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Principled Pragmatism and the 'Inclusion Project': Implementing a Gender Perspective in Peace Agreements

Christine Bell and Kevin McNicholl[*]

Abstract

UN Security Council Resolution 1325 of 2000 provided that peace agreements should adopt a 'gender perspective'. This commitment has been reiterated in women, peace and security resolutions since that time. This article uses a mixed qualitative and quantitative analysis to consider when and how peace agreements have adopted a gender perspective, using a new PA-X peace agreement database to analyse over 1500 peace and transition agreements from between 1990 and 2016. It goes further to consider how inclusion of women is related to the other forms of political and group inclusion contemplated to form part of the new political settlement. The article begins by examining what might be meant by a 'gender perspective in peace agreements'. It maps out when and how peace agreements provide for women, girls and gender, but also for Lesbian, Gay, Bisexual and Trans communities, and for 'men and boys' and 'family' at different stages of a peace process. The article provides new data on the implementation of agreement commitments and specifically those issues singled out for attention by UNSC 1325. Finally, we consider the inclusion project on offer to women and its relationship to the conceptualisation of the conflict and its solution, by considering the relationship between gender, power-sharing and transitional justice. In summary, analysis of the dataset provides three main findings. First provision for women is still largely limited to once-off provisions, or issues relating to the victimhood of women, with holistic attempts to adopt a 'gender perspective' relatively rare. Second, the inclusion of women in peace agreement texts tends to be located in the more comprehensive stages of the agreement, with little consideration given to women and gender at either pre-negotiation stages of a peace process, or implementation stages. Third, surprisingly perhaps, political power-sharing is shown to be strongly correlated with several measures of gender inclusion rather than marking an exclusive focus on the inclusion of the groups at the heart of the conflict. In conclusion we argue that peace agreements indicate the presence of 'principled pragmatism' whereby elite commitments to political equality are used by a range of groups to push for a more pluralist conception of the peace settlement as also concerned with the political equality of groups beyond the conflict actors.

Keywords: *women and conflict, gender perspective, peace processes, power-sharing, transitional justice, constitutions*

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I. Introduction

In 2000 the United Nations Security Council (UNSC) passed Resolution 1325 which established what has become known as the 'Women peace and security' agenda.[1] Paragraph 8 of that resolution:

> Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:
>
> (a) The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction;
>
> (b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements;
>
> (c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary

The appeal for a gender perspective to be adopted has been reiterated in subsequent resolutions on women, peace and security, notably in a set of UNSC Resolutions in 2008 which addressed sexual violence in conflict.[2] In addition, the Committee on the Elimination of all forms of Discrimination Against Women General Recommendation 30 addresses how the Convention of the same name applies to women in 'conflict prevention, conflict and post-conflict situations'.[3] It recommends that state parties 'Ensure women's equal participation in all stages of disarmament, demobilization and reintegration, from negotiation of peace agreements and establishment of national institutions to the design and implementation of programmes'.[4]

The United Nations Department of Political Affairs (UNDPA) has also provided advice on gender and mediation of peace agreements as part of its general mediation advice, and has produced specific guidelines on gender inclusive mediation, and on mediation relating to sexual violence.[5] In general terms this advice recommends inclusion of women mediators and women at peace negotiations, and forms of local consultation, as well some specific recommendations relating to the negotiation of key issues such as ceasefires.

This article considers when and how peace agreements have provided for women and gender, building on earlier work by Bell & O'Rourke.[6] Centrally, however, it provides data and analysis which interrogates how norms on the inclusion of women are implemented in ways which re-configure the concept of inclusion at the heart of the peace process. We draw on new data on peace agreements – the PA-X Peace Agreement Database, which includes and

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[1] UN Security Council Resolution 1325 (2000).

[2] UN Security Council Resolution 1889 (2009), UN Security Council Resolution 2122 (2013) and UN Security Council Resolution 2242 (2015), all on women, peace and security, reiterate the need to include women in peace processes. UN Security Council Resolution 1888 (2009), UN Security Council Resolution 1960 (2010) and UN Security Council Resolution 2106 (2013), all on sexual violence in armed conflict, note the need for peace negotiations or processes or agreements to deal with sexual violence.

[3] Committee on the Elimination of All Forms of Discrimination Against Women, (2013).

[4] Ibid., para 69(d). See also paragraphs 31 and 45 for requirements to include women in peace processes, and to make sure that support for processes does not undermine women's leadership.

[5] United Nations, (2017a, 2017b).

[6] Bell & O'Rourke, (2010).

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codes over 1500 peace agreements in 140 intrastate contexts. The PA-X peace agreement database enables a new fuller interrogation of not just what gender provisions are used, but also of what stage of agreement they are included, and how they relate to other forms of inclusion.[7] A range of other new databases also enable some consideration to be given to how gender provisions are implemented.

However, the article attempts to use peace agreement data, in a mixed methods analysis which integrates qualitative and quantitative analysis on peace agreement content with implementation data drawn from both qualitative case study material and other quantitative datasets, to understand further how the promotion of women's inclusion relates to other 'inclusion projects'.

The article begins by considering what may be meant by 'a gender perspective' in peace agreements (Part II). Here we locate the concept of a 'gender perspective' in peace agreements with reference to two broader 'inclusion projects'. The first is the project of 'elite pacts' focused on the inclusion and political equality of the ideological or ethno-national groups at the heart of the conflict. The second is the wider social inclusion agenda, of which women are often assumed to be a part, of social groups that could be considered as 'unaligned' to the major conflict groups, although all will have points of connection with them.

The article then moves in Part III to consider when and how peace agreements have provided for women and gender in general terms. In Part IV we consider specifically the ways in which the areas singled out by UNSCR 1325 have been treated and assess their implementation. In Part V, we consider the question of how inclusion of women relates to the attempt to reconfigure power relations more generally, by considering the relationship of inclusion of women to both the power-sharing and the transitional justice arrangements at the heart of the central political pact. In conclusion we argue that there is some evidence of the effectiveness of strategies of 'principled pragmatism', whereby women and other 'non-aligned' groups can influence peace agreement design if they act in concerted ways to connect with the inclusion project of the 'elite deal' that is central to achieving a peace agreement, to open it up to a more broader pluralist project.

II. What is a 'gender perspective' in peace agreements?

Conceptualising 'a gender perspective'

UNSCR 1325 talks about the need to adopt a 'gender perspective' in peace agreements. Although the term 'gender' is used in paragraph 8, the remainder of the resolution is focused on 'women'. What is meant by adopting a 'gender perspective' is not defined and not entirely clear. The term has however some UN lineage in the commitment, going back to the Beijing Declaration and Platform for Action (1995), to 'gender mainstreaming' across UN operations. Gender mainstreaming has been defined and implemented since that time as:

> The process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral

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[7] Bell & Badanjak, (2018).

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dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally, and inequality is not perpetrated. The ultimate goal is to achieve gender equality.[8]

The only other international legal document to use the term 'gender perspective' specifically is the International Criminal Court, Office of the Prosecutor's *Policy Paper on Sexual and Gender-based Crimes* of June 2014.[9]

> 'Gender perspective' requires an understanding of differences in status, power, roles, and needs between males and females, and the impact of gender on people's opportunities and interactions. This will enable the Office to gain a better understanding of the crimes, as well as the experiences of individuals and communities in a particular society.[10]

This definition suggests that a gender perspective goes beyond a mainstreaming approach focused on integrating women's concerns into policies and programmes, towards an approach that tries to understand the ways in which policies connect to questions of power relations between men and women. The Prosecutor's definition conceives of power as relational and dynamic.

How might these definitions inform what a 'gender perspective for negotiating and implementing peace agreements' might comprise? We suggest that the Security Council resolutions, UN mediation guidance and UN gender mainstreaming approaches point to four different components. First, a gender perspective clearly requires input to the peace process and peace agreement negotiations from women, whatever their perspective, and whatever the content of the provisions they seek. UNSCR 1325 exhorts the inclusion of women in peace negotiations and the appointment of mediators who are women. The presence and influence of women may therefore be viewed as itself a 'good,' and central to a 'gender perspective.' It is important to emphasise that while there may be arguments as to the special knowledge and approaches that women might bring to the table, their participation should not depend on having to demonstrate these benefits to earn their place at the table. Even if an agreement which 'looked good' in its gender provisions could be provided without involving women, it would not fully adopt a gender perspective if women had not been involved in formulating its provisions.

Second, a gender perspective involves providing for material gains for women based on an assessment of their particular treatment during conflicts, and their particular needs post-conflict. Paragraph 8 of UNSCR 1325 emphasises some areas where women would seem to be differently positioned from men (demobilisation, refugees, and institutional reform), and to have particular needs that need to be specifically addressed if they are to be treated equally.

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[8] United Nations, (1997). For background and history of the term and its impact on the UN system, see UN Women, (2018).
[9] International Criminal Court, (2014).
[10] Ibid., p. 3.

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Third, adopting a gender perspective with regard to peace agreements could be understood to require a more holistic assessment of the different ways in which peace agreements are structured by gender. So, for example, choices as to: the relationship between rights and traditional laws in the new dispensation; whether and how socio-economic rights are addressed; the choice of electoral system; and modalities of how refugees and displaced persons are dealt with, all implicate gender in ways that mediators may not always be aware of. This dimension of a 'gender perspective' goes beyond a 'women-specific measures' approach to examine how each provision of the agreement implicates the equality and needs of women. One of the very early attempts in 2003 to examine how peace agreements could promote gender equality and ensure the participation of women used this approach and set out model provisions for gender mainstreaming that are still very timely and useful.[11]

However, at the deepest level a gender perspective involves an approach which understands any reallocation of power to implicate, and be implicated by, power relationships between men and women, and becomes central to the inclusion project on offer in the peace process. From this point of view, a 'gender perspective' involves understanding that, at their centre, both the use of violence and peace negotiations to end violence concern power relations, including gender power relations. Adopting a gender perspective involves considering how peace negotiations and peace agreements might affect the power relations between men and women. Conversely it would also involve considering how any attempt to renegotiate gender power relations in the course of negotiations might affect the type of political settlement which the peace agreement aims to inaugurate. In this most holistic sense, a gender perspective involves an attempt to understand the ways in which any new political settlement will affect the implicit 'sexual contract' at the heart of the state.[12] It involves asking whether the new dispensation is likely to be transformative or regressive for women and identify possible ways of ensuring that its potential for transformation is maximised.

The inclusion project(s)

In this piece we suggest that this last, most profound dimension of a 'gender perspective' can be understood at a practical level in terms of how the peace process attempts to address different, potentially competing, 'inclusion projects'. The first is the 'horizontal' inclusion project between political and military elites, as to whether an exclusive political settlement will be opened up to include non-state armed combatants or the social groups they claim to represent. An 'elite pact' is often necessary to ending violence, and has been understood at times by international actors to be central to stability.[13]   It is often focused primarily on how power is to be shared or split between those at the heart of the conflict. The second is the 'vertical' inclusion project in which wider social groups try to find ways of institutionalising influence and changing the peace process agenda. This inclusion project understands the conflict as having a much wider set of causes and therefore requiring a broader set of 'solutions' if any sustainable peace is to be built. Increasingly, international actors understand inclusion in this broader sense as critical to peace and conflict prevention.[14]

Both types of inclusion can be understood to be central to the forging of a new political settlement or social contract. Rather than a set of technical mainstreaming requirements,

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[11] Chinkin, (2003).
[12] Pateman, (1988).
[13] World Bank, (2011).
[14] World Bank, (2018).

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adopting a gender perspective requires understanding how the central power-arrangements will operate to include or exclude women. In examining the ways in which women connect to both inclusion projects we aim to shed light not just on how women are affected by peace processes, but how the treatment of women relates to the broader endeavour of fashioning different levels of inclusion that might come to institutionalise a new social contract capable of sustaining the end to violence.

Measuring a 'gender perspective' in peace agreements: methodology

In terms of understanding when and how a gender perspective has been adopted in a peace agreement, some of the above conceptualisations of gender are more capable of being measured than others. It should also be possible to assess where women have been involved in peace processes. However, this assessment is in fact quite difficult. Studies have differed in how they have assessed the inclusion of women as signatories: Krause for example finds that 10% of agreements from 1990 to 2014 have been signed by women, while UN Women figures suggest that between 1992 and 2010, 4% of signatories and less than 10% of negotiators have been women. While these are quite different ways of measuring, they both suggest that the number of women who sign agreements is low.[15] However, not all agreements are specifically signed by parties, it is not always possible to tell gender from signatures and names, and even if it were, signature does not always indicate capacity to influence the text, while women who have not signed agreements may have influenced their content. Other useful projects, recognising this reality, have systematically analysed influence through case studies or tried to assess women's inclusion in other ways.[16] Some studies suggest that involvement of women correlates with a more sustainable peace.[17] None of these efforts provide a full, global, quantitative picture of when and how peace processes include women, although all break important new ground. Evidence of women's inclusion correlating with peaceful outcomes has been used to counteract political arguments that including broader constituencies threatens the search for an elite pact. However, this type of empirical argument risks inadvertently signalling that the only reason to include women is an instrumental one and so reinforcing exclusion if the instrumental argument does not persuade elite-focused mediators in their context (as it often will not).

Our research focuses on peace agreement design as evidence of a gender perspective. It is possible to make a categorical assessment of when peace agreements have provided for women and gender in specific terms, and this is what we undertake from the PA-X database, which has coded provisions for mention of women or gender. While this way of measuring a gender perspective in peace agreements seems to correlate with the most superficial assessment of a 'gender perspective' we suggest that it nonetheless has some salience. While inclusion of provisions on gender does not indicate a gender perspective, it is difficult to believe that any more holistic type of gender perspective has been adopted if there is no specific reference to women or girls, or to gender, or to forms of sexual violence. However, PA-X enables us to go further and consider other provisions relating to gender, such as for

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[15] Krause, (2018); UN Women, (2016).

[16] For a good example, see O'Reilly, Ó Súillebháin, & Paffenholz, (2015).

17 See Krause, (2018), who argues that there is a 'robust relationship' between women being signatories and durability of peace, despite the small numbers; cf. unpublished but much-cited work by Stone, (2015) finding that 'where women are included in peace processes there is a 20 per cent increase in the probability of an agreement lasting at least 2 years, and a 35 per cent increase in the probability of an agreement lasting at least 15 years', based on a study of 156 peace agreements, controlling for other variables. Cf. also, similar findings with reference to inclusion of civil society more generally: Nilsson, (2012).

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'men and boys' or for 'family' or for lesbian, gay, bisexual or trans identities and issues. We also make an attempt in Part V to understand the central political settlement contemplated in peace agreements, and to consider the relationship of women to it, in particular through interrogation of measures dealing with power-sharing and transitional justice, and an examination of when and how references to women in peace agreements are used as part of a broader inclusion agenda.

The article therefore provides an assessment of the extent to which peace agreements from 1990 show evidence of a 'gender perspective', using the PA-X database of peace agreements which operates as a quantitative and qualitative assessment tool for examining peace agreement provisions.[18] In this dataset, 'peace agreements' are defined as formal, publicly-available documents, produced after discussion with conflict protagonists and mutually agreed to by some or all of them, addressing conflict with a view to ending it.[19] This definition includes ceasefire agreements, pre-negotiation agreements, substantive/framework agreements (both partial and comprehensive) and implementation agreements. Agreements are also broken into those that deal with 'intrastate agreements in intrastate conflict' (agreements between state and non-state actors addressing conflict that occurs primarily *within* a state's boundaries) and interstate agreements (between two or more states) addressing conflict primarily within a state's boundaries.[20]

The data was compiled using the 25-year period from 1 January 1990 to 31 December 2015, in which 1,518 of these agreements were reached.[21] The start date of 1 January 1990 was taken as a date that correlates as accurately as any with post-Cold-War changes in the practice of negotiating ends to conflict and using international machinery to support this. The cut-off date of 31 December 2015 was chosen so that complete years could be dealt with across a complete 25-year period. The database has coded provisions dealing with the nature of the state; its governance; inclusion of different groups; human rights and equality; justice sector reform; socio-economic reconstruction; land, property and environmental issues; security sector reform; transitional justice; and implementation. As regards gender, provisions were coded if they referred to women, girls, widows, mothers, sexual violence (or any other form of these terms), gender violence, UNSCR 1325 or CEDAW. The database separately coded references to lesbian, gay, bi-sexual or trans communities, references to men and boys, and references to family.

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[18] For a full description of the PA-X peace agreement database, see Bell & Badanjak, (2018). The database itself can be viewed at www.peaceagreements.org, and a full account of definitions and codebook can be found in Bell et al., (2017).

[19] PA-X uses a 50-year cut-off between the conflict's end and the peace agreement. As in interstate conflict there are often long gaps between the de facto end of the conflict and its formal end in an agreement.

[20] PA-X also includes interstate agreements (between two or more states) in interstate conflict. There are 63 agreements relating to conflicts in this last interstate category, but these are excluded from this analysis as different in type and in fact, none of them make any reference to women.

[21] The number is larger than the only two other quantitative databases because the Uppsala Conflict Data Program (UCDP) peace agreement database (Kreutz, 2010) only includes agreements that respond to the incompatibilities between parties in an armed conflict narrowly defined, and the Peace Agreement Matrix (Joshi & Darby, 2013) only includes comprehensive agreements, while PA-X examines agreements through all stages of negotiations in a wider set of conflicts.

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III. Women and gender in peace agreements

The scope of references to women: descriptive statistics and trends

In general terms evidence of a gender perspective in peace agreements is fairly disappointing. Of the 1518 agreements in PA-X, 315 (21%) include at least some provisions that specifically address women, their inclusion, and their rights. Interestingly, this number is a good deal larger than that for agreements specifically referring to men or boys (85), children or youth (254), or LGBT people (9), as we address further below.

While there is a general decline in the total number of agreements that are signed each year, the proportion that include references to women have consistently increased over time, from 7% in 1990, to 49% in 2015, the second highest peak over this time period. Figure 1 illustrates the progress of this trend over time.
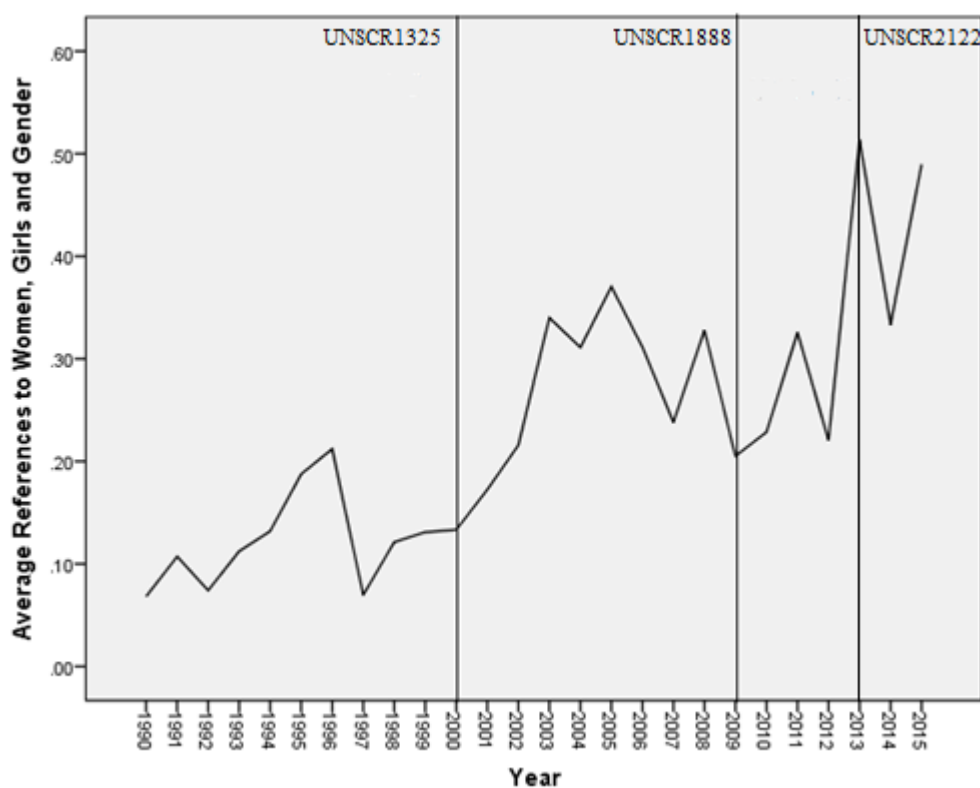
Figure 1: Showing the proportion of all agreements that include at least some reference to women, girls, and gender, by year. Note, the three lines show UNSCR 1325 (2000), UNSCR 1888 (2009) (first addressing sexual violence), and UNSCR 2122 (2013) (Aiming to Strengthen Women's Role in All Stages of Conflict Prevention).

As was evidenced in Bell & O'Rourke (2010), references to women rose after the signing of UNSC 1325.[22] Figure 1 shows that following the signing of UNSCR 1325 on 31 October 2000 there was an acceleration of women's inclusion in the agreements. Prior to this resolution, 12% of all agreements included references to women, compared with 30% after this date. This increase in inclusion is somewhat magnified when the UN appears as a

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[22] PA-X, (2017a).

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signatory to the document, as can be seen in Table 1. In the period after the signing of UNSCR 1325, those documents in which the UN is a signatory were 14% more likely to include references to women (42% compared with 27%). While there is no significant increase in UN participation in agreements over time, the organisation appears to be contributing to this upward trend in women's inclusion in process documents.

	Before UNR1325	After 1325
UN Signatory	12%	42%
Non-UN Signatory	12%	27%

Table 1: Showing the proportion of agreements that mention women, broken into those that have the UN as a signatory, and those that do not, and if they were signed before or after UNSCR 1325.

Table 2 shows some of the other major ways in which women are provided for in peace agreements, broken down by UN involvement, whether the agreement was signed between a range of state and non-state parties (intrastate), or by states only (inter/intra-state), the stage of the peace process, and by power-sharing.

In general, there is an extremely low level of inclusion of any form of particular reference to women. The most common reference to women is to women's participation in the peace process or new institutions established by it, in general terms or providing for specific measures amounting to 128 cases. Within this category, agreements that promote gender quotas in political institutions (perhaps the most concrete provision aimed at political equality) are the least numerous, occurring in only 3% of agreements. References to violence against women and their inclusion in development efforts are next most frequent, occurring in 96 and 90 agreements respectively.

Agreements that come after UNSCR 1325 do show a level of all forms of references to women that are a good deal higher than those before. Whether this is due to the resolution, or due to a consistent progression over time is difficult to confirm, although either cause would evidence a rise in the commitment to inclusion of women. When comparing this data with that from Table 1, it can be inferred that the involvement of the UN, particularly after UNSCR 1325, has a positive effect on references to women.

Virtually the only occasion in which these forms of women's inclusion increase into double digits is in comprehensive framework agreements. Inclusion of references to the participation of women in the agreement reach 41% for this stage of the peace process. Those agreements that tend to occur earlier in the peace process, at ceasefire and pre-negotiation phases, are those with the lowest levels of inclusion. At these early stages it is violence against women that predominates, rather than any mechanisms to promote equality.

Power-sharing is again shown to have a relevantly large impact upon these forms of inclusion. For example, references to gender equality are roughly five times more likely to occur in a power-sharing agreement than one that does not contain such provisions. Similarly, provisions for gender quotas are more than seven times more likely in power-sharing agreements as we explore further in Part V below.

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	Equality	Quotas	Violence	Participation	Particular Groups	New Institutions	Transitional Justice	Development	Implimentation
UN Signatory	17 (5%)	15 (4%)	28 (8%)	34 (10%)	13 (4%)	25 (7%)	12 (4%)	22 (7%)	17 (5%)
Non-UN Signatory	56 (5%)	27 (2%)	68 (6%)	94 (8%)	38 (3%)	43 (4%)	37 (3%)	68 (6%)	30 (3%)
IntraState	62 (5%)	41 (3%)	87 (7%)	114 (9%)	49 (4%)	59 (5%)	44 (4%)	81 (7%)	45 (4%)
Inter-Intra State	11 (5%)	1 (1%)	9 (4%)	14 (7%)	2 (1%)	9 (4%)	5 (2%)	9 (4%)	2 (1%)
Pre-Negotiation	12 (3%)	1 (0%)	16 (3%)	7 (2%)	9 (2%)	13 (3%)	6 (1%)	5 (1%)	6 (1%)
Framwork-Substantive, Partial	27 (7%)	14 (4%)	34 (9%)	58 (16%)	22 (6%)	20 (6%)	22 (6%)	42 (12%)	21 (6%)
Framework-Substantive, Comprehensive	26 (28%)	20 (21%)	19 (20%)	39 (41%)	13 (14%)	19 (20%)	10 (11%)	28 (30%)	11 (12%)
Implimentation/Renegotiation	7 (2%)	7 (2%)	10 (4%)	21 (7%)	5 (2%)	13 (5%)	8 (3%)	13 (5%)	5 (2%)
Renewal	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Ceasefire	1 (0%)	0 (0%)	17 (6%)	3 (1%)	2 (1%)	3 (1%)	3 (1%)	2 (1%)	4 (2%)
Before UNR1325	24 (3%)	6 (1%)	20 (3%)	26 (3%)	20 (3%)	13 (2%)	16 (2%)	22 (3%)	11 (1%)
After UNR1325	49 (7%)	36 (5%)	76 (11%)	102 (14%)	31 (4%)	55 (8%)	33 (5%)	68 (9%)	36 (5%)
Power-Sharing Agreements	50 (10%)	36 (7%)	35 (7%)	87 (18%)	30 (6%)	45 (9%)	18 (4%)	55 (11%)	25 (5%)
Non-Power-Sharing Agreements	23 (2%)	6 (0%)	61 (6%)	41 (4%)	21 (2%)	23 (2%)	31 (3%)	35 (3%)	22 (2%)
Total	73 (5%)	42 (3%)	96 (6%)	128 (8%)	51 (3%)	68 (4%)	49 (3%)	90 (6%)	47 (3%)

Table 2: Showing the numbers and proportions of agreements that reference women in key areas, broken down by whether the UN is a signatory or not, nature of the other signatories, stage of the peace process, pre and post UNSCR 1325, and if the agreement mentions power-sharing.

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The most significant conclusion from this analysis is that there is a lack of references to women. When they are mentioned, their participation in the peace process is emphasised, but this effort is likely to be made more difficult with the small proportion of agreements providing for legislative quotas.

References to women at each stage of the process

As noted above, each of the agreements in the PA-X database has been coded in terms of the stage of the process that it refers to. Six main types of agreement have been identified and while we use the term 'stage', it is not the intention to suggest that all peace processes flow along an inevitable trajectory, and indeed these agreements have been classified in terms of their content (see definitions below). However, the coding is valuable in the present analysis as it permits a description of patterns of inclusion at different stages of the negotiation process so that any potential 'bottle-necks' to inclusion can be identified.

- o Pre-negotiation: Agreements that aim to get parties to the point of negotiating over the incompatibilities at the heart of the conflict. These can take place at any stage, even after a comprehensive peace agreement.
- o Framework-Substantive, Partial: Agreements that concern parties that are engaged in discussion and agreeing to substantive issues to resolve the conflict, but only deal with some of the issues in ways that appear to contemplate future agreements to complete.
- o Framework-Substantive, Comprehensive: Agreements that concern parties that are engaged in discussion and agreeing to substantive issues to resolve the conflict and appear to be set out as a comprehensive attempt to resolve the conflict.
- o Implementation/Renegotiation: Agreements that aim to implement previously negotiated agreements.
- o Renewal: Short documents that simply 'renew' previous commitments.
- o Ceasefire: Agreements which provide in their entirety for a ceasefire, or association demobilisation, or an agreement that is purely providing a monitoring arrangement for, or extension, of a ceasefire.
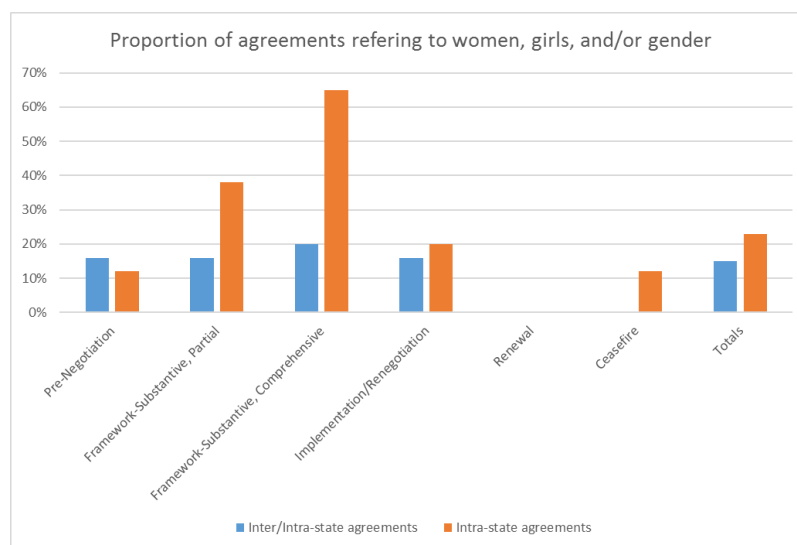

Figure 2: Showing the proportion of agreements that include some reference to women, girls, and gender, by stage of the peace process and nature of the signatories.

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Figure 2 shows that there are stark differences in whether specific provisions relating to gender are included in the text, as between stages. There are also fewer references to women in interstate agreements relating to intrastate conflict. This difference is statistically significant, but small and reflects that these agreements are often framing documents for talks processes, although it does indicate that international allies of the peace process are not emphasising gender issues as much as they might. For intra-state agreements between those involved in the conflict, which make up the largest proportion of agreements in the database, references to women are most numerous at the comprehensive stage (65%). These agreements are those that make an effort to fully resolve the existing conflicts in society and so it is perhaps not surprising that these accords will attempt to provide for broader agendas for change which go beyond the groups and cleavages in society that lie at the heart of the use of violence. These agreements are also written to provide broad solutions to the conflict at what is hoped to be its end, and so may attempt to deal with issues relating to the victims of war, or protection, where women may tend to be more easily referenced. The higher number of references to women cannot, however, be accounted for by intervention by the UN in the process, as they appear as a signatory in a roughly similar proportion of agreements at the ceasefire and implementation stages. The most commonly occurring provisions in comprehensive agreements are those discussing the participation of women (41%) and equality (34%).

It is significant that there is a relative lack of references to women at the ceasefire and pre-negotiation stage (both 12%). These agreements can set up the terms on which future negotiations will take place, and so have the potential to provide a point at which the importance of inclusion of women in the process itself (rather than simply the document) can be impressed upon the parties involved. In the 29 ceasefire agreements that include women, there are a discreet number of ways in which they are mentioned. In several instances, gender-based violence, including rape[23] and enslavement of women,[24] are considered as a violation of the terms of the ceasefire. In two agreements from South Sudan, parties agree to avoid recruitment of child soldiers, boys and girls, and those children who have committed illegal acts are to be considered as victims.[25] In most cases women are positioned as a particularly vulnerable constituency among civilians who require explicit provisions for their protection. In one case (a local agreement in Syria) women are given priority in prisoner release, suggesting that even when active agents in the conflict, they are considered a more vulnerable constituency.[26]

By the pre-negotiation stage there are 59 agreements (13%) that make reference to women. However, with few exceptions, these are basic assertions of commitments to human rights and equality more generally. In several cases there are more specific clauses. These are often due to the lack of a ceasefire, and so various groups of people are permitted humanitarian provisions, such as safe areas.[27]

Implementation/Renegotiation agreements tend to have a greater diversity of provisions for women. The form that sets this stage apart from the others is the mention of new institutions. These institutions can be specifically for women, such as the new Ministry for Gender, Child

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[23] Central African Republic, (2014); Myanmar, (2015a, 2015b); South Sudan, (2014).
[24] Myanmar, (2015a, 2015b).
[25] Sudan Darfur, (2010, 2013).
[26] Syria, (2015).
[27] United Nations Resolution 2254, (2015); Croatia Yugoslavia (former), (1991).
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and Social Welfare in South Sudan,[28] a task force for programs for the decommissioned women auxiliary forces of the MILF in the Philippines,[29] or a National Action Plan for Women in Afghanistan.[30] More often, new institutions are created that must include women. For example, this can take the form of parliamentary quotas, such as in Somalia,[31] or the Provincial Management Committee in the Democratic Republic of Congo (DRC).[32]

References to gender-based or sexual violence

While overall, only 6% of agreements mention violence against women, the results in Figure 3 show a strong upward trend over time in the proportion of agreements including such references. There is a clear rise in peace agreement references to gender-based violence against women following UNSCR 1888 (2009) and while this could be accounted for by long term trends to increasingly address sexual violence alone, again it at least shows a common direction of travel in the increased attention to sexual violence as a tool of conflict. Interestingly here UN presence as a signatory does not appear to be linked with inclusion of sexual violence against women in agreements, even though feminists have criticised the issue as one that is propelled by international compulsion. Where the UN are a signatory to the agreement 3.2% of agreements make reference to gender-based violence, compared to 2.3% where they are not. Only seven of the 139 peace processes in the dataset include agreements that make reference to UNSCR 1325, however all of these include agreements that mention violence against women, again lending some weight to the use of UNSCR 1325 as a tool for change.

The PA-X dataset permits a more detailed analysis of how violence against women is described within the text of agreements. It can be seen in Table 3 that it is rarely discussed in any form, but when it is, sexual violence and gender-based violence tend to be the most common. The UN as a signatory, particularly after UNSCR 1325 is shown to be related to more inclusion. Similarly, framework agreements, that tend to be more detailed, are most likely to refer to violence against women.

When violence against women is discussed, references can normally fit into two categories. First are provisions which exclude sexual violence from amnesties. Take for example the Algerian 'Project de charte pour la paix et la reconciliation nationale'.[33] In this case a moratorium on legal proceedings against individuals reported to authorities excluded those suspected of a number of categories of extremely serious crimes such as rape, group killings, and the use of explosives in public places. The second type of reference includes provisions to protect women from any future violence. These include the setting up of working groups (as in South Sudan[34], and Yemen[35]), statements of human rights commitments (as in the DRC,[36] Mali Azawad,[37] and Myanmar[38]), and permitting women to leave conflict affected areas (as in Syria[39]).

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[28] South Sudan, (2015b).
[29] Philippines Mindanao, (2015b).
[30] Afghanistan, (2008).
[31] Somalia, (2012).
[32] DRC, (2008a).
[33] Algeria, (2005).
[34] South Sudan, (1999).
[35] Yemen, (2014).
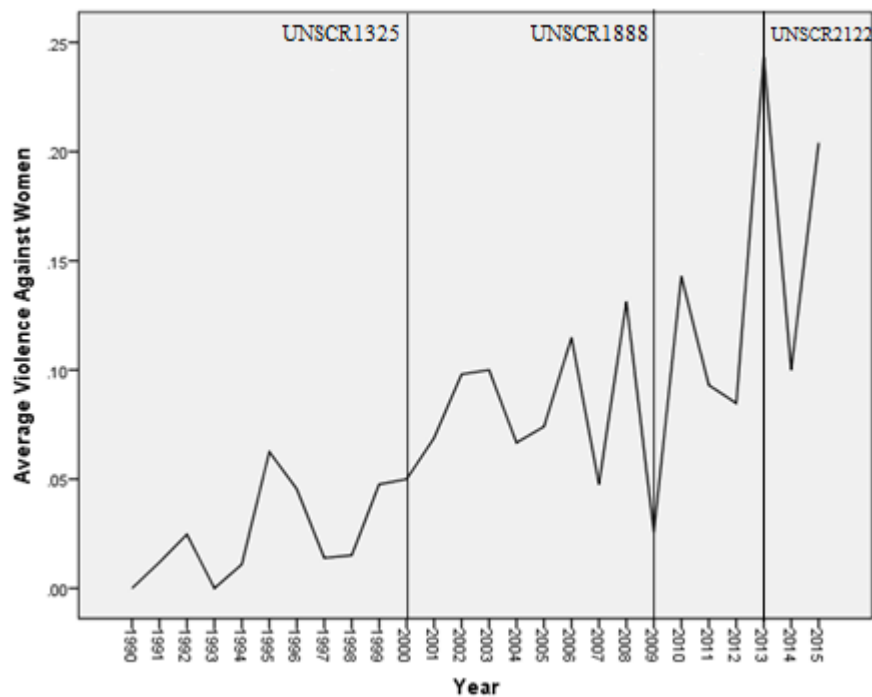[36] DRC, (2008b).
[37] Mali, (2013).

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Figure 3: Showing the proportion of agreements referencing violence against women by year. Note, the three lines show UNSCR 1325 (2000), UNSCR 1888 (2009) (first addressing sexual violence), and UNSCR 2122 (2013) (Aiming to Strengthen Women's Role in All Stages of Conflict Prevention).

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[38] Myanmar, (2015a).
[39] Syria, (2014).

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	Sexual Violence	Gender Based Violence	Protection General	Other Violence	Any Violence Against Women
UN Signatory	16 (5%)	11 (3%)	9 (3%)	4 (1%)	28 (8%)
Non-UN Signatory	32 (3%)	27 (2%)	17 (1%)	9 (1%)	68 (6%)
Inter-Intra State	3 (2%)	4 (2%)	4 (2%)	0 (0%)	9 (4%)
Intra-State	45 (4%)	34 (3%)	22 (2%)	13 (1%)	87 (7%)
Pre-Negotiation	3 (1%)	2 (0%)	8 (2%)	3 (1%)	16 (3%)
Framework-Substantive, Partial	16 (4%)	13 (4%)	8 (2%)	4 (1%)	34 (9%)
Framework-Substantive, Comprehensive	12 (13%)	14 (15%)	8 (8%)	4 (4%)	19 (20%)
Implementation/Renegotiation	4 (1%)	6 (2%)	0 (0%)	1 (0%)	0 (0%)
Renewal	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Ceasefire	13 (5%)	3 (1%)	2 (1%)	1 (0%)	17 (6%)
Before UNR1325	11 (1%)	4 (1%)	4 (1%)	4 (1%)	20 (3%)
After UNR1325	37 (5%)	34 (5%)	22 (3%)	9 (1%)	76 (11%)
Power-Sharing Agreement	19 (4%)	17 (3%)	12 (2%)	6 (1%)	61 (6%)
Non-Power-Sharing Agreement	29 (3%)	21 (2%)	14 (1%)	7 (1%)	35 (7%)
Total	48 (3%)	38 (3%)	26 (2%)	13 (1%)	96 (6%)

Table 3: Showing the proportion of each type of agreement that contains references to different forms of violence against women, broken down by whether or not the UN signed the agreement, nature of the other signatories, stage of the peace process, pre and post UNSCR 1325 and if the agreement mentions power-sharing.

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References to gender beyond 'women'

The concept of a gender perspective in peace agreements goes beyond references to women and their concerns alone. PA-X also codes for all mentions of men, boys, families, and LGBT constituencies, enabling us to understand how these gendered terms are also used.

In total 85 agreements are coded as making reference to 'men' or 'boys'. In almost every instance in which men are mentioned, the text is simply using gender-inclusive language by referring to 'men and women'. There are almost no provisions that make specific reference to men. The eight exceptions to this are references to men, meaning soldiers,[40] health issues pertaining to men,[41] or not using gender inclusive language.[42] There are no references to boys that are not a part of a gender-inclusive phrase that also includes girls. The omission of direct references to inclusion of men and boys is almost more telling of the ways in which the process is understood to include men than the specific references to women: to some extent the whole of the agreement is assumed to include men, and terms like 'armies' will be considered in terms that presume men to be beneficiaries of targeted provisions. However, given increased emphasis on issues such as male-on-male sexual violence,[43] or the effects of being a child soldier on boys, the absence of direct, explicit provision for men and boys is interesting and speaks to a relative silencing of issues affecting 'boys as boys' in discourses of victimhood.[44]

There are 170 instances in which agreements have been coded as making reference to families (53% of the agreements including a reference to women include reference to families). In the Philippines, for example, there are 11 agreements with this provision. There are, however, a variety of reasons for their inclusion. The majority are references to the requirement to return internally displaced families,[45] and young prisoners.[46] There are also provisions promised for the families of combatants.[47] The right to identify with the lineage of indigenous peoples are also mentioned.[48] However some are more directly gendered, with reference to protection of 'the family' as a fundamental social unit,[49] or more positively making provision for protection measures aimed at families. However, some references connect to references on women, making socio-economic provision for heads of households in contexts where the head is likely to be a woman.[50]

LGBT rights are discussed in only nine agreements. Three of these references (all of the references in Africa apart from South Africa) are negative, 'prohibiting' or otherwise restricting same-sex relationships by making 'homosexuality' or equal marriage illegal (Burundi, DRC and Zimbabwe).[51] All the rest are positive: seven provide for some form of

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[40] Abkhazi-Georgia, (2000).
[41] Israel-Palestine, (1995).
[42] DRC, (2006); Libya, (2011).
[43] Dolan, (2014).
[44] See further, Gorris, (2015).
[45] Philippines, (1998, 2001, 2002, 2004, 2010); Philippines Mindanao, (2013).
[46] Philippines, (2004).
[47] Philippines, (1996); Philippines Mindanao, (2015a).
[48] Philippines, (2005); Philippines Mindanao, (2008, 2012, 2014).
[49] See, for example, Somalia, (2004), Page 14, Chapter five.
[50] See, for example, Sudan Darfur, (2011), Page 28, Chapter II.
[51] Burundi, (2005); DRC, (2003a); Zimbabwe, (2013).

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affirmation or protection of equality on grounds of sexual orientation (Colombia, Northern Ireland, Nepal, Philippines, and South Africa).[52]

Quality of provision for women

It is worth noting that any analysis of documents that simply counts agreements containing certain text says little about the seriousness ascribed to a gender perspective within the document. A document such as the 2008 Global Peace Agreement between the Central African Republic and Central African Political Movements, that makes only one reference to 'the daughters and sons of Africa',[53] will be counted in the same way as those with a more significant engagement with issues of women's rights, such as the Yemeni National Dialogue Conference outcome document[54] which includes the word 'women' 114 times and makes specific and substantial policy proposals.

The PA-X Gender database,[55] in providing texts of agreements, enables an assessment of the content of the provisions in qualitative terms. However, it is also possible to evaluate the nature of the provisions quantitatively. To do this, we took all of the agreements that make any reference to women and further coded them based on 11 topic codes that are listed below, as well as 42 sub-codes within each of these.

- o Women's participation
- o Women's equality
- o Particular groups of women
- o International law on gender
- o New institutions for women
- o Violence against women
- o Transitional justice with regard for women
- o Institutional reform accounting for women
- o Development
- o Women's involvement in implementation
- o Other references to women

Any agreement that made reference to any of the above topics was coded. This permitted a new variable to be created, called 'Gender Score', by aggregating these references to arrive at a numerical score.[56]

Only one agreement had the highest possible gender score. That was the DRC's Sun City Agreement.[57] While this agreement failed to end the conflict or produce a new constitution, the provisions within make extensive references to women. These include gender inclusive language throughout, as well as references to violence against women, their particular needs in terms of healthcare, and human rights provisions that promote equality. Other references include increasing the marriageable age of girls to 19 years, the involvement of women's groups in the implementation process, and new structures that give women access to credit,

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[52] Colombia, (2015a); Northern Ireland, (1998); Nepal (2015); Philippines, (1998); South Africa, (1993).
[53] Central African Republic, (2008).
[54] Yemen, (2014).
[55] PA-X, (2017b).
[56] A single reference was coded as 1. The Gender Score was calculated by simply adding together the 1's from each agreement, meaning the maximum possible score per agreement was 11. If an agreement on the PA-X dataset contained no reference to women, this was given a Gender Score of '0'.
[57] DRC, (2003b).

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micro-finance, and the business world.   The Dar-es-Salaam Declaration (an interstate agreement setting the context for addressing conflicts in the Great Lakes region of Africa),[58] the Yemeni National Dialogue Document,[59] and Burundi's Arusha Peace and Reconciliation Agreement,[60] also all scored very highly (10 out of a possible 11).

Figure 4 shows that using this score rather than a count of agreements gives a similar upwards slope to the inclusion of women in peace agreements, particularly after the introduction of UNSCR 1325 in 2000. Before this resolution the average gender score per agreement was 0.3, while after it was 0.8.
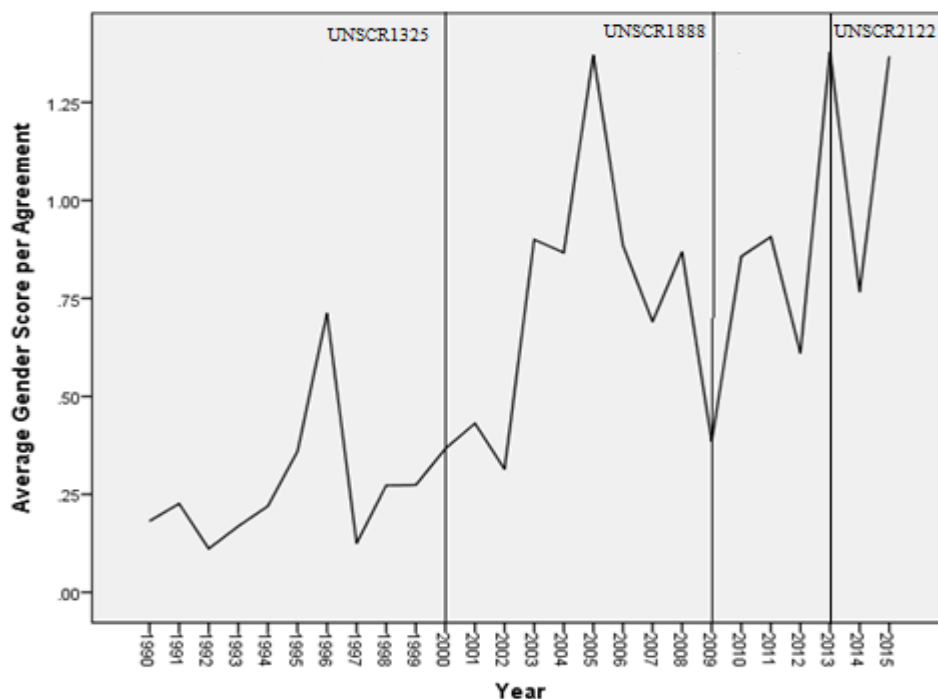
Figure 4: Showing the average Gender Score of agreements per year. Note, the three lines show UNSCR 1325 (2000), UNSCR 1888 (2009) (first addressing sexual violence), and UNSCR 2122 (2013) (Aiming to Strengthen Women's Role in All Stages of Conflict Prevention).

Of the 316 agreements included in the Gender PA-X dataset up until 2015 which include any mention of women, 122 (39%) only have a single code of the 11 checked. Only 110 (35%) have 3 or more checked.

Table 4 gives a similar description of the importance attributed to a gender dimension at each stage of the peace process. The results largely mirror those in Figure 2, and so go some way to validating the inferences made above as regards the more frequent treatment of gender in intrastate comprehensive agreements. Interestingly, they also show that the total gender scores are roughly the same for intra and inter-intra state agreements suggesting that the small

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[58] African Great Lakes, (2004).
[59] Yemen, (2014).
[60] Burundi, (2000).

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number of inter/intra state agreements which include references to women give a relatively high regard to these issues. This prevalence of references to women in interstate agreements which underwrite attempts to resolve conflict within states is accounted for by the incidence of internationalised peace processes, such as in Bosnia, Darfur, Kosovo and Afghanistan, where the treatment of women was articulated as a justification for international intervention and so has remained on the international agenda for the country. For example, the regional Great Lakes agreement dealing with conflicts with high levels of violence against women in Central African Republic, Rwanda, and Democratic Republic of Congo in particular, has a gender score of 10 in part because of the normative role it sought to play with reference to the inclusion of women.[61] Overall, however, this admittedly crude attempt to understand the depth of gender provisions quantitatively points to the relative lack of a gender perspective in peace agreements, even when they mention women or gender specifically.

	Inter/Intra-state agreements	Intra-state agreements
Pre-Negotiation	9 (0.26)	50 (0.2)
Framework-Substantive, Partial	7 (0.62)	111 (0.96)
Framework-Substantive, Comprehensive	1 (0.4)	56 (2.6)
Implementation/Renegotiation	13 (0.5)	39 (0.38)
Renewal	0 (0)	0 (0)
Ceasefire	0 (0)	29 (0.22)
Totals	30 (0.43)	285 (0.57)

Table 4: Showing the number and average Gender Score of all agreements, by stage of the peace process and nature of the signatories.

IV. Issues singled out by UNSCR 1325

UNSCR 1325 identifies three areas for particular attention: first, measures that protect the human rights of women and girls particularly as they relate to political and legal institutions; second, the special needs of women during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction; and third, the inclusion of women in implementation of peace agreements. Here we examine provisions in each of these areas more specifically, and also attempt to make an assessment of implementation, using other datasets. Research relating to implementation of peace agreements is still in its infancy. Case study analysis exists, and the Peace Agreement Matrix[62] provides data to measure the

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[61] African Great Lakes, (2004).
[62] Joshi, Quinn & Regan, (2015).

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implementation of stipulations to action made in comprehensives peace agreements (a total of 34 agreements), for a period of 10 years following the signing of the agreement. Other research tries to match peace agreement commitments to assessments of reduction in deaths in conflict, or the durability of peace.[63] All of these are useful ways to understand the outcomes that follow from the inclusion of particular provisions, but the science of linking modes of signing agreements, or particular peace agreement outcomes to the effect on conflict trajectories, is not yet sufficiently developed to be entirely robust or global in application, although all of these attempts usefully inform the generation of better data.[64] However, there are concrete ways to measure particular commitments where data is robust, global and relatively uncontroversial – some of these provide ways of measuring whether the issues singled out in UNSC 1325 are not just included in agreements but are further effective in producing some change post-settlement.

Constitutionalisation of commitments to women

The PA-X dataset shows 25 agreements, in 14 countries, that discuss constitutional reform relating to women. In four cases the agreement is the constitution itself.[65] In 9 of the 25 agreements there is a requirement to include human rights provisions that ensure compliance with international standards. In 6 others there are more general references to women's equality and greater political power. In 5 there are references to gender quotas, either in the legislature or commissions associated with the legislature, or bodies set up to form the new constitution.

Country	Date	Reform Requested	Constitution Year
Bosnia and Herzegovina/Yugoslavia (former)	1995-11-21	International human rights law	1995 (revised 2009)
Bosnia and Herzegovina/Yugoslavia (former)	1994-03-18	International human rights law	1995 (revised 2009)
Bosnia and Herzegovina/Yugoslavia (former)	1994-03-01	International human rights law	1995 (revised 2009)
Bosnia and Herzegovina/Yugoslavia (former)	1993-09-16	International human rights law	1995 (revised 2009)
Burundi	2004-08-06	Quota in legislature	2005
Burundi	2000-08-28	International human rights law	2005
Cambodia	1991-10-23	Human rights/judicial equality	2008
Mali/Azawad	1992-04-11	International human rights law	1992
Papua New Guinea/Bougainville	2001-08-30	Inclusion of women in legislature	1974 (revised 2014)
Papua New Guinea/Bougainville	1998-12-24	Inclusion of women in legislature	1974 (revised 2014)
Somalia	2011-09-06	No change- women on drafting committee	2012
Zimbabwe	2008-09-15	Equality: general	2013

Table 5: Showing all agreements that recommend constitutional changes for women that were successfully implemented.

Comparing these results with the Constitute Project's dataset of constitutions,[66] reveals that in all cases (13) in which there was a specific recommendation to change the constitution, and where a new constitution was created after the peace agreements (and this constitution was not itself a peace agreement), these provisions were included. In most cases the precise text of the agreement was introduced into the new document. However, in six cases there was no constitution that came after the agreement. Although there were a small absolute number of agreements that requested changes of the constitution for women, the fact that all were implemented emphasises the value of including these demands in negotiations.

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[63] For example, Ottmann, (2018).

[64] This view is informed by PA-X detailed coding, which shows the very different types of provision that are included, and also reveals that the question of whether agreements are signed or not, and signed by women or not, is somewhat arbitrary as regards when women will have likely influenced the text.

[65] For an understanding of the 'peace agreement constitution' see Sapiano, (2017).

[66] Ginsberg, (2018).

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		Implemented?		
	Gender Quotas	Yes	No	Unknown
UN Signatory	15 (4%)	11 (73%)	2 (13%)	2 (13%)
Non-UN Signatory	27 (2%)	17 (63%)	6 (22%)	4 (15%)
Intra-State	41 (3%)	28 (68%)	8 (20%)	5 (12%)
Inter-Intra State	1 (0%)	0 (0%)	0 (0%)	1 (100%)
Pre-Negotiation	1 (0%)	0 (0%)	1 (100%)	0 (0%)
Framework-Substantive, Partial	14 (4%)	10 (71%)	4 (29%)	0 (0%)
Framework-Substantive, Comprehensive	20 (21%)	14 (70%)	2 (10%)	4 (20%)
Implementation/Renegotiation	7 (2%)	4 (57%)	2 (29%)	1 (14%)
Renewal	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Ceasefire	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Before UNR1325	6 (1%)	6 (100%)	0 (0%)	0 (0%)
After UNR1325	36 (5%)	22 (61%)	8 (22%)	6 (17%)
Power-Sharing Agreement	36 (7%)	27 (75%)	6 (17%)	3 (8%)
Non-Power-Sharing Agreement	6 (1%)	1 (17%)	2 (33%)	3 (50%)
Total	42 (3%)	28 (2%)	7 (0.5%)	6 (0.5%)

Table 6: Showing the numbers and proportions of agreements that include provisions for gender quotas, broken down by whether or not the UN signed the agreement, nature of the other signatories, stage of the peace process, pre and post UNSCR 1325 and if the agreement mentions power-sharing.[67]

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[67] In the column labelled 'Gender Quotas', percentages in parentheses refer to the proportion of that category of agreement that include this provision. In the following columns percentages describe the breakdown of the number of these agreements by whether or not they have been implemented.

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With regard to quotas that specify particular numbers of women in electoral or other bodies, there are a total of 42 agreements that make reference to this provision. Table 6 breaks this figure down by the same variables are before. Again, as this is a small total number any inferences should be interpreted with caution.

The same factors that we saw linked with inclusion of women and gender in other matters are also present here. UN involvement is related to a modest improvement in the presence of quotas, which increases following UNSCR 1325. Quotas are largely provided for in the comprehensive stage of peace processes – there is an almost complete absence of reference to quotas in earlier agreements. Once again, power-sharing is shown to be associated with a relatively large increase in the likelihood of the agreement including references to quotas.

Implementation of these provisions can be informed by data from the Gender Quota Database[68] along with other sources for sub-national councils, to show if the quotas specified in the agreement were enacted.[69] Table 6 indicates the rate at which quotas in the legislature have been enacted or not. There are some instances in which references to quotas are not applicable in this count. Not all agreements made reference to quotas in the legislature, but on various committees or inter-ministerial commissions. Where possible, information on the present composition of these bodies has been sought. Where this is not possible they have been marked as 'unknown'. Similarly, references to quotas could indicate that there was no agreement on this point. These too have been marked as 'unknown', because there is no clear information on how this debate was resolved. Finally, in some cases the Gender Quota Database contains no data about quotas in the legislature in a particular country. These have been marked as having no quotas in the absence of other information.

Interestingly, the limited amount of data indicates that framework-substantive agreements have a fairly high rate of implementation of quotas. Similarly, power-sharing agreements that propose gender quotas often see those quotas implemented. Analysis of the rates of implementation of quotas indicates that UN involvement has a modest impact on the likelihood of a gender quota provision coming to fruition. The rate of implementation following UNSCR 1325 is not absolute but is high. These differences appear to be important, however it is worth noting that it is not possible from these data to say if gender quotas are more or less likely than any other kinds of provisions to be implemented. Similarly, it is also interesting that previous research has shown that gender quotas can also be implemented after conflict even when no such provision exists in the peace agreement.[70]

Looking at gender provisions for police and judicial reform, also specifically referenced in UNSC 1325, there are only 22 (1%) agreements that include provisions of this kind. In virtually all cases they make commitments to non-discrimination on the basis of gender, both in terms of police recruitment and behaviour, and improving access to justice for women.

International human rights standards, and previously mentioned accountability for gender-based violence, are also commonly promoted. Beyond creating campaigns to promote these values, and in some cases the creation of monitoring bodies (e.g. Darfur[71]), there is very little in terms of specific details on how these values are to be implemented. This makes judging the implementation of these policies virtually impossible.

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[68] GQD, (2014).
[69] This data was searched on 16 February 2018.
[70] Bell, (2015b).
[71] South Sudan, (2013).

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Women's needs in repatriation, reintegration and reconstruction

A total of 421 agreements have provisions for refugees and displaced people, however out of these, only 15 (4%) make a particular reference to the needs of women. Again, this low number does not permit useful statistical analysis. All but two of these are post-UNSCR 1325 agreements. Of those that occurred after the resolution, three involved the UN as a signatory. In most cases the reference to women arises alongside references to children as a particularly vulnerable group, without giving any particular account of what their 'special needs' are. In agreements for Burundi,[72] Colombia,[73] and particularly in Darfur[74] there are more extensive details on how the implementation of measures dealing with repatriation, reintegration and reconstruction should account for women.

In Burundi, for example, there are explicit provisions for women's economic property rights:

> 4.b. To give all returning families, including female- and child-headed families, food aid, material support and assistance with health, education, agriculture and reconstruction until they become self-sufficient;

> 4.c. To provide communes, villages and collines with assistance in the reconstruction of community infrastructures and with support for income-generating activities, paying special attention to women and enhancing their roles in building and sustaining families and communities;[75]

The Peace Accords Matrix[76] considers this agreement to have had 'intermediate implementation' with regards to refugees. The UN in particular has been involved in repatriation efforts for displaced people, the majority of whom are women,[77] in the years following the agreement. However, the Secretary General's fifth report on operations in Burundi highlights the 'situation of women returnees, particularly widows, is further exacerbated by the lack of adequate legislation to address their inheritance and land access rights'.[78] Other UN reports by 2005 indicate the continued high level of sexual violence against women in the general population.[79] By 2010 the Secretary General's Report, while praising the increased political involvement of women, did note continuing land disputes, that may have adversely impacted returning women.[80]

The Doha Peace Agreement for Peace in Darfur (not accepted by key parties to the conflict) has similarly high levels of provision for refugees and sexual violence against women.[81] As later reported by the UN Secretary General's Report on implementation of the agreements, refugees and women were involved in some workshops that aimed to reduce seasonal conflicts in the context of upcoming harvests.[82] This small implementation measure, however falls far short of the extensive recommendations in the Doha agreement that aimed to include women refugees in a variety of implementation initiatives.

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[72] Burundi, (2000).
[73] Colombia, (2015a).
[74] Sudan Darfur, (2011).
[75] Burundi, (2000).
[76] Joshi, Quinn & Regan, (2015).
[77] United Nations High Commissioner on Refugees, (2005).
[78] United Nations Security Council, (2005b).
[79] United Nations Security Council, (2005a, 2005b), United Nations, (2005).
[80] United Nations, (2010).
[81] Sudan Darfur, (2011).
[82] United Nations, (2017c).

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With regards to reconstruction, 32 agreements (10% of agreements that mention women) make specific reference to women. A distinction can be made between reconstruction for women, and by women. In the former, more common category are those that position women as a vulnerable group who, as victims of the conflict, require economic and infrastructural redevelopment to improve their conditions. This form of reconstruction is very similar to 'rehabilitation' and is coded as such in the PA-X dataset. The Philippines Mindanao example is typical of this form:

> The Parties agree to adopt criteria for eligible financing schemes, such as, priority areas of capacity building, institutional strengthening, impact programs to address imbalances in development and infrastructures, and economic facilitation for return to normal life affecting combatant and non-combatant elements of the MILF, indigenous peoples, women, children, and internally displaced persons.[83]

Reconstruction by women is also found in the texts. This can take the form of positioning women alongside men as equally responsible for the redevelopment of the nation, like in Afghanistan:

> Conference Participants reinforced the need for an effective and enduring framework to create and consolidate a stable and secure environment in which Afghan men and women of all backgrounds and perspectives can contribute to the reconstruction of their country.[84]

More substantial provisions also exist, such as in Mali Azawad, which suggests the promotion of cooperatives that can act as income generators that will also build social solidarity between women.[85]

Regarding women's inclusion with regards to implementation measures for refugees, reintegration and reconstruction, the final assessment must be that provisions providing for inclusion of women are uncommon. Moreover, where there is information on the implementation there is much room for improvement, even when provisions relating to women appear detailed and comprehensive. It is also notable that while the UN has provided a great deal of resources to processes and inclusion of women in implementation of agreements, there are only 13 (10%) cases in which the UN was a signatory to agreements following UNSCR 1325 in which provisions for women in the implementation process were provided for in the agreement.

Women and implementation

The final specific exhortation of UNSC 1325 is to inclusion of women in implementation. Interestingly, according to the Peace Accords Matrix, the implementation of provisions for women falls below the average. Figure 5 illustrates the relative rating given to the implementation of each type of provision. A score of 3 indicates full implementation.

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[83] Philippines Mindanao, (2014).
[84] Afghanistan, (2010).
[85] Mali, (2015).

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Average Implimentation Rating of Provisions

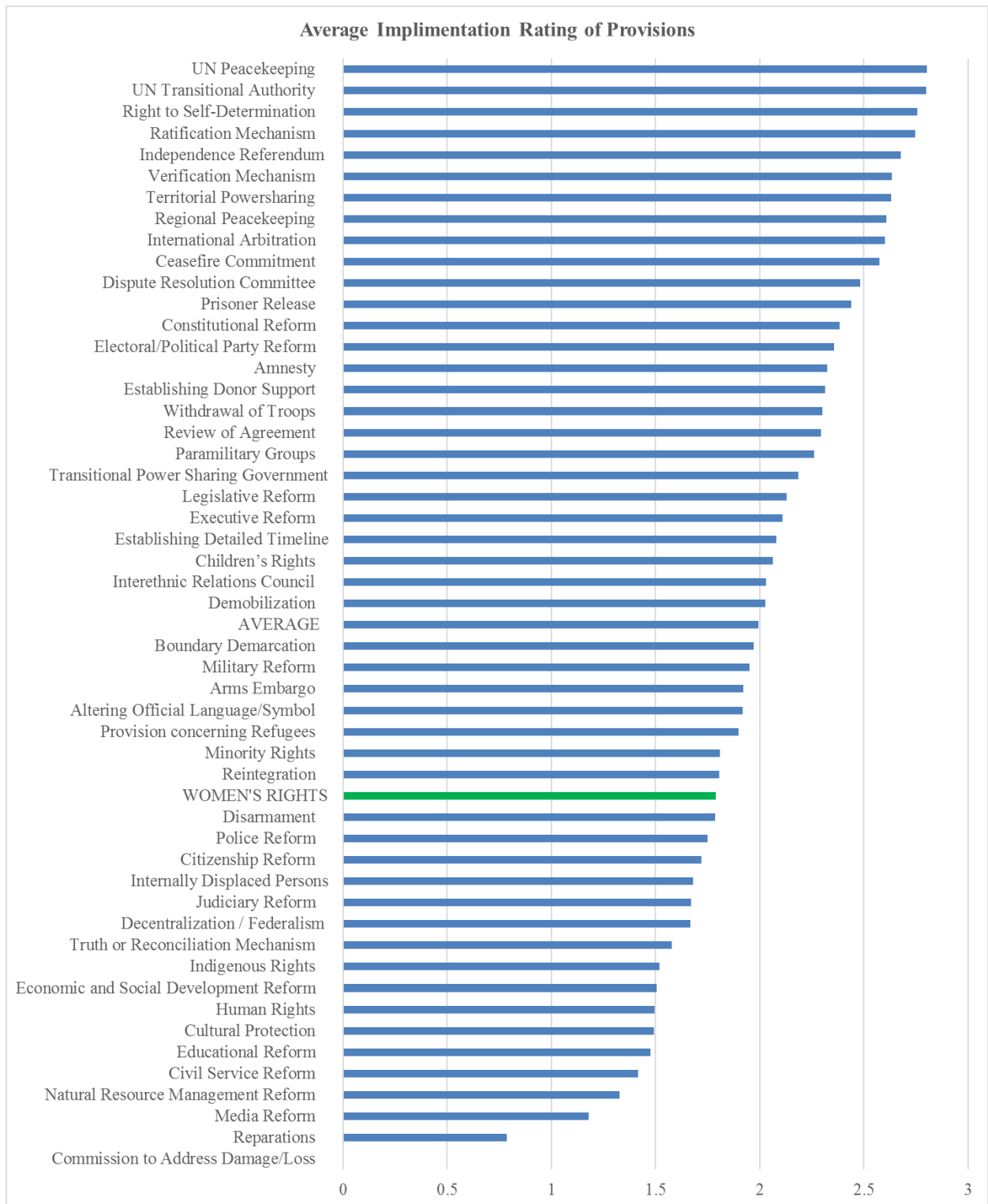| Provision	Rating
UN Peacekeeping	
UN Transitional Authority	
Right to Self-Determination	
Ratification Mechanism	
Independence Referendum	
Verification Mechanism	
Territorial Powersharing	
Regional Peacekeeping	
International Arbitration	
Ceasefire Commitment	
Dispute Resolution Committee	
Prisoner Release	
Constitutional Reform	
Electoral/Political Party Reform	
Amnesty	
Establishing Donor Support	
Withdrawal of Troops	
Review of Agreement	
Paramilitary Groups	
Transitional Power Sharing Government	
Legislative Reform	
Executive Reform	
Establishing Detailed Timeline	
Children's Rights	
Interethnic Relations Council	
Demobilization	
AVERAGE	
Boundary Demarcation	
Military Reform	
Arms Embargo	
Altering Official Language/Symbol	
Provision concerning Refugees	
Minority Rights	
Reintegration	
WOMEN'S RIGHTS	
Disarmament	
Police Reform	
Citizenship Reform	
Internally Displaced Persons	
Judiciary Reform	
Decentralization / Federalism	
Truth or Reconciliation Mechanism	
Indigenous Rights	
Economic and Social Development Reform	
Human Rights	
Cultural Protection	
Educational Reform	
Civil Service Reform	
Natural Resource Management Reform	
Media Reform	
Reparations	
Commission to Address Damage/Loss	

Figure 5: Showing the average implementation rating given to different types of provisions in peace agreements. Ratings come from the Peace Accords Matrix.[86]

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[86] Peace Accords Matrix, (2018).

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Case study approaches, however, show that spaces for women's organisation post peace agreement often close down for a range of complex reasons.[87] While women's groups may mobilise around agreements and agendas for change, so too do socially conservative groups, often with more effect. In Colombia for example the 2016 comprehensive agreement failed to pass a referendum in part based on church opposition to what they understood as a 'gender ideology' that was particularly triggered by opposition to LGBTI rights, but also the more general references to 'gender inclusion'.[88] Attempts to 'widen the tent' of peace negotiations post settlement, to include would-be 'spoiler' groups, can see broad agreements in-essence renegotiated at the behest of new parties in closed processes that produce very narrow agreements, as happened in both Burundi and Northern Ireland.[89] Indeed, it is notable that, as set out earlier, only 18% of implementation agreements refer to women or gender specifically. UNSCR 1325 talks of the importance of women's inclusion in the implementation of peace agreements.

The Gender PA-X dataset includes a number of variables that are associated with the manner of implementation of agreements and women. This can take the form of women's role being considered in the implementation process, women signing the agreement as women (rather than simply having women as signatories), or other ways of accounting for women in implementation. In total, 47 (3%) of agreements provide for the inclusion of women in implementation of the agreement in one of these ways. Although 36 of these were subsequent to the passing of UNSCR 1325, there still appears to be a lack of consideration for this call. The provision for implementation may be all the more important, given that international actors who may have provided important leverage to the claims for women's inclusion, may not be so involved post-settlement.[90]

Table 7 shows the breakdown of the number and proportion of documents that make any reference to women in the implementation of the agreement. Forty-seven cases is a small number, and so any trends should be interpreted with caution. However, many of the trends of women's inclusion seen elsewhere are also evident here. UN involvement has a modest negative correlation, which has improved following UNSCR 1325. Comprehensive agreements are again by far the most likely to include women, while those agreements that tend to occur earlier in the peace process, ceasefire and pre-negotiation agreements, are much less likely to involve women in implementation. It is also again shown that power-sharing agreements tend to be more likely to include women.

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[87] O'Rourke, (2013).
[88] Colombia, (2016); Valente, (2016). Interestingly, the FARC subsequently signed a document with churches 'reinterpreting' the agreement, and references to LGBT rights were amended in a revised agreement, which then became the basis for implementation.
[89] Burundi, (2006a); Ireland, United Kingdom, Northern Ireland, (2006).
[90] Bell, (2015a).

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	Women & Implementation
UN Signatory	30 (3%)
Non-UN Signatory	17 (5%)
Intra-State	45 (4%)
Inter-Intra State	2 (1%)
Pre-Negotiation	6 (1%)
Framework-Substantive, Partial	21 (6%)
Framework-Substantive, Comprehensive	11 (12%)
Implementation/Renegotiation	5 (2%)
Renewal	0 (0%)
Ceasefire	4 (2%)
Before UNR1325	11 (1%)
After UNR1325	36 (5%)
Power-Sharing Agreement	25 (5%)
Non-Power-Sharing Agreement	22 (2%)
Total	47 (3%)

Table 7: Showing the number of agreements that refer to women in the implementation process, broken down by whether or not the UN signed the agreement, nature of the other signatories, stage of the peace process, pre and post UNSCR 1325 and if the agreement mentions power-sharing.. Percentages in parentheses relate to the proportion of agreements referencing women out of the total number of agreements which provide for the implementation of the agreement as a whole.

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Of the 47 cases in which women are referred to in the implementation of the agreement, 25 give consideration to the role of women in this process. These 25 not only describe implementation of provisions for women, but also discuss an implementation mechanism that involves women. In two cases, Afghanistan[91] and Bahrain,[92] the inclusion of women involves the appointment of a named woman as a member of an implementation body. Two (DRC[93] and South Sudan[94]) have a quota to include particular numbers of women on implementation organisations.[95] Others are less specific, suggesting that women and/or women's organisations should be involved in the working of the commission. The others simply make vague references to principles of including the perspective of women in the process. In 16 cases, women are signatories to the agreement. In all but two of these they are signing on behalf of organisations that represent women and women's peace initiatives, as recommended in UNSCR 1325.

With regard to women's inclusion in implementation of agreements it must be concluded that there are low levels of regard for this part of UNSCR 1325. Women are largely not referred to in implementation provisions, or indeed in implementation agreements. However, it is also the case that those factors that have been shown to be associated with greater levels of inclusion, UN involvement, power-sharing, and comprehensive agreements, are again correlated with relatively higher levels of acceptance of women.

V. Understanding women in terms of competing 'inclusion projects'

How might we understand the relationship of any gender perspective in the peace agreement to the central political 'deal' between the parties to the conflict, and to the wider agendas for inclusion pushed by a range of social actors? Here we interrogate three different sets of relationships in peace agreement content. First the relationship between transitional justice provisions and gender; second the relationship between power-sharing provisions and gender; and third, the relationship between wider commitment to social inclusion and gender. These together give a picture of the deepest conceptualisation of a peace agreement's 'gender perspective', namely how it frames women with reference to the central 'deal' between the parties to conflict.

What do these three areas tell us about the inclusion project and its gendered dimension? Transitional justice provisions often emerge from tightly-worked deals between parties as to how a contested past should be dealt with. They are not principled attempts to provide accountability, but rather deals as to how to address the legacy of conflict in ways that will consolidate rather than disrupt the power-balance at the heart of the new political settlement. As such, the ways in which they integrate gender issues is revealing both for how gender is understood to connect to the conflict, and therefore how gender concerns might be understood to inform the project of inclusion which must address the conflict. Power-sharing arrangements, similarly connect issues of gender to the central 'deal' or elite pact between the parties, in ways that will shape whether and how women have access to political power, but also will shape the political institutionalisation of power that they have to contend with from

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[91] Afghanistan, (2011).
[92] Bahrain, (2011).
[93] DRC, (2008a).
[94] South Sudan, (2015a).
[95] The Great Lakes Region, Dar-es-Salaam Declaration, (2004) also provides for quotas in implementation organisations.

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the outside. Finally, comparing the inclusion of women with the inclusion of other groups, gives us some insight into where women have been situated with reference to the pressure for an elite pact, and the pressure for a wider social contract.

Transitional justice

Transitional justice mechanisms have been a clear focus of women's activism and we suggest are revealing of the conceptualisation of how gender inclusion is understood to relate to the conflict and the efforts to reach an end to it. Transitional justice mechanisms relate to both accountability for where and how women have been affected by the conflict, and how the past points a way towards the reconstruction and rehabilitation needs of women. More than that how the past is understood and where women's experience of conflict is located in it, implicates women's involvement in any new political settlement itself: if the peace settlement is meant to revise the state's 'inclusion contract', the stories that are told about the injustices of the past frame how the exclusions the peace process is to address will be understood.

Only 49 agreements in the Gender PA-X database contain any reference to women and transitional justice. This is only 7% of the 725 agreements that refer to transitional justice. Table 8 shows that these are concentrated at the framework-substantive stages in much the same way as references to women more generally. Again, Inter/Intra State agreements tend to have fewer references. The proportion of these 49 agreements that include political power-sharing is also above the overall average (31% compared with 19%). Similarly, peace processes that include agreements with political power sharing are more likely to include reference to women in transitional justice (43%) when compared with those that do not (10%).

	Inter/Intra-state agreements	Intra-state agreements
Pre-Negotiation	0 (0%)	6 (2%)
Framework-Substantive, Partial	2 (5%)	20 (7%)
Framework-Substantive, Comprehensive	0 (0%)	10 (12%)
Implementation/Renegotiation	3 (4%)	5 (3%)
Renewal	0 (0%)	0 (0%)
Ceasefire	0 (0%)	3 (1%)

Table 8: Showing the numbers and proportions of agreements that include reference to women in transitional justice, by stage of the peace process and nature of the signatories.

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Given the relatively small number of cases, quantitative analysis is of limited value on its own. For this reason, a thematic analysis was conducted that follows the method outlined by Braun & Clarke.[96] The thematic analysis can be found in table form in Table 9, along with the number of agreements in which each of these themes can be found.

Needs of women generally

The needs of women in transitional justice are mentioned in 19 agreements (1% of the entire data set), making up 3% of all agreements referring to transitional justice. As Table 9 shows this covers a broad range of different issues from material resources, rehabilitation, to witness protection. There is significant conceptual overlap between this theme and 'women as victims' (see below).

Women as prisoners

Women are referred to with connection to the past, in the context of being prisoners in the conflict. A number of agreements discuss an amnesty for women prisoners (preferentially to men, or along with them), or make recommendations for improving conditions for women prisoners. Table 9 shows provisions of this type in 12 of the 49 agreements (24%) that discuss women and transitional justice. This figure is only 6% of the 208 agreements that discuss an amnesty for prisoners that do not make any reference to women.

In some cases of amnesties, women are simply mentioned alongside men rather than being given an early release specific to them – in one sense gender inclusive language but in another at least calling attention to the fact that women prisoners exist. In the case of the Doha Document for Peace in Darfur,[97] girls are discussed alongside boys as child soldiers who are be understood primarily as victims of the conflict. More often they are named alongside vulnerable groups such as the sick, aged, injured, and minors who are to be given preferential amnesty.[98] In two cases, the Second Oslo Joint Statement,[99] and the Ugandan Agreement on Disarmament,[100] women who are lactating mothers are given a special amnesty. Throughout, both of these documents are above average in terms of the scale and detail of their provisions for women. While it is relatively common for agreements to position women as vulnerable citizens, in much the same way as orphans, the injured and the elderly, this provision goes further by acknowledging those elements of women's experience that are different from others. Their inhumane treatment is recognised, and numerous detailed and specific provisions are included that seek to address these grievances. Furthermore, existing law on bail, and the duration of the legal process, is presented as part of the problem women face.

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[96] Braun & Clarke, (2006). All references to women in transitional justice were exported from the PA-X Gender website and evaluated qualitatively. Elements of the text were coded by attaching labels based on similar concepts. These codes were then drawn together into overarching themes. These themes were reviewed for their ability to explain large parts of the data, before they were defined and written up. Thematic analysis can be conducted in an 'open' or more focused manner. In this case, the analysis was open, in that there was no specific research question that informed the formation of codes and themes. Elements of the text were coded and brought together into themes due to their conceptual similarity alone.
[97] Sudan - Darfur, (2011.)
[98] Philippines, (2002).
[99] Philippines, (2004).
[100] South Sudan, (2008).

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Themes	Codes	Agreements
Women as Prisoners	Conditions	3
	Amnesty	9
	TOTAL	12
Needs of Women	General	1
	Resources	5
	Rehabilitation	6
	Burial of Children	2
	Sport	1
	As witnesses	3
	Anti-Propaganda	1
	TOTAL	19
Women as Victims	General	6
	Violence	4
	Bereavement	10
	Abduction	6
	Rape/Gender based Violence	8
	TOTAL	34
New Institutions for Women	Truth Commissions	7
	Education Program	2
	Women's organisations involvement	4
	Task force/Working group	2
	TOTAL	15
Women & TJ General		4

Table 9: Showing the break-down of all themes and codes found in the thematic analysis of references to women in transitional justice, along with the number of agreements containing each theme.

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Women as victims

Women appear as victims in just over half of the documents that include transitional justice measures for women.[101] This category describes the ways in which women are directly and individually injured, or bereaved, by conflict. Women are described as victims rather than prisoners by a factor of almost 3:1. In virtually all of the agreements the reference is to prohibit amnesty for crimes of serious sexual violence – a matter promoted by normative actors. Other than amnesty exceptions, gender-based violence is considered to be an important area for truth commissions and inquiries into the conflict. In only one instance is there any kind of explanation for why the conflict may have resulted in this form of human rights abuse, which locates sexual violence in a broader moral degradation which has also negative overtones for the inclusion of women. The DRC's Sun City Agreement expresses concern that:

> [...] all the cardinal virtues in the social sector have been compromised by the armed conflict resulting in the destabilisation of homes, the separation or divorce of parents, the increase in the number of abandoned children, children born out of wedlock, young delinquents and illiterates; and resulting further in: prostitution, promiscuity, an increase in the number of women as heads of household and child mothers, the negation of moral and ethical values (rape, incest, pedophilia [sic] abuse of women, etc) [...][102]

Rather than directing blame for wartime rape at those directly involved in fighting, it is here articulated as a part of a general decline in societal morality alongside other perceived social ills, in ways that label women as transgressors. While the inclusion of rape appears in only 8% of all agreements that contain reference to transitional justice, references to sexual violence are one of the most common ways to discuss women as victims with virtually no account of the causes of wartime rape provided.

One of the other major forms of victimhood experienced by women in the text is as victims of bereavement. This code occurs in 12% of all documents that refer to transitional justice. In 8 of the 10 instances, women are mentioned along with other vulnerable groups such as orphans, the injured, and the elderly. In only two cases (Burundi and Rwanda) are widows mentioned alongside widowers.[103] Bereaved women are clearly presented as among the innocent victims, and as third parties in the conflict without agency of their own, often in terms of noting a dependence on the state now that they have taken their husband's place as head of the family. The patriarchal formation of the family is presumed in all cases, and the disruption of this order is presented as a form of social deprivation.

The other major issue specifically addressed in terms of women's victimhood is women's experience of abduction. These references are exclusively found in agreements dealing with Sudan and South Sudan in the late 1990s and early 2000s. During these tribal conflicts many women were kidnapped for the purpose of being kept as 'brides'. The agreements detail that the women must be permitted to immediately return to their families along with their

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[101] For more information on how victims are discussed in peace agreements, see Jamar, (2018). See generally also Jamar & Bell, (2018).
[102] DRC, (2003).
[103] Burundi, (2000); Rwanda, (1992).

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children. In some cases that are listed in detail, the abducted women are said to have chosen to remain, and in this case a form of dowry is expected to be paid by the woman's parents.[104]

Relationship between transitional justice and institutional change for women

Overall, however, less than 10% of agreements that discuss transitional justice provide for new institutions that involve women in some way. The most common way in which women are included in new transitional justice bodies is in provision for truth and justice commissions. A number of these commissions have within their remit the requirement to investigate abuses against women. Here too inquiry into experiences of women and girls is presented in terms of the experience of innocent victims. In the few places in which their experiences are mentioned in any detail they are said to include human rights violations,[105] and where specified this is confined to sexual violence.[106] In a number of places these new commissions are expected to include commissioners that reflect some level of gender diversity.[107]

The analysis of transitional justice indicates first of all the marginality of concerns about women, but also a picture of women that posits them within a very gendered notion of the conflict. Their relationship to conflict is primarily as 'third party' victims through male relatives. The two partial exceptions to this are the provisions for women prisoners, which indirectly acknowledge that women were caught up as combatants (whether they actually were combatants or not), and references to sexual violence, where there is some evidence of exhortations not to provide amnesties for crimes of sexual violence having some traction. The transitional justice mechanisms do not therefore seem to point to a need to open up narratives about the conflict, although this is in part because of the limited nature of these provisions in peace agreements in general. It is noteworthy that in the few agreements which try to sketch the relationship of the atrocities of the past to the conflict and where women were actively supported to intervene in negotiations – Burundi and the National Dialogue process in Yemen – a more holistic connection of women to transitional justice is included.

Power-sharing

Since the early 1990s, power-sharing has become one of the primary instruments in the conflict resolution tool-kit and central to any 'elite pact'. Although an ill-defined concept, it tends to involve the dispersal of authority between members of antagonistic communities and political scientists have tried to examine four different dimensions: political power-sharing, territorial power-sharing, military power-sharing and economic power-sharing – all of which may overlap.[108] Power-sharing arrangements are often understood to offer security and political guarantees to minorities in peace processes by enabling their participation in public institutions. Political power-sharing in the form of 'consociational government',[109] for instance, is a form of power-sharing whereby ministerial seats are allocated to different parties in a mandatory coalition, with responsibilities distributed in similar ratios to that in which they are found in the legislature. Veto powers also tend to be granted to members that represent communal blocs, and proportionality is also typically guaranteed in the legislature

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[104] South Sudan, (1999).

[105] Uganda, (2008).

[106] Colombia, (2015b); DRC, (2003).

[107] Yemen, (2014); South Sudan, (2015a); Kenya, (2008); Burundi, (2006b).

[108] Hartzell & Hoddie, (2003). For one of the few detailed interrogations of women and power-sharing see Special Issue of *Nationalism and Ethnic Politics*, Byrne & McCulloch, (2018).

[109] Lijphart, (1969).

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and throughout institutions.

Power-sharing stands in a direct tension with the concept of a broader 'social contract'. It is often alleged to have the potential to impact negatively on the inclusion of women, as well as other non-dominant minorities.[110] The interests of communities that cut across the major divisions in society are said to dictate the nature of government designed to secure an agreement between the conflicting factions in the face of radical disagreement. The impact on women and other non-aligned groups can be twofold.[111] Firstly, citizens are incentivised to vote for those parties that hold veto powers, rather than those that do not specifically represent a particular side in the conflict. Secondly, political discussion tends to be dominated by debates between the major groupings, thus creating what Finlay[112] describes as a governmentality that freezes subgroup identities (using the Foucauldian portmanteau of 'government' and 'mentality'). Both these issues mean that power-sharing can lock-in the identities and ideologies at the heart of the conflict, rather than broadening and transcending them. The theory that power-sharing 'copper-fastens' division supposes that parties that promote women's interests will be at a disadvantage against those that promote the interests of a particular community.

However, a number of plausible counter arguments can also be posited.[113] Although power-sharing accentuates the groups at the heart of the divisions of the conflict, the spirit of power-sharing agreements is to promote the legitimacy of consensus and the plurality of loci of power. The introduction of power-sharing government is usually a major constitutional shift, and in these moments of political change the quality of all social relations can become open to question. Women may then benefit from this political moment in which minority, group-based rights, are being promoted – for example majoritarian objections to the use of set-aside places for women or other forms of quota may be less likely in situations where majoritarianism has been set aside as a principle of government and everyone is present in government on the basis of a quota.

Secondly, while perhaps not the primary point of contestation in a given conflict, women are rarely a politically separate third-party. In some cases the conflict is between authoritarian, conservative governments and rebels for whom a high priority is placed on women's equality, or non-state actors who are connected to wider social movements seeking an equality-based restricting of the state. Forcing a reactionary state to cede a degree of political power by capitulating in a power-sharing government may provide more socially liberal groups the leverage to improve the conditions for women.

Thirdly, there may be strategic reasons why inclusion of women is understood as important. The majority of power-sharing agreements are between elites, but in a scenario in which power-sharing is being considered there is a greater than usual imperative to form a coalition that extends beyond those at the heart of the conflict. Promoting the inclusion of armed groups that have been outside the political process may be considered more appealing if they are included along with a much broader range of civic society organisations, such as women's groups. Recent work has highlighted the importance of domestic mobilisations in the introduction of gender quotas, suggesting that organised groups can have an impact on

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[110] See for example, Hayes & McAllister, (2013).

[111] We do not of course assume that all women are non-aligned, however, when women assert a gender concern with the agreement as a group, they assert a 'non-aligned' position even though individual women within the broader group will understand the position of women to be integrally linked with other ethno-national positions.

[112] Finlay, (2010).

[113] See Bell, (2018); and Byrne & McCulloch, (2018).

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these negotiations.[114]

The PA-X database includes variables that permit testing to help evaluate the role of power-sharing for the inclusion of women in agreements.

- o Political Power-Sharing: This variable is coded based on Lijphart's definition[115] of power-sharing. The coding includes a break-down of measures which create a grand coalition at executive level, a proportional legislature, a form of mutual veto or weighted majorities in particular areas, and segmented authority.
- o Territorial Power-Sharing: If there is any mention of territory being divided for the purpose of inter-group accommodation this is coded as territorial power-sharing. This may involve federalisation of the state or giving autonomy to one or more areas.
- o Economic Power-Sharing: Any mention of wealth and resources sharing arrangements for the purpose of inter-group accommodation.
- o Military Power-Sharing: The sharing of military power between contenders for power. This may mean the merger of military forces, or the creation of a joint command and includes all security forces, including police.

	Power-Sharing	No Power-Sharing
Participation	87 (18%)	41 (4%)
Equality	65 (13%)	35 (3%)
Particular groups of women	30 (6%)	21 (2%)
International law	41 (8%)	33 (3%)
New Institutions	45 (9%)	23 (2%)
Violence Against women	35 (7%)	61 (6%)
Transitional Justice	18 (4%)	31 (3%)
Institutional Reform	51 (10%)	21 (2%)
Development	55 (11%)	35 (3%)
Implementation	25 (5%)	22 (2%)
Other	8 (2%)	12 (1%)
Totals	168 (34%)	147 (14%)
Average Gender Score[116]	0.93	0.32

Table 10: Showing the different forms of provision for women, broken into those that are associated with power-sharing, and those that are not.

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[114] Kang & Tripp, (2018).
[115] Lijphart, (2007).
[116] Average gender scores are for all agreements of that category, including those that have a score of zero.

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Table 10 shows that far from excluding references to women in the agreement, documents that refer to power-sharing are much more likely to include references to women. Similarly, they also include more substantial policy proposals relating to women (as measured by the Gender Score). This correlation holds true if the unit of inquiry is the peace process rather than peace agreement. Of those processes that include any agreements that refer to political power-sharing, 76% of the processes will also include at least one document that refers to women. The percentage of agreements referring to women or gender in processes that do not include any political power-sharing documents is only 25%. This trend holds true for more focused measures of women's inclusion, such as references to violence against women (42% compared with 13%), new institutions for women (39% compared with 2%), and the introduction of gender quotas (27% compared with 4%). Peace processes that include power sharing agreements tend to have much higher inclusions of a large range of issues pertaining to women.

Three reasonable counter-arguments could be made to these results. Firstly, it may be the case that power-sharing agreements are becoming more common over time and are increasing at a similar rate to the inclusion of women in the documents, and so the relationship is coincidental (although the common rise could itself be related to an underlying rise in the acceptability of plurality-based approaches to statebuilding). Secondly, it could be argued that the inclusion of women may largely be due to encouragement of the UN or other international institutions, along with their associated resolutions, who may promote the inclusion of women as something which 'softens' the use of power-sharing as a conflict resolution technique, making it more internationally acceptable. Thirdly, the introduction of power-sharing is a profound constitutional change, and so those documents that include them are likely to be much more comprehensive in scale, and so more likely to include a good deal of other matters, including provisions for women.

In an effort to discount these alternative theories, regression analysis was conducted that included five control variables. These controlled for the year in which the document was agreed, involvement of the UN and/or other international organisations as a signatory, and the length of the document in pages. Whether or not the document was before or after UNSCR 1325 was also added as a control. A binary logistic regression was performed using the variables described above to predict whether or not the document would include references to women. A linear regression was also conducted that used the same independent variables to predict Gender Score.

The regression analysis emphasises that the relationship between power-sharing and gender inclusion involves political power-sharing.[117] The predictive power of territorial, economic and military power-sharing (set out in Table 11) is no longer statistically significant – in other words women are not more likely to be mentioned where these forms of power-sharing alone are mentioned. This may be due to the relative lack of agreements with these forms of power-sharing alone or in combination only with each other – political power-sharing often being included with both. Political power-sharing however is shown to have a strong relationship to the inclusion of women in the document. Indeed, the statistical correlation of power-sharing with the inclusion of women is more than twice that for UN involvement. In other words,

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[117]   The meaning of statistical significance in this case should be interpreted with some caution. The full corpus of the peace agreement texts is not a representative sample of documents but is likely to be close to the entirety of all documents. There is then a case to be made that any differences found should be treated as significant. However, it is considered worthwhile to report on these p values as they do indicate a measurable extent of the meaningfulness of differences between groups.

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women are much more likely to be mentioned in agreements including provision for political power-sharing.

	Inclusion of Women		Gender Score	
	Coeff.	Sig.	Coeff.	Sig.
Types of Power Sharing				
Political Power-Sharing	0.73	<0.001	0.31	<0.001
Territorial Power-Sharing	0.17	0.45	0.01	0.99
Economic Power-Sharing	-0.23	0.50	0.02	0.83
Military Power-Sharing	-0.20	0.43	-0.09	0.45
Controls				
Document Length	0.15	<0.001	0.05	<0.001
Year	0.07	0.001	0.03	<0.001
UN Signatory	0.27	0.12	0.18	0.01
Other Int Signatory	-0.38	0.05	-0.11	0.1
UNR1325	0.46	0.15	-0.11	0.33
N	1518		1518	
Cox & Snell R Squared	0.23			
Adjusted R Squared			0.4	

Table 11: Showing the logistic regression output for the inclusion of women in the peace agreement document (dependent variable), and a linear regression output for Gender Score (dependent variable), showing their relationships to different forms of power-sharing (independent variable). 'Coeff' refers to the strength of the association between relevant variables.

A more detailed breakdown of the relationship between political power-sharing and the 11 types of provisions for women that make up the gender score are shown in the Table 12. It shows that those documents that refer to political power-sharing are more likely to include virtually every form of provision for women. For instance, references to gender quotas are much more likely in power-sharing agreements of any kind (0.8% compared with 11.2%).

The results somewhat surprisingly indicate that a focus on political power-sharing between ethno-national or ideologically opposed groups, is not traded-off against women's inclusion, certainly at the level of peace agreement design. Rather, those processes that result in a power-sharing commitment are much more likely to have provisions for women in the text.

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We suggest that the best explanation for this finding is that the emphasis on group accommodation in power-sharing agreements can open up space for women and non-dominant minorities to argue for their rights and inclusion as a group, sometimes promoted by either side having a social progressive agenda integrated into their conflict analysis as part of their rationale for the conflict. Finally, rebel groups who come into the political process, particularly in conflicts that have had authoritarian dimensions, often may support socially liberal values which can mean that along with their own inclusion other forms of group inclusion such as on the basis of gender are promoted. It may also be the case that the move to split power between some of the main conflict protagonists produces a countervailing international and social pressure for broader forms of inclusion. Indeed, Murtagh & MacKay note (this issue), that the negative experience of women in engaging power-sharing institutions post-conflict speaks to an institutionalisation of inclusion that edges out commitments to women's equality as 'less important'. We suggest that these dynamics of exclusion may be reinforced by the less organic relationship of gender equality commitments to the deal understood as an 'elite pact'. However, these explanatory claims require further analysis before they can be made with confidence and we suggest form an interesting research agenda.

	Political Power-Sharing	No Political Power-Sharing
Participation	73 (26%)	55 (5%)
Equality	58 (20%)	42 (3%)
Particular groups of women	21 (7%)	30 (2%)
International law	31 (11%)	43 (4%)
New Institutions	35 (12%)	33 (3%)
Violence Against women	28 (10%)	68 (6%)
Transitional Justice	15 (5%)	34 (3%)
Institutional Reform	35 (12%)	37 (3%)
Development	48 (17%)	42 (3%)
Implementation	19 (7%)	28 (2%)
Other	6 (2%)	17 (1%)
Totals	123 (43%)	193 (16%)
Average Gender Score	1.29	0.35

Table 12: Showing the different forms of provision for women, broken into those that are associated with political power-sharing, and those that are not.[118]

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[118] Average gender scores are also included for all agreements of that category, including those that have a score of zero

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Inclusion of women and other forms of inclusion

The database also lets us analyse the intersection of provisions relating to inclusion of women, with other forms of inclusion relating to other non-dominant groups more generally. Given the relative strength of UNSC Resolutions supporting inclusion of women, it is interesting to see whether these references are particular to women, or whether references to women tend to be located in a broader approach to equality that also encompasses other groups. In an effort to test these competing claims, two regression analyses were conducted to measure the extent to which provisions for different minority groups predicted the inclusion of women (in a logistic regression), and gender score (linear). A variety of control variables were also included to isolate the relationship between provisions for non-dominant groups and women's inclusion. These include the length of the document in pages (as longer, more comprehensive agreements tend to mention women more), the year in which it was signed, whether the UN or other international organisations were a signatory, and a binary variable that describes if the document was signed before or after UNSCR 1325. This last variable was added to help remove the effect this resolution may have had. Table 13 illustrates the strength of the statistical relationships between the inclusion of other non-dominant groups and the inclusion of women.

The analysis shown in Table 13 indicates a significant and strong positive relationship between the inclusion of virtually every non-dominant group and the inclusion of women. Even references to migrant workers, that are only accounted for in 21 agreements are significantly correlated to gender score as every one of these agreements also includes women. The relationship to children, disabled people, and the elderly is also particularly pronounced. This may indicate that when women are included they are more likely to be grouped along with other vulnerable social categories.

This assertion provokes a plausible argument to undermine the conclusions of the previous analysis. Perhaps it is not the case that agreements that take a gender perspective seriously also consider other groups. Instead, maybe those agreements that include women simply put them in a general anti-discrimination clause that also includes other groups. This may even take the form of a single sentence such as that found in Iraq's Law of Administration for the State of Iraq for the Transitional Period: 'No Iraqi may be discriminated against for purposes of voting in elections on the basis of gender, religion, sect, race, belief, ethnic origin, language, wealth, or literacy'.[119]

To account for this, a further analysis was conducted on only those agreements that do not contain any anti-discrimination clauses. Even when all of these agreements (N = 104) are removed from the analysis the same trend is evident. For those agreements that contain references to women, 84% contain references to some other marginalised group. This is significantly different from the 34% for those agreements that do not refer to women (X^2 (1, N = 1414) = 198, p <0.001).

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[119] Iraq, (2004).

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	Inclusion of Women		Gender Score	
	Coeff.	Sig.	Coeff.	Sig.
Provisions for Groups				
Children	1.25	<0.001	0.56	<0.001
Disabled Persons	0.34	0.07	0.28	<0.001
Elderly/Age	1.32	<0.001	0.29	<0.001
Migrant workers	18	0.99	0.6	<0.001
Racial/Ethnic/National Groups	18.48	<0.001	0.16	<0.001
Religious Groups	0.63	<0.001	0.14	<0.001
Indigenous People	0.64	<0.001	0.23	<0.001
Other Groups	-0.24	0.38	0.01	0.93
Controls				
Document Length	0.06	<0.001	0.02	<0.001
Year	0.09	<0.001	0.02	<0.001
UN Signatory	0.33	0.14	0.17	<0.001
Other Int Signatory	-0.19	0.38	-0.03	0.55
UNR1325	0.05	0.89	-0.01	0.99
N	1518		1518	
Cox & Snell r Squared	0.38			
Adjusted R Squared			0.62	

Table 13: Regression output for a logistic and a linear regression using the inclusion of a variety of non-dominant groups to predict the inclusion of women in the agreement, and gender score.

This finding indicates that references to women prevail in situations where equality among groups is a more general issue, rather than because references to women are being 'lobbied in' to peace agreements on the basis of international norms. It also points to the possibility that the involvement of women in alliance with others, has been critical to the re-framing of conflict resolution issues around addressing exclusion. To illustrate this point, Table 14 shows data for inclusion beyond women for the 95 comprehensive peace agreements in the dataset. It shows that all marginalised social groups that are coded in the dataset are more

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likely to be included in agreements which include political power sharing than in ones that do not.   In short, inclusion of women appears to be closely correlated with a broader commitment to inclusiveness of the process, and interestingly this all seems to arise when there has been a strong notion of political equality at the heart of the deal as evidenced by the commitment to political power-sharing.

	Political Power Sharing	No Political Power Sharing
Children/Youth	65%	39%
Disabled	53%	13%
Elderly/Age	35%	8%
Migrant	11%	5%
Racial/ethnic/national	68%	24%
Religious	68%	21%
Indigenous	18%	16%
Refugees/	74%	39%
Social	33%	11%
Women, Girls and Gender	74%	40%
Other	21%	5%

Table 14: Showing the proportion of comprehensive peace agreements that refer to different social groups, broken down by whether or not they also include political power sharing.

VI. Conclusion: inclusion projects and principled pragmatism

The analysis of the peace agreements indicates four factors that predict the inclusion of women in the document. Firstly, if the document is more recent it is more likely to make reference to women, girls and/or gender. Agreements signed in 2015 are approximately 5 times more likely to have some level of gender perspective than those signed in 1990. It is also the case that references to violence against women have become a good deal more common over time. In recent years almost one quarter of agreements discuss violence against women, while at the beginning of the 1990s there was a virtual absence of such discussion.

Secondly, peace agreements are more likely to include women and gender if the UN has been involved as a signatory, but only after UNSCR 1325. It has been proposed that one reason for the implementation gap of gender provisions in agreements is due to the imposition of inclusion by outside influence.[120] When the international community leaves following the signing of agreements there is not the same imperative to maintain a gender perspective. These results give partial support to this claim, insofar as it is the case that UN involvement is related to a significant increase in inclusion. However more research would be needed to confirm or disconfirm whether this data explains the implementation gap. It is also worth emphasising that the involvement of the UN as a signatory is often not related to a large increase in mentions of women or gender within peace agreements: even after UNSCR 1325,

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[120] Bell, (2015a).

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there is more work that can be done by the UN to encourage the inclusion of women in these documents.

Thirdly, inclusion tends to occur at the substantive stages of the peace processes. A large majority of references to women are found in those documents that comprehensively aim to bring the conflict to a permanent conclusion. References to women tend to be largely excluded from what are normally the earlier stages of the process. Similarly, implementation and renegotiation documents are less likely to include these references.

Fourthly, political power-sharing agreements are shown to be significantly more inclusive of references to women. This is the case even when accounting for UN involvement, change over time, and the length of the document.

UNSCR 1325 and specific impact

When looking at the specific content of the reference to women, in particular with reference to the issues singled out in UNSCR 1325, it is evident that even when women are specifically provided for, there is little specific content on their inclusion. However, there is some evidence that provisions when included are implemented. Focusing on constitutional change, for or by women, it can be observed that there are 25 agreements that make this provision. All of those that recommend a change in the constitution were implemented in subsequent constitutional reform where it occurred. These changes are usually bringing the constitution in line with international human rights law so are perhaps a little prosaic, nonetheless the constitutionalising of these provisions is important. A comprehensive assessment of the relationship of gender inclusion to implementation is difficult: the Peace Agreements Matrix has contributed important work in this area, but only on a small number of agreements.[121] It is important that this effort is expanded.

Inclusion projects and principled pragmatism

When it comes to assessing when and how gender touches on the power-relations of the elite pact, our conclusions are tentative but challenge some of the distinct normative emphasis on inclusion of women. It would seem that women most affect things when they act in concert with wider social agendas that seek to re-frame the exclusions at the heart of the conflict more broadly than between the conflict parties. Our power-sharing analysis indicates that paradoxically, they may find most leverage to do this in the power-sharing focused deals that seek to split power between the main groups or allegiances in the conflict. We suggest that the reason for this is that political power-sharing institutionalises a commitment to a form of political equality which opens up avenues for women's activism to broaden the discourse to wider forms of inclusion. We suggest that this inclusion project is one founded on principled pragmatism, rather than either the rejection of elite deals that dominates some feminist critique of them, or capitulation to them that can often be a mediator focus. Principled pragmatism involves women making normative or principled claims, but in terms which resonate with the arguments for the nature of the elite pact – arguments of political equality, a need for security, and the need to counterbalance the legitimacy of a deal based on inclusion of (mostly male) armed actors alone. Our data indicates that these arguments appear to be accentuated when supported internationally, and when made in alliance with other groups, we suggest because a concerted effort helps to reframe narrow discussions of (elite) political equality into a broader claim for a more pluralist state structure. While peace agreement texts

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[121] Joshi, Quinn & Regan, (2015)

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provide evidence that this approach can influence peace agreement design, they also point to the challenge that will pertain at the implementation stage: how to hold onto a pluralist vision of inclusion, in a context where most of the power in institutions has been given to the conflict parties. The tendency which our peace agreement data and analysis also points to, is that implementation agreements often reduce broad pluralistic processes back down to elite negotiations over the terms of their own inclusion. More inclusive implementation of peace agreement commitments now deserves more international and local attention.

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