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TO PREVENT VIOLENCE
Violence Against Women and Girls
in Conflict and Humanitarian Crises

POLICY BRIEF

Intersections of violence against women and girls with state-building and peace-building:
Lessons from Nepal, Sierra Leone and South Sudan

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In recent years there has been increased recognition by the international community that prioritising women's rights in state-building and peace-building (SBPB) efforts is central to realising sustainable peace in post-conflict settings. This has led to the adoption of key policy instruments and frameworks that have sought to increase women and girls' meaningful participation in peace processes.[1] At the same time, growing attention to the problem of violence against women and girls (VAWG) in conflict has seen an increase in efforts to address VAWG in global humanitarian policy and advocacy fora.[2]

However, the gendered nature of SBPB processes is often overlooked, despite the ways that gender power relations are present in and can affect the success or failure of state-building and peace-building (SBPB) (Strickland and Duvvury, 2003). International and national approaches to prevent and respond to VAWG and SBPB processes often exist in parallel, with issues of VAWG and gender notably absent from SBPB strategies and policies (Handrahan, 2004; Domingo et al., 2013). In addition, while sexual violence perpetrated by armed actors has received more attention by both policy actors and the media in recent years, a growing base of evidence suggests that war and conflict also increase other forms of VAWG – including intimate partner violence (IPV) and forced marriage (Ager and Stark, 2011; Global Women's Institute and the International Rescue Committee, 2017; Lemmon, 2014).

"For me, addressing VAWG should be part of peace-building… it was not regarded as part of peace-building, that's why we see it now – at times, there's some rape cases that you hear that it just leaves you speechless."
Key informant, Sierra Leone

This brief presents findings from a ground-breaking study, funded by the UK's Department for International Development, that explores the intersections between VAWG and efforts to secure peace and stability in conflict and post-conflict contexts. This is the first time that a systematic approach has been taken to bridge the gap between VAWG and SBPB policies and processes.

The study aims to increase recognition of the potential for SBPB processes to more effectively institutionalise approaches to the prevention of and response to VAWG, and the role that addressing VAWG can play in advancing sustainable peace. This research brings together findings from three case study countries – South Sudan, Sierra Leone, and Nepal – along with analysis of global literature.

1   See UNSCR 1325 which promotes "women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security"; the 2011 New Deal for Engagement in Fragile States which notes that "the empowerment of women is at the heart of successful peace-building and state-building"; and the Advisory Group of Experts on the 2015 Review of the United Nations Peacebuilding Architecture, which notes, "It is, at last, becoming widely recognized that women's participation is also crucial to the success of economic recovery, political legitimacy and social cohesion. As a result, without women's engagement from the earlier moments of attempting to end the violence to the latter stages of consolidating the peace, the dangers of relapse are greatly heightened."
2   See, for example, the Call to Action on Protection from Gender-based Violence in Emergencies, Guidelines for Integrating Gender-based Violence Interventions in Humanitarian Action, and Statement on the Centrality of Protection in Humanitarian Action.

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Violence against women and girls and conflict can have many common causes and drivers, including patriarchy and gender discrimination, that impact peace and conflict at all levels.

Evidence gathered for this research confirms that VAWG, gender inequality and conflict are often mutually reinforcing and that during times of conflict, gender inequality remains the core cause of VAWG (The Global Women's Institute and the International Rescue Committee, 2017). In Sierra Leone, the Truth and Reconciliation Commission's report noted that structural gender inequality was a causal factor of VAWG during the civil war (Truth and Reconciliation Commission, 2004). In South Sudan, the conflict has been intensified by 'hyper-masculine' norms that normalise the use of violence in the public sphere, which are then transposed to the private sphere, contributing to rises in IPV and other violence within the home (The Global Women's Institute and the International Rescue Committee, 2017). This research suggests that VAWG may also act as a further driver of militarised violence and exacerbate on-going state fragility.

These interconnections make it imperative to consider VAWG from a holistic perspective when addressing wider conflict dynamics, and to acknowledge and seek to mitigate the effect that conflict can have on VAWG.

Women are frequently excluded from both peace processes and wider political participation in conflict and post-conflict settings. Institutions that work on women's rights (government and civil society) play a significant role in efforts to eliminate VAWG and in the advancement of more peaceful societies.

Many of the gains made in the case study countries, such as adoption of laws and policies, are the result of civil society organisations' and the women's movement's advocacy and technical expertise. Key informants in South Sudan noted that the involvement and advocacy of women engaged in peace processes particularly influenced agreements to address VAWG and the prosecution of crimes, including those related to VAWG. However, in all three case study countries, women were frequently excluded from the negotiations of peace agreements and wider peace and state-building efforts (Ariño, 2008; Human Security Baseline Assessment, 2008; UN Women, 2012). In Nepal and South Sudan, informants noted that quota systems introduced to promote women's participation fail to address cultural and systemic barriers to women's influence within the political system.

While having women at the negotiating table does not guarantee the inclusion of provisions for addressing VAWG, evidence strongly suggests that excluding women from the process contributes to gender-blind peace agreements and processes that do not address the concerns of women and girls. Overall, there has been insufficient attention given to shifting patriarchal norms and behaviours that limit the impact of structural changes and other efforts to empower women in the political process.

This highlights that gender discrimination and patriarchy can impact every aspect of conflict and SBPB – from the allocation of funding to address multiple forms of VAWG, to the number of services available to survivors of VAWG, to an under-representation of women in security and armed forces, to the acceptance of discriminatory gender roles and normalisation of VAWG.

The post-conflict period provides an opportunity to advance policy and legal frameworks addressing VAWG. However, despite progress in policy and legal reform, state-run services necessary to address and reduce VAWG are insufficient in post-conflict contexts, reducing trust in and legitimacy of state service providers.

Significant advancement in VAWG laws and policies in each case country after the cessation of hostilities suggests that the post-conflict period is a moment where considerable legal and policy progress can be made through SBPB.[3] However, these advances have not been operationalised by governments.

Considerable disconnects exist between policies adopted at national levels and realities on the ground, including implementation of national action plans (NAPs) on women, peace and security (WPS) and gender-based violence (GBV) and other national gender policy documents. Although change at the policy level has been impressive, it has not translated into real change for women and girl survivors or to a decrease in violence. For example, while South Sudan's NAP was launched in 2015, VAWG practitioners interviewed for this study reported that the plan had not impacted their work in the provision of VAWG prevention and response services – indeed these informants noted that they were not even aware of plan's core components. In all three contexts, significant challenges in implementing justice mechanisms and delivering promised reparations were reflected by a lack of services that focus on preventing and responding to VAWG. Policy initiatives have not been followed up with a commensurate investment in large-scale efforts to change social norms in communities to prevent VAWG.

Key Findings:

Rates of VAWG, including forms of violence not traditionally considered conflict-related, are high during and after periods of conflict and have lasting effects on the lives of women and girls. However, VAWG is often insufficiently addressed in state-building and peace-building efforts.

Women and girls in the case study contexts experienced multiple forms of violence in their everyday lives – both during and after periods of conflict. Conflict-related sexual violence (CRSV) was a characteristic of all three contexts, though it received different levels of recognition in peace agreements and transitional justice processes, and redress was limited. For example, in Sierra Leone, CRSV was included in the scope and remit of the Sierra Leone Truth and Reconciliation Commission and the Special Court for Sierra Leone included charges for sexual violence in a number of cases. However, informants noted that a vast majority of women in Sierra Leone who had registered as sexual violence survivors have not yet received the reparations to which they were entitled.

Evidence gathered for this research also shows that other forms of endemic violence, such as IPV, are more prevalent during and after conflict compared to CRSV. Rates of IPV were particularly high in Sierra Leone and South Sudan (in both contexts over half of ever partnered women have reported experiencing physical and/or sexual violence from a partner), while early and forced marriage is common across all three settings (Global Women's Institute and the International Rescue Committee, 2017; Ministry of Health Nepal, New ERA Nepal and ICF International, 2017; Statistics Sierra Leone and ICF International, 2014).

The persistent and high levels of all forms of VAWG noted throughout this research indicate that these issues have not been sufficiently integrated into SBPB processes in these settings. While Sierra Leone and Nepal have managed to achieve 10–20 years of peace in the aftermath of each civil war, high rates of VAWG remain in both societies. Key informants in all three contexts outlined the linkages between violence in the private sphere and violence in the public and political sphere as evidencing and informing their view of what SBPB efforts have and have not achieved.

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3   See for example: Nepal's Human Trafficking Act 2007; Domestic Violence Act; Sexual Harassment in the Workplace Act 2009; Elimination of Torture and Witchcraft Act; and a 2015 act to enhance gender equality and combat GBV; Sierra Leone's 2007 'gender laws' - the Domestic Violence Act, the Devolution of Estates Act and the Registration of Customary Marriage and Divorce Act as well as the Sexual Offences Law in 2012; South Sudan's Child Act 2008 and Penal Code of 2008 which sets a broad definition of rape and heavy punishments

Policy Recommendations

Evidence from this research emphasises the need for SBPB processes to more effectively institutionalise approaches to address VAWG. For this to be achieved, donors, policy makers, and UN agencies need to:

1 Address complex linkages between conflict, gender inequality and VAWG within wider state-building and peace-building processes.

Addressing gendered dimensions of conflict and VAWG must be integral to SBPB processes. Gendered analysis of conflict and peace should identify common causes and drivers of both conflict and VAWG and underpin efforts to tackle these interlinked issues holistically. This could include tracking indicators on VAWG that relate to wider conflict dynamics (e.g. reported cases of CRSV, escalations in patriarchal practices such as increases in costs of bride price, reduction of girls enrolled in school) as part of conflict analysis and monitoring. Deliberate efforts should be made to increase meaningful inclusion of women's rights organisations and other VAWG experts in peace negotiations, truth and reconciliation mechanisms, disarmament, demobilisation and reintegration processes, and the evolution of political and governance structures. Women's and girls' voices must inform these core elements of SBPB.

2 Ensure sustained funding that addresses multiple forms of VAWG across state-building and peace-building processes.

While addressing conflict-related sexual violence is crucial, it should not be at the expense of broader initiatives to address the multiple, overlapping forms of VAWG during both conflict and post-conflict periods. A comprehensive view of violence needs to be adopted to address acts by armed actors as well as those happening in women and girls' private lives such as IPV, forced marriage and FGM. Addressing the common and inter-linked causes and drivers of both conflict and different forms of VAWG is essential. This requires long-term funding that overcomes programming siloes in order to bring about changes in entrenched behaviours and social norms as well as in institutions, governance processes and service provision. Systematic change is needed, including establishing new, supportive legal and policy frameworks that address gender inequality and VAWG and establish VAWG on an equal footing to other crimes and violent actions. Prevention and response programs must target whole communities in order to face the underlying power disparities that are at the root of both VAWG and conflict, while initiatives to address social norms underpinning VAWG should be scaled up and integrated into national strategies.

3 Promote justice for survivors in a range of forms and through a range of mechanisms, ensuring a survivor-centred approach through formal and informal systems.

Formal state justice systems should be strengthened to ensure access to justice for survivors in the long-term and specific provisions made to redress conflict-related VAWG. In addition, access to justice should be ensured beyond prosecution of alleged perpetrators, to include such elements as access to divorce, custody of children and land rights as well as economic opportunity. These services can be vital to GBV survivors who frequently face multiple forms of community and familial rejection.

A hybrid approach integrating formal and informal systems is often recommended where existing justice mechanisms are limited. However, efforts to significantly strengthen and reform these systems are needed as they often perpetuate gender inequitable norms and engage in victim blaming. Further efforts are required to achieve gender balance within judicial or quasi-judicial mechanisms. Community-level peace and reconciliation, as well as transitional justice mechanisms, need to recognise the experiences of women and girls during conflict and that VAWG is a human rights violation.

4 Create mechanisms to facilitate women's participation socially, politically and economically, and address barriers to their engagement and influence.

Civil society organisations and women's movements should be actively and purposefully supported to participate in and drive SBPB process in order to prioritise women's rights during the transition from conflict to peace. This should include efforts to build relationships between civil society and government. Making funding available and building technical and organisational capacity for women's rights organisations at all levels should be central to SBPB efforts from the outset. In addition, women should be supported to attain decision-making positions within governments, both at the national and local levels while barriers to their influence within politics are addressed. Patriarchal controls on political life, such as side-lining women politicians, and sexual harassment and violence against women during the political process, must be addressed within a shift in political culture as part of the democratisation process. This includes working with both women and men as change agents within political systems and structures to shift attitudes and behaviours towards women in power.

5 Plan for "shocks" such as a re-emergence of conflict or natural disasters so that these do not derail efforts to prevent and respond to VAWG during state-building and peace-building processes.

While "shocks" such as economic crises, epidemics, renewed conflict or natural disasters can complicate efforts to attain peace and stability as well as prevent and respond to VAWG, they need not derail these efforts altogether. Some types of shock are more likely in fragile and conflict-affected states, while others may simply have greater impact in these contexts, for example, where government capacity to respond is weak. Shocks should be planned for at all levels – structural, systematic and operative – to ensure that service provision is disrupted as little as possible. Planning should include a structural framework of laws and policies that address VAWG, as well as taking concrete steps to build capacities of service providers across systems and siloes, such as ensuring that police, psychosocial support and health-care providers are equipped to respond to VAWG flexibly, including during crises.

6 Ensure that VAWG-relevant legal and policy reform and programming frameworks are matched by political will, realistic and phased plans and sustainable resourcing strategies to bridge the implementation gap.

Early and sustained efforts to bridge the implementation gap are needed to ensure that legal and policy reform and programme design lead to concrete changes in the lives of women and girls. National government ownership of VAWG policy and service delivery should be fostered, with a shift over time from international actors providing VAWG-responses to supporting national governmental actors to drive policy and deliver services – both directly and in partnership with national civil society. Donors and national governments should work together with a longer-term vision of how to institutionalise VAWG prevention and response in evolving state structures, recognising that post-conflict states often remain highly fragile and that building capacities takes significant time.

At the same time, it should also be recognised that post-conflict states are often characterised by active repression of independent civil society, by political decision making rather than evidence-based policy making, and by exclusion of key groups. Support to national governments must therefore be rooted in both conflict and political economy analysis, with measures to mitigate against concerns over protection of women and girls, lack of political will to address VAWG, and the erosion of civil society space.

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