noting how these violations were both strategic and due to widespread gender discrimination that is often heightened during conflict. To illustrate, a former women commander from Zimbabwe stated:

*“During conflicts rape is often used as a weapon where women find themselves targeted because they are now deemed ‘important’. They simply lose their rights. Sexual rights are lost and violated and this usually tends to escalate during times of war. Women lose their houses after the death of their husbands killed in war... Women are also stigmatized to speak of their mind and this becomes even worse in IDP camps... Women should have the right to education, shelter, security, food, clothing and health.”*

In several instances, participants said they had joined the armed opposition because of human rights violations against them and their family that were perpetuated by the political powers in control of their country. For example, a participant from Rwanda said:

*“I was born as a refugee. I saw that refugees do not have equal rights as others did. We are denied many of our human rights, like education, and we are not seen or treated as a full human being. There is no refugee camp where there is adequate human rights law protection. Anyone can rape in those camps. This is the reason I joined the fighting, because they were fighting for our rights.”*

The women also highlighted the violation of women and girls rights that was occurring by outside forces, including foreign peacekeepers. For example, a former fighter from Burundi asked:

*“How can we overcome sexual harassment or any other related issue caused by soldiers that come from other countries for peacekeeping missions on our women and girls? These soldiers offer the girls money to sleep with them and the girls cannot resist because they need the money. How can we stop this?”*

The facilitators noted that trafficking in and sexual abuse of women and girls by peacekeeping forces is a serious problem in many countries where these troops are stationed. They also explained that there are international efforts to stop this practice and have those peacekeepers removed from the host nation and tried under their own justice systems, but that to date it has been extremely difficult to get governments to hold these violators accountable.

## LIMITS, DUTIES AND RESPONSIBILITIES OF HUMAN RIGHTS

The participants debated the limits that are placed on their rights. They discussed that if they

overstep those limits, they may be violating the rights of others. The tension produced when one equates power over others with rights is illustrated in this exchange between two participants, one a former woman commander from Liberia, the other a former women commander from Rwanda.

Liberian former commander:

*“When I was at the front, during my soldier days, I was in control; I used to have the power. Regardless of my gender I would give orders to people of what to do or not to do. To fire their weapons or not to fire. To bring me food and water. Therefore, power is what gives you the right to make decisions. I lost my power now so I no longer have my rights.”*

Rwandan former commander:

*“No. When we talk about power, power is a means to have control over others and it is uncomfortable. It is not a right. My right stopped when I imposed my wishes and orders on the rights of others. If I abuse your right then I am not in my right. I want to be recognized and respected as a citizen and a woman, not because I have the power of the gun.”*

The participants talked about the fact that power can be exercised only to the point that it does not infringe on the rights of others. According to a participant from Zimbabwe:

*“Every human being has a right to full citizenship, security and provision without discrimination. Women are not full citizens in their own countries. They are treated as minors. They are treated as children or animals. Women should have right to full expression, food, health, education and freedom of movement. We should have a right to information. Dissemination of information is biased. I must respect other’s right just as I want mine to be respected. Women’s right is violated in terms of sex, social class, race, and so on. The government violates human rights rather than enforcing and protecting them. Not only men violate women’s right, we as women also violate each other’s right.”*

Most of the participants agreed that it was necessary to respect the rights of others to help ensure the protection and upholding of their own rights. The participants examined the fact that with every right come duties and responsibilities to the individual rights holder not to infringe on the rights of others and to abide by international human rights standards.

## PRINCIPAL HUMAN RIGHTS IDENTIFIED BY WOMEN FORMERLY ASSOCIATED WITH FIGHTING FORCES

Each working group within the human rights sessions identified what they considered to be the principal human rights for themselves and other women formerly associated with fighting forces. At the same time, facilitators stressed that there should not be a hierarchy of rights, as they are all indivisible and all needed to give people complete dignity and protection. Significantly, all three of the separate working groups on human rights identified the same human rights as the principal rights for women formerly associated with fighting forces. These included the right to freedom of expression, freedom of association, the right to participate in decision-making and public life, sexual and reproductive rights and the right to education.

The right to freedom of expression and the freedom to receive and share information were among the first rights the women highlighted in their discussions. Many participants felt that there was a pressing need to have a better understanding of their rights as women under human rights law, and in particular to become familiar with the Protocol on the Rights of Women in Africa, which few women before attending the working session knew existed. A participant

from Angola spoke about how women's lack of knowledge about their rights was used to deny those rights:

*"Women's rights should be equal to men's rights. In Africa, women are often excluded from education and they don't know their rights. Therefore, men tend to take advantage of this."*

According to a participant from Somalia:

*"We need a good understanding of women's rights in particular. As women we need to understand our rights. We should develop a common voice so as to address those rights. Now, we are not having our rights in decision making and in access to information."*

A participant from the DRC added:

*"Women's rights are a question of freedom and participation. Women rights strategically are not respected because they are not well known. We are asking for the implementation of special programs to help us understand these rights - which are not well known by the general community or by the women combatants themselves - and to mobilize women for the objective of promoting an understanding of our rights as women. There is a need to build our capacity to analyze rights issues through workshops, training and by sharing of ideas. Knowing this will enable us to understand our rights, as well as help us to stop the violations of those rights."*

The participants agreed that understanding human rights and women's human rights was essential for stronger monitoring and implementation of those rights.

The second principle right identified by the participants was freedom of association. Several of the women formerly associated with fighting forces had been abducted and forced to join against their will. They spoke about how this violation had long-lasting impact on their lives, including the loss of education, exposure to torture and other cruel and inhuman treatment, and the birth of children due to rape and forced impregnation during captivity. Freedom of association was also a central concern in the post-conflict situation, particularly surrounding the ability to associate outside of limits imposed by political groups or family members. According to a participant from Somalia, the most important rights were:

*"The right to freedom of association, by forming woman groups, NGOs, and so on... Also the right not to be forced to associate with those whom we don't want to associate."*

Freedom of association was closely linked to the third right identified as a priority by the women, the right to participate in decision-making and public life. The women clearly identified the need to have unobstructed access to play a part in decision-making and public life in order to effect the kinds of changes necessary for themselves and others to realize their rights and to be treated with dignity, as pursuant CEDAW, the Protocol on the Rights of African Women and SC Res 1325. However, they discussed how their access to decision-making and public life was systematically blocked, in a number of cases through using gender discriminatory practices within the government, justice systems and police. For example, according to a participant formerly with an armed opposition group:

*"Women are not recognized as full human beings. You cannot express yourself because the system does not allow you to. How can you share your ideas when you do not have the platforms? Women should have the right to freedom of choice, expression and association. The opposition party is considered as the enemy of the state. I was the first independent woman opposition in parliament. My house was destroyed and my children were tortured. Political opinion was not respected when we differed from the ruling party, especially when those opinions were expressed by a woman. Women need access to information re-*

*garding the government's activity so as to combat corruption. It is my right to know how I am being governed. Women have the right to lead. Women should be free to run their own party, but this is not respected. The judicial system is biased. Women are treated differently by judicial systems. These systems tend to be abusive towards women... We are disempowered by our own political systems and structures. Right are there theoretically, by they are not implemented in practice."*

A number of the participants agreed that the pervasive gender discrimination in their state and customary systems helped to keep women in a subordinate position, unable to achieve their rights. According to a participant from Sudan:

*"Human rights are about respecting humanity. When the rights of women are respected in terms of freedom of expression, participation in public life, decision-making, having the right to say what is right and wrong, and having these rights respected by men, then we will have seen our rights. Now, women are given rights only when it suits men."*

The fourth right was sexual and reproductive rights, including the right to remain free from rape and other forms of sexual violence. In highlighting this right and the violations of rape, the women talked about their own understanding of rape. The following exchange between a human rights activist and a participant from Burundi illustrates this.

Human rights activist:

*"What is rape? Is it a humiliation or a torture?"*

Former opposition commander now in the new Burundian Senate:

*"It's both. When a woman is raped she's humiliated and tortured at the same time. Because they are imposing what she does not want."*

Human rights activist:

*"Is violence against women a right? Is it part of any right?"*

Former opposition commander now in the new Burundian Senate:

*"No it is not a right. We have to fight it with everything we have. There are a lot of people who are violent to women and they need to be stopped."*

The participants recognized that sexual violence was not limited to situations of armed conflict but occurred in all locations and during situations of war and peace. According to a participant from Angola:

*"We have to fight violence against women at war or at home. When people are against women and say violence against them is alright, then we should be able to fight against that."*

Rape was repeatedly mentioned by the participants as a widespread rights violation against women and girls in their countries. A current fighter in the DRC said:

*"In my understanding, rape can happen in different forms. Rape can happen in the house between a husband and a wife."*

Another participant from the DRC explained:

*"Rape is forcing a woman to have sex. Rape could be between a man and a woman as well as between a man and a man. Rape is torturing someone to have sex when they don't agree to it."*

A Sudanese participant talked about the unjust stigma that is associated with rape survivors:



*“Women have the right not to be raped and not to be stigmatized as a result of rape. There is no emotional support afterwards, rather we blame the woman. We don’t want to be stigmatized. We want to make ourselves useful. What we get back is always against us. We have no right of protection. No right to be loved.”*

A human rights participant explained that within new developments in international criminal law one of the main questions to ask in the case of rape is, “Did the women or girl give her consent? If she did, why did she give her consent?”. If she gave her consent in order to live or prevent violent treatment against herself or others, then that is a case of rape. Currently, there are different types of rape according to international criminal law. If a man uses his penis to penetrate in the vagina or anus is called rape; if a man puts his penis into a woman’s mouth it is rape; if a man uses any other object to in the woman’s mouth, vagina or anus, it is considered rape. The definition of rape according to the Protocol on the Rights of Women in Africa was also discussed. In highlighting the developments in defining and criminalizing rape in international criminal law and the Protocol on the Rights of Women in Africa, the human rights activist continued:

*“If the law in our countries doesn’t support this definition, then we need to work in order to change it. When taking a statement from a rape victim, we need to make sure that she has a support system that can look after her. It is important to understand the end goal is to stop rape. We have to work together with law makers and the police. Through this coordination we can change people’s mentality. When we talk about advocacy and sensitization we mean working with civil society, UN organizations and women organizations. Prosecutors also have a responsibility. Within civil society, organization is very important and education on human rights and women rights are very important. Women should talk about the things that happened to them even if it’s considered to be a taboo among the local society. Exposure of the violence and efforts to address it - this way is the only way to stop abuse against women.”*

The fifth right the participants highlighted was the right to education, including free and compulsory education. Because many of the women had lost their educational opportunities because of their time in the armed opposition groups, they felt a strong need to have access to education for themselves and their children. This was especially the case for young women who had been abducted or pressured into the armed groups, held as forced wives, and given birth to children born of those unwanted relationships. These young mothers were often among the most stigmatized within the larger group of women and girls returning from the fighting forces. According to one formerly abducted young mother from northern Uganda:

*“Human rights should also apply for children - having the right to be cared for, provided with food, education, medicine, clothing and their right to ask for peace... We young mothers fear to go to the IDP camp because of re-abduction. Facing the bitter language and segregation against us is hard. Some young mother’s are not literate. We would like any donor to assist in counseling and training. There is lack of access to food in camps for child mothers... You have to go and dig in other people’s gardens to get 500 Ugandan shillings [.30 USD]. What can you do with 500 shillings? We have to buy food, clothing, we want to go to school.... Human rights are also about human beings having the right to speak out about peace in their own country, the right to take [the armed groups] to court when they beat and torture us for nothing.”*

Many of the participants were particularly moved by the situation of the formerly abducted young mothers present at the workshop. Some commented that donors should be encouraged to fund programs to uphold their rights, particularly the right to education for themselves and their children. A human rights participant cautioned:

*“You should not rely on donors. It is the individual states and the communities’ responsi-*

*bility. If donors want to donate - well and good, but donors are fickle. States have to take action and that is why we are talking about advocacy. Advocate for provisions for young mothers from the State and United Nations, particularly in the peace operations and DDR processes. There is lack of access to UN and its organizations to raise these issues that need to be addressed. There should be a regular meeting with local NGO's to address these issues."*

## STRATEGIES TO REALIZE HUMAN RIGHTS

The participants then discussed how to incorporate human rights and women's rights into their work within their own countries. The participants agreed that to implement their rights, they could not rely on the State. Even though they were all born with universal human rights, most had realized only a few of those rights. Instead, they recognized the need to actively seek those rights and to do so they decided they needed first to understand their rights, and second to work with different sectors of civil society and with sympathetic men and women in decision-making position to network on and develop advocacy around particular issues related to their rights.

The women began by acknowledging the need to educate themselves and other women and men on women's human rights, and in particular the Protocol on the Rights of Women in Africa. To this end, women in countries that had not ratified the Protocol stated that they needed to work with broader coalitions to push their countries towards ratification. They also recognized the need to gain a better understanding of the laws in their countries regarding their rights and organizations set up to help monitor and enforce those rights. A greater understanding of the laws in their countries, they rationalized, would enable them to better advocate and push for the implementation of those rights. Many of the participants called for greater solidarity among women across ethnic, class and educational lines to enable changes for all women to be realized in their countries.

The women discussed finding ways to work together to share experiences, provide support to one another and learn from one another to develop strategies. They identified the need to develop contacts within their own communities, including local organizations, NGOs, and women's ministries, which worked on gender issues and use those avenues to advocate for their rights. Some of the participants commented that lawyers in their countries tended to see the law as their exclusive property or domain, which inhibited women's understanding of their own rights and the avenues available for them to demand their rights be upheld. Thus, they recognized the need to strategically work to create improved relationships between lawyers and activists to create solidarity among those working on women's rights. Finally, the need for information sharing, networking, coalition building and advocacy was noted throughout the discussions on women's human rights and a final working group was established on these topics (and is discussed below in Section V).

## Conclusion

Women's rights and girls' rights are human rights. The rights of women and girls are detailed in international humanitarian and human rights law. Nonetheless, human rights violations committed against women and girls during situations of armed conflict are pervasive, strategic and often exacerbated due to widespread gender discrimination that is often heightened during conflict. Some women and girls joined the armed opposition because of human rights violations, including sexual violations, committed by state forces against them and their family. In addition to violations by state forces, women and girls in situations of armed conflict are also being subjected to violations, including sexual violations, of their rights by peacekeepers and



humanitarian aid workers. Violations of the right to freedom of association were particularly severe for women and girls who had been abducted and forced to join armed groups against their will. This violation had long-lasting impact on their lives, including through the loss of education, exposure to torture and other cruel and inhuman treatment, and the birth of children due to rape and forced impregnation during captivity. Participants repeatedly mentioned rape as a widespread rights violation against women and girls in their countries both during war and in the post conflict period. To date, most women reported that little was being done by their governments or police forces in terms of preventing or prosecuting marital or domestic rape within their countries.

Many of the women had lost their educational opportunities because of their time in the armed opposition groups and thus prioritized access to education for themselves and their children. This was especially the case for young women who had been abducted or pressured into the armed groups, held as forced wives, and given birth to children born of those unwanted relationships. These young mothers were often among the most stigmatized within the larger group of women and girls returning from the fighting forces and require specific advocacy, policy and programming to address their rights.

Few women and girls associated with fighting forces know their rights and obligations under human rights law. Women's and girls' lack of knowledge about their rights is used by private and state actors to deny them their rights. Correspondingly, women's and girls' understanding human rights and women's human rights is essential for stronger monitoring and implementation of those rights. In particular, the Protocol on the Rights of Women in Africa is an important tool for advancing women's and girls' realization of their human rights on the African continent. Freedom of expression and the freedom to receive and share information are linked to women's improved understanding of their rights as women under human rights law. Freedom of association is also a central concern of women in the post-conflict situation, particularly surrounding the ability to associate outside of limits imposed by political groups or family members.

In line with the Protocol on the Rights of Women in Africa, CEDAW and SC Res 1325, the women participants clearly identified the need to have unobstructed access to take part in decision-making and public life in order to effect the kinds of changes necessary for themselves and others to realize their rights and to be treated with dignity. Yet their access to decision-making and public life was systematically blocked in a number of cases through using gender discriminatory practices within the government, justice systems and police.

## **Recommendations**

**To the Governments of Africa, the International Donor Community, the United Nations, the African Union, the World Bank and NGOs:**

***Ratify with no reservations*** (or support African government's ratification of) CEDAW and the Protocol on the Rights of African Women.

***Ensure*** that national laws regarding rape and sexual violence reflect current international standards and are in compliance with CEDAW and the Protocol on the Rights of African Women.

***Allocate*** budgets specifically for human rights and women's rights education within governments, in particular the justice and security sectors, and for providing support for such education undertaken by international bodies (such as the African Union), civil organizations and NGOs.

***Support*** training for trainers on human rights and women's human rights.

***Support*** training on human rights and women's human rights for police, judges and prosecutors, especially surrounding issues of rape and other forms of sexual and physical violence.

***Establish*** monitoring and accountability mechanisms to ensure that these groups are responsive to violations of women's rights in the form of rape and other sexual and physical violence.

***Provide*** funding to establish and support services that support women and girls who have been raped, including medical care, counseling and legal assistance.

***Support*** resource centers and training sessions for women to have access to the relevant human rights documents and information regarding their rights.

### III. DISARMAMENT, DEMOBILIZATION AND REINTEGRATION

*“One had to choose from being a civilian or being reintegrated in the national armed forces. That is not easy to leave arms. We used to protect ourselves by weapons. Now there is no one to protect us. DDR is not only about giving up weapons and going home.”*

*Congolese participant*

The working groups on DDR were led and facilitated by persons from the United Nations Institute for Disarmament Research, Geneva, the Centre for Humanitarian Dialogue, Geneva, and the Clingendael Institute, the Hague. Women from Angola, Democratic Republic of Congo, Burundi, Liberia, Uganda, Rwanda, Sierra Leone, Sudan and Zimbabwe participated in the working groups. The groups developed a comparative analysis of different DDR processes on the continent, discussing and assessing the different components of DDR including national ownership through DDR Commissions, how DDR links to violence reduction, who benefits from DDR, women’s and girls’ experiences of DDR, and what is needed for effective DDR, violence reduction and reintegration to occur.

#### DISARMAMENT, DEMOBILIZATION AND WEAPONS COLLECTION

All participants were familiar with the central concepts of formal DDR programs. A participant from Sudan explained:

*“Disarmament is getting the gun away from a person either by putting it down or dismantling it. Demobilization is the opposite of mobilization or recruitment that is done during war times to join forces. Reintegration is to bring the armed groups back to civilian life.”*

A former commander from Burundi stated:

*“DDR is returning to the life of a civilian after surrendering weapons. It is a process of changing identity from being a soldier or fighter to becoming a civilian.”*

While the women participants were familiar with the mechanics and rationale behind DDR programs, most contended that the majority of the women and girls within their armed groups did not participate in or benefit from these programs. A number of reasons were given for the lack of women’s and girls’ access to official DDR. Primary among them was exclusion due to not be identified as a ‘combatant’ and thus having access blocked to enter DDR programs. In addition, many of the participants highlighted corruption and deception on the part of male commanders who were trying to gain the maximum benefit for themselves and their relatives from the DDR process. This observation is important given that in a number of the DDR processes carried out in Africa, commanders were requested to generate lists of eligible participants for official DDR processes. Additionally, where weapons were used to help facilitate access to a program, and where access meant access to cash for adults, women and children were often tricked out of their weapons by male commanders. It was reported that some women commanders were also involved in these ploys, though to a much less extent. For example, a participant from Liberia recalled:

*“When the war stopped my commander instructed me to give back my arms to him so that*

*he would disarm everyone in the unit. But when I gave my weapon to my commander, he gave it to his relatives for them to go to DDR and told me to go away. So I could not participate in the DDR because I could not prove that I was a combatant."*

Another Liberian participant stated:

*"In Liberia, during the peace process, the chairmen tricked the women combatants that they should give their arms to the chairmen to keep and that they should not turn their weapons into the DDR sites because they will use the returned arms against the civilians. The chairmen told the women to give them the arms but in reality the chairmen gave the weapons to their relatives so that they will go through the disarmament process and get money for the commanders. So because my weapon was taken in this way, I did not go through the DDR process."*

The women participants from West Africa, in particular, were critical of weapons buy-back approaches that were used in DDR processes in their region, claiming that such programs at times fueled regional arms markets. An example was given of how weapons were gathered and sold or exchanged for entry into the DDR program in Ivory Coast. A former woman fighter from Liberia explained:

*"In most parts of Liberia the return price for guns is 300 dollars whereas in the nearby Cote D'Ivoire guns were worth as much as 900 dollars. Therefore combatants from Liberia crossed the boarder to get the extra benefit."*

Participants discussed the lack of willingness by commanders and fighters to completely disarm or to respect national efforts to control arms, suggesting the importance of regional arms control initiatives. A participant from Sierra Leone stated that during the disarmament in her country, in order to maintain their stocks of weapons, commanders moved the weapons into neighboring Liberia. A participant from Sudan discussed how during the 1980s DDR process in south Sudan, the majority of fighters did not disarm but instead hid their weapons and supplies in the bush, including burying entire vehicles, and then recovered them when they were frustrated and used them to return to war at a later date.

The participants were critical of DDR programs that require or have the appearance of requiring weapons to gain entry, and confirmed existing criticism of disarmament initiatives that often fail to collect anything beyond small numbers and the least functional weapons held by armed groups. A former fighter from the DRC explained:

*"In DRC the whole situation is complex and problematic. This is because there are lots of different armed groups and it's very difficult to know who has one weapon, who has two and who doesn't have a weapon. In some groups there were many combatants but only a few guns available. And in some other cases there were a few combatants and plenty of guns. In the case of there being a few combatants and many guns, combatants would disarm with one gun which is old and broken and tend to keep the best-working new guns. Sometimes there are 20 combatants and only five weapons."*

Most of the participants felt that disarmament was largely symbolic in nature and did not succeed in removing the majority of the weapons or securing future security threats, especially the ongoing threat of sexual violence against women, which was noted to have increased with the presence of prolific small arms in the aftermath. Participants were clear that existing disarmament efforts were insufficiently connected to broader initiatives to increase security. A participant from Sierra Leone commented:

*"There are lots of guns in all our countries. The DDR is supposed to bring the guns together. But in most cases it is not a success."*

A participant from Uganda stated:

*“The disarmament in Uganda does not bring guns. People are not willing to give back their arms for fear of future insecurity. There are still lots of arms hidden under mountains and people keep on transferring them from one place to another to be used in the future. Disarmament is not bringing peace and collecting arms.”*

In southern Sudan a women explained that people were hesitant to give up their guns until community insecurity is more comprehensively addressed:

*“Nobody wants to give away their arms because they see the other factions are not returning [their weapons] and so people ask, ‘Why me?’ They also feel insecure because the other groups have not returned their arms and they think those groups may pose a threat to them. They also think they may need their arms for possibly continuing the rebellion until there is complete peace. They think they cannot disarm before [complete peace] happens.”*

In some cases, it appeared to the participants that only certain groups were able to take part in disarmament programs, even though there were other armed fighters who had participated in the conflict. Their analysis suggests either that disarmament processes are insufficiently broad in their purview to deal with the reality of proliferation, or that efforts to inform and sensitize populations about arms control processes are missing their mark. For example, a former commander from Burundi noted that:

*“In Burundi, arms were distributed among the community for them to protect themselves against possible attack. Nobody knows where those arms are now. The people cannot go and disarm because they are not combatants.”*

A former fighter from Sudan explained:

*“In Sudan there were forces that were armed but were neither part of the official government forces or the rebels. They were used by the government during the war. But they were not addressed during the disarmament process. They were just left out. We now have a similar case of government supported groups from Sudan fighting against the Chadian government, but these groups were not addressed in DDR when it was raised.”*

Describing how organic solutions sometimes arise which enhance the effectiveness of more formal disarmament initiatives, a participant from civil society in Sierra Leone spoke of how community activists had eventually taken their own initiative, mobilizing to successfully remove weapons in some locations:

*“In Sierra Leone disarmament [in my area] took almost a year. The activist groups in the rural areas who are civilians got together because everybody was tired and they did a house-to-house search and collected lots of guns. After collection the guns were nobody’s property, they just reported after collection. And they succeeded.”*

However, a participant from south Sudan cautioned that such initiatives could inadvertently fuel conflict if they are distorted by belligerents and used for selective disarmament:

*“The success of such cases will depend on the seriousness of the government on DDR. Sometimes when the government is corrupt it fails. Like in Sudan, in disarmament, the militia group which was pro-government was not touched for disarmament. The way disarmament was carried out it became a search for guns among the people to punish certain groups of people.”*

In some cases uneven disarmament has already proven to result in increased violence. To illustrate, participants from Uganda spoke about how selective disarmament of some clans within Karamoja (eastern Uganda) was carried out by the Ugandan People’s Defence Force (UPDF) in



2000 and again in 2002, although the army subsequently failed to provide adequate protection to newly disarmed populations. When the army was called away to deal with an upsurge in violence by an armed opposition group in the north central region of the country, the Karamajong groups found themselves in a security vacuum which was rapidly exploited by neighboring tribes in Uganda. After great loss of life and property, young men were sent to southern Sudan to rearm their clans. Since women within the Karamajong clans had been some of the main advocates for the initial disarmament, its spectacular failure led to the women losing their status and negotiating power as disarmament agents.

In summary, the women participants confirmed what most international observers recognize, which is that disarmament processes associated with DDR do not reach all members of armed forces and fighting groups, particularly women and children, and that it captures only a small percentage of the weapons and ammunition that are in circulation. In regions affected by conflict, weapons and fighters often circulate among countries where the highest profits can be made - at times this may be through participation in a DDR process, at other it may be through selling weapons at markets in a neighboring country. DDR also fails to address the problem of hiding or stockpiling weapons, particularly after protracted conflicts where security services have completely broken down and community trust in reform processes is improperly built. As a result, even within communities that have undergone DDR, large number of light weapons and small arms remain, along with high levels of skepticism that disarming or controlling arms is a necessary precursor to building lasting peace. To prove this point, participants noted that uneven disarmament, particularly of rival factions, and failure to provide adequate security to newly disarmed groups can result in loss of life and property to groups no longer able to defend themselves in the absence of adequate, professional, national security services.

All the participants agreed that there was a great need for continued work beyond the official DDR programs to disarm the communities they live in, control arms regionally, and provide alternative, effective systems of protection in which women's views on human security are taken seriously. Participants recognized that the violence generated by weapons that remain in the community directly affects women and girls and argued that women could play important roles in helping to control small arms. At the same time, they acknowledged that poorly executed disarmament programs, especially those that women had helped organize or advocated for, could undermine women's future ability to negotiate and push for violence reduction and weapons control.

## WHAT HELPS AND WHAT HINDERS WOMEN'S REINTEGRATION

The participants spent the majority of their time during the DDR workshops discussing the significant challenges of leaving a fighting force and trying to resume life as a civilian. According to a women commander from Sudan:

*"Disarmament and demobilization is quite easy in the DDR process. However, reintegration is the difficult and complex part of the process."*

Many of the women who participated in armed opposition groups described their attempts to reenter civilian communities as difficult and said the experiences left them disillusioned and marginalized. A former fighter from DRC commented:

*"I came from an armed group. DDR was launched in September 2004 in DRC. One had to choose from being a civilian or being reintegrated in the national armed forces. It is not easy to leave arms. We used to protect ourselves by weapons. Now there is no one to protect us. DDR is not only about giving up weapons and going home."*

The women participants discussed what factors contributed to positive reintegration based on their experiences in East Africa, the Great Lakes region and West Africa. First, the women argued for detailed needs assessments that take into account people's age, sex/gender, and conflict experiences to better respond to their individual requirements. They identified and discussed several categories of people associated with fighting forces who require attention and action, including young mothers and their children, abducted women and girls, women and girls left out of official DDR processes, youth and the disabled.

In all the countries represented, women and girls have experienced abduction by some of the fighting forces, yet were most often left out of any formal DDR processes. In some countries, women and girls became associated with external armed forces and were, either forcibly or through choice, taken to the countries of their abductors. For example, Congolese women and girls associated with Ugandan and Rwandan armed forces that had fought within the DRC are known to have moved, some against their will, to these countries when foreign troops were repatriated in 2004. Many have now been abandoned, yet are unable to return to their homes and families in the DRC. They did not benefit from DDR processes but also appear to have remained beyond the official purview of refugee return programs.

In other cases, abducted women and girls are kept by ex-commanders against their will within their own country. For example, in Uganda, some senior level commanders from the rebel force of the Lord's Resistance Army who have been granted amnesty by the Government of Uganda continue to keep their captive forced 'wives', children and captive domestic laborers with them, in violation of their human rights, the national laws of Uganda and Uganda's international treaty obligations.

Young mothers and their children formerly associated with the fighting forces were identified by the participants as a group with specific concerns. Participants noted that the experiences of these young mothers during their time in the fighting forces meant that they often lacked education or skills to support themselves and their children. They stressed the need for access to education, skills training and livelihood support for this group of girls and young women. They also highlighted that this group needed access to specialized health care, including sexual and reproductive health care, and counseling services for survivors of sexual violence. In addition, they recommended that there be adequate health care available for their children. They suggested that classes be made available to help young mothers understand healthy ways of raising their children, including information on conflict resolution and non-violence, basic sanitation, health care, nutrition and parenting skills. Observing that most of these girls and young women were having trouble reintegrating back into the society, participants recommended that there should be support for housing and safe shelters for the young mothers and their children, as well as assistance to enable children and mothers to attend schools and training institutes.

In all of the countries represented, the majority of women and girls who were associated with the fighting forces but whose roles were not primarily as fighters were left out of the formal DDR programs. These women and girls often face high levels of stigma, which results in their exclusion from social networks needed to access shelter, land, property, food, labor exchange, family and child support, more sustainable livelihood opportunities, and health services including psychological care. A women fighter from the DRC explained:

*"Women who were in the fighting group but were not fighting were not demobilized because they have no weapons. This group was not integrated in most DDR programs in DRC. They do not have social, economic and cultural places in the community. They were economically dependent on the armed group and that group is no more. So now they have no one to go to."*

In Angola, a participant said that women and girls associated with the fighting forces were also excluded from reintegration programs and many did not return to their communities. In Sudan, these populations have been identified as being in need of tailored support, although programming is still being developed to address their needs.

Youth formerly associated with the fighting forces were identified as a group that needed specific attention, in no small part because they represented the future of the country. Participants noted that while education was a priority for many of them, most had few resources to attend school, especially secondary school. Some of the older youth felt embarrassed to attend lower grades with younger students. While some had accessed skills training, the women generally agreed that the quality of training was poor and most youth could not pursue a viable livelihood with the skills they were given. Finally, the women said that long-term counseling efforts were needed to help youth deal with the levels of violence they had experienced and re-adjust to a peaceful civilian life.

All participants identified disabled persons formerly associated with fighting forces as a group that needed specific planning and action. The focus of these discussions was on the challenges the disabled face in reintegrating, their need for new types of training in order for them to sustain themselves, and the provision of mobility aids, such as crutches and prosthetic devices. Government response to the disabled varied, with some groups receiving more programming and assistance (as noted in northern Sudan), while others received almost no assistance (as noted in northern Uganda and Burundi).

In their discussions on support for positive reintegration, participants were critical of the short term, poor quality training that occurred with most DDR programs in their countries. Instead, they recommended careful economic and market surveys to identify viable livelihood strategies and to provide quality training programs to retrain those formerly associated with the fighting forces. In particular, given that many girls and women formerly associated with the fighting forces face great difficulties in maintaining themselves and their children as they are often cut out of social networks, stressed the need for specific access to education and training in viable livelihoods. To illustrate, a former fighter with an armed group from the DRC stated:

*“After DDR was started in DRC we chose to be civilians and surrendered our weapons, but we still regret being civilians. We have been forgotten in trying to make a living and survive. Being women, we have nothing to live on. We thought we would be given something to live on in return for becoming civilians. We cannot find husbands, no one wants to marry us. We don’t have enough food to eat. Women ex-combatants in our country develop negative attitudes. We have bad reputations. We are unable to express ourselves. We are now thinking to return to the bush because of lack of help.”*

Third, most women and girls formerly associated with fighting forces lack education and skills due to the circumstances of how they entered the forces and the length of time in the forces (or the disruption of their education or livelihoods that occurred due to their entry into the forces). As a result, the women participants stressed that they should be given skills training that enable them to carry out livelihoods that are not capital intensive. At the same time, the women participants said there was a need for micro and macro credit programs and start-up kits to help the women and girls start up their new livelihood activities.

Fourth, the women participants believed that reintegration worked best when those formerly associated with the fighting forces engaged in activities that allowed them to work together with civilians, such as to attend the same schools, attend community skills training programs, and help rebuild the communities and infrastructure together. To effectively work with civilians, the wom-

en participants suggested that there be increased support for community based organizations that were working to stabilize peace, strengthen schools and the economy, and rebuild the community

Finally, participants agreed that there is a need for legal reform, including clear laws regarding the possession and use of weapons, enforcement of laws and enhanced police security. In discussions about the need for legal reform (in particular in terms of women and girls' rights to inheritance and property) and enforcement of laws, examples were given of how some women had tried to return to their homes and reintegrate, only to find them occupied by persons who refused to leave. A former fighter from Rwanda noted:

*"After reintegration when people come back to their own houses, they find their houses taken by others. There have been lots of attacks and murders due to such cases."*

Participants agreed that positive reintegration programs should prompt women's and girls' rights to education, training, health care and independence.

A discussion of the primary social and material factors that disrupt or prevent the successful reintegration of women and girls associated with fighting forces followed. For women and girls, rejection by the community was a central concern: however it was manifest, it had a number of social and material outcomes. Those who had been commanders highlighted the fact that upon their return they lost the power they had held within the fighting force and instead found themselves ostracized and cut out of social networks and community decision making processes.

Rejection of women and girls formerly associated with fighting forces is at times expressed through rejection by male partners. Both women and girls who had held positions of power within the forces and those who were abducted or forced to participate found it extremely difficult to marry if their past affiliation with a fighting force was known. Several participants commented that *"Nobody wants to marry an ex-combatant"* and detailed how those who were married in the fighting forces found that their husbands abandoned them for civilian women who were considered more feminine and obedient. The significance of this problem is underlined by the fact that in cultures where women's access to land, property, social networks and status is determined in large part by her husband and his clan, her inability to marry poses serious challenges to a woman's human security and livelihood options.

A number of women and girls associated with fighting forces return with children. It appears that many of them are subsequently abandoned by their husbands or chose to leave a relationship that was violent and/or coerced. As a result, many end up as heads of households with the primary responsibility for raising their children. Few countries had any DDR programs that took into account the dimensions of motherhood and thus failed to address the economic, health, mobility and social constraints that result when a woman without personal support structures takes on major care-giving roles in a family and community.

Other key factors that negatively affected reintegration included the lack of provision for basic needs such as food, shelter, clothing and transport, as well as the disruption to women's and girls' education. For youth, returning to find their homes destroyed and their parents dead was noted as a reason some of them return to the fighting forces or join new armies.

Several women participants raised concerns about their own physical security as they attempt to reintegrate into civilian communities. Such concerns come about mainly as a result of harassment by civilians who felt the women were a threat, organized attacks by vigilantes, and insufficient police and justice systems that were unable to provide security. A women participant from the DRC who was formerly a fighter stated:

*“There are issues of misinformation about women having weapons after they have been disarmed which creates a sense of insecurity.”*

Another participant from the same country agreed and cited her own encounter where she was threatened by villagers who thought she still had weapons, she said:

*“The security is insufficient and we are at risk.”*

Another woman from the DRC detailed attacks that she alleged were occurring primarily against women ex-combatants in rural areas at the hands of government-backed vigilantes. The women participants agreed that in order to have successful and sustainable reintegration, there needed to be enhanced efforts by the international community and national governments to help protect people associated with the fighting forces from attacks by civilians and other armed groups.

The participants spoke about insecurity due to abuse from family members and males who had also been former combatants. In particular, there was concern that many men who had been in the fighting forces remained unemployed, abused alcohol and then would become violent towards the women and their children. The women participants said that there was little to no intervention at the community, national or international levels to stop or address high rates of sexual and domestic abuse that the women and girls faced at the community level. Exceptions in some areas included organised women’s peace networks that make small-scale contributions by offering conflict resolution strategies to reduce interpersonal violence. Such initiatives deserve far greater attention and support than they currently attract.

## SKILLS WOMEN DEVELOPED DURING ARMED CONFLICT

The majority of DDR programs are designed primarily to carry out some disarmament of fighting forces, to physically distance fighters from commanders, and to keep fighters occupied in non-violent activities for a period of several months while political negotiators and leaders try to solidify peace at the formal level of government. Participants felt that most of the reintegration activities in DDR programs, especially for adults, are not designed nor intended to actually provide fighters with skills that can lead them to a sustainable livelihood and help them provide for themselves and their families.

However, given that DDR programs are usually well supported with financial resources, it seemed to participants to be a reasonable expectation that these programs would actually attempt to offer adult participants some meaningful skills and resources. It also seemed reasonable to them to expect a more measurable commitment to the identification of their needs and priorities within DDR programs and the support of their presence in constructing and delivering DDR processes, in contrast to the present situation in which they are very often overlooked or marginalized. Participants observed that DDR programs rarely recognize or build on the skills sets women may develop during their participation in armed conflict.

In order to better understand what skills women develop through their participation in armed conflict that could be built upon in the post-conflict setting, facilitators worked with women participants to identify the activities the women undertook and the skills they acquired, which are summarized below.



### SKILLS PARTICIPANTS DEVELOPED DURING ARMED CONFLICT

1. Map reading.
2. Information searching and gathering, dissemination of information to members within groups, and acting on information in a timely manner.
3. Survival strategies.
4. Medical skills.
5. Spying and disguising oneself.
6. Military intelligence work.
7. Handling weapons.
8. Protecting civilians by organizing their movement, access to food, water, and shelter.
9. Assessing infrastructure of cities.
10. Understanding city layouts.
11. Mobilizing people.
12. Communication skills and the ability to build relationships under difficult conditions.
13. Management skills.
14. Decision-making skills.
15. Negotiation skills.
16. Mediation and conflict resolution skills.
17. Coordination skills.
18. Problem-solving skills
19. Solidarity, discipline, commitment and team work.
20. Management of teams and team logistics.
21. Calculated risk assessment and risk taking.
22. Tolerance and perseverance under difficult conditions.
23. Scarce resource management.
24. Results oriented approaches.
25. Searching for common ground and mobilizing as women.

Participants were convinced that such skills could be well-utilized in livelihood activities undertaken by women in post-conflict settings. Consequently, they recommended that persons responsible for policy and program development be made more aware of the kinds of skills women formerly associated with armed groups may possess, in order to develop programs to make use of these skills.

Participants highlighted the need for additional skills to help them in the post-conflict period. In order to better enable them to organize and uphold their rights and the rights of their communities, they suggested training in communication skills and leadership skills. They noted the need for increased education around the rights of women (both national and treaty obligations) within the countries in which they are living, and education about the government structures and how they function within their countries. The women also stressed the need for training in mine awareness and health education, including sexual and reproductive health and HIV/AIDS awareness, prevention and treatment. Finally, they highlighted the need to be given information on local and international NGOs in their country and region that work on issues of women's rights so that they could participate in those information and advocacy networks.

## RECONCILIATION AND THE ROLE OF JUSTICE

One of the most important and complex aspects of reintegration is reconciliation. In most locations, reconciliation happens at the individual or village level and few countries employ large-scale mechanisms such as truth, justice and reconciliation commissions. For example, in northern Uganda and parts of Sierra Leone and Mozambique, reconciliation between returning ex-combatants and receiving communities was carried out with the assistance of religious and traditional leaders in the forms of prayers, rituals, and truth-telling processes. In these settings, local community leaders play leading roles in reconciliation processes. In Zimbabwe, it was noted that churches played an important role in reconciliation. However, some participants felt the role of religious actors in reconciliation should be approached cautiously, as in some religious organizations women's inferiority was stressed, while in others the religious centers were aligned with opposing members of the conflict.

Those formerly associated with the fighting forces often endorse a system of 'sensitizing' the community to accept them. However, the calls for sensitizing the community are often made without attention to the need for an equal or greater effort on the part of those associated with the fighting forces to acknowledge the violations their forces carried out against the community and to seek forgiveness from and reunion with the community. To illustrate, according to a participant from Liberia:

*"The community should get lessons to re-accept ex-combatants. They blame the combatants for entering the army. But these ex-combatants have nowhere to go. There should be some time of talking with the community [so they can] work together to rehabilitate and live together."*

Likewise, a former commander from Sudan stated that:

*"Before letting the [combatants] go back to the community, there should be some mechanism to prepare the minds of the people in the community."*

In other cases, those formerly associated with fighting forces insist that people in the communities that have suffered at the hands of their forces should forgive and forget. Others contended that as those associated with fighting forces, they too had suffered and been victimized and that this should be taken into account by the communities. For instance, a former fighter from Sudan said:

*"There must be a means of encouraging the war victims and raising community awareness to recognize and share with the suffering of the [fighters who are also] victims and not to treat them as criminals."*

At the same time, some women participants who came from civil society voiced concerns about the implicit refusal on the part of the women associated with the fighting forces to acknowledge their own participation in the violations of the rights of civilians whom they were now seeking to reconcile with and live among. In order for there to be real reconciliation, these participants explained, there had to be forums and spaces in which those who violated rights come forward, acknowledged that they had committed violations, renounced those violations and sought reconciliation with the community. A woman participant from a human rights organization explained:

*"Justice needs to be addressed here. From a human rights perspective it must be addressed. If not, we are going nowhere."*

Other participants from civil society said that while they recognized that the women and girls

formerly associated with the fighting forces had experienced violence from opposing armed forces as well as their own forces, and were indeed marginalized and at times abused within the civilian communities, they found it extremely difficult to imagine that they would form alliances with those who have maimed them, their families and their communities and played a role in destroying their country. There was caution voiced on the part of those associated with civil society groups that if these violations were not addressed, there would be no justice and thus no reconciliation. Members from civil society expressed concern that in the absence of justice mechanisms and processes of recognizing rights violations, a focus on 'sensitization' of civilian populations to accept women (or men) associated with fighting forces would actually increase tensions among these populations.

Importantly, it emerged from the meeting that the civil society groups and the women formerly associated with fighting forces had a number of similar concerns and priorities regarding women's human rights in the post-conflict period. However, there exists a wide gap between these groups that appears unlikely to be bridged without significant effort, including the acknowledgement and renouncement of violations on the part of the women formerly associated with the fighting forces.

## **Conclusion**

Women and girls formerly associated with fighting forces can face high levels of stigma upon returning to their communities, which results in their exclusion from social networks needed to access shelter, land, property, food, labor exchange, family and child support, and more sustainable livelihood opportunities. At the same time, the majority of the women and girls within their armed groups did not participate in or benefit from official DDR programs. In particular, the majority of women and girls who were associated with the fighting forces but whose roles were not primarily as fighters were left out of the formal DDR programs.

There are primarily two reasons why women and girls who want to participate in DDR programs are blocked. The first is that narrow definitions of 'combatant' continue to block women and girls access to official DDR programs. Second, there is widespread corruption and deception on the part of male commanders who are trying to gain the maximum benefit for themselves and their relatives from the DDR process. Thus, proponents of gender-equitable DDR processes must recognize that relying primarily on commanders' lists of eligible participants for official DDR processes can exclude women and girls associated with the fighting forces and enrich commanders and their families. In regards to commanders enriching themselves at the expense of women and girls, where the hand-in of weapons is used to help facilitate access to DDR, and where access means access to cash for adults, women and children are often tricked out of their weapons by male commanders.

Several categories of people associated with fighting forces have particular needs and priorities that require attention and action, including young mothers and their children, abducted women and girls, women and girls left out of official DDR processes, youth, and the disabled. There is a growing body of literature and information which detail these needs and priorities.

Reintegration works best when those formerly associated with the fighting forces engage in activities that allowed them to work together with civilians, such as attending the same schools or skills training programs, and helping rebuild the communities and infrastructure together. At the same time, there are a number of obstacles that prevent successful reintegration. For women and girls formerly associated with fighting forces, rejection by the community and male partners was a central concern. Both women and girls who had held positions of power within the forces

and those who were abducted or forced to participate found it extremely difficult to marry if their past affiliation with a fighting force was known. In cultures where a woman's or girl's access to land, property, social networks and status is determined in large part by her husband and his clan, her inability to marry poses serious challenges to her human security and livelihood options.

Additionally, many women and girls associated with fighting forces return with children. It appears that many of them are subsequently abandoned by their husbands or chose to leave a relationship that was coerced or violent. As a result, many end up as heads of households with the primary responsibility for raising their children. Few countries had any DDR programs that took into account the challenges of motherhood and the economic, health, mobility and social constraints faced by single parents.

Women and girls formerly associated with fighting forces had a number of security concerns, particularly because of harassment by civilians who felt the women were a threat, organized attacks by vigilantes perhaps backed by the government, and insufficient police and justice systems. Women and girls also face insecurity due to abuse from family members and males who were also former combatants, in particular, due to alcohol abuse. Yet, there is little intervention at the community, national or international levels to stop or address high rates of sexual and domestic abuse that women and girls face at the community level.

Those formerly associated with the fighting forces often uncritically endorse a system of 'sensitizing' the community to accept them, without attention to the need for an equal or greater effort on the part of those associated with the fighting forces to acknowledge the violations their forces carried out against the community and seek forgiveness from and reunion with their community of return. In order for there to be real reconciliation, there is a need for forums and other woman-friendly spaces in which those who violated rights come forward, acknowledge that they committed violations, renounce those violations and seek reconciliation with the community. If these violations are not addressed, it is likely there will be no justice and thus no real reconciliation. In fact, in the absence of justice mechanisms and processes of recognizing rights violations, a focus on 'sensitization' of civilian populations to accept women (or men) associated with fighting forces may actually increase tensions among these populations.

Finally, while civil society groups and women formerly associated with fighting forces have a number of similar concerns and priorities regarding women's human rights in the post-conflict period, there exists a wide gap between these groups that appears unlikely to be bridged without significant effort, including the acknowledgement and renouncement of violations on the part of the women formerly associated with the fighting forces.

## **Recommendations**

**To the Governments of Africa, the International Donor Community, the United Nations, the African Union, the World Bank and NGOs:**

***Increase*** women's meaningful participation in peace talks, mediations and other negotiation processes, including during the peace negotiations and planning processes of DDR and other security sector reform programs, as called for in SC Res 1325 (2000) and CEDAW.

***Acknowledge*** that formal DDR processes continue to fail the majority of women and girls associated with fighting forces and that putting all energy and focus on simply trying to add more of them into the current programs is unlikely to produce satisfactory or sufficient results. Acknowledge that it is necessary to create and support parallel systems that provide the necessary support

needed by these populations through community-based approaches.

**Conduct** more thorough needs assessments of the members of fighting forces that take into account people's age, sex/gender, location in rural or urban settings and experiences to better respond to those groups' different and specific needs. Within such assessments, conduct careful and gender-aware economic and market surveys to identify viable livelihood strategies and to provide quality training programs to retrain those formerly associated with the fighting forces. In particular, given that many girls and women formerly associated with the fighting forces face great difficulties in maintaining themselves and their children as they can be cut out of social networks due to stigma, increase efforts for their access to education and training in viable livelihoods.

**Develop** policies and programs regarding livelihoods that take into account and are responsive to the kinds of skill sets women and girls formerly associated with armed groups may possess.

**Increase** access to and quality of education, health care, including sexual and reproductive health care, skills training, livelihood support and services for survivors of sexual violence for young mothers and their children, abducted women and girls, and women and girls formerly associated with fighting forces who are left out of official DDR process.

**Develop** policy and programs that take into account the fact that many women and girls associated with fighting forces return with children and plan for those who are mothers facing particular economic, health, mobility and social challenges. Within this, strengthen efforts to assist young mothers and their children through classes to help young mothers understand healthy ways of raising their children, including information on basic sanitation, health care, nutrition, and non-violent parenting skills. Recognize that these young mothers may have difficulties reintegrating back into the society, and provide support for housing and safe shelters for them and their children, and assistance to facilitate the schooling of the children.

**Increase** efforts to enable male and female youth formerly associated with the fighting forces to attend school, especially secondary school. Significantly increase the quality of skills training to help enable them to pursue a viable livelihood and remain outside of the armed forces.

**Increase** support for community based organizations that are working to stabilize peace, strengthen schools and the economy, and rebuild the community.

**Increase** training opportunities for women and girls to be aware of, organize around and uphold their rights. Increase education on the rights of women (both national and treaty obligations) within the countries in which they live, and educate women about government structures and how they function within their countries. Provide training in mine awareness and health education, including sexual and reproductive health and HIV/AIDS awareness, prevention, and treatment. Help to make available information on local and international NGOs in their country and region that work on issues of women's rights.

**Develop and support** safe forums and spaces in which those who violated rights come forward, acknowledge that they committed violations, renounce those violations and seek reconciliation with the community. Develop and support justice mechanisms and processes of recognizing rights violations to support processes of civilian populations accepting women and men associated with fighting forces.

**Increase** efforts for continued work beyond the official DDR program on disarming war affected communities and providing alternative, effective systems of protection.



## IV. WOMEN'S LEADERSHIP AND GOVERNANCE

*“Women cannot afford to stay out of politics because that is where decisions are made... Women need to develop self-confidence to fight for their rights. Women should respect tradition and culture but never let it be used as a weapon against them. All issues are women issues.”*

*South African participant*

The working groups on governance were led and facilitated by persons from the Center for International Studies, Massachusetts Institute of Technology, Cambridge, Women in Law and Development in Africa, Zimbabwe, and a woman parliamentarian from South Africa and former elected chair of the Portfolio Committee on Defense and the Joint Standing Committee on Defense in South Africa. Participants came from Burundi, Liberia, Rwanda, Sierra Leone, Somalia, Somaliland, South Africa, Sudan, Uganda and Zimbabwe. The working sessions examined what good governance meant to the participants, the participants' personal experiences as women in decision making positions during peace negotiations and their armed groups transitions into governance roles. They also discussed the importance of achieving good governance, obstacles to participating in good governance, and ways to overcome those obstacles. Importantly, only a handful of the participants in the governance working groups had actually successfully moved into positions of decision-making in the public realm, thus much of the workshop was spent exchanging ideas and strategies with those who had reached these positions.

### SETTING THE FRAMEWORK: PEACE NEGOTIATIONS

The participants agreed that good governance, which included fair representation of ethnic groups and women in decision-making positions, was a top priority for all their countries. They stated that unjust governments, poor governance and ethnic discrimination and targeting had significantly contributed to their countries' descent into armed conflict. For a number of the participants, the government's targeting of their ethnic groups, communities and families had directly led them to take up arms against the state. For example, a former fighter from Liberia spoke about how actions by the Liberian army had in part prompted her to join the armed opposition:

*“My father and I tried to cross the border to Nigeria during the war but the truck was bombed and my father died. Fortunately, I was not in the car at that time and I played dead when they checked if everyone trying to cross the border was dead. I later went to Sierra Leone as a war refugee... [but I then returned] back home and joined the army.”*

For other participants, the failure of their governments to offer adequate protection to civilian populations during the war resulted in their abduction and forced conscription into armed opposition groups. A participant from Sierra Leone recalled:

*“In 1991 war broke out and women were used as sex slaves by the rebels and their commanders. I was [abducted and] forced to marry a commander who took civilians as hostages.”*

The participants highlighted the importance of women's meaningful participation in peace negotiations because the groundwork for new governance and security structures were put in place. They then discussed the fact that although women participated in the fighting forces in all their countries, for the most part they were completely absent during the peace negotiations. They noted that in several of the countries women had served as top commanders, yet, regardless of the positions the women had in the groups, when it came to decisions around the peace negotiations, the majority said that no women in their group were consulted or had input. A women participant who was a former commander from south Sudan spoke about her role as a decision maker within the armed opposition group, noting:

*"I have experience in decision making. Women's participation in the SPLA decision-making during the war was at about 20 percent. But in the peace negotiations we were not participants."*

The participants also noted that women are needed to influence male and female commanders to work for peaceful resolution of the conflict and to help sustain the peace process. Participants stated that just as women negotiators and representatives were not present at the peace talks, women's issues, concerns and priorities were also absent at the peace table.

For the few women who do make it to the peace table, some said they were appointed as tokens to appease international donors. For example, in the cases the participants discussed, while some of the women at the peace table did occupy positions of leadership within the group, the overall male military or political leaders of their opposition groups did not allow them to voice an opinion outside a strict party line - which usually meant that women's issues were not brought to the table. In other cases, where women from civil society were able to make it to the peace tables, they were often ineffective because so much time and energy had been spent on trying to get to the table that they lacked solidarity and had no clear strategy on what to bring to peace negotiations.

South Africa was the only country present at the workshop in which women played a strong role in the peace processes that ended the conflict. Notably, it was the women of the African National Congress (ANC) military and political wings who organized as women to demand that they play a role in the peace processes. Later, the ANC women joined forces with other women's organizations to form a women's coalition and succeeded in having a strong voice in the shaping of the new South African constitution and the new government and national agenda that arose in post-apartheid South Africa. Women in South Africa continue to be active and vigilant in maintaining women's role in decision-making processes within their country (discussed below).

## CHALLENGES WOMEN FORMERLY ASSOCIATED WITH FIGHTING FORCES FACE IN PARTICIPATION IN POST-CONFLICT LEADERSHIP AND GOVERNANCE

The participants discussed the primary challenges within their countries that inhibited women formerly associated with fighting forces' participation in positions of decision-making in the post-conflict situation. Interestingly, while the conversation focused on women formerly in the fighting forces, nearly all of the challenges likewise apply to women civilians as a larger group within these countries. Thus, participation in an armed group does not guarantee that a woman would be able to overcome gender barriers in trying to play a meaningful role in a post-conflict government.

The participants highlighted the high levels of illiteracy and poverty, unequal work burdens within their countries, and patriarchal cultures, traditions, and national and customary laws as the primary reasons why women formerly associated with fighting forces had a difficult time accessing the formal political sphere and, thus, why they had correspondingly low representation in decision-making positions. However, according to a participant from South Africa:

*“Women cannot afford to stay out of politics because that is where decisions are made... Politics are about every day issues, education, health care and security. Lack of education should never be used to exclude women in politics.”*

Several of the women present at the workshop had been able to access decision-making governance positions in the post conflict situation. Yet, when women are able to access these positions, they noted that at times they are confronted by patriarchal traditions that seek to undermine their status and role. For example, a participant from south Sudan who is now involved in local government said:

*“Culture influences women in politics. I was once in a meeting and an older man who was my subordinate in the party came late to the meeting and could not get a seat and, therefore, he expected me to give up my seat for him. Culture tells me to give up my seat for an older man but I did not because I was there on time.”*

However, the participants stated that while due to time and economic constraints most women formerly associated with fighting forces could not afford to enter into formal political positions, they agreed that neither could they afford to leave politics only in the hands of the men. They discussed a number of ways in which men in governance and government positions had made decisions which badly affected the lives of women. The women recognized that in order for them to make gains in the political realm, they would have to become more active in shaping policies and laws and confront the pervasive gender inequality within their countries. A participant from south Sudan said:

*“We need to work with men in key position. Yet how do we deal with the men in political position to support women? The problem is inequality of gender.”*

Other key challenges to women’s meaningful participation in governance included the appointment of token women representatives who did not address the priorities and rights of women. A participant from Uganda claimed:

*“Women have 30 percent quota at all levels of government. But most women in those positions are only concerned about safe-guarding their position and do not represent women. There is no solidarity among women... Women are mainly observers and not participants in formal politics.”*

Some participants gave examples of how males from the former fighting forces had nominated women they knew did not have the skills to succeed into positions of leadership, in part because they did not want any women in leadership positions and so wanted those women to publicly fail.

Several of the participants who had been able to access positions of decision-making within the new governments spoke about the constraints placed on them by their parties’ political ideology and the role that the party imposed upon them. They said that these constraints greatly contributed to their inability to move forward on keys issues they felt needed to be addressed, including the rights of women.

Some participants noted that women leaders who are affective on issues that prioritize women’s priorities, rights and equality are often deemed a threat and either removed from power or iso-

lated. For example, a participant from Sierra Leone claimed:

*“In Sierra Leone women’s role in decision-making is very poor... There are presently only a few women ministers who do not represent or address the concerns and issues of women. There was a woman health minister who was very active for women issues but her male colleagues refuse to take orders from her... Women who are involved in politics and work for the real issues of women are removed from their positions and moved to another area of work to distract them. It is commonly said, ‘Women are to be seen and not heard’.”*

Others spoke of how women who had succeeded in obtaining a political appointment, and in particular those who had a women’s rights agenda, were labeled prostitutes by some of the male leaders and media reporters in an attempt to discredit them. The participants noted that this tactic can be effective to silence other women who hoped to avoid similar treatment. For those who were not dissuaded by sexist practices, threats, intimidation and expulsion from the group were at times used. A participant from Zimbabwe explained:

*“I was a member of the Central Party and was expelled after ten years of service because I refused to be manipulated by men. Women are not independent socially, economically or culturally in Zimbabwe. In my service in the Central Party, in the meeting room with other party members, one man approached me and asked me to get him coffee and I refused. Getting women their fair share in politics is a difficult issue... Yet, women are ready to pay the price of being independent and participating, which means you will face threats and intimidation. Women in Zimbabwe associate women’s participation in politics as very risky.”*

Others spoke of how women who had at one point addressed an agenda of equality were co-opted by male leadership once they were given positions of power. Instead of actively working and calling for reform within their parties, they now became spokespeople for what a success their party was, particularly on the rights of women and children, when in reality little had changed and needed reforms were not introduced. The participants identified how these women in fact helped to maintain a culture of male dominance in the government and country at the expense of women and children.

Another challenge participants discussed was a lack of solidarity among women in decision-making positions to join forces to create a strategic agenda. A participant from south Sudan stated:

*“Women are strong in their struggle but they do not have solidarity and there is no clear strategy for women’s empowerment. In my party policy, women are entitled to 30 percent representation in the Executive body, but we are still fighting to get there. The top leadership in my party talks about international human rights but they do not talk about our problems as women or our rights as women. There should be some material for women and there should be training for women on rights and governance. In Sudan we do not have a strategy.”*

Finally, the participants noted that there was a strong need to build the educational and skill capacity of women so that they could obtain the necessary skills to enter and function in civil society and government structures.

## STRATEGIES TO OVERCOME OBSTACLES FOR WOMEN FORMERLY ASSOCIATED WITH FIGHTING FORCES TO PARTICIPATE IN POST-CONFLICT LEADERSHIP AND GOVERNANCE

The participants then discussed strategies to help overcome the obstacles that many would likely face in trying to play meaningful roles in a post-conflict government and civil society. Participants identified the need to build alliances and coalitions, develop specific strategies, link

with civil society and each other, and have the confidence to confront and challenge harmful traditional practices and laws.

The central topic of discussion by the participants was the need to build alliances and develop specific strategies to achieve mutual goals. According to a former woman commander in Burundi who is now part of the new government:

*“Men abuse women in Burundi and culture is not kind to us. There are no women at the highest level in this new government and women did not participate in the negotiation for peace. In the Parliament 40 percent of the representatives are women but decision making as women is not possible. We need to be united to face and overcome the problems.”*

The women highlighted that it is necessary for coalitions to reach out across their societies to find a common agenda to build a strategy to set and meet their goals. They suggested that they use their informal networks, including their social networks, to help lay the groundwork for defining and mobilizing around a common agenda. However, they also highlighted the need to build cross-ethnic alliances, particularly regarding issues of women’s priorities and rights as they recognized they would need strong coalitions to move forward on these grounds. Men who supported women’s empowerment and the presence of women in government were also identified as key individuals to include in these alliances. It was suggested that women should devise strategies to get public statements from key leaders in support of increasing women’s participation and role in decision-making, and then use such statements as a rallying call to help organize coalitions and push for change.

The participants agreed that women who were able to reach positions of decision-making should try to build and maintain networks and connections with key civil society groups whose agendas were peace, equality and reconstruction. However, it was noted that such networks and alliances are particularly difficult for women formerly associated with fighting forces to build, often because there is little agreement or trust among the women and these groups. Civil society women focused groups, and women rights groups in particular, are wary of building alliances with those formerly associated with the fighting and much negotiation, truth-telling and reconciliation would have to occur for the ground to be laid for such alliances.

Participants who came from civil society stressed that alliances and coalitions are strongest when they combine local, national and international actors. For example, in Rwanda, while women’s presence in all levels of government is now mandated through quotas, the participants from Rwanda noted that there were very few women and the official peace negotiations in Arusha and that most of the gains made for women to set quotas and reform gender-discriminatory laws had come through the efforts of national civil society organizations and the international activist and donor community.

It was noted that in nearly all their countries, although women had participated in the armed struggle, most were excluded from decision-making positions in the new governments and security forces that were established. Thus, the participants stated that where women had been able to make improvements, particularly in South Africa, it was important to share strategies and learn from others’ experiences. For example, according to a participant from South Africa:

*“The ANC had a military wing but political decisions came from the political wing and the politicians, not from the military group. Women make up nearly 50 percent of the ANC and women were actively trained to practice in decision making, including in drafting the constitution. Women participate in every issue. Women are actually fighting to get the power to be involved in every level of decision-making, in almost all agendas. Every agenda that*



*is discussed is voted on by women and there is no issue that is too small for us...*

*We also communicate with young girls on the importance of political involvement of women. My daughter once said to me, 'I do not need to fight for women rights because you did that and it is enough.' This is the reason why we need to teach young women, because if the next generation does not take over in the struggle we will lose our rights. We need good strategy to encourage women to exercise their power through voting. We have to build and maintain close ties with the civil society to work with women...*

*Women need to develop self-confidence to fight for their rights. Women should respect tradition and culture but never let it be used as a weapon against them. All issues are women issues... We also unite with women from all organizations representing women even if we do not agree with what they represent or stand for because when one group fails we all fail."*

Several participants noted the challenge of diverse languages in working across ethnic lines. For example, a participant from South Africa highlighted the need to plan carefully around the issue of language and the media. She said:

*"In 1994, the parliament decided that all 13 languages that are spoken in South Africa would be the working language of the Parliament. Women in ANC use language to express themselves. We have even proved that we are better debaters than the men. Women always try to have a common agenda. For example, black women swapped lives with white women for a week to get them to understand our issues and concern... South African laws are very clear so that all people can easily understand them... Women need to build ties with the media to get their message and agenda across. There are so many violations against women in Africa but the media fails to cover what women in that country or around that area are doing about these situations."*

An exchange among three participants representing an armed opposition group from Darfur, the former opposition group from south Sudan and a member of a women's civil society organization in northern Sudan illustrates the role that language and ethnicity play in dividing groups and the need to overcome those divides.

Women ex-commander from south Sudan:

*"The problem we face in Sudan is language. In south Sudan people speak English and the mother tongue of their ethnicity. And north Sudan they speak Arabic. Yet women must agree on a common agenda."*

Woman leader from armed opposition group in Darfur:

*"Women can be effective in all roles. Language should not be a barrier. The problem is that women are not involved in politics, there is no capacity building program to help them engage politically and the literacy rate is low. There is also lack of confidence among women, because in our culture women are to be silent. Women who try to enter in decision making are pushed out."*

Woman from civil society organization in northern Sudan:

*"Women's competency is important and is difficult to achieve in politics. Yet all women face common problems and therefore we need to understand each other - south Sudan and north Sudan."*

This exchange also highlights the role of culture and tradition in undermining women's participation in politics and thus women's need to be self-confident, have a vision of what they are

fighting for, and to challenge attempts to marginalize them in the political process. The participants agreed there was a need to recognize that culture is dynamic and that taboos about women being decision makers could fade in time if women entered the political arena. The participants also stressed that women needed to confront cultural norms and traditional laws that need to be altered.

Finally, the participants agreed that women leaders need to articulate their rights, demand training on their rights and other key skills to help improve their capacities as good leaders, and continue to build alliances to enhance their ability to participate in decision-making.

## **Conclusion**

For women leaders involved in armed opposition groups and women leaders within civil society, their meaningful participation in peace negotiations marks a pivotal step in setting post-conflict governance and reconstruction agendas that takes women's and girls' needs and priorities into account. This was clearly illustrated in the case of South Africa. Token inclusion of women at the peace negotiations, where they must tow the agenda set by the male leaders, does not produce positive results for women and girls in the frameworks and agendas that emerge. When women negotiators and women representatives are not present at the peace talks, women's issues, concerns and priorities are usually also absent at the peace table. Despite international laws such as CEDAW and the Protocol on the Rights of Women in Africa, and important initiatives like SC Res 1325, in all the participants' countries, although women had participated in the armed struggle, most were excluded from decision-making positions in the new governments and security forces that were established.

There are a number of reasons why women continue to be under-represented in decision-making positions. Patriarchal traditions, practices and national and customary laws are the central factors as to why women are unable to enter these positions. High levels of illiteracy and poverty, unequal work burdens within their homes and communities are often the result of these patriarch customs, practices and laws and are among the main factors why women leaders formerly associated with fighting forces as well as women civilians have a difficult time accessing the formal political sphere and, thus, why they have correspondingly low representation in decision-making positions. At times cultural reasons are given to justify women's continued exclusion. However, it is important to recognize that culture is dynamic and that taboos about women being decision makers could fade in time if women entered the public civil and political arena.

It is unclear whether or not women formerly associated with fighting forces are among those who could or should play a public role in advocating for more inclusive and just social, political and economic change. What is clear is that they face a daunting task in accessing both public decision-making forums and civil society spaces. Notably, civil society organizations whose agendas are women's rights, peace, equality and reconstruction often have similar goals to those of women leaders coming from fighting forces. However, networks and alliances with such organizations are particularly difficult for women formerly associated with fighting forces to build, often because there is little agreement or trust among the former women fighters and these civil groups. Indeed, civil society women focused groups, and women rights groups in particular, are wary of building alliances with those formerly associated with the fighting. Consequently, women formerly associated with fighting forces would have to engage in much negotiation, truth-telling and reconciliation with other members of civil groups, and in particular women's groups, for the forming of such alliances to occur. Importantly, it is likely that only through such alliances that women formerly associated with fighting forces would likely be

able to achieve the kinds of change they are seeking within their societies.

## **Recommendations**

**To the Governments of Africa, the International Donor Community, the United Nations, the African Union, the World Bank and NGOs:**

***Increase and support*** efforts for women's meaningful participation in peace negotiations and peace building processes so that they have voice in determining the groundwork for new governance and security structures that will be put into place, as called for in SC Res 1325 (2000) and CEDAW.

***Increase and support*** efforts to build the educational and skill capacity of women so that they can obtain the necessary skills to enter and function within civil society and government structures.

***Support*** women leaders in civil society and government in Africa to share strategies and learn from each others' experiences.

***Support*** training for women leaders in civil society and government to develop the necessary skills to function in government and governance systems.

***Support*** organizations that confront harmful cultural norms and traditional laws that suppress the rights of women and girls.

***Support*** efforts to make national laws (including those under treaty obligations) clear and easy to understand and available in all languages used in the particular country. Ensure that sections on the rights and women and rights are included and highlighted.

## V. MOVING WOMEN FROM THE MARGIN TO CENTER

During the course of the workshop, much of the conversation repeatedly returned to the need for greater networking, coalition building and advocacy among women. Consequently, the participants identified the need for more work on moving their voices, priorities and rights from the margins of their societies to a place near the center where they were able to articulate their positions and work towards realizing their rights. They thus requested an additional working group within the workshop on issues of information sharing, networking, coalition building and advocacy.

### ACCESSING AND SHARING INFORMATION

Because accessing and sharing information was deemed central to women's ability to make decisions and take action, the participants spent time detailing how women in their areas accessed information, what strategies worked to get information to women, what kind of support was needed to enhance women's access to information, and how the women documented or shared their own information. In explaining her interest in better understanding how to access and use information, a participant from Sudan commented:

*"Information is the pillar to everything. Getting the right information at the right time helps you act or respond to situations accordingly."*

Most participants said that they accessed most of their information from newspapers and radio, while other sources included international broadcasts, songs, drama, mobile phones, internet, group posters, magazines, adult education, television, pamphlets and through meeting together as women, either formally or informally. At times, however, they felt that the information from those sources was inaccurate or anti-woman and so most critically assessed the information they were receiving. Most of the participants did not believe that the majority of the women in the country had similar access to information, particularly those who were in areas affected by armed conflict. For example, in a discussion of information put out by international sources, a participant from Somalia remarked:

*"Women don't have access to that information because there are no groups to help them access information, they lack the knowledge of where to go to get information, they lack facilities to receive and transmit information, and there is ongoing tribal conflict. In addition, culture makes women stay at home and in those homes they often don't have access to information. Poverty also makes women submissive... Women hardly listen to radios even if they are cheap. They don't have the time."*

The women then discussed the most effective means to communicate with women in their communities and generated the following list.

#### EFFECTIVE MEANS TO COMMUNICATE WITH WOMEN

1. Community radios.
2. Posters (with visual and written messages) in places frequented by women, for example markets, vaccination sites, antenatal clinics.
3. Magazines, newspapers or sections in these publications dedicated to women's issues.

4. Reading circles where literate women share information with those who are not literate.
5. Drama and theatre.
6. Poetry, songs, folktales and oral traditions.
7. Adult literacy classes which could be used not only to teach women to read, but could use women's rights resources.
8. Women's meetings or rallies.
9. Use of special occasions to share information, for example, international women's day, human rights day.

Some of the participants noted forms of communication specific to their cultures that could be used. For example, a participant from Somali explained that Somali women have a particular form of poetry and song which they use to communicate with each other, and with which men do not interfere. This has been used in the past to pass along information about women's issues and is thus a well known and effective way of communication among women.

In considering how to better improve the flow of information among the communities and the women within those communities, the participants highlighted the need for better access to information resources, including international human rights documents, national law and policy documents affecting women, and more information about the role of various ministries concerned with issues of priority for women. They also identified the need for additional training opportunities on writing, broadcasting, story telling, and access to digital communications technologies. They highlighted the importance of skills sharing among women at the grassroots level, including assisting other women who are not literate, and working to improve adult literacy. Other suggestions were to develop community radios and community radio programs. For example, in the DRC, one of the participants was working for a community radio station. The women in her area formed listening groups and listened to the women's programs together. Each listening group had a tape recorder with which they would record their feedback or response to the radio station as a group. They would then send their tapes in to be aired and shared on the community radio. To facilitate such activities, the women also recommended assistance in obtaining accessible and cheap radios such as wind up radios and solar powered batteries. Finally, the facilitators highlighted that where there are ministries for women in the government, women should approach these ministries to obtain information, particularly on laws applying to women. Women should also challenge these ministries to make information more widely available to the broader community.

## NETWORKING AND COALITION-BUILDING

The participants then discussed the importance of networking and coalition-building. They agreed that networking is the coming together of a group of people or organizations sharing common understanding, and whose objective it is to support each other. The main ways in which the participants felt that networks could be useful for women formerly associated with fighting forces is to help empower them as women and to share information, strategies, success stories and lessons learned. Networks were seen as important for identifying and sharing local, national and international resources and were regarded as essential for collaborating and deciding on joint work and to identify and take advantage of comparative strengths.

Significantly, the participants agreed that when women are networking, not all the members in the group need to agree on all issues all the time. They only need to come together for the particular objective they are working on together that has brought them into the network. Additionally, networking can be internal or external, and it can be local, regional or international.



Some of the participants had already begun networking around women's issues in their own countries. For example, in Rwanda, women formerly associated with the fighting forces formed their own organization to work together to gain economic self-sufficiency in order to provide for themselves and their children, including the education of their children. In northern Uganda, a small group of formerly abducted girl mothers have joined with other formerly abducted youth and adults to work towards peace in their communities and to pool resources and offer each other support as they attempt to rebuild their lives. In response to high levels of violence against women after the conflict, a former fighter from Mozambique explained:

*"We started a campaign against violence on women and eventually created a center to protect women. In the center, we work with the police as well as the judicial system. Women who have been a victim of bad treatment and abuse can come to this center and report. Then the organization takes the case to the justice system."*

Thus, collective organizing around issues of central importance provided a number of the participants with support, solidarity and a means to work jointly to make a positive impact on their lives and their community.

## ADVOCACY

Successful networking and coalition building needs advocacy to move issues forward and to enact change. Simply put, the pressure that groups seek to apply through their networks to make change is advocacy. Participants outlined the key components of advocacy, which includes awareness raising, gathering facts, choosing who to inform, what tools to use, how to support campaigning, where to exert energy, and how to ensure that key decision-makers and political actors are aware of the issues your group is championing.

The participants discussed that successful advocacy necessitates trading ideas or initiatives to show positive aspects of the idea so that women could convince other people to join in the cause and take action. Advocacy is a process and it has the following steps: sensitization and awareness raising, mobilization and action. The women stressed that sensitizing and awareness raising had to include the family, community members, including child mothers, and national and international NGOs, with an emphasis on the military, ruling parties and opposition parties.

The women then discussed both formal and informal means they could use to advocate. Formal methods of advocacy they suggested included written materials, audio visuals, campaigns, social gatherings, lobbying with people of influence, workshops and trainings. Informal methods of advocacy included the women's own negotiation and mobilization skills, taking advantage of family gatherings during weddings, funerals, and so on, fund raising and alliance building.

The women felt that advocacy should be used to promote peace, stability, and women's equality, since often women's rights are sidelined by peace negotiations, DDR processes, and the state machinery and customary practices. They concurred that there has to be good governance and observation of equal rights for there to be stability and real peace and that women had an essential role to play in realizing those goals.

## **Recommendations**

**To the Governments of Africa, the International Donor Community, the United Nations, the African Union, the World Bank and NGOs:**

***Support*** institutions and programs that make accessible information resources to women and girls, including international human rights documents, national law and policy documents affecting women, and information about the role of various ministries concerned with issues of priority for women.

***Support and strengthen*** Information and Gender Ministries efforts to make information more widely available on national laws applying to women, including national treaty obligations.

***Support*** training opportunities for women in writing, broadcasting, story telling and digital communications technologies to promote peace, security and equality.

***Support*** women's initiatives to provide rural women with cheap radios such as wind up radios and solar powered batteries.

***Support*** women and women's organizations to develop and strengthen networks to help empower them to share information, strategies, success stories and lessons learned as a means to work together to make positive impacts on their lives, community and nation.

## ANNEX

### LIST OF WORKSHOP RESOURCE PEOPLE AND FACILITATORS

The following people served as resource people and facilitators for the workshop. The author of this report and organizers of the conference offer sincere thanks for their time and efforts.

- \* Sanam Anderlini, Research Associate, Center for International Studies, Massachusetts Institute of Technology, Cambridge, USA.
- \* Tsjeard Bouta, Research Fellow, Clingendael, the Hague, Netherlands.
- \* Ariane Brunet, Coordinator, Women's Rights Program, Rights & Democracy, Montreal, Canada.
- \* Cate Buchanan, Human Security and Small Arms Program Manager, Centre for Humanitarian Dialogue, Geneva, Switzerland.
- \* Vanessa Farr, Project Researcher, United Nations Institute for Disarmament Research, Geneva, Switzerland.
- \* Julienne Lusenge, Coordinator, Solidarité féminine pour la Paix et le Développement Intégrale, Democratic Republic of Congo.
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## ABOUT GENEVA CALL

Geneva Call is an impartial, international humanitarian NGO formed under Swiss law, launched in March 2000 with the objective to engage armed Non-State Actors (NSAs) worldwide to adhere to a total ban on AP mines and other humanitarian norms. To facilitate this process, Geneva Call provides a mechanism whereby NSAs, who are not eligible to enter into formal treaty processes, can commit themselves to the mine ban norm by signing a “*Deed of Commitment for Adherence to a Total Ban on Anti- Personnel Mines and for Cooperation in Mine Action*”. They also consider that their commitment is a first step or part of a broader commitment in principle to the ideal of humanitarian norms. The custodian of these Deeds is the Government of the Republic and Canton of Geneva.

To date, 28 NSAs have signed the Deed of Commitment, have stopped using landmines and support mine clearance and victim assistance programs in areas under their control.

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The Graduate Institute of International Studies created the PSIO in 1994 to facilitate collaboration between the international and academic communities in Geneva and worldwide.

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The Program harkens back to the original mandate of the Graduate Institute with the establishment of the League of Nations in Geneva and recognizes the growing importance of Geneva as one of the world’s centres for international organizations.

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