

## Gender and Fragility: Ensuring a Golden Hour

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### WHY WOMEN MATTER TO INTERNATIONAL SECURITY.

Physicians refer to the “golden hour” as the period after traumatic injury when successful emergency treatment is still possible. The chapeau paper<sup>1</sup> for this series, *U.S. Leadership and the Problem of State Fragility*, defines fragility as the breakdown or absence of a social contract between people and their government. The collapse of social and political order in response to natural disasters, population displacements, violence, and/or war, however, can paradoxically provide opportunities for societal change. The need to reimagine and rebuild ruptured institutions can create openings for renegotiating gender roles and establishing the basis of an inclusive and more stable society. Unless gender equality receives high level and dedicated support during this “golden hour,” long-standing patterns of inequality are likely to be reestablished.<sup>2</sup> As noted by an expert on security

studies, “Promotion of gender equality goes far beyond the issue of social justice and has important consequences for international security.”<sup>3</sup>

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Across the board, women as a demographic group make up nearly half of the human population. They are among the most excluded and unequal in fragile societies—economically, politically, and socially—this has large repercussions for continued fragility.<sup>4</sup> According to the World Bank,<sup>5</sup> progress on gender-related issues in fragile states appears to be stagnating or losing ground altogether.

Gender inequality slows economic growth. A recent McKinsey report estimates that narrowing the economic gender gap could increase the global GDP

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by \$12 trillion.<sup>6</sup> There are additional economic payoffs for reducing inequality as well—agricultural output and food security increase when women gain access to productive resources, and improved health and reduced economic costs result when sexual and gender-based violence is reduced.<sup>7</sup> Gender inequality and poverty go together: Of those living in severe poverty, 43 percent live in fragile states<sup>10</sup> and the majority of those are women, youth, and children.

Cross-country comparisons demonstrate a strong correspondence between the physical security of women and the peacefulness of states.<sup>8</sup> Countries where women's civil liberties are restricted tend to be less stable politically. By contrast, women's participation in peace processes have been linked to more successful rebuilding of institutions and legal frameworks.<sup>9</sup>

A new approach to fragility must take into account that gender inequality has far-reaching economic and political ramifications. As the next U.S. administration formulates its approach to fragility, it must therefore abandon the gender-neutral assumptions that since peace benefits everyone, gender inequality can wait.

## U.S. GOVERNMENT'S INCREMENTAL COMMITMENTS RELATED TO GENDER AND FRAGILITY.

The attention to gender in fragile environments responds to increased research on the centrality of exclusion, inequality, and injustice to problems of fragility and conflict. Over the last five years, the U.S. government has steadily deepened its support for addressing gender inequality in fragile and conflict-affected societies. In 2000, the United Nations Security Council approved Resolution (UNSCR) 1325, which asks member states to ensure that women count in all decision-making levels of the government and to make sure they are counted when it comes to

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protection from gender-based violence. In 2011, an executive order launched a new policy across the U.S. government, requiring the development of a national action plan (NAP) on Women, Peace, and Security. Following the lead of 25 other countries at that time, the U.S. government sought to improve protections for women and girls during violent conflict and to promote greater participation of women in all peace processes. Now just five years later, there are over 60 countries with NAPs on Women, Peace, and Security.

The increasing evidence on the correlation of state stability and the relative safety and security of its women has resulted in a greater funding commitment toward improving the status of women in war and in peace. The U.S. Department of State's Fiscal Year 2017 budget request of \$1.3 billion for interventions related to gender more explicitly links gender equality and women's status to national security and foreign policy

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goals, and earmarks \$133.5 million “for the empowerment and protection of women and girls in crisis and conflict-affected environments.”<sup>11</sup>

## FAILING GRADES, HOWEVER, WHEN INTEGRATING GENDER EQUALITY INTO INSTITUTIONAL CHANGE.

In spite of improved research and funding commitments over the last five years, the women, peace, and security agenda is still characterized by its

fragmentation. Despite intentions to integrate women into peace building and state building processes and the reconstruction of institutions, gender efforts remain in sector silos and highly marginalized. A case in point is the 2015 White House Summit on Countering Violent Extremism in which “women” are nestled into a sub category on par with religious actors and youth. Several global attempts to better integrate the countering violent extremism agenda with the women, peace, and security agenda have simply stalled. Not only is it important for women to be a part of the solution, mounting evidence now points to the fact that in addition to young men, a growing number of women are choosing to become terrorists. This shift in demographics should be on the security sector’s radar.<sup>12</sup>

An underlying but pervasive reason for the lack of stronger commitment is that the U.S. government and other donors are often loath to directly address “cultural traditions,” a category they apply to gender relations. Gender inequality is more than cultural, however; it reflects sharp power imbalances embedded in formal and informal laws and in the institutions of fragile and non-fragile states. In these environments, women’s relationship to the state tends to be mediated through their families and the customary institutions that regulate family law, inheritance, access to property, freedom of movement, and physical security. In emergency situations, girls and women are especially vulnerable to harmful traditional practices as with the case of female genital mutilation, which often goes hand in hand with forced early marriage.<sup>13</sup> Because of this ambivalence about interfering with “cultural traditions,” U.S. policy has not been strong enough in fighting antiquated, dangerous, and criminal practices that are especially aimed at girl children.

## **NEW POLITICAL PEACE SETTLEMENTS IGNORE GENDER INEQUALITY.**

During conflicts, gender relations are often upended as women and men take on unaccustomed roles to cope with crisis. Peace settlements offer a rare opportunity to take advantage of this moment and to renegotiate power and resources between groups in society, not the least—between men and women.

However, the male elites who generally draft peace agreements tend to resist women’s inclusion, particularly in the back-stage informal negotiations. Despite the newest data that women’s active participation in a peace process results in a more inclusive, legitimate, and sustainable peace, equalizing power relationships is often “presented as threatening ‘tradition’ and peace prospects, when in fact it threatens certain power interests,” including control over important resources such as land.<sup>14</sup> Rather, “women’s status and use of public spaces is traded between male elite interests groups, as a values statement and as a way of demonstrating control when social boundaries are changing.”<sup>15</sup> However, when women’s rights are not explicitly part of peace settlements (for example, when settlements fail to guarantee their property rights) and are “traded away,” their ability to financially support their households and contribute to the country’s economic recovery is sharply reduced.

Donors argue that there is a trade-off between achieving short-term stability and longer-term goals of gender equality. Although doing so requires patience, skill, and a good understanding of local power relations, if donors fail to push for gender equality to be included in peace settlements and constitutions, it is likely that endemic patterns of inequality will be institutionalized, making it all the more difficult to affect change down the road. Although the importance of addressing gender equality early on was articulated in UNSCR 1325, a 2012 United Nations review of major peace processes conducted since 1992 found that women made up only 4 percent of signatories of peace agreements, 2.4 percent of chief mediators, 3.7 percent of witnesses or observers to peace negotiations, and 9 percent of negotiation team members.<sup>16</sup> There is room for significant improvement here, and the United States should lead the way.

## **GENDER EQUALITY HAS NOT BEEN EMBEDDED IN CONSTITUTIONS.**

As the highest law of the land, constitutions define the principles according to which executive, legislative, and judicial power should function, and the rights and responsibilities of public and private persons and entities. As emphasized by the UN Women’s Global Gender Equality Constitutional Database, “gender

responsive constitutions are those that meet internationally agreed upon standards on gender equality. Having women's rights constitutionally entrenched in a national constitution is an important step towards ensuring eliminating gender-based discrimination and advancing women's rights."<sup>17</sup>

Constitutions that do not explicitly address gender equality may institutionalize inequality and hence, poverty and instability. Women's economic productivity, for example, depends considerably on the extent to which they enjoy economic and civil rights. However, these rights can be undermined in countries<sup>18</sup> where gender equality is not mainstreamed into the constitution or where constitutions recognize the authority of customary laws governing property, marriage and inheritance, and exempt these domains from principles of non-discrimination in the national constitution.<sup>19</sup>

## **GENDER INEQUALITY CORRELATES WITH HIGHER NUMBERS OF WOMEN AND CHILDREN BECOMING VICTIMS OF STATELESSNESS AND TRAFFICKING.**

Massive population displacement is one of the many consequences of fragility. As of 2016, over 65 million people had been displaced by conflict and persecution, with women and children making up the majority of this number.<sup>20</sup> Displacement also exposes the gaps in nationality laws. Many countries, including Syria, now the largest source of refugees, do not allow women to pass nationality to their children. If children are born outside the country, they may become stateless if that country does not allow citizenship based on birth alone. This is particularly likely if the father is unknown, dead, or missing. These stateless women and children become invisible. They lose access to all government services—from education to health and preventive health care. The invisibility of women for U.S. diplomacy also means that criminal human trafficking and sex slavery have become pervasive byproducts of this passive policy. The cycle of fragility is only made visible when more inclusive policy questions are asked about women.

Fragility is also made visible through the extraordinary rate of violence against women. One in three

women experience sexual and/or gender-based violence during their lifetimes.<sup>21</sup>

While the awareness of conflict-related sexual and gender-based violence against women has improved with UNSCR 1820, the structural issues associated with such violence have not been addressed. Heightened levels of sexual and gender-based violence in fragile and conflict-affected societies restrict women's mobility and lessen their capacity to cope. Failure to protect women's rights can perpetuate a culture of violence, which in turn contributes to a broader insecurity.<sup>22</sup> Another endemic problem is that sexual and gender-based violence continues to be one of the major tools used by violent extremists and continues to wreak havoc in militaries and peacekeeping troops as rank and file commit these violent crimes against each other and civilian populations.

## **THE GENDER DATA GAP IS STILL TOO LARGE.**

Timely and reliable data are a prerequisite for designing effective policies and measuring progress in achieving gender equality. Gender bias is often embedded in the choice of indicators. For example, labor force surveys that only ask about the respondent's "primary economic activity" greatly underestimate the unpaid economic activity of women, for whom paid work may be a secondary activity, with unpaid care work being primary.

Fragile states especially tend to lack the systems, capacity, and resources to collect and analyze data, and large parts of the population may be hard to access because of poor infrastructure or security challenges. In such environments, there is not even basic sex or age disaggregated information on deaths, which makes it impossible to assess infant, maternal, or HIV/AIDS deaths.

Often, donor reporting and the kinds of financial incentives they offer encourage lip service to gender equality but don't affect underlying attitudes and perceptions. As a donor, the U.S. government should ask that evaluations include not only quantitative information about women's participation but also qualitative evidence, which is based on interviews about the quality of their participation and their perceptions on the impact of the interventions.

## ONGOING FUNDING GAPS PERPETUATE INEQUALITY.

To date, progress toward gender equality has been concentrated in health and education, demonstrating that success follows sufficient investment. But chronic underfunding has limited the kind of broad impacts that could significantly increase women's participation in the economy and decrease poverty. While the United States spends 0.008 percent (\$1.5 billion) of its GDP on programs focused on gender equality, the other Organization for Economic Co-operation and Development (OECD) countries average 0.013 of their GDP on such programs. If the United States spent at the level of other OECD countries, it would need to add a billion dollars to the U.S. aid budget for gender equality.<sup>23</sup> Vogelstein warns that given the trend toward pooled financing mechanisms, if gender equality is not supported by a dedicated funding entity, it may be left behind as development financing is diverted to more traditional sectors.<sup>24</sup>

## RECOMMENDATIONS TO THE NEXT U.S. ADMINISTRATION

The following recommendations reflect the conviction that the moment for the administration to address gender equality in fragile environments and post-conflict settlements is **now**. Treating gender equality as a right that needs to wait until stability and peace have been re-established squanders a critical but very brief opportunity for inclusive social and institutional change.

### 1. Set the global standard for women's active involvement in peace settlements and development of new constitutions.

Ample international examples show the range of activities donor governments can use to increase women's involvement in post-conflict settlements. These include capacity building for both women and men on human rights, with a focus on economic and political rights; supporting organizations that work with men to begin questioning patriarchal and aggressive forms of masculinity; and working with women's organizations to approach negotiations strategically and to develop concrete proposals for monitoring implementation.

When the U.S. government acts as a third party in peace negotiations, it can offer financial and/or technical assistance contingent on including women not only in formal peace processes but also as part of the behind-the-scenes talks where real negotiations take place.<sup>25</sup> The practical difficulties women may encounter if they have to travel or remain away from home during prolonged periods can be addressed by earmarking resources to cover their travel and lodging, childcare, training in leadership and negotiating skills, and physical protection. Men need to be involved in the capacity

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building as well, and efforts need to be taken to increase their understanding of and buy-in for women's active engagement.<sup>26</sup>

### 2. Mandate gender equality by advocating and creating incentives for reform of discriminatory nationality laws.

Changing nationality laws is a straightforward step to help end gender inequality. Such discriminatory nationality laws are in violation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which most countries have signed, as well as of other international treaties such as the International Covenant on Civil and Political Rights.<sup>27</sup> The next administration should raise the issue of compliance in international fora such as the United Nations, the

relevant supervisory bodies that exist to address treaty compliance, and where it has a role as party to post-conflict settlements.

### **3. Increase technical and financial assistance to women's civil society organizations in conflict-affected and fragile states.**

Women's success in influencing governments' adoption of policies against gender-based violence and in gaining access to peace processes can be credited to their civil society activism.<sup>28</sup> Recent research also has identified the potential of local women's groups in countering violent extremism. The international community has provided important funding during conflict, when many women's organizations had no other sources of financing. Yet despite consensus about their important role in advancing gender equality, funding for these groups has been shrinking rather than expanding. Instead of withdrawing support, greater support should be offered, and on a longer-term basis, to help build organizational and leadership capacity among women and women's advocates for negotiating gender equality in different arenas. Funding must, of course, be supported by clear requirements for transparency and accountability.<sup>29</sup> Note that countries with the best policies toward sexual and gender-based violence are those with activist, autonomous feminist movements, which can be supported by strong pressure on countries to sign and comply with international treaties on violence and abide by international norms.

### **4. Demand data about gender-related impacts in conflict-affected and fragile states.**

It is no coincidence that the greatest achievements in narrowing the gender gap have occurred in sectors characterized by better data collection, including education and sexual and reproductive health. Addressing limited data on gender, particularly in fragile environments, requires strong political commitment and earmarked funding. The U.S. government should continue to support data initiatives, such as Data2X, for improving the quality and quantity of gender data, and set a high standard for all U.S. development institutions and departments (including Departments of State, Defense, and Agriculture, as well as USAID, the Millennium

Challenge Corporation, and the Overseas Private Investment Corporation [OPIC], and governmental initiatives such as Power Africa) to incorporate rigorous, gender sensitive monitoring and evaluation.

### **5. Reinforce a zero tolerance for sexual and gender-based violence.**

Sexual and gender-based violence is pervasive in fragile environments and particularly in conflict, and it does not disappear after conflict. The war may end but the violence does not. Its root cause—the social and cultural devaluation of women and girls—must be directly addressed. The U.S. government can do so by emphasizing prevention efforts that focus on gender-transformative programming.<sup>30</sup> Women must be involved in all consultations to design policing strategies. Men should not be marginalized in the analysis and prevention efforts. Evidence increasingly reveals that men cannot be simply categorized as perpetrators, but must also be recognized as victims, both directly and indirectly when they are

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forced to witness family members being victimized. Therefore, there must be a great sensitivity to gender relational approaches to addressing the impact of this most severe and extreme form of torture, assault, abuse, and rape.

Hand in hand with zero tolerance for sexual and gender-based violence is the need to continue the U.S. government's effort to combat trafficking through one of the best data driven summaries, the Trafficking in Persons Report ranking, released annually. More can be done to address this challenge, though. Human trafficking and money laundering go together and to fight more effectively human trafficking—a form of modern slavery—the U.S. government should require

financial institutions to prioritize identification of transactions that indicate trafficking and work with other governments to make anti-trafficking efforts an enforcement priority.<sup>31</sup>

## 6. Institutionalize gender equality funding as a stand-alone category.

The U.S. government could catalyze formation of a pooled funding mechanism, for example, with other OECD members and with international financial institutions such as the World Bank, to address areas that have been relatively neglected in fragile states: women's economic and legal rights, leadership, and freedom from violence. Pooled funding can be an effective mechanism that donors can use to build capacity among local organizations to implement interventions and monitor outcomes.<sup>32</sup> The U.S. government should also encourage partners such as the OECD to treat funding for gender equality as a separate category and not as a cross-cutting issue that can be effectively addressed by modest contributions to other areas.<sup>33</sup>

During the golden hour in any situation of crisis and fragility, it is critical to include gender analysis in the diagnosis. Gender equality should be the norm of policy expectations and not a utopian dream pushed to another century. The new Sustainable Development Goals (SDG) No. 5 and No. 16 clearly point to the fact that the 21st century is the time to tackle the subordinate status of women. In other words, the golden hour is now.

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