

Rethinking United Nations Security Council Resolution 1325 in the Age of Terrorism: Insights into the Nigerian Perspective

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ABSTRACT

The United Nations Security Council passed Resolution 1325 in 2000, the first- ever Women, Peace and Security Resolution. The Resolution called for the recognition of women as agents of change in conflict prevention and resolution; acknowledged the different impacts of conflict on men and women and the necessity of appropriate protection measures; and underlined the need to include women in peace processes. In the recent past, Nigeria women have faced situations of conflict and insecurity caused by killings, abduction, harassment, rape, unwanted pregnancies, displacement, abduction of school girls in Chibok, floods, the Boko Haram insurgency, etc. In such situations, although the entire population is affected, women and girls bear the brunt. Nevertheless, little attention is paid to how women participate in peace processes. Women continue to be under-represented in these matters as they are only seen as victims in conflict and security situations. For this reason, their experiences are kept private and not the subject of history. This paper seeks to relook at and rethink UNSCR 1325 against the background of the ongoing terrorism in Nigeria, assesses the challenges of non-inclusion of women in peace processes and draws an agenda for Action by way of recommendations.

Introduction

In a world of continuing instability and violence, the participation of women in power structures and their full involvement in all efforts aimed at prevention and resolution of conflicts are essential for maintenance and promotion of peace and security. The marginalization of women during peace and security negotiations and within post-conflict agreements, disarmament, reconstruction and rehabilitation processes, and the importance of increasing their levels of participation are pertinent issues. Peace- building is viewed as an important role for women during post-conflict reconstruction and an opportunity to improve girls' and women's human security. It is in the recognition of this that the United Nations Security Council passed Resolution 1325 in 2000, which was the first ever on women, peace and security. This resolution called for the recognition of women as agents of change in conflict prevention and resolution; acknowledged the different impacts of conflict on men and women and the necessity of appropriate protection measures; and underlined the need to include women in all aspects of peace processes as a pre- requisite to the attainment of sustainable peace. As Vijaya Lakshmi Pandit points out, "the more we sweat in peace the less we bleed in war."

Following on the heels of UNSCR 1325, six additional Resolutions on Women, Peace and Security have been passed: 1820 in 2008; 1888 in 2009; and 2122 in 2013. They provide the basis for advocacy, education, reform and capacity building on gender equality and women's rights as they relate to peace operations. The UN must have recognized that the national implementation of UNSCR 1325 and other related resolutions was an important mechanism for furthering the women peace and security agenda. This was why the Security Council presidential statements (2004/40 and 2005/52) called upon member states to implement Resolution 1325 including the development of NAPs or other national level strategies such as peace policies, gender policies or medium to long term development plans and consistently recommended that they accelerate the development of both national and regional action plans for the implementation of UNSCR 1325.

By October 2015, it was 15 years since the adoption of UNSCR 1325 yet, women's specific needs in refugee and IDP camps and in disarmament and reintegration efforts were still largely unmet. Sexual and other forms of gender-based violence and violence against women and girls

(VAWG) are still prevalent during and after conflicts, and the overall progress in implementing this critical resolution has remained rather slow and inconsistent. So far, only 42 out of the 192 member states have elaborated and adopted NAPS. Nevertheless, UNSCR 1325 has contributed to increased awareness of the need to address sexual and gender-based violence during armed conflict; increased women's participation in peace processes; and stimulated investment in gender trainings for the security sector. There are still major gaps in its implementation, 15 years on.

A NAP reflects the government's commitment as well as accountability in ensuring the security of women and girls during and after conflicts and in enhancing their active and direct participation in conflict efforts. It is a practical and operational tool for those affected by armed conflicts – women and children (who bear the brunt of wars) and communities who need to be informed about the government's response to their plight as well as assistance programmes available to them. The Nigeria government adopted her NAP (National Action Plan) in 2013 in compliance with the UNSCR 1325. Nigeria's NAP adopted 5ps namely, Prevention, Participation, Protection, Promotion and Prosecution. Yet, in spite of the adoption of these international and national legal instruments, violence against women and girls especially in situations of conflict continues unabated. This has been evidenced in the Boko Haram insurgency which has caused grave human rights violations, affecting particularly women and girls and remains a growing phenomenon in Nigeria, leading to fundamental questions about the effectiveness of the instrument.

The question however, should not be whether or not the NAP is effective. Instead, what needs to be assessed is: to what extent is the NAP operationalized and applied using available structures and systems with capacity to empower Nigerian women as enshrined in the Resolution? However, many gaps, challenges, and obstacles persist in moving from rhetoric to actual implementation. The majority of peace processes remain exclusive, with either limited or no space for women and girl's engagement.

Nigeria has grappled with a plethora of conflicts ranging from insurgency, cattle rustling, resource use exclusion, floods, communal violence, and ethno-religious and political electoral crises that have sapped enormous energy and resources. These conflicts have placed a

tremendous burden on Nigerian communities especially women and children who suffer displacement, loss of families, livelihoods, various forms of gender-based violence and the responsibility of sustaining entire communities. This is compounded by life-long socio-economic and psycho-traumatic consequences.

From a socio-economic dimension, armed conflict particularly the Boko Haram insurgency in the country has had a grave impact. Due to the appalling conditions in IDP camps, women are compelled to take care of the children, wounded, sick, desperate and elderly which limits their participation in economic activities. Women also face problems such as food insecurity, water, and poor sanitary conditions. Lack of food in IDP Camps forces many women to engage in commercial sex to sustain their lives. Such challenges leave them traumatized with borderline disorders some of which are often not adequately addressed.

In the past two decades, violent conflicts have ravaged the country and Nigerian women have paid a heavy price in terms of unprecedented levels of sexual violence and many unreported assaults, abductions, torture, human trafficking, family separation, involuntary pregnancies and health complications as a result of rape and other sexual abuses. Yet, this year (2016) marks the 15th anniversary of UNSCR 1325, the supposed landmark resolution on women, peace and security which provided that women' and girls' rights be respected by all parties to a conflict. The Nigerian government is not making good on commitments to condemn these abuses, include more women at negotiation tables discussing protection of victims of violence, and bringing to book those responsible.

As broadly understood, the women, peace and security agenda acknowledges the linkages between prevention and participation, protection, prosecution and promotion which are the pillars of sustainable peace and security. The Nigeria case highlights the challenge of getting new security issues afforded adequate attention in the traditional security sphere, suggesting that while an overarching policy framework would be beneficial, it may not address all the challenges inherent in implementing resolutions such as UNSCR 1325.

Panoramic Survey of Terrorism in Nigeria

Legal protection afforded to women in conflict situations has long been criticized for being divorced from the reality of women's experiences. For instance, the Boko Haram insurgency frequently target women and girls for abuse and sexual violence as a tactic in the war in violation of international Law. Boko Haram has been accused of unleashing a new weapon of war, the girl-child and women suicide bomber, and the recruitment and use of children as child soldiers, in contravention of the UN Security Council Resolution on children and armed conflict (1612), which aggravates the fear that the insurgency has entered a more ruthless phase. The recent trend in the on-going attacks is generally symptomatic of the several deep-rooted socio-cultural practices that shape the perception of women and girls in Nigeria especially in Northern Nigeria. A year ago, over two hundred girls were abducted from a school in Chibok, a village in Borno, North East Nigeria. However, according to a UNFPA (2015) report, about two hundred and fourteen of the girls who were held in atrocious conditions in Boko Haram's Sambisa forest and were rescued by the Nigerian Army are visibly pregnant. The question is: what is the Nigerian government doing to protect and rehabilitate them either within the framework of the NAP or in compliance with UNSCR 1325, or both?

Hundreds of thousands of women have been displaced and even at the IDP camps, they continue to experience increased insecurity that comes from lack of their traditional support systems. They suffer food insecurity that comes from not having an adequate means of livelihood and from culturally prescribed gender-based violence, rape, unwanted pregnancies, HIV/AIDS and in some cases, legal prohibition from owing land. All sorts of conflicts affecting their socio-economic and political advancement have affected them immensely. Women in Nigeria particularly live in fear of being kidnapped and used as war booty, sex slaves and domestic servants. Additionally, they suffer from post-traumatic stress disorder and psychological consequences. The Boko Haram has placed a tremendous burden on Nigerian communities especially women and girls.

The demographic profile of the Round Four (4) of the Displacement-Tracking Matrix conducted by NEMA in collaboration with the International Organization for Migration (IOM) showed that

52% of the IDP populations were female and 48% were male. Children of less than 18 years constituted 56% of the IDP population and more than half of them were 5 years old or younger.

The Potentiality of United Nations Security Council Resolution 1325

UNSCR 1325 requires parties in a conflict to respect women's rights and to support their participation in peace negotiations and in post- conflict reconstruction. In a world of continuing instability and violence, the enforcement of legal instruments and mechanisms/approaches is urgently needed. Attempts to empower as well as protect women in conflicts is crucial, but ultimately an approach that 'adds and stirs' fails to challenge how existing legal provisions, combined with gender-blind national and international institutions, have disempowered women and exacerbated the exploitation of gender stereotypes.

Although Resolution 1325 appears to strengthen the norms on women, peace and security, the framework has regularly been criticized for failing to include benchmarks and targets.

Experiences to date suggest that, if used at all, SCR 1325 is employed by policy makers in relation to peace keeping and DDR Processes. This narrow application risks shortfalls in implementation by overlooking the resolution's provisions on access to decision-making and violence against women, which are important to the overall objective of the Resolution. It is often perceived as a landmark precisely because it aims at supporting the transition of women from victims to actors. For example, Clause 1 focuses on the subject of decision- making by urging member states to ensure increased representation of women at all levels of national, regional, and international institutions and mechanisms for the prevention, management and resolution of conflicts.

To a certain extent, the language of SCR 1325 attempts to displace the exploitation of gender stereotypes and helps to develop norms on women's participation in conflict prevention, conflict resolution and peace building processes. There is growing recognition that women play a number of roles in conflict, and their participation in informal peace processes is encouraged. However, it is particularly difficult for women to gain access to formal decision- making processes.

It is clear that the relationship between gender and international humanitarian law is problematic. Without any amendment to the Geneva Conventions, the adoption of alternative

legal instruments that broach gender in a more sophisticated way and support existing international humanitarian law provisions becomes increasingly important. As evidenced by the shortcomings of SCR 1325 and SCR 1820, the language of security resolutions, though well-intentioned, is limited on how it can aid constructions of gender in armed conflict. Constructions of gender within international humanitarian law are thus constrained without any radical form of redress. In the case of SCR 1325, stronger links need to be established with substantive legal provisions including the Geneva Conventions and respective protocols, the CEDAW and the Rome Statute of the international Criminal Courts.

NAPs as Tools for Implementing United Nations Security Council Resolution 1325

A National Action Plan is a document that details the actions/initiatives that a government will undertake within a given timeframe to meet the obligations of UNSCR 1325. It reflects government commitment as well as accountability in ensuring the security of women and girls during armed conflicts and in enhancing their active and direct participation in conflict prevention and peace building as well as post- conflict efforts. NAP further serves as a useful roadmap in defining the important and distinct roles of implementers of UNSCR 1325. Before the formulation of a NAP, it is important to raise awareness about UNSCR 1325, which currently is quite low in most countries particularly Nigeria and build political will within each group of stakeholders. Awareness can be done through media campaigns, meetings, workshops, and group discussions.

Nigeria established a NAP with an overall goal of developing a national strategic framework and Plan of Action for the successful implementation of UNSCR 1325, anchored on prevention, participation, protection, prosecution, and promotion. The question which this paper seeks to answer here is: why is it that 15 years after the adoption of UNSCR 1325, only about 22% of member states have launched their NAPs? In addition, how far has Nigeria enforced its NAP? To what extent is the NAP utilized? Lack of political will, lack of technical knowhow, and lack of accountability mechanisms may be answers to these questions.

Nigerian women and girls have since 2009 been facing challenges of intractable inter- state and flood-induced conflicts. The Boko Haram insurgency occupies front space in the country's challenges on peace and security. This violence has negatively resulted in massive displacement, abductions, and dehumanization of women and girls. Sadly, women and children are being subjected to sexual abuse, forced marriage, forced pregnancy, maiming and killing. Adequate protection measures are vital in ensuring the safety of women and children.

Unfortunately, the Nigerian government has not made encouraging efforts at ensuring programs respond to the immediate and long- term needs of women and children before, during and after the Boko Haram insurgency, in compliance with UNSCR 1325 despite adoption of a NAP. Survivors of Boko Haram attacks received virtually no necessary psychosocial and medical services, and none of the rape survivors interviewed by Human Rights Watch had any information about how and where to access post-rape care.

UNSCR 1325 implementation requires redefining peace and security from a holistic gender perspective. This requires concrete actions such as investing in disarmament and arms control, with effective women's participation, conflict prevention and non- violent conflict resolution.

The future of UNSC Resolution 1325 in Nigeria

During the 15 years UNSCR 1325 has existed, more than 40 National Action Plans (NAPs) have been developed for national implementation of the Resolution, including that of Nigeria. UNSCR 1325 has contributed to increased awareness of the need to address sexual and gender-based violence during armed conflict, increased women's participation in peace processes, and led to increased investment in gender training for the security sector.

In spite of the shortcomings of UNSCR 1325, it nonetheless marks a major turning point in raising global attention to and dialogue about women civilians who disproportionately suffer during war and conflict as well as the neglected role of women in conflict prevention and resolution. It has prompted the adoption of many national as well as regional Action Plans, and it has led to a phase of continued advocacy for changing practices in the United Nations itself (Cohn, 2008; Swaine 2009).

In Nigeria however, protection of women and girls during violence and other crises has appeared to be particularly challenging. What concrete measures has the government put in place to operationalize the NAP adopted since 2013 in compliance with UNSCR 1325? The Boko Haram insurgency has rendered hundreds of thousands of Nigerian women and girls' victims and survivors of horrible atrocities and injustices in the conflict. For this reason, this ground-breaking resolution requires any parties in armed conflict to protect women and promote their participation in peace negotiations and post-conflict reconstruction. It recognizes that women and girls are particularly affected in crises, armed conflict, and declares that their participation at all levels of prevention, resolution, reconstruction, and peacekeeping is essential to achieving sustained peace and security. Through the Resolution 1325, the Security Council calls upon governments and other parties to take steps toward the implementation of the eighteen actions it outlines concerning women's participation, protection, prevention, relief and recovery in conflict and post-conflict settings around the world.

Reasons for the above are not far-fetched. Sadly, the Nigerian society is patriarchal in nature and reinforced by religious and cultural norms, which this deepens women subordination and prevents them from participating in decision-making and peace processes in the society. Also, lack of capacity and adequate knowledge of international instruments that support women inclusion in peace-building have not allowed for meaningful intervention of women in conflicts.

Therefore, implementation of UNSCR 1325 requires redefining peace and security from a holistic gender-neutral or inclusive perspective that goes beyond what has hitherto been tried. This requires concrete actions such as investing in disarmament and arms control, with effective women's participation in conflict prevention and non-violent conflict resolution.

Conclusion

This article sought to assess the extent to which Nigeria's stated commitment to women, peace, and security principles has translated into meaningful action on ground. It found out that in recent times, insecurity in the Nigeria especially the northern region has claimed many lives and properties and has become an international embarrassment. Women are caught up in the web of these conflicts because they form the bulk of casualties, as widows, and mothers, bush wives, cooks, etc. Therefore, inclusive instruments of conflict resolution have to be employed to accommodate the excluded. It is important to recognize the multiple sources of capacity women can bring to bear. It is not enough to have laws in place, they should be enforced. The implementation of the National Action Plan for the actualization of UNSCR 1325 is quite apt but needs to be followed up with holistic approach that includes women and is gender-sensitive.

Recommendations

Having examined the extent of Nigeria's compliance with UNSCR 1325, it is pertinent to recommend the need to reclaim the Resolution from a feminist perspective, so that it can become a tool to redefine society's peace and security paradigm, so that women are not only around tables in post-conflict and peace negotiations, but in leadership positions to help avoid conflict in the first place.

- Efforts should be geared towards training and capacity building on SCR 1325 to enhance skills and capacities of women, peace and security at community and national levels. Awareness should be raised to inform the general populace on the existence of the resolution and its relevance to national peace and security;
- Research/ studies should be carried out to fully investigate the gender dimensions in the Boko Haram insurgency in order to generate evidence-based data to inform policy. This will unearth salient issues and bring to the fore specific and detailed gendered experiences of women and girls in such distressing and traumatizing circumstances and this would provide empirical disaggregated data that could be used to help victims and survivors cope.
- The Federal Government should put in place a monitoring and evaluation mechanism to assess the progress of the NAP implementation to ensure full participation of women in all peace processes in Nigeria;
- Integrate UNSCRs on women, peace, and security into anti-terrorism strategies to provide options on protecting and involving women in policy development and implementation;
- There is an urgent need to establish a tracing system to reunite separated families (using various tools) such as phones, RCM (Red Crossing Messages), Tracing Requests and UAC (unaccompanied children);
- Government should assist conflict-prone communities to establish Conflict Action Response Teams (CART) and Disaster Action Response Teams (DART) and facilitate connection and links with formal government agencies including police formations, civil defense and state emergencies management to provide swift early warning, protection and

response; and

- The Federal Government should make prosecution of crimes against women and girls non-negotiable in peace agreements, with the support of women mediators.

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