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WOMEN, DISPLACEMENT AND SECURITY: AN ANALYSIS

By Ramina Johal ¹

Introduction

Designing responses and remedies for the displaced is dependent upon how this population is defined by policymakers and practitioners. Addressing the needs of women displaced by conflict is further influenced by the application of gender approaches in displacement, humanitarian and peace and security forums.

In adopting resolution 1325 on Women, Peace and Security (2000) the UN Security Council acknowledged women's contributions to peace-building, as well as their vulnerabilities resulting from conflict. This analysis draws particular attention to the situation of displaced women and girls, focusing on the application of gender sensitive approaches as highlighted in the resolution. It proposes that in order to address gender and displacement, key challenges, such as the need for greater synergy between the UN's work on displacement and gender equality, must be met.

Displacement defined

The international community has developed definitions and mechanisms for the protection of displaced persons, who are typically characterized as refugees or internally displaced persons (IDPs):

Refugees are persons who have crossed an international border and who are unwilling or unable to return to their country of origin or habitual residence owing to a well-founded fear of persecution. The 1951 Convention relating to the Status of Refugees and its 1967 Protocol provide the framework for the refugee definition and set out five grounds as the basis for persecution (race, religion, nationality, political opinion, or membership in a particular social group) and hence apply broader than situations of armed conflict. States make refugee determinations on an individual case basis, or *prima facie* to identify a group, in situations where there are large-scale influxes such as armed conflict. The United Nations High Commissioner for Refugees (UNHCR) is the UN agency responsible for refugee protection and assistance.

Internally displaced persons are those fleeing natural disaster or armed conflict, and have not crossed an international border. The Guiding Principles on Internal Displacement (1998) provide a framework for the obligations of states and other actors in protecting the rights of IDPs. Although States are expected to uphold the rights of IDPs—as equal citizens under national and international law—the Guiding Principles were established in recognition of the challenges in addressing the needs of this population. While there is no single UN agency responsible for IDP protection, the Representative of the Secretary-General on the Human Rights of IDPs monitors and advocates for their rights and, as described below, the UN is seeking to enhance coordination of its efforts on humanitarian response to IDPs.

In addition, “*returnees*” – refugees or IDPs that return to their home country or community – can have particular needs or assets. Planning for and monitoring returnee populations is an important component of addressing displacement; if done appropriately the return process can enhance individual, community and state development. If not, returnees might become displaced again due

¹ Ramina Johal is an advocate and consultant on gender, displacement and migration. She can be reached at ramina.johal@gmail.com.

to persecution or poverty, live in isolation and desolation, or contribute to state and community tensions. Return movements can be spontaneous or organized (involving for example established UN, government, and non-governmental cooperation in managing the return; coordinated registration and relocation assistance) and are undertaken by communities, families, or individuals. Although no sole UN agency is responsible for returnees, UNHCR has worked on refugee return, as has the International Organization for Migration (IOM) which holds UN observer status. Other agencies may reach out to returnees in their work such as through reconstruction and development programs.

The distinction between refugees, IDPs and other people who move (migrants) is partly based on the involuntary nature of their displacement resulting from persecution or natural disaster. The same applies to the return phase—refugee law states that return must be voluntary and conditions established for safe return; this principle is also applied to IDPs. While they are distinct from migrants, refugees and IDPs can be hidden in broader migrant movements and vulnerable to trafficking, at times because states and implementing agencies are unwilling or ill-equipped to identify and protect them.

Policy and Practice: Displacement, Peace and Security

The rights of the displaced are protected under human rights, humanitarian and refugee law. This section provides some examples of how displacement is related to peace and security.

UN Security Council resolutions increasingly reference the obligations of UN agencies, states and others to persons displaced by conflict. For example, resolution 1509 on Liberia establishes the peacekeeping mission's role on enforcing the observance of human rights, "with attention to particular vulnerable groups, including refugees, returning refugees and internally displaced persons" and resolution 1542 on Haiti mandates the peacekeeping mission to "monitor and report on the human rights situation, in cooperation with the Office of the UN High Commissioner for Human Rights, including on the situation of returned refugees and displaced persons." Resolution 1674 on the Protection of Civilians in Armed Conflict, a thematic resolution which covers all actors in peace and security, calls for a range of interventions based on the given situation, such as "the inclusion of specific measures to protect civilians and where appropriate their inclusion in mission mandates—such as facilitating the provision of humanitarian assistance and creating conditions conducive to the voluntary, safe and dignified return of refugees and IDPs."

Such resolutions imply a need for the UN and partners to establish a common approach at the country (and regional) level for addressing displaced populations in peacekeeping operations. They also imply a need for collaboration by a range of UN and other actors – including DPKO from the "peacekeeping" arena; UNHCR and WFP considered "humanitarian" actors; and those often considered "development" agencies but which have some focus on conflict or reconstruction, such as the UN Population Fund (UNFPA) and Food and Agriculture Organization (FAO); and those in the "human rights" arena, for example, the Office of the UN High Commissioner for Human Rights (OHCHR). They also indicate a need for the Security Council to ensure attention to displacement in its work on monitoring peacekeeping missions and promoting international peace and security.

Through its mandate to provide assistance and protection to refugees, UNHCR's Statute and the Conclusions of its Executive Committee on the International Protection of Refugees (ExCom) also serve as policy guidance on displacement. Since 1975, ExCom Conclusions have addressed a range of issues, including armed attacks on refugee camps and settlements, statelessness, voluntary return, and family reunification. A series of conclusions are dedicated to refugee

women and to refugee children. Most recently, in 2006 a Conclusion was adopted on Women –at Risk and a proposal has been put forward for consideration of a Conclusion on Victims of Trafficking in the October 2007 ExCom session.

In the case of IDPs, the UN Representative of the Secretary-General on the Human Rights of IDPs (RSG) monitors and helps to advocate for their rights. In this regard, the RSG visits and reports on IDP situations, including countries which are not considered to be in the midst of conflict but host significant populations, such as Colombia and Uganda. The RSG also promotes the development of national policies and laws on internal displacement and mainstreaming IDP issues in the UN system.

Links between humanitarian assistance and peace and security have also been emerging in the past 15 years. For example, the delivery of humanitarian assistance is part of advancing the UN’s work to address gender-based violence and sexual exploitation and abuse in conflict settings. Policies and programs that address the access of refugees and IDPs to assistance programs and that enhance the quality of assistance can reduce a person’s vulnerability to abuse and exploitation. The UNHCR ExCom Conclusion on Women at Risk lays out some of the key issues.

At a broader level, how the UN responds to complex humanitarian emergencies is evolving, which influences its work with refugees and IDPs. Just as peacekeeping operations have become more multidimensional in scope (mandates can include attention to human rights, reconstruction, humanitarian assistance), the UN has been seeking to enhance its approach in its humanitarian work. In response to the upsurge in the number and intensity of civil wars and natural disasters, in 2001 the General Assembly established the InterAgency Standing Committee (IASC) to coordinate the international response to humanitarian crises. The IASC comprises many UN agencies and is chaired by the UN’s Emergency Relief Coordinator -- who also heads the UN Office of the Coordination of Humanitarian Affairs (UNOCHA). The Emergency Relief Coordinator (ERC) is also tasked to ensure that humanitarian issues that fall between gaps in UN mandates—such as protection and assistance for IDPs—are addressed. In this dual capacity, the ERC introduced a “cluster” approach to humanitarian action. Announced in 2005, the approach identifies nine cluster areas requiring greater attention (such as health, camp management, protection and food distribution) and is intended to bolster the UN’s response to IDPs.

Other UN agencies work with refugees, IDPs and returnees, often on an *ad hoc* basis and according to their mandate. For instance, UNFPA has done much work to promote the access of refugees and IDPs to reproductive health care and services in the past 10 years and the International Labor Organization has included the displaced in some of its programs.

Regional organizations such as the African Union and the Organization of American States have also established protocols and policies on the rights of the displaced. Given that displacement is a cross-border issue, such policies are an important source of accountability and implementation.

National and international non-governmental agencies also work on issues for displaced populations – including as UN implementing partners and external advocates. As with the UN, NGOs continue to develop their strategies on addressing the needs of the displaced.

Gender, Displacement, Peace and Security

Where does addressing the needs of displaced women, including through gender-sensitive approaches, fit in the peace and security framework?

Through adopting resolution 1325 on Women, Peace and Security (2000) the UN Security Council acknowledged women's contributions to peace-building, as well as their vulnerabilities resulting from conflict. Article 12 specifically addresses refugees in camps and Article 8 calls for attention to the special needs of women and girls during repatriation, resettlement and post-conflict processes in relation to peace agreements. Notwithstanding debates on gaps in the resolution (for example, lack of reference to IDPs, returnees, or persons residing outside camps; lack of attention to women's access to humanitarian programs and services) it has served as an important vehicle for holding the UN and governments accountable to women's rights in conflict and post-conflict settings. Other resolutions, such as those described above to establish peacekeeping missions and on the protection of civilians in armed conflict, have also been applied to reinforce accountability to displaced women.

The advancement of gender-sensitive approaches in the peace and security arena is another component of addressing the needs of women IDPs, refugees and returnees. Articles 7 and 8 of Security Council resolution 1325 reference gender-sensitive training and applying a gender perspective to ensure attention to the needs of women in repatriation and resettlement. Since 1997 the UN has been tasked to apply gender mainstreaming² as a strategy to promote gender equality in all its operations. At that time, several agencies working with the displaced, such as the WFP and UNHCR, already had programs and structures in place to address the needs of *women* (rather than gender). Although there have been challenges in their approaches, over the years UNHCR and WFP have developed useful tools and analysis on reaching the displaced, as well as on achieving gender equality and gender mainstreaming more broadly.

In addition, agencies such as UNFPA and the UN Development Program are enhancing efforts to bridge their development, humanitarian and crisis prevention work, including through bolstering attention to gender equality. In 2007, UNFPA used Resolution 1325 as an entry point for its conference on women, conflict and displacement (report forthcoming) to further explore the agency's work in conflict settings. Following a detailed review and consultations on its gender strategy, in 2006 UNDP introduced an Eight-Point Agenda for Women's Empowerment and Gender Equality in Crisis Prevention and Recovery (Agenda). The Agenda references resolution 1325.

DPKO has been working to advance gender mainstreaming in its own operations, as well as externally with troop contributing countries and "host" governments. The Department's work on gender-based violence, disarmament, demobilization and reintegration (DDR) in peacekeeping missions may include the participation of IDPs and returnees. In 2007 the Department released a Policy Directive on Gender Equality in Peacekeeping Operations, revised its gender training tools to enhance relevance to the different elements of its work and management structure, and published two evaluations on gender mainstreaming in Sierra Leone and Timor Leste.

On the other hand, the UN's development of strategies and tools for gender equality and gender mainstreaming has been uneven, which can impede efforts to effectively reach displaced populations, and advance peace and security more broadly. While some variety is necessary in order for strategies to reflect the mandates of the respective agency or entity, there is now a recognition of the need for greater system-wide coherence, standards and synergies in the UN's

² Gender mainstreaming is a globally accepted strategy for promoting gender equality. Mainstreaming is not a goal in itself, but a strategy, an approach, a means to achieve the goal of gender equality. Mainstreaming involves ensuring that gender perspectives and attention to the goal of gender equality are central to all UN activities—policy development, research, advocacy/dialogue, legislation, resource allocation, and planning implementation and monitoring of programs and projects. Source: UN Office of the Special Advisor on Gender Issues and Advancement of Women (OSAGI).

work to promote gender equality. Such recommendations are contained in the UN Secretary-General's report on Women, Peace and Security (which reviews the system-wide action plan on implementation of resolution 1325) and in the report of the Secretary-General's High Level Panel on System-Wide Coherence: "Delivering as One," released respectively in September and November 2006.

Two initiatives in this regard are publication of the IASC Gender Handbook in Humanitarian Action (Handbook), and UN Action Against Sexual Violence in Conflict (UN Action). Published in December 2006, the Handbook gives practical guidance on gender analysis, planning and action in all aspects of humanitarian response as a means to standardize the work across agencies. The Handbook was developed by a range of UN and NGO practitioners, tackles cross-cutting issues such as coordination and participation, and the basics on gender in emergencies. The Handbook also informs the cluster approach on IDPs (resulting from conflicts and disasters) with sections on cluster-related areas such as livelihoods, camp coordination and management, and education.

Introduced in March 2006, UN Action unites the work of twelve UN entities towards ending sexual violence in conflict. The aim is to align the UN's work more effectively behind national efforts, and deepen partnerships with NGOs and civil society agencies. Membership cuts across the "security," "development," "humanitarian," and "human rights" elements of the UN's work through participation by DPKO, UNHCR, UNFPA, UNOCHA, and UNDP, as well as the UN Department of Political Affairs (which engages in peace negotiations and agreements), OHCHR, UNAIDS and others.

Although the impact of these efforts has yet to be determined and several challenges remain, both have the potential to build the capacity and response of the UN and governments to advance gender equality in displaced contexts.

In addition to the UN and governments, international and local non-governmental organizations often work as implementing partners of the UN in activities ranging from providing services to setting up and managing camps. Their engagement in compliance with standards for accountability, as well as assessing, applying and designing tools and strategies for refugees, IDPs and returnees is another element to consider if all actors are to act from a common framework.

In their capacity as advocates and human rights monitors, non-governmental organizations and researchers have also brought to the fore issues of concern for refugees, returnees and the internally displaced in policy fora, such as shadow reports to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and related interventions to the CEDAW Review Committee. Credible, well-documented and articulated reports on the situation of refugee, IDP and returnee women can further influence the agenda on advancing gender equality, displacement, peace and security. Some attempts to infuse attention to refugees and IDPs has also been initiated by the NGO Working Group on Women Peace and Security's work on the development of national strategies (including National Action Plans) on implementing UN Resolution 1325 and through supporting presentations by women from conflict areas to the Security Council. The Kosova Women's Network has also used Resolution 1325 for accountability on displacement.

Conclusion

Displaced populations are typically comprised of refugees and internally displaced persons and as such are defined in law and related mechanisms for their protection. Planning for and

monitoring their return is also a key element to ensuring their safety and security. As UN security council resolutions increasingly reference the displaced and links are made across humanitarian, development and security approaches, the international community is being called on to act further to ensure their needs are met. Advances in promoting gender equality including through the application of resolution 1325 as an impetus for gender mainstreaming bring further opportunities to address displacement.

Some of the challenges to addressing gender and displacement resulting from conflict stem from the need for greater synergy in the UN's work vis-à-vis displacement and the promotion of gender equality.

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Resources/Links:

UN Security Council Resolutions

www.un.org/Docs/sc/

See for example resolutions: SCR1509 on Liberia, 22 December 2003; SCR1542 on Haiti, 30 April 2004; SCR1674 on Protection of Civilians, 28 April 2006.

UN High Commissioner for Refugees

www.unhcr.org

See *ExCom Conclusions*:

Passed: <http://www.unhcr.org/excom/3bb1cb676.html>

Proposal for Conclusion on Trafficking: <http://www.unhcr.org/excom/EXCOM/45a753642.pdf>

Representative of the Secretary-General on the Human Rights of Internally Displaced Persons

<http://www.ohchr.org/english/issues/idp/issues.htm>

UN Inter-Agency Standing Committee

General: <http://www.humanitarianinfo.org/iasc/content/default.asp>

See Report: *IASC Handbook on Gender in Humanitarian Action: Women, Girls, Boys and Men—Different Needs, Equal Opportunities* (produced by Sub-working Group on Gender and Humanitarian Action)

UN Office for the Coordination of Humanitarian Affairs

<http://ochaonline.un.org/>

UN Department of Peacekeeping Operations

<http://www.un.org/Depts/dpko/dpko/>

International Organization for Migration

<http://www.iom.int>

Internal Displacement Monitoring Center

<http://www.internal-displacement.org/>

See report: *I am a Refugee in My Own Country: Conflict Induced Internal Displacement in Kenya* (shadow report as basis for submission to CEDAW)

Women’s Commission for Refugee Women and Children

www.womenscommission.org

See reports on gender and displacement: *Room To Maneuver: Gender Mainstreaming in the UN Department of Peacekeeping Operations* (2007); and *Moving Up the Food Chain: Gender Mainstreaming in the UN World Food Programme* (2006)

See reports on trafficking (Thailand/Burma; Colombia, United Kingdom, United States)

Refugees International

<http://www.refugeesinternational.org/>

Human Rights Watch

<http://www.hrw.org/>

NGO Working Group on Women, Peace and Security

<http://www.womenpeacesecurity.org/>

See section on “Displacement, Security Council Resolution 1325 and the Peacebuilding Commission”, pp.21-23 in: *SCR 1325 and the Peacebuilding Commission*. NGO Working Group on Women, Peace and Security (October 2006).

See section on “How Could A National Action Plan on Women Peace and Security Include Hard To Reach Displaced Populations?”, in: *From Local to Global, Making Peace Work for Women*. NGO Working Group on Women, Peace and Security (October 2005).

Kosova Women’s Network

<http://www.womensnetwork.org/>

WILPF PeaceWomen Project

Website featuring Women Peace and security resources on displacement

<http://www.peacewomen.org/resources/Displacement/displacementindex.html>

Brookings-Bern Project on Internal Displacement

<http://www.brookings.edu/idp>