

Issue Brief

Implementation of and Strict Compliance with SCR 1325 in Iraq

20 May 2003

"Central to any transition process is the need to take account of the differential needs of women and men at all stages of rebuilding societies and the importance of concrete mechanisms to ensure that all people—women and men—enjoy freedoms and participate equally in rehabilitation and reconstruction."

—UN Secretary-General in his Study on Women, Peace and Security (2002)

Given that "major combat operations have ended in Iraq", and the US-led Coalition is now engaged in "securing and reconstructing Iraq", according to US President Bush,

Bearing in mind the purposes and principles of the Charter of the United Nations and the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security,

Recognizing that women constitute at least 55 percent of the population of Iraq and that the 2002 Arab Human Development Report ranked Iraq highest according to the Gender Empowerment Measure (1995 data),

Given that at the first US-sponsored meeting in Nassiriya on April 15 to discuss the development of an interim government, only four out of 123 participants were women, and that these four were all from the diaspora and did not adequately represent women currently living in Iraq, and

Given that at a subsequent meeting in Baghdad on April 28, there were only three women, out of approximately 300 participants,

Given that no women are included in the exclusively male legal team of lawyers and judges appointed by the US-led Coalition to develop a new legal code,

Recognizing that the exclusion and under-representation of Iraqi women in decision-making processes and other aspects of the post-conflict period of rebuilding undermines the spirit and the letter of UN Security Council Resolution 1325 and the UN principles of equality,

Recalling the unanimous adoption of UNSC Resolution 1325, the mandate this Resolution provides and the role of the NGO Working Group on Women, Peace and Security to monitor the implementation of Security Council Resolution 1325 and to promote the participation of women and a gender perspective in peace and security, policymaking, conflict management and peace building initiatives of the United Nations,

The NGO Working Group on Women, Peace and Security calls for:

I. Women in Decision-Making

The Security Council to ensure that women are involved in political, formal and informal decision-making processes and in any legal training that may be relevant for all women and men appointed to decision-making positions.

Democratically representative Iraqi women and Iraqi women's organizations to be fully involved and supported in all peace negotiations and their implementation, as called for in UNSC 1325. We urge the Security Council to ensure that women have parity with men at UN-supported national conferences and other national constitution and institution development bodies.

The Security Council to ensure that the development of the Constitution in Iraq centrally involves representative Iraqi women with legal expertise and that the constitution promotes women's human rights, gender equality and gender equity, as is consistent with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which Iraq is party, and as is endorsed in article nine of UNSC Resolution 1325.

The Security Council to ensure women's equal participation in the creation of legislation, incorporation of the principle of equality of men and women in the legal system and abolition of discriminatory laws against women as is endorsed in CEDAW and in article nine of UNSC Resolution 1325.

II. UN Peacekeeping and Peace-building

A United Nations peace-building and peacekeeping mission to be deployed in Iraq to create an environment that facilitates the work of humanitarian organizations and promotes a fully representative Iraqi governing structure with regard to gender, ethnicity and religion.

The peacekeeping monitoring and protection components to have the appropriate capacity and special training on the provision of protection for women and girls, as called for in article six of UNSC Resolution 1325. We urge that all peacekeepers be sensitized to the grave reality of private and public gender-based violence, and work to prevent all violence against women and girls.

III. Protection of Women and Girls

The Security Council to ensure that all international humanitarian and human rights laws are implemented to protect the rights of women and girls in the post-conflict period, as required by UNSC Resolution 1325, and in this regard, to include a civilian human rights verification in the peacekeeping component of the mission to Iraq to monitor gender-based human rights violations, among other human rights violations.

The special needs of women and girls to be taken into account during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction, as called for in article eight of UNSC Resolution 1325. Integral to this, we urge the Security Council to promote through the Mission "increase[d] awareness of the risk of domestic violence and other threats to the personal safety of women and girls in the post-conflict contexts and develop capacity to prevent and address such threats, including by training of all United Nations personnel and local police and military", as called for in the Secretary-General's recommendations in his study on Women, Peace and Security (2002).

IV. Security Sector Reform

The Security Council to mandate that disarmament, demobilization, and reintegration processes are implemented during the peacekeeping mission.

The Security Council to explicitly build into peace-building mandates support for the development of a gender-aware police, military and other operating security bodies, which are trained to monitor these issues.

V. Gender Justice

The Security Council to mandate appropriate authority to ensure that there is no impunity for gender-based crimes during and after conflict and to support indigenous community-based reconciliation initiatives that will allow women to seek justice. These commissions should not allow amnesty for perpetrators of violence and human right violators.

VI. Humanitarian Considerations

The Security Council to request that all UN humanitarian bodies working in the region maintain gender perspectives and include the protection of women and girls in all aspects of their work, including the distribution of food, water, refugee cards, medical supplies and other resources to women as heads of households; the consideration of the special needs of internally displaced and refugee women and girls; and the sensitivity to their needs, including reproductive and mental health of women and girls.

Women and girls to have full access to programs for education, health care, prevention and response to gender-based violence, housing, employment and related skills-training. We stress that these programs must reach women in disadvantaged rural areas, widows and women who are disabled, displaced or illiterate.

Therefore, the NGO Working Group on Women, Peace and Security recommends and supports your urgent attention to and action on the above.