

Inclusive Ceasefires: Women, gender, and a sustainable end to violence

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INTRODUCTION

Traditional approaches to ending wars—where armed groups meet behind closed doors to hammer out a truce—are falling short in the face of 21st century conflicts. In 2014, the world experienced the highest battle-related death toll since the Cold War.¹ Belligerents increasingly target civilians, and global displacement from conflict, violence, and persecution has reached the highest level ever recorded.² States that emerge from war also persistently relapse; in the 2000s, 90 percent of conflicts occurred in countries previously afflicted by war.³

Partly as a means to address these challenges, calls for inclusive approaches to resolving conflict and insecurity have grown louder. The full impact of women’s participation on peace and security outcomes remains poorly understood,⁴ but overwhelming anecdotal and quantitative⁵ evidence shows that women’s empowerment and gender equality are associated with peace and stability.⁶ While the inclusion of women and civil society in peace processes is consequently gaining normative traction, one consistent exception has emerged: ceasefires.

The terms “ceasefire,” “truce,” and “cessations of hostilities” have long been used interchangeably, both on paper and in practice.⁷ Even today, the distinction between them remains at best unclear and, at worst, contested. This paper defines ceasefires as negotiated agreements between parties that “define the rules and modalities for conflict parties to stop fighting.”⁸ As such, we treat them as more binding and comprehensive in scope than truces, which can be unilateral and encompass many types of breaks in the fighting.

Cessations of hostilities can also be declaratory and non-binding,⁹ but when reached as negotiated agreements, they too are typically narrower in scope and more temporary in nature than ceasefires. True to their name, cessations of hostilities simply suspend the violence. As

such, most ceasefire agreements include a cessation of hostilities section that lists the violent acts to be halted. But ceasefires go further by outlining additional rules and modalities to de-escalate tensions between the warring parties: lines of disengagement and withdrawal of forces, demilitarized zones, cantonment of forces, monitoring and verification, dispute resolution, and disarmament.¹⁰ These additional mechanisms are designed to support (and as one econometric model shows, are more likely to achieve)¹¹ a more durable cessation of violence. This paper will focus on ceasefire and cessation of hostilities agreements that are or were intended to create space for comprehensive peace negotiations.

That ceasefires in particular remain unquestionably untouched by the principle of inclusion is remarkable, given the foundational role they often play in peace processes. Ceasefires can heavily influence—if not determine outright—which actors will subsequently be invited to the peace table *and* which issues will appear on the agenda of those talks.¹² And the stakes are high. According to one of the most extensive studies to date on ceasefires and peace, strong agreements—defined as those that implement detailed mechanisms like demilitarized zones and peacekeeping forces—reduce the risk of another war by more than 80 percent.¹³ At the very least, this warrants an evidence-based debate of the merits of including stakeholders other than the belligerent parties. Yet the growing body of research on ceasefires contains little information on if, how, and why women’s and civil society’s needs, perspectives, and considerations are being incorporated.

This paper will explore the possible benefits of women’s participation in ceasefires; the inclusion of women in the 2014 South Sudanese Cessation of Hostilities Agreement and the 2015 Myanmar Nationwide Ceasefire Agreement; women’s impact as measured by the two agreements’ meaningful attention to gender; and the consequences for the agreements’

implementations and women's inclusion in subsequent phases of these two peace processes. Our findings will be analyzed together with the sparse literature on women, gender, and ceasefires to generate hypotheses on the value of women's inclusion at this stage.

The paper is structured as follows: (1) the case for women's inclusion; (2) a review of relevant literature on women, gender, and ceasefires; (3) South Sudan case study; (4) Myanmar case study; (5) findings and hypotheses for further research.

CHAPTER I: THE CASE FOR WOMEN'S INCLUSION¹⁴

What follows is a brief outline of some of the existing data most relevant to the potential benefits of women's participation in and influence on ceasefires:

WOMEN ARE ADEPT AT BUILDING COALITIONS TO PUSH FOR PEACE

Women frequently mobilize diverse groups in society, working across ethnic, religious, political, and cultural divides. In addition to these horizontal connections, women also bridge the vertical divide between elites and the grassroots, which may increase the chances of enduring peace by promoting buy-in and generating legitimacy. In fact, one in-depth study of 40 peace processes in 35 countries over the last three decades show that no women's groups tried to derail a peace process.¹⁵ This is not true of other societal groups—in Sri Lanka, for example, Buddhist monks and civil society organizations mobilized to protest against the negotiations.¹⁶

WOMEN ARE OFTEN PERCEIVED AS HONEST BROKERS

Research across cultures demonstrates that, on average, women are less likely than men to be discriminated against by virtue of their race, religion, or ethnicity,¹⁷ positioning them well to move between such groups during conflict. Empirical studies show that both men and women are less fearful of women from different social groups than men from different social groups,¹⁸ so conflict parties may be more likely to trust women as intermediaries.

WOMEN FACILITATE PEACEMAKING

The aforementioned study of 40 peace processes also showed that when women's groups were able to effectively influence a peace process, an agreement was almost always reached—only one case presented an exception. When women did not participate, the rate of reaching an

agreement was much lower. Once an agreement was reached, the influence of women's groups was also associated with much higher rates of implementation.¹⁹ Statistical analysis of a larger dataset also shows that when women participate in peace processes, peace is more likely to endure. Women's participation has its greatest impact in the long term: an agreement is 35 percent more likely to last at least 15 years if women participate in its creation.²⁰

WOMEN BRING A COMPLEMENTARY UNDERSTANDING OF THE THREAT ENVIRONMENT

Because of their unique roles in communities and families, women often have information about people and events that men do not. For example, when cultural norms dictate that women travel on foot to gather water or firewood, they may see and hear things men do not notice.²¹ As the centers of households and communities, women are also well placed to detect early warning signals of oncoming violence or radicalization that men may miss.

Women in police forces can access the female half of the population that may be closed off to men in conservative cultures, and women are more likely to report gender-based violence to female officers.²² In addition, policewomen are more likely than their male colleagues to de-escalate tensions and less likely to use excessive force.²³

WOMEN RAISE ISSUES THAT ARE VITAL FOR PEACE

On average, women experience conflict differently than men. Perhaps because of this, women raise different priorities during peace negotiations. They frequently expand the issues under consideration—taking talks beyond military action, power, and territory to consider social and humanitarian needs that belligerents fail to prioritize. In fact, when women are included, they

frequently advocate for other excluded groups and address development and human rights issues related to the underlying causes of the conflict.²⁴

WOMEN BROADEN SOCIETAL PARTICIPATION

The exclusion of identity-based groups—whether religious, ethnic, or cultural—is a significant contributor to war, poverty, and state failure.²⁵ Research demonstrates that gender quotas in post-conflict contexts make it more likely that other disadvantaged groups will also gain access to parliament, depending on the prevailing electoral system.²⁶ A cross-national analysis of postwar contexts since 1945 with a high risk of backsliding into conflict found that where women enjoy a relatively higher social status, the prospects for successful peacebuilding are greater, because the local population’s participation in peacebuilding policies and activities increases.²⁷

WOMEN PRIORITIZE GENDER EQUALITY

When women participate in peace processes, they frequently raise issues of gender equality and women’s rights. This contributes to strengthening the representativeness and legitimacy of the new political order that follows. Women’s significant participation in the transition in South Africa led to the enshrinement of gender equality in the country’s new constitution. The constitution provided for a new Commission on Gender Equality and included a requirement that women comprise 30 percent of all new civil servants.²⁸ In Burundi, women’s pressure on the negotiating parties ahead of the 2000 peace agreement produced a 30 percent gender quota in the new constitution that followed.²⁹

WOMEN REBUILD SOCIETIES THAT ARE LESS LIKELY TO RELAPSE INTO WAR

Once war has broken out, the risk that this society will experience further violent conflict greatly increases.³⁰ Statistical analysis shows that strengthening women's political and social participation reduces the chances of conflict relapse after war has ended. A study of 58 conflict-affected states between 1980 and 2003 found that when no women are represented in the legislature, the risk of relapse increases over time, but "when 35 per cent (sic) of the legislature is female, this relationship virtually disappears, and the risk of relapse is near zero."³¹

CHAPTER II: A REVIEW OF THE LITERATURE ON WOMEN AND CEASEFIRES

CEASEFIRES AND PEACE AGREEMENTS

The literature on ceasefires categorizes them into two groups: preliminary and permanent.

Preliminary ceasefires aim to stop the immediate violence but do not address its root causes.

Though at times negotiated for limited, ad hoc purposes, such as humanitarian access or conflict management, mediators typically treat preliminary ceasefires as provisional agreements between the belligerent parties that create space for comprehensive peace negotiations.³²

By suspending—or, more realistically, controlling—the violence through the separation of forces and a mutual cessation of hostilities, preliminary ceasefires present the prospect of political progress without requiring armed groups to relinquish their primary bargaining chip—their weapons. The suspension of violence may de-escalate tensions between warring parties, allowing them to assess the others' willingness to negotiate, demonstrate their command and control, bolster their legitimacy as formal parties to the negotiations, develop relations, and save lives, all without appearing to capitulate.³³

Permanent ceasefires, by contrast, are typically negotiated as part of a comprehensive peace agreement, such as “Chapter III: Permanent Ceasefire and Cessation of Hostilities” in the 2000 Arusha Peace and Reconciliation Agreement for Burundi.³⁴ This likely explains why ceasefires are often conflated with peace agreements and the terms used interchangeably. In practice, however, preliminary ceasefires and peace negotiations are usually distinct and carefully sequenced stages of the larger peace process. Preliminary ceasefires will often produce an agenda for subsequent peace talks in order to lure the parties to the table, but without delving

into the issues themselves.³⁵ Those are typically left for comprehensive negotiations, which seek to halt the violence more permanently by addressing its root causes and longer-term peacebuilding issues, such as demobilization, disarmament, and reintegration (DDR) of armed groups, security sector reform (SSR), electoral reforms, and transitional justice and reconciliation.³⁶ In other words, preliminary ceasefires and the absence of violence are merely a “negative peace,” whereas follow-on peace negotiations that resolve violence by building a new, just order engender a “positive peace.”³⁷

WOMEN, GENDER, AND CEASEFIRES

An analysis of 585 peace-related agreements³⁸ signed between January 1990 and May 2010 reveals that only 92 (16 percent) explicitly mention women—whether in the context of limiting or increasing their participation. It should be noted that this strikingly low percentage includes not only ceasefire-related agreements, but also framework peace agreements, implementation agreements, agreed-upon public memoranda of meetings between the parties, and regional agreements aimed at enabling a settlement between parties. The number of ceasefires that explicitly mention women during this period is therefore much lower.³⁹

A common explanation for women’s exclusion is that ceasefire processes require technical language and knowledge of military forces and equipment that only the armed factions are likely to possess.⁴⁰ As preliminary agreements that aim merely to stop the fighting so political negotiations can begin, mediators may therefore not find ceasefire matters “self-evidently important to women.”⁴¹ If arms are the primary currency for buying one’s way into ceasefire processes, women, who are rarely seen in the upper echelons of armed groups,⁴² are often

perceived as irrelevant and go uninvited. Inclusion, these arguments conclude, is better utilized at later stages of a peace process.

One exception to this thinking may be sexual violence. Analysis of 17 ceasefire or related agreements signed between January 1990 and May 2010 reveals that 8 (47 percent) of these documents reference women, gender, or girls in relation to sexual violence.⁴³

The literature on women, gender, and ceasefires is similarly dominated by the theme of sexual violence.⁴⁴ For example, several manuals now provide guidance for including sexual and gender-based violence in ceasefires. The United Nations Department of Political Affairs advises mediators to include language prohibiting sexual violence in ceasefire “preambles, definitions or principles of ceasefire, provisions regarding the occupation of new ground positions or the movement of armed forces and resources...freedom of movement, provisions for monitoring, and annexes which establish and define monitoring.”⁴⁵ UN Women notes the need to remove the ambiguity surrounding sexual violence in monitoring and peacekeeping mandates, integrate scenario-based responses into peacekeepers’ operational pre-deployment training, and improve the gender balance of peacekeeping contingencies.⁴⁶

The inclusion of this brutal weapon of war in the list of prohibited hostilities is a critical step towards addressing the protection of civilians. It will no doubt contribute to mutual threat reduction⁴⁷ and make ceasefire agreements more durable. Yet its predominance obscures the need for—and value of—women’s inclusion in other elements of ceasefire negotiations, agreements, and implementation.

DDR of armed groups also receives some attention in the literature on women, gender, and ceasefires. However, this seems to be largely a reflection of growing international interest in

gender-sensitive DDR arrangements⁴⁸ and best practices,⁴⁹ which do not often pertain to ceasefires. Most ceasefires do not include detailed provisions for transitional security arrangements given that disarmament poses a significant security threat to armed groups not yet assured of their adversaries' commitment to peace and political reform. To be sure, where ceasefires lay the ground for future discussions of these arrangements, it is critical that they include a commitment to gender-sensitivity. Much as in the case of sexual violence however, DDR is but one piece of a broader process that must be examined through the lens of inclusion.

The following case studies on the South Sudanese Cessation of Hostilities (CoH) Agreement and the Myanmar Nationwide Ceasefire Agreement (NCA) seek to fill in some of the research gaps on women's inclusion in this early stage of peace processes. They detail the extent to which women participated in the creation of these agreements and point to consequences in (1) the monitoring and verification of the CoH, and (2) women's participation in Myanmar's subsequent political dialogue. Although, as a cessation of hostilities agreement, the scope of the South Sudanese CoH falls far short of the NCA, it is included to demonstrate the costs of exclusion in accords even less comprehensive than ceasefires.

CHAPTER III: SOUTH SUDAN'S CESSATION OF HOSTILITIES (2014)¹

On December 15, 2013, violence erupted in Juba, the capital of South Sudan, when an organized force of the Dinka tribe led a targeted attack against men, women, and children from the Nuer tribe throughout the city. This attack triggered fighting that would, within a matter of weeks, throw the country into a vicious civil war that has since resulted in more than two years of bloodshed and destruction. It is estimated that more than fifty thousand people have been killed, thousands more injured, and 2.2 million displaced from their homes.⁵⁰ Women and children are arguably the most heavily impacted, making up the majority of internally displaced persons and refugees.⁵¹

This case study will analyze the impact of women's absence from meaningful participation in the negotiations of South Sudan's Cessation of Hostilities on the structure and implementation process of the resultant agreement. Because the peace process is ongoing, this study will cover from when the conflict broke out on December 15, 2013, to the signing of the CoH Agreement on January 23, 2014.

BACKGROUND

Although the scope and scale of the violence in South Sudan was unexpected, the response from international stakeholders was rapid. Those involved included the Intergovernmental Authority on Development (IGAD), the Troika (USA, UK, and Norway), Kenya's General Sumbeiywo, the EU, and the African Union (AU). On January 3, 2014—less than three weeks after the violence broke out—proxy talks began in Addis Ababa, Ethiopia. By January 6, IGAD and the AU

¹ *This chapter is a shortened version of a forthcoming case study by Tiffany Easthom, edited by Kelly Case and Allison Muehlenbeck*

welcomed the commencement of formal negotiations to end the violence.⁵² On January 23, the Government of the Republic of South Sudan and the Sudan's People's Liberation Army/Movement in Opposition (SPLA/M) signed the CoH Agreement, a process that would ostensibly silence the guns within 24 hours and pave the way for developing a comprehensive peace agreement.

When the agreement was signed, the parties to the conflict and their command structures were still emerging. Regional states with vested interests—Uganda, Sudan, Kenya, and Ethiopia—were still courting and being courted by the warring parties. Observers to the process noted that the parties were under immense pressure to sign the CoH and therefore did not appear to be entering it in good faith. Delegates were reportedly overheard swearing and uttering promises of continued violence just moments before entering the room for the signing ceremony.

The CoH Agreement was widely viewed as unsuccessful. Violence against civilians escalated in the months that followed, with one UN report noting that human rights abuses had reached “new levels of brutality.”⁵³ Reports of rape and sexual assault in all its forms were recorded throughout the conflict-affected areas. Girls and women were specifically targeted for abduction, taken to become the property of their captors. Women raped by soldiers immediately outside of the UN Protection of Civilians site in Juba were told by their attackers, “we are here to rape the women and kill the men.”⁵⁴ Boys and men were forced into fighting or targeted for killing to prevent them from taking up arms.

WOMEN IN THE CESSATION OF HOSTILITIES NEGOTIATIONS

The CoH negotiations were opaque and exclusive by design, with only those representing armed actors present at the table. The warring parties sought to strictly control messaging around the CoH and access to spaces of perceived power and influence. International stakeholders, primarily the Troika and IGAD—including the IGAD mediation team led by three former African male presidents—preserved the narrow scope of the process in an effort to reach an expedient end, arguably exacerbating the limited participation and sense of exclusion.

The South Sudanese government delegation did not appoint any female representatives to the CoH negotiations. When pressed on the issue, Minister of Information Michael Makuei, their lead negotiator, said, “What is important is not the gender representation but what is important is the achievement of the objective. The objective is irrespective if they are represented or not.”⁵⁵

The opposition’s 10-person delegation included three female parliamentarians: Rebecca Garang, Sophia Pak Gai, and Banguot Amum. When asked about participating in the negotiations, Pak Gai said, “We want to see that our people live in harmony and in peace. And actually, we are here pushing for peace as women because the majority of the population in South Sudan are women, 65 percent.”⁵⁶

Although women were included on the opposition’s team, the process was still exclusive and the short timeline of the five-week CoH negotiations forced civil society groups to be relegated to the margins of the process. From the earliest days of the conflict, though, South Sudanese women started organizing. A group met as early as December 20, 2013 at the SPLM secretariat office in Juba to explore ways to halt the unfolding crisis. Women were mobilizing not only there but also in Nairobi, Addis Ababa, and Kampala, demanding an end to the violence and

advocating for an inclusive process in which women and communities could invest in determining their country's future. For example, days before the signing of the agreement, South Sudanese women leaders in Kampala called "for immediate cessation of violence and inclusion of at least 25 percent of women in mediation and ceasefire monitoring teams."⁵⁷

GENDERED TEXT IN THE CESSATION OF HOSTILITIES AGREEMENT

The language of the CoH strongly reflects the sentiment of the time: contain the rapidly escalating violence so that a broader peace agreement can be negotiated. As the seven-page document is a cessation agreement rather than a comprehensive peace agreement, there is no language about future processes—political or otherwise—and it contains sparse details about implementation. No consultations, with civil society in general or women specifically, were conducted in the drafting of the agreement. As a result, the language in the agreement is not gender sensitive or explicit about women's roles in monitoring the violations.

The CoH sections are as follows:

- Section 1 - Declaration of Cessation of Hostilities
- Section 2 - Cessation of Hostile Propaganda
- Section 3 - Protection of Civilians
- Section 4 - Humanitarian Access
- Section 5 - Monitoring and Verification
- Section 6 - Composition of the MVT
- Section 7 - Operations of the MVT
- Section 8 - Positions of the Forces
- Section 9 - Amendments to this Agreement
- Section 10 - Dispute Resolution
- Section 11 - Entry into Force

The first four sections of the agreement detail the violations the parties agreed to cease upon signing. The remaining sections focus primarily on the structure and implementation of the monitoring and verification mechanism.

Throughout the agreement there are limited references to gender or women. Language referring to women and girls directly or indirectly can be found in sections 3.2, 3.3, and 6.3c. The word “women” appears only twice and “girls” only once. There is no mention of how women, girls, men, and boys were impacted differently by the conflict, nor does the document recognize the varying roles they assume. The language also does not commit the parties and supporters to ensuring an inclusive, gender-balanced peace process to set the standards for all future stages; a critical missed opportunity. The following section reviews the specific gendered language present in Sections 3 and 6 of the CoH document.

Section 3.2

“The Parties shall refrain from any acts of rape, sexual abuse and torture as prohibited by applicable national, continental and international instruments;”

Section 3 of the CoH is its Protection of Civilians component. Although the explicit prohibition of sexual violence offenses is provided, there is no mention of victims’ gender identities, missing the important and often overlooked recognition that rape happens to women, girls, men, and boys. The use of the words “shall refrain” weakens the sentiment, stopping before indicating that any of the documented acts are violations of the CoH. This text would be strengthened with clear definition of rape, sexual abuse/exploitation, and violence, rather than references to vague legal instruments.

Section 3.3

“The Parties shall not engage in any acts of violence against children, girls, women and the elderly and more importantly, they shall support the reunion of families;”

The gravity of engaging in violence against women and girls is immediately negated by the second part of the sentence, which states that supporting family reunification is more important than refraining from violence. This is particularly concerning when one considers that the reality

of the process of family reunification in humanitarian emergencies consistently places the inordinate burden of care on women and does not include additional support to offset this impact. Additionally, the singular focus on naming women and girls negates the recognition that male civilians, both men and boys, are subject to violence in the context of conflict as well.

Section 6.3c

The [Monitoring and Verification Teams] at local levels shall: “identify the local committees from traditional and religious leaders, women and youth representatives;”

Sections 5 and 6 of the CoH address the establishment and composition of the Monitoring and Verification Mechanism (MVM) and the Monitoring and Verification Teams (MVT). Although there is guidance on composition, including the direction in section 6.1 that the MVTs should “include a mix of civilians, and individuals with military background,” there is no language instructing gender balance or at least a minimum percentage of women to be included in the MVM or the MVTs. This oversight was a significant missed opportunity to mandate women’s participation and gender sensitivity in the process. Section 6.3 is the only place where the participation of women is instructed, though these local committees were never established. This failure was due to a number of challenges arising from having international teams of military/ex-military personnel who were unskilled in community relationship building (discussed in more detail below).

IMPACT ON IMPLEMENTATION

In the case of South Sudan’s CoH, the agreement’s ambiguous language most directly impacted the effectiveness of its implementation and monitoring and verification.

A key outcome of the CoH agreement was that it bound parties to the formation of the MVM, the official monitoring mechanism of agreement implementation. IGAD special envoys formed a Joint Technical Committee (JTC), who then selected the members of the MVM. The MVM was established in February 2014, headquartered in Juba and comprising 18 international and regional monitors who were deployed in the MVTs to investigate reports of CoH violations. The size of the MVTs increased significantly by early 2015, numbering six teams of 13 people each. The CoH stated that the local MVTs should: “a) collaborate with local communities in performance of their work, b) have focal points known as local committees whose membership shall be drawn by the MVT in consultation with local community and c) identify the local committees from traditional and religious leaders, women and youth representatives.”⁵⁸

The mechanism faced numerous challenges, but one particularly notable problem was that, for more than six months, the JTC and the MVTs were staffed entirely by either active duty or retired military men from IGAD member states or other nations. In the early weeks of the MVM, credible efforts were made to hire South Sudanese community liaison officers who would then be responsible for setting up the local committees and act as the primary points of contact between the communities and the teams. The initial plan was to deploy these officers together with the MVTs, who would stay together in tented camps. While those tasked with recruitment encouraged both women and men to apply, they were not sufficiently aware of the social, communal, and security dynamics in the locations where the MVTs were to be based. Another challenge was that the hiring process was initially conducted in the capital Juba, which meant that anyone from opposition-controlled areas could not travel to be interviewed for security

reasons. This effectively limited the pool of candidates to those already in Juba, particularly given the requirement that all candidates speak English.

These problems were exacerbated for female candidates, as the deployment design meant that there would be one South Sudanese woman living and working with an almost entirely foreign male team. This would have been seen as physically dangerous for the woman, and many South Sudanese women would struggle to gain the approval of their male relatives (i.e., fathers or husbands) to take on a job with these conditions. After the first few months, the efforts to recruit local liaison personnel were suspended, leaving the MVTs without the benefit of local knowledge or gendered information.

The entirely military-male perspective of the MVTs resulted in a heavy focus on monitoring the military actions described in Section 1 of the CoH, and a lack of attention to the subsequent sections addressing Protection of Civilians and Humanitarian Access (Sections 3 and 4).

Members of the MVTs were comfortable with armed actors, but generally had neither the will nor the skills to engage effectively with conflict-affected civilians, particularly women. Unable to build trust with these stakeholders, the MVTs therefore received limited information from them, resulting in incomplete violations assessments. Meanwhile, neither party respected the CoH and hostilities continued. While some military actions were investigated, daily assaults on civilians—including rape, sexual assault, torture, arbitrary detention, and harassment—went largely unobserved.

Recognizing this significant gap, a South Sudanese advocacy group called the Taskforce on the Engagement of Women⁵⁹ lobbied the MVM leadership and the US government, its primary funder, to better integrate gender into the MVM and MVT structures. They advocated that the MVM increase women as direct hires, particularly in the critical community liaison roles, ensure gender-mainstreaming the MVTs terms of reference and work “in formal partnership with existing structures and local, national, and international organizations with experience in civilian protection, unarmed civilian peacekeeping, and violence reduction.”⁶⁰ In part due to their advocacy, three women were hired to the MVM as international monitors and at least three female community liaison positions were filled. These positions arguably had the greatest impact on building trust with the humanitarian and civilian communities by working to increase the awareness of the MVM mandate and activities and accurately monitoring and tracking Sections 3 and 4 of the agreement. In strengthening these relationships, the MVTs improved access to and reporting on conflict-affected communities. In addition, there was a notable increase in reports and investigations of allegations of violence against civilians, particularly sexual violence.

CONCLUSION

South Sudan’s Cessation of Hostilities Agreement was created through a rushed process that did not allow for consensus building, mutual commitment, or inclusive participation. An analysis of this process raises the question of whether limited access to women’s experiences and needs during the CoH’s creation directly impacted to the effectiveness of its implementation. Most notably, the lack of both national and international women on the monitoring teams limited the collection of accurate data on gender violence. While sustained advocacy by both South

Sudanese women and the international community contributed to improvements in the MVM, these issues might have been avoided if women were meaningfully included from the beginning.

In South Sudan, the CoH Agreement had implications for the subsequent comprehensive peace agreement, signed in August 2015. Within that agreement is a critical section on transitional security arrangements, including a permanent ceasefire, which sought to lay the foundation for a peaceful resolution to the conflict. The existing MVM was written into this new agreement, but its structure has not changed. As a consequence, women must continue to fight for significant inclusion in these security arrangements, which remain dominated by the same issues that plagued the first MVM.

CHAPTER IV: MYANMAR’S NATIONWIDE CEASEFIRE AGREEMENT (2015)²

Over the past three years of Myanmar’s “peace roadmap” implementation, the government signed an extensive series of bilateral ceasefire agreements with ethnic armed groups (known as EAOs) with the aim of achieving a nationwide ceasefire. This Myanmar-led and -brokered process culminated on October 15, 2015, when eight of 16 such groups signed the Nationwide Ceasefire Agreement (NCA). Despite a push to make this process ‘all-inclusive’—defined as involving a multitude of government, military, and ethnic armed actors—civil society actors in general, and women in particular, were largely excluded. This case study will briefly examine the roles that women played within the NCA negotiations and what gendered provisions exist in the final text of the agreement.

BACKGROUND

Characterized as one of the longest-running in the world, the armed conflict began shortly after Myanmar’s independence from the British in 1948, when ethnic groups took up arms in a struggle for self-determination.⁶¹ Between 1998 and 2010, 40 EAOs were involved in some form of negotiated ceasefires in the form of unwritten “gentlemen’s agreements.”⁶² In 2011, President U Thein Sein’s quasi-democratic government officially initiated a peace call to armed groups as part of a suite of dramatic reforms. As the first phase of the process of bilateral ceasefire agreements gained momentum, both sides began to understand the need for a political solution. As a result, mechanisms such as the Union Peace Working Committee (UPWC) and the Union Peace Central Committee (UPCC) were created to represent and negotiate on behalf of the

² *This chapter is a shortened version of a forthcoming case study by Allison Muehlenbeck (The Institute for Inclusive Security) and Julia Palmiano Federer (swisspeace)*

government. The Myanmar Peace Center (MPC), a pseudo-governmental organization created by the President to facilitate technical aspects of the peace process for both sides, was also established in 2012.

The term ‘nationwide ceasefire agreement’ was developed by the Working Group on Ethnic Coordination⁶³ and accepted by the government in April 2013, initiating the nationwide ceasefire process. In late October 2013 at the KIO headquarters in Laiza, a conference between the EAOs led to the creation of the Nationwide Ceasefire Coordination Team (NCCT), a body of 16 major EAOs that agreed to work together on the single text document of the NCA.⁶⁴

Over 18 months, the NCCT and the UPWC whittled down more than 100 outstanding issues over nine rounds of talks. Multiple deadlines for signing the NCA were set and missed, and early optimism in 2014 was tempered by renewed clashes between the KIO and the military. As these disputes worsened, the threat of a real breakdown in late 2014 breathed new life into the fraught process. Despite ongoing local conflicts, the government and the NCCT signed an *ad referendum* agreement on the NCA text in late March 2015. In June 2015, the NCCT reviewed the NCA draft text—endorsed by the highest levels of the government—but after intense deliberation, NCCT representatives did not endorse the NCA at that time, deciding that all groups within the team had to sign the agreement for it to be enacted.

However, after months of ongoing negotiation, on October 15, 2015, the Government of Myanmar and eight of the NCCT’s 16 EAOs signed the agreement. Nine groups did not sign, including two major actors: the Kachin Independence Army and the United Wa State Army. The NCA is an open agreement, and the government and ethnic group-signatories continue to encourage the remaining nine non-signatory groups to ratify it. Critically, the signing of the NCA

initiated the beginning phases of the Union Peace Conference (UPC), stipulating that leadership had 90 days in which to release the UPC framework and hold its first convening.

WOMEN IN THE NCA NEGOTIATIONS

During the two year NCA negotiations, delegations from both the government and ethnic armed organizations were fluid, taking a variety of shapes and structures. Ultimately, two women served on the 15-member Senior Delegation (SD), the negotiation delegation for the EAOs: Naw Zipporah Sein and Saw Mra Raza Lin. Notably, Naw Zipporah Sein was selected as the lead negotiator for the SD in June 2015. Saw Mra Raza Lin was the only woman of 13 members of the previous iteration of the SD, the Nationwide Ceasefire Coordination Team. Both the SD and NCCT also had two women serving as formal technical advisors, Ja Nan Lahtaw and Nang Raw Zahkung from the Nyein (Shalom) Foundation.⁶⁵

<i>Negotiation body</i> ⁶⁶	<i>Female Delegates</i>
National Ceasefire Coordination Team (NCCT)	1 of 16
Senior Delegation (SD)	2 of 15
Union Peacemaking Central Committee (UPCC)	0 of 11
Union Peacemaking Working Committee (UPWC)	2 of 52

On the government side, there were two female members of parliament out of the 52 members on the Union Peace Working Committee (the official delegation). Both women, Daw Doi Bu Nbrang and Daw Mi Yin Chan, inconsistently sat at the formal table over the course of the NCA negotiations. No women served on the Union Peace Working Committee's 11 person central committee.⁶⁷ Ultimately, women were included as signatories to the NCA in small numbers: 1 of 10 government signatories, 1 of 24 EAO signatories, 2 of 21 witness signatories, and 0 of 6 international witnesses.⁶⁸

While not part of the formal decision-making structure, women were also involved as observers and logistical supporters during the process. Women in these roles managed the logistics, transportation, notetaking, and even cooking that allowed the actual negotiations to occur. As one interviewee said when reviewing the role of women in the peace process, “we found them in the kitchen preparing food for members of the talks. [The men] joked that when there is no woman, there is no food.”⁶⁹ Female observers noted that these roles allowed women critical access and entry points to the ceasefire process, enabling them to:

1. Watch the proceedings and report out to their civil society organizations about the content and process of the talks—information that was otherwise extremely difficult to obtain. This information was then used for both private and public advocacy efforts to influence the content of the draft, particularly around sexual violence and women’s participation in the political dialogue.
2. Conduct sidebar mediation or advocacy with delegation members in the hallways, using their proximity to delegations to backchannel requests or concerns to members.

Women’s civil society groups and networks have long existed in Myanmar, but their ability to engage in overt advocacy or mass action within the country was very limited until the government reforms in 2011. Advocacy focused on women, peace, and security initiatives within Myanmar has become more frequent in the past three years, with concerted efforts to create more cohesive messaging around the need for women’s participation. Many civil society organizations, including the Women’s League of Burma, Women’s Organization Network, Gender Equality Network, and the Alliance for the Inclusion of Gender in the Peace Process, advocated for a gender quota or women’s perspectives to be considered in the NCA and ongoing peace process. This advocacy took the shape of mass action campaigns as well as direct

advocacy to NCA leadership, ethnic armed groups, the Myanmar Peace Center, the international community, and other officials involved in the ceasefire process.

GENDERED TEXT IN THE NCA

The NCA was signed on October 15, 2015. The 12-page document contains seven chapters, laying out the terms and conditions of the union-level ceasefire agreement and subsequent processes.

Specifically, the NCA chapters are as follows:

- Chapter 1 - Basic Principles
- Chapter 2 - Aims and Objectives
- Chapter 3 - Ceasefire Related Matters
- Chapter 4 - Maintaining and Strengthening Ceasefire
- Chapter 5 - Guarantees for Political Dialogue
- Chapter 6 - Future Tasks
- Chapter 7 - Miscellaneous

Within these, women and/or gender are explicitly referenced in three sections: basic principles, the protection of civilians, and participation in the political dialogue. It is also important to remember that references to “inclusive” processes or participation throughout the NCA refer to ethnic diversity rather than gender.

Chapter 1 – Basic Principles

Section 1, Clause d: Guarantee equal rights to all citizens who live within the Republic of the Union of Myanmar; no citizen shall be discriminated against on the basis of ethnicity, religion, culture or gender.

While this clause provides space for individuals to raise concerns of discrimination, it does not define what constitutes discrimination or how to resolve allegations. Myanmar does not have a specific anti-discrimination law on sex or gender to clarify these clauses. However, it is committed to non-discrimination under CEDAW obligations, which it ratified with reservations

in 1997. The 2008 Myanmar constitution also includes a clause that is very similar to the NCA language: “The Union shall not discriminate any citizen of the Republic of the Union of Myanmar, based on race, religion, official position, status, culture, sex and wealth.”⁷⁰ (Constitution of the Republic of Myanmar 2008) However, according to groups such as the Gender Equality Network, the broad language included in these clauses “does not satisfy CEDAW requirements to also define and prohibit direct and indirect discrimination against women.”⁷¹ Additionally, the use of the term “citizen” in the NCA clause may not extend to non-citizens living in Myanmar, including stateless populations such as the Rohingya.

Chapter 3 – Ceasefire Related Matters

Chapter 3, Section 9: Protection of Civilians

The Tatmadaw and the Ethnic Armed Organizations shall abide by the following provisions regarding the protection of civilians: [...]

Clause m: Avoid any form of sexual attack on women, including sexual molestations, sexual assault or violence, rape and sex slavery.

Clause n: Avoid killing or maiming forces conscription, rape or other forms of sexual assault or violence, or abduction of children.

In the English translation of the NCA, sexual violence is to be “avoided,” though others have said that it is more akin to “not to” in the Myanmar language. Regardless, sexual or gender-based violence is not explicitly a violation of the accord, and there is no mechanism designated to monitor or verify this provision. This task will fall to the joint monitoring teams, which consist exclusively of government, military, EAO actors, with limited space for civilians. There is no quota or target for women’s participation in the design or implementation of the union or state-level joint monitoring teams. Without mandating women’s or civil society’s engagement, it is unlikely that they will be effectively incorporated into these efforts.

Chapter 5 – Guarantees for Political Dialogue

Chapter 5, Section 23:

We shall include a reasonable number/ratio of women representatives in the political dialogue process.

The Union Peace Conference, referred to here as the political dialogue, will determine the future of peace and governance in Myanmar. Chapter 5 outlines the roadmap for this process and the actors who will participate in accordance with the ‘all-inclusive principle.’ It is unclear from the NCA language how this exact ‘reasonable number’ would be determined, if it would apply equally to each government, military, or ethnic groups participating in the dialogue. There was also no penalty described for groups that do not achieve this designated threshold.

Based on interviews with women and men involved in the process, the language around women’s inclusion grew out of an ongoing lobbying effort by civil society groups and female EAO delegates for a 30 percent quota. Through these combined efforts, the EAOs jointly agreed to include a 30 percent quota in their final demands to amend the NCA in June 2015. Multiple interviewees recounted an EAO leadership debate on the exact percentage. Women’s organizations and members of the NCCT suggested a stipulation for “at least 30 percent women,” in keeping with CEDAW. Those at the table raised a concern that this language could allow up to 100 percent women in the dialogue, which would not be appropriate. They countered with “up to 30 percent women,” so there would be a cap. Finally, parties supposedly agreed on “30 percent women,” removing the “up to” or “at least” qualifiers.

Why this specific percentage was ultimately omitted from the NCA remains unclear, but a statement released by the Women’s League of Burma a day before the signing of the NCA ascribed some blame: “The WLB is also concerned at Naypyidaw’s failure to ensure women’s participation in the peace process. Ethnic armed groups agreed at the Law Khee Lar summit last

June to amend the NCA text to guarantee a quota of at least 30 percent women in future political dialogue. However, Naypyidaw has refused to amend the text.”⁷² Other women’s groups have also blamed the government for “reneging” on a promise to amend the NCA draft to state a target number.⁷³

IMPACT ON SUBSEQUENT PROCESS

The NCA had a direct influence on the actors, design, and implementation of the peace process and ceasefire monitoring mechanisms in Myanmar. The signing of the NCA triggered the beginning of the formal peace process, the Union Peace Conference, which started on January 12, 2016. It is focused on resolving the issues around the Myanmar’s armed conflict and building national reconciliation, with an emphasis on five topics: political, security, economic, social, and land and natural resources.⁷⁴ The body comprises 700 members from government, military, parliament, ethnic armed organizations, political parties, ethnic representatives, and others such as academics and community leaders. The UPC is slated to run for 3-5 years, with state-based dialogues and specialized outreach sessions for different interest groups throughout.⁷⁵

The NCA’s language stating “a reasonable number/ratio of women representatives in the political dialogue process” was transferred directly from the agreement into the framework of the political dialogue, which then added that parties should try to select 30 percent female delegates. The lack of mandate or political will around women’s participation led to stark numbers at the outset of the UPC. As of January 2016, only two women served on the 48 member Union Peace Dialogue Joint Committee (UPDJC), the leadership body of the Union Peace Conference.⁷⁶ Women were just 7 percent of the Union Peace Conference when it first convened.⁷⁷ However, at the conclusion of the first meeting of the UPC in January 2016, a proposal was approved by the

conference to require “at least 30 percent participation by women at different levels of political dialogues according to the political dialogue framework of the nation-wide ceasefire agreement.”⁷⁸ How that quota is to be designed and applied still remains a question, but the influence of the earlier 30 percent discussion among EAOs is evident.

Another concern with this language is that it is limited to the political dialogue and does not extend to other technical bodies, such as planning and implementation teams at the union or state level as was seen in Chapter 3 of the NCA. Again, this lack of a mandate around women’s participation has direct consequences: there are currently no women in the Joint Implementation Coordination group or on the Joint Ceasefire Monitoring Committee at the national level, and only three women on the 48-member Union Peace Dialogue joint committee. Together, this adds up to a 3 percent rate of inclusion of women across all NCA implementation mechanisms.

<i>Implementation body</i> ⁷⁹	<i>Inclusion of women</i>
Joint Implementation Coordination Meeting	0 of 16
Union Peace Dialogue Joint Committee (UPDJC)	3 of 48
Union Peace Conference - January 2016	45 of 700

CONCLUSION

Women had limited participation throughout the formal NCA negotiation, but there were signs of increased inclusion: one woman served as the Senior Delegation (SD) lead negotiator to the NCA on behalf of the EAOs, one as a member of the SD and nationwide ceasefire coordination team on behalf of the EAOs, and two in the governmental delegation. The presence of two female advisors and numerous observers to the process also provided needed space for women’s voices and gender considerations to be heard both at and near the table. The text of the Myanmar

nationwide ceasefire agreement is also fairly advanced on gender, containing three explicitly gendered stipulations: non-discrimination on the basis of gender; avoidance of sexual violence as part of the protection of civilians; and “a reasonable number/ratio of women representatives” to participate in the subsequent peace process.

However, women’s presence in these negotiations in such small numbers leads to a question of how often and well they were able to raise issues of specific importance to women and girls, and what ultimate influence they had on the final text. It is possible that these gendered stipulations would have had broader interpretations and stronger mandates for enforcement and monitoring with more women at the negotiation table. Notably, the text does not refer to women combatants or raise gender-specific issues around DDR, entirely ignoring the role that women played as combatants or supporters of EAOs.

The ambiguity of terms around women’s participation in the political dialogue and ceasefire monitoring teams has already had detrimental effects on women’s meaningful representation in these subsequent processes. The lack of women’s representation in ceasefire monitoring efforts could have a direct impact on the quality and type of reporting collected on gender-specific violations, particularly around sexual violence, excluding the population most affected by conflict. Critically, the NCA created a foundation for the political dialogue, which will determine Myanmar’s future. Women’s participation at only 7 percent of 700 delegates in the initial session is a direct consequence of the NCA’s lack of a mandate for their inclusion moving forward.

CHAPTER V: HYPOTHESES ON WOMEN, GENDER, AND CEASEFIRES

Analyzing the information gleaned from our literature review and case studies, we have deduced several hypotheses as to how women and gender *may* impact ceasefire negotiations and the resultant agreement. These are categorized by phase—namely, the implications of inclusion for:

- 1) determining actors, process, and structure for subsequent comprehensive peace negotiations;
- 2) the text of the ceasefire agreement itself; and 3) the implementation, monitoring, and verification of the agreement.

ACTORS AND PROCESS

- 1. The parties included in ceasefire negotiations inform and define the parties included in subsequent political negotiations. Therefore, if women are included in pre-negotiation phases, they are more likely to be included in subsequent processes.*

Traditionally, those who negotiate official ceasefire arrangements go on to become those who negotiate the political settlements that follow. The 1999 Lusaka Ceasefire Agreement, negotiated to cease hostilities in the Democratic Republic of the Congo, is one example of this. Chapter 5 of the agreement codified who would take part in the subsequent inter-Congolese political negotiations⁸⁰ and made no stipulation for women's inclusion. Delegate selection procedures therefore produced only six women delegates out of 73.⁸¹ It was only after these six delegates collectively demanded a 30 percent participation quota that adjustments were made to the selection process, bringing the number of women delegates to 40 (11 percent).⁸² In this case, the onus was on the women, who were in the minority, to justify the need for more inclusive representation of not just the country's population, but those most deeply affected by the conflict.

Women were similarly excluded from the Bougainville (Papa New Guinea) peace process by The Lincoln Agreement—a 1998 interim ceasefire that invited the UN to mediate ensuing peace

negotiations. In this case, 50 women peace advocates were invited to participate in the ceasefire negotiations. At its signing, they presented a statement calling for their inclusion in the ensuing peace negotiations. This statement was not included in the final ceasefire text. Women were therefore formally excluded from all subsequent stages.⁸³

As outlined in Chapter 1 of this paper, research demonstrates the correlation between women's meaningful inclusion in peace negotiations and the sustainability of resulting accords. Still, despite the growing understanding of the importance of these preliminary agreements, little has been written on the value of inclusion at this stage. Christine Bell is one of few exceptions, who points out in her analysis of the quasi-constitutional character of peace agreements that "exclusion of women [from pre-negotiation agreements] cuts them out of processes that are essentially processes of constitution-making that both chart a road out of conflict and put in place the political, legal, and economic structures of government...and set in place funding streams."⁸⁴ However, further research is needed to investigate the extent to which this hypothesis holds true.

If we know that women's inclusion in political negotiations improves the outcomes of said negotiations, and we can say that the actors most directly engaged in pre-negotiations processes define and/or become the actors in subsequent negotiations, then we might conclude that one or both of the following is necessary: 1) the mediator and parties to the pre-negotiations are held accountable for assuring women's inclusion in the ensuing political negotiations; 2) women must be included in pre-negotiations to participate directly in shaping the structure and process of ensuing political negotiations.

2. *Popular pressure can serve as an equal or greater incentive for parties to negotiate a ceasefire as a mutually hurting military stalemate.*

Ripeness theory suggests that “the exploration of optimal timing and conditions for mediators to end violent conflict, has general relevance to the ceasefire question as well, positing, among other factors, the parties’ perception of a ‘mutually hurting stalemate’ that inclines them to cooperate with the mediator.⁸⁵ Questions remain as to whether popular pressure can play a similar role—essentially, if there is no mutually hurting stalemate but the public mobilizes to demand that belligerent parties negotiate an end to the conflict, can we consider the conditions ripe for mediation?

The focus on mutually hurting military stalemates often overlooks the role of active civil society peace initiatives—many led by women—that may also be underway.⁸⁶ In doing so, it ignores the role of women and civil society in “ripening” conditions for a ceasefire, anecdotal evidence of which is scattered throughout the literature on peace processes.

Where these contributions have been missed or omitted from the official record, civil society organizations, such as The Institute for Inclusive Security, have picked up the slack in documenting the courageous work of thousands of unnamed women and men. Take, for example, the Liberian Women in Peacebuilding Network (WIPNET) and the Mano River Women’s Peace Network (MARWOPNET). These organizations succeeded where the UN could not by bringing President Charles Taylor to the negotiating table with rebel leaders from Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL). Much has been written about the sit-in that WIPNET organized at the peace talks, where 200 women refused to let negotiators leave the room until they came to an agreement. A detail that is often lost in the broader story, but points to the role of women and

civil society in “ripening” conditions, is that the first agreement to come out of these talks was a preliminary ceasefire. Like others, it called for comprehensive peace negotiations within 30 days and set the agenda of issues to be discussed.⁸⁷

The Mindanao People’s Caucus, a network founded by Mary Ann Arnado of more than 100 civil society organizations, played a similar role in the Philippines. A case study of the MPC documents its early and leading role in the grassroots campaign for a ceasefire. The Caucus “contributed to forging the ceasefire in 2001 by orchestrating a large demonstration on the highway” and successfully lobbied for—and would later join—the international ceasefire monitoring team.⁸⁸

The pressure that women and civil society bring to bear on belligerent parties may also help propel conflicts “frozen” by ceasefires towards peace. As Chounet-Cambas explains, some armed groups strategically enter ceasefires to consolidate their gains on the battlefield.⁸⁹

Ceasefires may also freeze conflicts if they reduce the costs of war without providing sufficient incentive for moving towards peace negotiations.⁹⁰ Indeed, according to an in-depth study of 40 peace processes since the end of the Cold War, one of women’s most consistent contributions was their push for negotiations’ commencement, resumption, or conclusion when talks had stalled.⁹¹

Because they typically suffer disproportionately from modern warfare, women and civil society have, perhaps, the largest vested interest in moving frozen conflicts towards peace. As such, they are arguably the greatest allies to the mediator and other peace proponents in ensuring that ceasefires maintain momentum toward political negotiations. While the loss of popular support is a price parties to the conflict often pay, it is rarely factored into a mediator’s calculations. To

leverage this influence, however, women and civil society must be included so they will have: 1) ownership of the process; 2) thorough understanding of the parties' commitments; and 3) capacity to serve as a post-agreement watchdog.

TEXT

3. If women and civil society are included, the definitions of the hostilities to be ceased will be more robust.

Pre-agreement analysis and consultations are key to designing a sustainable ceasefire.⁹² A mediator's preparations for ceasefire negotiations typically include advance assemblage of a list of hostilities. Ideally, this list is compiled based on available data and consultations with conflict-affected populations.⁹³

The UN, in its High-Level Seminar on Gender and Inclusive Mediation, advises convening pre-negotiation public fora, including "a women's forum, a forum on human rights (and abuses), including conflict related sexual violence... Information from such consultations can be used to raise issue[s] in discussion with the parties."⁹⁴ During the recent ceasefire negotiations between the government of Colombia and the Revolutionary Armed Forces of Colombia (FARC), for example, civil society mobilized to organize a series of regional and national forums focused on victims of violence. According to the US Institute of Peace, "[the delegations to the negotiations] announced that they were inviting a delegation of victims to participate in the peace talks, and requested that the United Nations and the National University convene a series of forums for victims to present their proposals for satisfying their rights to truth, justice, reparations and non-repetition."⁹⁵ Over the coming months, women were a leading presence in the victims' delegations and were invited to present their proposals directly to the negotiation delegations in Havana.⁹⁶

Such consultations were used in the Burundian context to inform the cessation of hostilities in Chapter III of the 2000 Arusha Peace and Reconciliation Agreement. By establishing a consultative body made up of civil society activists (many of whom were women), the mediators brought to light additional hostilities that the armed groups had left off their lists. The Burundians most affected by violence were therefore able to define hostilities in a way that more holistically reflected the concerns of civilians. The mediators used these outcomes to advance more comprehensive language in the agreement, playing heavily on the belligerents' purported accountability to their people.⁹⁷ Notably, the final text of Chapter III included a ban on "all acts of violence against the civilian population—summary executions, torture, harassment, detention and persecution of civilians on the basis of ethnic origin, religious, beliefs and political affiliations, incitement of ethnic hatred, arming of civilians, use of child soldiers, sexual violence, training of terrorists, genocide and bombing of the civilian population."⁹⁸

While the African Union Commission of Inquiry on South Sudan might have served a similar role in informing the list of prohibited hostilities in the South Sudanese Cessation of Hostilities, it unfortunately failed to map out a strategy for feeding the results of its public consultations into the negotiations. The most inclusive mechanism of the Cessation of Hostilities process thus petered out, its 304 pages of insight made public but with little accountability or impact. As Thania Paffenholz observes, consultative mechanisms achieve little in the way of inclusion without appropriate transfer strategies to bring their results to the negotiation table.⁹⁹

- 4. If women and civil society are included in ceasefire negotiations, there will be greater attention to gender and civilian protection in planning for mutual threat reduction and transitional security arrangements. Further, insofar as ceasefire negotiations inform the agenda of subsequent political settlements, the issues on that agenda are more likely to be comprehensive and reflective of citizens' needs.***

In a majority of cases, one can reasonably assume that those most affected by a problem would be best equipped to delineate localized solutions. Needs for civilian protection may not, in fact, be fully understood by the leadership of armed groups, who are often sheltered away from the frontlines of conflict. Meanwhile, women and civil society leaders protect civilians, establish ad hoc safe zones, negotiate local ceasefire agreements as well as the release of detainees, and provide for social and humanitarian need—seemingly impossible work in the midst of war. As a result, they are best poised to outline, for example, a do-no-harm approach for cantonment and to map out preferable locations for assembly sites and demilitarized zones.

The same can be said for women's roles in preventing sexual violence. Often misperceived as an unfortunate, but inevitable feature of war, sexual violence is rather a weapon that, left unaddressed, can leave conflicts raging. The UN says this on mutual threat reduction: “[if] when guns fall silent, raping...continues unchecked...ex-belligerents can claim to adhere to the formal terms of a peace accord while waging a proxy war on one another's women.” The result of this proxy war, the UN notes, is the continuation of violence, where a “...license to loot and rape at gunpoint (be it implicit or explicit) can prolong conflict, providing incentive for irregularly-paid rebels to continue or resume the fight.”¹⁰⁰ Sexual violence is also a powerful tool employed by armed groups for emptying of territory.¹⁰¹ Attacking women in a community not only causes irreparable psychological and physical harm to those women, it demoralizes men, and often forces families to flee.

Valerie Hudson led a research study of 141 nation states to identify key determinants of state fragility, analyzing variables for level of democracy, economic wealth, culture, and violence against women. Her findings reveal that the single best predictor of a state's peacefulness is the level of violence against women that exists within its borders.¹⁰² This research is groundbreaking

in that it contextualizes the sexual and gender-based violence that precedes and follows ceasefire and peace agreements as the greatest threat to the peace that mediators are trying to negotiate.

Women frequently bring issues of gender and civilian protection to the table during negotiations, which enhances inclusion in subsequent processes and implementation.¹⁰³ During Myanmar's NCA process, women's representation at and around the table led to the ceasefire text including a specific commitment to women's participation in the subsequent peace process. Improving the conditions of uprooted populations is critical to sustaining peace, yet these concerns often would not be considered if women did not bring them to light. For example, Sudanese women peace builders pushed for the inclusion of humanitarian, social, and economic considerations in the 2005 Comprehensive Peace Agreement. They underscored the need to attend to the hardships of conflict-affected people, particularly refugees and the displaced. During talks with the Lord's Resistance Army, Ugandan women and civil society shaped the accord to make health and education central in the agreement on disarmament, demobilization, and reintegration; create a compensation fund for victims; and define a "ceasefire" to include halting gender-based violence by combatants.

This is not to say that allied men cannot do the work of ensuring the gender equality provisions are reflected in text of agreements, but rather to posit that those provisions are likely to be stronger if women negotiate them directly. In Guatemala, women had a conspicuous impact on the formal negotiations, engendering the accord and bringing important issues to the dialogue. Working through the Assembly of Civil Society, women's groups channeled their recommendations to Luz Méndez, the only woman on the Guatemalan National Revolutionary Unity (URNG) negotiating team. "While I was sensitive to women's issues," Méndez later stated, "the ACS provided me with concrete recommendations to present at the negotiations."

Mendez and others were able to build specific commitments for women's equity into the accords, including demands for “equitable participation by all citizens, both men and women, on the basis of complete political and ideological pluralism.’ Five of the 11 peace agreements that make up the official peace accord call for the recognition and protection of Guatemalan women's rights.”¹⁰⁴

5. If gendered language is included in the text of ceasefire agreements, monitoring and verification mechanisms are more likely to include a mandate, and related Standard Operating Procedures for data collection and reporting, on sexual and gender-based violence.

If the arguments outlined in Hypotheses 3 and 4 are correct, we can conclude that attention to gender and civilian protection in the text of ceasefire agreements is more likely to be reflected in its implementation. UN Department of Political Affairs guidance produced in 2013 for mediators includes an obligation “to require sexual violence to be included in the definition of acts covered by a ceasefire and monitored.”¹⁰⁵ But this stipulation is not binding, nor are mediators outside of the UN obliged to comply with it. Posited here and above is that women's inclusion can help mitigate the risk of this language being omitted, increasing the likelihood that there are better defined reporting requirements, and that instruction for how the monitoring teams are formed—who they comprise, how they operate, etc.—will more accurately address the need for data on conflict-related sexual and gender-based violence violations. As Christine Bell notes, “whether issues such as sexual violence are included in ceasefire agreements will determine what will be regarded as a ceasefire violation, what violations will be monitored, and often whether the issue will be further addressed in any comprehensive peace settlement.”¹⁰⁶ However, commitments codified in the text of agreements are meaningless unless they materialize.

IMPLEMENTATION, MONITORING, AND VERIFICATION

6. Women's and civil society's inclusion in monitoring and verification teams is likely to enhance ceasefire violation reporting and accountability

Typically, accountability measures—such as monitoring and verification teams—are used to help ensure the implementation of agreements. These mechanisms are often mandated in ceasefires, including proposals for the composition of the teams, selection of individuals involved, and level of consultations with local communities. Hybrid missions of armed and unarmed monitors, drawn from militaries and civil society, may play a large role in countries where culpable governments obstruct the authorization and deployment of armed UN peacekeeping forces.¹⁰⁷ Civil society's existing networks may also help to offset the challenge of rapid mobilization of monitoring missions, widely acknowledged as critical to preventing post-ceasefire security vacuums.¹⁰⁸

In certain conservative cultural contexts in which women are prohibited from speaking with men to whom they are not related, an all-male monitoring and verification team essentially precludes direct reporting by women. South Sudan's Monitoring and Verification Teams (MVTs) are an example where sexual violence was included in their reporting requirements, but the largely male, military, international observer teams likely impacted reporting of sexual or gender-based violence. Six months after they began operations, the added presence of a female Humanitarian Adviser led to a notable increase in investigations of allegations of violence against civilians, particularly sexual violence. Similarly, in October 2008, the Chad EUFOR gender adviser got approval from the force commander for a series of women-only community meetings by reporting entirely new information about the local area. In one meeting, for example, "local women revealed security information in a conversation about how they collected water and

firewood. The presence of armed groups in nearby mountains was causing the women to collect in new locations. No community men traveled regularly to the mountains; only women were privy to this information.”¹⁰⁹

In the case of international monitoring missions, interviews with NATO personnel revealed other examples of citizens being more willing to share information with Western women than Western men in some circumstances: “It is more appropriate for female soldiers to address issues related to women with local tribal leadership than it is for Western men to do so. Interviewees shared examples of men revealing information about specific security threats only to female NATO personnel and even refusing to share details with other men.”¹¹⁰

The inclusion of women and civil society in ceasefire monitoring missions may also enhance the perceived impartiality of those conducting the mission. Impartiality in these matters is deemed by Potter to be “without question, the most important quality for a ceasefire monitoring force.”¹¹¹ Research shows that, when entering space held by different identity groups, women suffer less racial, religious, or ethnic discrimination than men. They are also less likely to be feared than men when from an outside social group, positioning them well to serve as impartial monitors.¹¹²

Such is the case of Bantay Ceasefire (translation: Ceasefire Watch), an independent organization founded by the aforementioned MPC to monitor the 2002 ceasefire between the Armed Forces of the Philippines and the Moro Islamic Liberation Front. Bantay Ceasefire is entirely civilian, comprising men and women from all three of the islands’ ethnic groups—including an all-women’s community-based ceasefire monitoring group. As of 2012, it counted nearly 1,000 volunteers and covered seven provinces.¹¹³ Though initially derided for its lack of military expertise, Bantay Ceasefire quickly established itself as an impartial and reliable resource. It

investigates violations by all sides, earning it the respect of all parties to the conflict.¹¹⁴ In addition to documenting violations and demanding accountability, Bantay Ceasefire reports on the needs of internally displaced persons (IDPs) and educates groups on the provisions of the ceasefire agreement.¹¹⁵ In 2009, in recognition of its effectiveness and impartiality, Bantay Ceasefire was invited to join the International Monitoring Team, lending the international monitors a degree of local legitimacy.¹¹⁶

Bantay Ceasefire's all-women groups were created in "an effort to not only give women their rightful place in civilian protection work, but to sensitize their male counterparts about gender equality."¹¹⁷ Since the establishment of these groups, there has been "a significant increase in reporting of the situation on the ground from women at the grassroots concerning ceasefire violations, the needs of displaced people, human rights and civilian protection."¹¹⁸ Male counterparts took notice: "Colonel Dickson Hermoso has reflected that 'mothers, sisters, daughters, aunts and nieces—these women bring a unique perspective and a different approach in protecting the safety of their homes and communities... Women are more effective because they are not threatening and people can easily connect with them.'"¹¹⁹ Another member of the military, General Ariel Bernardo, former Chair of the Government Ceasefire Committee, also reflected that "our soldiers are now more afraid to commit any violation against civilians because of the women monitors who are constantly watching their movements and behaviour in the communities."¹²⁰

Partnering with civil society in ceasefire monitoring is also likely to improve relations between local populations and multinational missions, encouraging civilians to report early-warning indicators of resumed hostilities and improving monitors' situational awareness.¹²¹ The case of Bantay Ceasefire is again instructive in this respect; the organization serves as a trusted

interlocutor between Mindanao's civil society, the Philippine security sector, and belligerent parties. As Noma explains, "the formation of Bantay Ceasefire was a deliberate attempt to connect the horizontal peace process (happening at the grassroots level among civilians in the three communities) with the vertical process occurring at the highest levels of leadership."¹²² In doing so, it also provides citizens with an opportunity to influence the conflict without joining the armed groups.¹²³

With greater access to women than their male counterparts, female monitors are also likely to improve mission capabilities to monitor sexual violence violations. Research demonstrates that women are more likely to report incidents of gender-based violence to female officers.¹²⁴

Accordingly, UN/DPA mediation guidance for addressing conflict-related sexual violence encourages mediators to include language to establish "a ceasefire observer modality, comprised of a civil society or NGO non-violent 'peace force' with expertise in conflict-related sexual violence." It also emphasizes the need for female monitors who speak the local language to "ensure access to and interaction with female victims," noting that male victims of sexual violence may also be less reluctant to speak about their experiences to female monitors.¹²⁵

7. If women and civil society are included, ceasefire processes are more likely to have broader public support, which then correlates to popular ownership and localized accountability pressuring the parties' compliance on implementation.

"Avoiding triumphalism and provocative statements on both sides will be a major part of a mediator's work. He or she can, both at the negotiation and during the monitoring stage, work with the parties to decrease the use of hostile propaganda and inform broader constituencies about the spirit and letter of the ceasefire agreement. This has proved to have a direct and positive impact on a number of negotiation processes and has been done through radio broadcasts, leaflets, TV programmes, as well as the use of theatre. In so far as it encourages the group's' leadership to communicate clearly and regularly on the process and its achievements, public information ensures wider exposure and can contribute to enhanced accountability"¹²⁶ – HD Centre for Humanitarian Dialogue

What HD misses in this analysis is the role that civil society plays as a critical information vector, connecting the local with the national. The more aware citizens are of the components of an agreement, the more likely they are to hold belligerents accountable. The content of the agreement must therefore be simplified and made relatable in language people can understand. This is a task long taken on by women and civil society leaders, particularly in rights education and awareness raising; armed actors may also not have the existing trust and communication lines with civilian constituencies. Signatories to an agreement are best advised to leverage these existing networks than initiating parallel efforts. For this to work, women and civil society leaders must feel ownership over the content of the accord, a feeling which, as O'Reilly, O'Suillebhain, and Paffenholz found in their extensive study of this issue, is more likely cultivated when women and civil society are directly included in the negotiations.¹²⁷

Further validating this finding, The Institute for Inclusive Security reports that a “cross-national analysis of postwar contexts since 1945 with a high risk of backsliding into conflict found that where women enjoy a relatively higher social status, the prospects for successful peacebuilding are greater, because the local population’s participation in peacebuilding policies and activities increases. In other words, women have a direct positive impact on post-conflict reconstruction because they have a voice themselves and they elicit broader societal participation.”¹²⁸

Take the case of Liberian women’s role in educating and enabling the public to serve as a “watchdog” of the peace agreement, which can be easily translated for application to ceasefires. The Comprehensive Peace Agreement (CPA) was signed in Accra in 2003, ending 14 years of back-to-back civil wars. WIPNET shifted its focus soon after from mediation to implementation. USIP documented that when the coalition noticed “that the CPA had no clear outline of when specific tasks would be completed, [they] organized a five-day workshop to identify benchmarks

in the implementation of the CPA. The goal of the workshop participants was to disseminate clear information to the Liberian public—women in particular—on when certain tasks should occur, empowering civil society to be a “watchdog” over implementation of the peace agreement.”¹²⁹ Through this process, WIPNET shared information about the peace agreement and engaged women in the CPA implementation. Despite this, women still struggled to be included in the formal disarmament process, engaging where and when they could with fighters to try to convince them to lay down their arms.

In Rwanda, women took the lead in rebuilding and healing their society in the aftermath of genocide. Because most of those killed were men, and because many male perpetrators fled to neighboring nations, 70 percent of Rwanda’s post-genocide population was female. Faced with ensuring their families’ survival, a women’s movement emerged throughout the country to create stability in the aftermath of violence. Aloisea Inyumba, the country’s first Minister of Family, Gender, and Social Affairs, was a leader of this effort, directing “the burial of 800,000 dead after the genocide, the resettlement of refugees, and a national adoption campaign that reduced the number of genocide orphans in Rwanda from 500,000 to 4,000. She led Rwanda’s Unity and Reconciliation Commission, where she used national public dialogues to promote reconciliation between Hutus and Tutsis. She was also responsible for the implementation of the gacaca courts, a trailblazing participatory justice mechanism to address war crimes.”¹³⁰

Revisiting the case of Bantay Ceasefire in Mindanao, their mission extended beyond monitoring the implementation of the ceasefire to include information dissemination and community-based trainings on the provisions of the agreement. Further, the group assumed the role of promoting dialogue among conflicting parties at the community level. In Bantay Ceasefire, “women work alongside men, youth beside their elders, and Christians together with Muslims and indigenous

peoples... [a] major accomplishment of Bantay Ceasefire has been the empowerment of civilians, who have largely been relegated to victims and repeatedly displaced and disempowered by the violent conflict.”¹³¹ As volunteer Brenda Alvarico recalls: “I joined [Bantay Ceasefire] because I wanted to help powerless people like myself...I do this because poor people like us mean nothing to those in power.”¹³²

CHAPTER VI: CONCLUSION

If there is one conclusion we can draw with certainty, it is that more research is needed to better understand the impact of women and attention to gender on the sustainability of ceasefire agreements. Anecdotal evidence and intellectual analysis suggest tangible benefits, but we are often left trying to prove the counterfactual: were the ceasefire negotiations less successful because women were not included? That piece we will never know.

Regardless, we have an obligation to challenge normative assumptions about why inclusion need not apply to the endeavor of negotiating ceasefires. Perhaps instead of investigating *if* the inclusion of women and civil society matters, we should be questioning our current normative approach, which seems to have failed on so many accounts.

To determine more effective ways to end wars, we have to look at what we know. First, ceasefires are critical for confidence- and trust-building, which are necessary for pursuing comprehensive peace negotiations. Ceasefire negotiations play a predictive and determinate role in the form and function of ensuing peace negotiations. The success of ceasefires is reliant on the will and ability to force compliance on armed actors. Given the prevalence of non-state armed groups, women and communities fulfill a critical accountability function in this regard.

Second, we know that violence against women is one of the strongest determinates of state fragility—whether it occurs pre- or post-ceasefire negotiations. Women have a positive impact on the success and sustainability of comprehensive peace negotiations—not least because they tend to advocate for gender-sensitive language and the promotion of equal rights. Despite their proven ability to positively affect outcomes and their disproportionate suffering during and after

wars, women are continually excluded from peace processes, only representing 9 percent of peace brokers between 1992 and 2011. Women's participation appears to be most acutely limited during the early stages when cessation of hostilities and ceasefires are negotiated, which are largely considered to be the purview of armed actors. Therein lies the central hypothesis of this paper—if women were to be included in pre-negotiations phases such as ceasefires, would the outcome ultimately be stronger? We suggest, yes.

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