





Women and the Renegotiation of Transitional Governance Arrangements

Christine Bell and Robert Forster



This research draws on the PA-X Peace Agreement Database (www.peaceagreements.org), a database of all peace agreements at any stage of the peace process from 1990 to 2016. The database is fully searchable and supports both qualitative and quantitative examination of peace agreements.

Authors: Christine Bell and Robert Forster

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PA-X Spotlight Series

The PA-X Spotlight Series addresses questions regarding comparative peace processes, asked by those seeking to influence peace and transition processes to be more inclusive. Each Spotlight provides brief comparative material regarding a key issue, sometimes with reference to the specific context from which the question originated, and sometimes framed more generally. This Gender Series deals with questions posed by a range of actors in the MENA region, with reference to women's meaningful participation as well as gender-sensitive and responsive approaches.

This Spotlight addresses the questions:

When negotiated transitions have failed to move forward, how have attempts to reconfigure them been used to include provisions relating to participation of women in the transitional governance arrangements, in particular the executive and legislative political institutions established to run the country during the transition?

Introduction

Between 1990 and 2015, at least 21 different conflict zones witnessed negotiations that attempted to re-negotiate transitional governance arrangements that had been set up to put in place a transition from conflict and authoritarianism to peace. How women are included as part of either the negotiations leading to new transitional arrangements or in the transitional political institutions that emerge, has received little attention. Although temporary and designed to put a 'break' in the conflict to enable transition reform processes to be put in place, transitional political institutions give those involved considerable power over the nature and shape of the transition. There is also considerable evidence that transitional arrangements are 'sticky': that is, they continue in place well beyond the original length contemplated for the transition; or are closely reflected in the shape of any permanent institutions designed; and advantage transitional incumbents with regard to gaining access to permanent institutions. Where and how women are included in these arrangements is therefore both important to the direction of the transition, and to the gender equity of the constitutional arrangements that emerge. With women underrepresented in governments and parliaments worldwide, moments of transition offer opportunities to consider the inclusion of women, and given the focus on inclusion of those at the heart of the fighting, inclusion of other social groups such as women can be important for the legitimacy of the transitional institutions.²

Part I sets out the key issues that tend to be revisited in the processes of 'revising' transitional governance arrangements that have not been implemented, or that have become outpaced by new changes in the conflict. Part II considers the opportunities and challenges for women's representation in new governance structures. We conclude with some framing questions intended to guide thinking-through strategies for advocating women's meaningful inclusion in transitional government arrangements.

I. Comparative Experiences in Re-negotiating Transitional Governance Arrangements

In the last 25 years, 21 conflicts have witnessed a need to re-negotiate transitional powersharing arrangements designed to put in place a transition from autocracy or from conflict, or both.³ Renegotiation of transitional arrangements took place either as a result of a relapse back into violent conflict (i.e. parties failed to commit to the agreement) such as in Libya; or because the process evolved, through multiple rounds of negotiation, to include armed actors not previously included in the arrangements (such as happened in the Arusha process in Burundi or the Intercongolese process in the Democratic Republic of Congo).

When re-negotiating transitional governance arrangements, a review of relevant agreements between 1990 and 2015 indicates that the following areas of contention typically need to be dealt with – all of which have gender implications, as we address in Part II.

Systems and Structures

The structure and powers of the executive branch. This is often the key focus for reconstituting transitional arrangements. The executive branch of a transitional government arrangement is contentious because many transitions aim to bring those who have been in conflict into a common power-sharing government or national unity structure. For instance, the Liberian peace process saw continuous changes to the interim Council of State from 1992 to 1996 in response to the dynamics of the first civil war, accommodating first warring factions, and later introducing civil society actors in the transitional governance structures as a counter-balance. In 1996, the politician Ruth Perry was appointed Chairman of the Council in an agreement with the warring factions to enable the Council 'to perform more efficiently and creditably.' The introduction of a non-armed actor to the Council was intended, not only to legitimize the government and incentivize compliance between the conflict parties, but also provide a means of breaking deadlocks in decision-making. 5

In Madagascar, from 2009 to 2013, the formation of a transitional government and the question of who would be the executive figurehead was the main area of contention between rival political leaders. As a result, the agreements that emerged from the internationally sponsored talks featured multiple variations in the design of the executive, including the creation of multiple deputy presidents and, following an attempted defection by the incumbent, the promotion of two deputies to the position of co-president. Agreements from Madagascar left appointments to the cabinet conspicuously empty, presumably to be dealt with in later negotiations, but in-effect creating a significant obstacle to the process. In contrast, in South Sudan, the 2015 agreement provided for a system whereby the Government of South Sudan, the opposition, former detainees and other political parties, were to nominate ministers in turn.

Also important are the checks and balances on the powers of the head of the executive. In the Central African Republic, following the initial violation of the January 2013 Libreville Agreement by Séléka militias, the Transitional National Council issued the 2013 Transitional National Charter that revised the initial agreement, and centralised some powers with the President. However, the charter also provided for mechanisms requiring consensus between the President and Prime Minister on key issues.

► Checks and balances between the central state and sub-state regions. When a conflict has a territorial dimension, elements of territorial de-centralisation are likely to emerge during re-negotiation of transitional governance arrangements, in an attempt to provide greater assurances to armed groups and politicians located in particular regions. South Sudan, for example, has seen successive agreements increasingly addressing regional governance. However, increased sub-state governmental structures can also create new issues: in Comoros, federalism instituted as a result of the 2001 Fomboni Agreement that attempted to reunite secessionist islands within a new Comorian Union, resulted in an expensive bureaucratic structure, which was changed after a referendum in 2009.

Actors

- ▶ Incorporating new actors. Where a transitional government is already established, the central focus of re-negotiations usually concerns the incorporation of 'new' conflict actors into the transitional governance arrangements. Often, inclusion of new armed actors is the key focus of negotiations, but this entry point can also be used as an opportunity to include women and civil society actors (as noted in Part II). In Afghanistan, the power-sharing arrangement outlined in the 1993 Islamabad Accord attempted to incorporate Hezb-e-Islami into the government agreed to in the 1992 Peshawar Agreement. The Somali process adopted a gradual method of dealing with armed groups, whereby more moderate factions were incorporated into government if they committed to working with the government. In 2010, an Agreement between the Sufi militia, Ahlu Sunna Waljama'a (ASW), and the Somali Transitional Federal Government, for instance, granted the ASW five ministry seats as well as 34 other offices in the Somali Transitional Federal Government to strengthen the front against the Islamist insurgent group, al-Shabaab.
- Exclusion and inclusion of former officials. The issue of whether certain actors should be excluded from government temporarily or permanently because of their role in the previous conflict or regime has been contested in multiple peace processes from the Central African Republic, to Madagascar, Liberia and South Sudan. The process in Madagascar from 2009-2013, for example, witnessed a series of decisions on who could and could not stand for re-election in the post-conflict phase. In the first arrangements, conflict actors agreed to prohibit re-election of former-Presidents, offering them instead a status as "senators for life." In later negotiations, this was changed to allow former-Presidents to re-run for office but mandating them to resign from their positions within a given time-period before elections. In 2010, the incumbent President changed aspects of the constitution including residency requirements to block potential candidacies by his opponents. Eventually, the Southern African Development Community mediator, Joachim Chissano, negotiated the 'ni-ni' deal wherein no former-president would run, in-essence bringing the agreement back to the first proposal.⁶

Expansion of the legislature vs. transformation into political parties. In some transition processes a legislature will not be in place or functioning, perhaps due to lack of democracy or conflict, or failure of elections to take place. Some transitional arrangements will put in place an appointed legislature, or revise an existing one, and these two can be changed if the transition fails or stalls. In processes characterised by the splintering of opposition groups, where the peace process focuses on their re-incorporation into political institutions, negotiations may lead to the expansion of the legislature by making new appointments to it. In Somalia, negotiations with the insurgent Alliance for the Re-liberation of Somalia in 2008 resulted in an expansion of the parliament by 275 seats of which 75 were delegated to non-armed groups including women and civil society. Other peace processes instead opt to maintain the parliament as it is, and attempt to transform the opposition forces into a political party. For example, the peace agreement with the Revolutionary United Front provided for it to be transformed into a political party in agreements from Sierra Leone although, in this case, it did not fully succeed.

II. Inclusion of Women in Transitional Governance Arrangements

What entry-points are there for women's inclusion when transitional arrangements have been reconstituted to address new conflict realities? When and how have women been given a role in the revised transitional governance arrangements in practice?

Principles of Inclusion

Some peace agreements focus on establishing a principle of gender balance as a general principle of public participation, others specify particular quotas. In the 2003 Sun City Agreement from the Democratic Republic of Congo, the gender quota of 30 per cent applies to "all decision-making sectors of national life." Similarly, Amendment No. 20 of the Zimbabwe Constitution, negotiated between the ruling party and the opposition and adopted in 2013, enshrines 'gender balance' (50 per cent in all commissions) as a 'national objective'.

Philippines/Mindanao,

Annex on Power-Sharing to the Framework Agreement on the Bangsamoro, 8 December 2013 $\,$

"There shall be a Bangsamoro council of leaders composed of the Chief Minister, provincial governors, mayors of chartered cities, and a representative each of the non-Moro indigenous communities, women, settler communities, and other sectors" (Point 7, Part II).

Appointment of women. Typically, transitional governments and legislatures are either fully or partially appointed, rather than being constituted by elections. Article 3 of the Convention on the Elimination of All Forms of Discrimination (CEDAW), 1979, provides for Equality, and Section 4 provides that "States are allowed to adopt temporary special measures to accelerate de facto equality for women until the objectives of equality of opportunity and treatment have been achieved." These special measures can include provisions such as quotas or set-aside seats, aimed at increasing the representation of women in political institutions (how they are achieved will depend on the electoral system adopted). However, interim transitional bodies are temporary by their nature, and are often appointed and not elected. Ensuring that criteria for appointment provide for the inclusion of women is therefore less a matter of providing for a 'special temporary measure' and more a matter of ensuring that women are appointed on a basis of equality with men.8 As 'appointed' bodies, appointments to transitional political institutions are mainly focused on accommodating the political and military leaders most responsible for the conflict. Failure to specify the inclusion of women is likely to result in an exclusively male transitional government team due to women's under-representation in leadership positions in political or combatant structures.

One of the simplest means of including women is by appointing women to specific offices in the transitional government, something that can be achieved by formal written commitments, or implementation decisions, to appoint women. Women can be allocated specific positions such as Speaker or Deputy Speaker of the Parliament, and Chair or Vice Chair of the National Assembly for women, such as appeared in the 2015 Constitution in Nepal. Or named women may be nominated: the case of Ruth Perry (Liberia), touched on above, is an example. It is also possible to specify the need for inclusion of women in general terms, or to provide for new ministries relating to women's rights and gender equality - which then require to be properly resourced with budgets. In practice, this may risk women being designated to 'softer' portfolios, such as health, gender, culture and social affairs, as opposed to the 'harder' ministries of defence, the interior and foreign affairs, but can nonetheless be important to taking forward a governmental agenda with capacity to include women's concerns. In Afghanistan, negotiations in 2001 appointed Sima Samar as Minister of Women's Affairs as well as Vice Chair of the Afghan Interim Administration.

Transitional governance arrangements focus centrally on accommodating the groups at the heart of the conflict in the transitional government and often pay little attention to the inclusion of women as a group.9 Examination of agreements establishing transitional governments provides little evidence of any widespread approach of including women in transitional executive bodies. Cabinet members are usually appointed rather than elected, and appointees usually represent armed constituencies in which women were underrepresented. However, there are exceptions where women have successfully made gains in a moment of renegotiation. In South Sudan, for example, the 2015 agreement mandated the conflict parties to include at least 25 per cent of women ministers and asked the groups given the task of nominating ministers (which did not include women's groups), to nominate at least seven women (out of 30) to the Council of Ministers. 10 This agreement, was based on earlier commitments in an even earlier agreement to transitional arrangements (which had failed), and was revised further – with stronger provisions for inclusion of women – in a 2018 revised agreement put in place to remedy a continued failure of transition to progress. The 2018 agreement provided for 35 per cent of women in the Executive and that 'no fewer than' 10 women would be nominated by the different parties involved, with one of four nominated Vice President's being a women, and provision for women in the implementation body (see in particular, Article 1.4, Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), 12 September 2018.

There is also some evidence of specific women's quotas being provided in sub-state transitional executive councils, established as part of transitional arrangements. Nominations to the Greater Pibor State Council in South Sudan by the government and the Cobra Faction, for instance, required a minimum of 25 per cent women candidates.¹¹

Legislatures and inclusion of women: In some situations transitional governance arrangements put in place an appointed executive as a stop-gap form of government, and do not provide for a legislature. As Table 1 (below) illustrates, where the transition has involved a legislature, any revision to the interim arrangements may involve revising the structure of the legislature to add appointments, in ways that open-up opportunities to specify women's participation. Power-sharing arrangements may also be introduced, in an attempt to provide group accommodation. These can include: proportionality in the legislature (so that it reflects the various groups in proportion to their representation in the wider society); or veto mechanisms (which give groups a veto in situations where their 'vital interests' are threatened) such as weighted group voting mechanisms for particular votes. These arrangements may all be introduced in revisions to the transitional political institutions. These types of group-based political design will be closely tied to the mechanism for appointing the legislature – including the election system if elections are to be used. In practice, peace agreements tend to specify percentages for the inclusion of women in transitional legislatures more frequently than with executive bodies (see Table 1 below).

However, often agreements only recommend women's participation, rather than putting in place specific mechanisms for inclusion or even setting clear principles. To illustrate, in Sudan the 2006 Darfur Agreement states: "It is highly recommended that some of the nominees [to the National Assembly] be women." Agreements from Togo and Bahrain, also mention the use of gender percentages, but do not specify percentages. Despite the weakness of such provisions, however, these provisions promote inclusion as a value and can provide a rationale for monitoring women's engagement during the implementation process.

Similarly, in an <u>Agreement (Annex on Power-sharing, 2013)</u>: relating to Mindanao in the Philippines, a general commitment to representation of women is made:

The Bangsamoro assembly shall be representative of the Bangsamoro's constituent political units, as well as non-Moro indigenous communities, women, settler communities, and other sectors. The Bangsamoro Basic Law shall ensure that representation in the assembly reflects the diversity of the Bangsamoro.

In the case of mid-transitional or post-conflict elections, several peace agreements mandate the inclusion of women on party lists and use techniques such as the alternate listing of candidates by gender on the electoral roles (sometimes termed 'zipper system').

Transitional arrangements often influence post-conflict political institutions, where pro-active provision for the inclusion of women may be continued as a special temporary measure. ¹² However, the provision will not always remain the same, for example, the 2011 Garowe I Agreement in Somalia provided for at least 30 per cent of those nominated to the interim National Constituent Assembly to be women, but provided that the new Somali Federal Parliament would have 225 members, of which 20 per cent should be women (see Table). This was altered in the 2012 Garowe II Agreement, that continued the principle that at least 30 per cent of the National Constituent Assembly would be women, but also maintained that the nomination of women should be dealt with first. Moreover, it appears to contemplate that the nominations for the Federal Parliament should also be at least 30 per cent women in a Parliament to be appointed on an ethic-clan based quota known as the '4.5 formula' whereby each of the four 'major' clans is given equal quota of the majority of positions and seats, and the last fifth of seats (the 0.5) are given to the smaller clans. In practice, the relationship between using gender and clan as criteria for appointment, and how these should fit together, has remained problematic at the implementation stage. ¹³

Inclusion in other bodies: Other transitional processes and bodies are often also established or revised during renegotiation of transitional arrangements, providing an opportunity to provide for women, where they have not been previously included. Myanmar and Yemen both introduced provisions for 30 per cent women's representation in their respective political dialogues, although the wording of these commitments were different in whether they were categorical or aspirational. Myanmar, for example, only provided for 'efforts' and 'striving' to reach the 30 per cent allocation for women, while Yemen introduced a stronger commitment to including a particular percentage. In the Central African Republic, an Transitional National Charter, 2013, provided for women's seats (4 out of 9) on the Constitutional Court of the Transition, Provision for specific numbers of civil society and/ or women has been made in electoral commissions in Liberia, technical committees in Liberia and Somalia, as well as ceasefire and transitional justice commissions in South Sudan. Additional government bodies to the executive and legislature can be established and include women. The Bangsamoro 'council of leaders' from the Philippines is one such example on the sub-state level (see Table above), with participation framed in general terms (mirroring the inclusion formula of the legislature referenced above).

It is worth highlighting that more specific numeric commitments to women's inclusion need to be carefully thought through, as some formula for the inclusion of women may also potentially limit participation. The 2011 Kampala Roadmap on the Somali transition, for instance, states that "up to four women" may participate in the committee of experts and the electoral commission - a provision no doubt intended to ensure the participation of women, but that could also risk limiting that participation.

Table 1: Examples of Quotas for women in Transitional Legislatures established via Peace Agreements, 1990-2015

Country	Date	Agreement Name	Parliamentary Quota
Papua New Guinea (Bougainville)	1998	Draft Basic Agreement (later annexed to Lincoln Agreement, 1998)	Appointed legislature ('congress') to be made up of five members to be nominated by eight named groups, one of which is 'women's organisations'.
Burundi	2004	Accord de Partage de Pouvoir au Burundi	Minimum of 30% women in (elected) legislature comprising National Assembly (Hutus and Tutsis to be 60% and 40%, and 3 members allocated to Twa)
Iraq	2004	Law of Administration for the Transitional Period	Legislature to be elected using a new electoral law which "shall aim to achieve the goal of having women constitute no less than one-quarter of the members of the National Assembly and of having fair representation for all communities in Iraq, including the Turcomans, ChaldoAssyrians, and others."

Country	Date	Agreement Name	Parliamentary Quota
Philippines (Mindanao)	1996	Final Agreement on the Implementation of the 1976 Tripoli Agreement	Elected body in which: "There shall be sectoral representatives in the Legislative Assembly whose number shall not exceed fifteen percent (15%) of the total number of elected Members of the Legislative Assembly coming from the labor, disabled, industrial, indigenous cultural communities, youth, women, non-government organizations, agricultural, and such other sectors as may be provided by Regional Law to be appointed by the Head of the Autonomous Government from among the nominees of the different sectoral groups; provided, however, that the youth representative shall not be less than 18 years of age nor more than 21 years of age at the time of his appointment."
Nepal	2007	Interim_ Constitution	Constitutional Assembly provided as also legislature, of "247 members elected by first past the post, 335 members elected by proportional representation and 26 members appointed by the council of ministers". Provides that in selecting candidates political parties "shall take into account the principle of inclusiveness;

Country	Date	Agreement Name	Parliamentary Quota
			and in enlisting candidates pursuant to Sub-clause (b), political parties shall ensure proportional representation of the women, Dalit, oppressed communities/ indigenous peoples, backward regions, Madhesi and other Classes, as provided in law(5) Notwithstanding anything contained in Clause (4), at least one-third of such total number of candidates nominated shall be womenas to be derived by adding the number of candidacies made pursuant to Sub-clause (a) of Clause (3) and' the number of candidates on the basis of proportional representation pursuant to Sub-clause (b) of Clause (3)."
Somalia	1993	Addis Ababa Agreement	Appointed body, the Transitional National Council (TNC) which is to "be composed of: a. three representatives from each of the 18 regions currently recognized, including one women from each region."

[Cont'd...]

Country	Date	Agreement Name	Parliamentary Quota
Somalia	2004	Transitional Federal Charter of the Somali Republic	A 'Transitional Federal Parliament' to be selected by clan political leaders to consist of "Two Hundred and Seventy Five (275) Members of which at least Twelve Percent (12%) shall be women."
Somalia	2012	Protocol Establishing the Somali New Federal Parliament	New House of the People to be elected by clans and to consist of "225 members of whom at least 30 percent must be women."

Other contested issues

Other issues tend to be addressed in transitional arrangements, and therefore can be re-opened when these are negotiated. These all have gendered dimensions and create opportunities to re-think how a gender perspective might inform negotiations and improve the chances of the transitional arrangements succeeding. We do not consider these more fully in this Spotlight, but set them out briefly here.

- ▶ Detail of Timing. A critical issue for inclusion is the question of the length of the transition and what the tasks of the transitional government and transitional bodies are. Often the attempt to ensure participation involves attempting to limit the duration of the transition and be clear about which reform processes to be carried out during transition are open to wider social participation and consultation. However, in any framework negotiations, issues of sequencing in particular when and how to open up a deal between armed actors focused on a ceasefire, to wider social groups and interests is often a highly contested and political judgement.
- ▶ Ceasefire and Security-related Provisions. Revision of interim transitions usually attempt to reinvigorate ceasefires and commitments to a security transition. Typically forms of merger of armies are involved to integrate warring factions at least nominally, into the state forces. When and how security reform is dealt with and how women are involved, all requires gender perspectives to be advanced. See further, Gender Series, Bell and Forster, 2019. Gender Mainstreaming in Ceasefires: Data and Comparative Examples. Political Settlement Research Programme.
- ▶ Humanitarian and Reconstruction Provisions. Similarly, humanitarian and reconstruction provisions often provide opportunities to think about women's involvement in the reconstruction efforts and even set up new institutions for economic empowerment. See further, Gender Series, Wise, 2019. Humanitarian Assistance and Gender Perspectives in Peace Agreements, Political Settlement Research Programme.
- ► Transitional Justice. Often some sort of mechanism or process is put in place to deal with 'the past', raising opportunities to signal how issues of sexual and gender-based violence will be dealt with, and how women can be involved in transitional justice bodies or processes. See further Jamar and Bell, 2018. Transitional Justice and Peace Negotiations with a Gender Lens. UN Women.

Conclusion

This Spotlight has examined both opportunities and challenges in including women in transitional governance arrangements. We conclude by setting out a number of questions women and gender equality advocates and indeed all those seeking to support effective and inclusive transitional arrangements could ask to assist them in formulating proposals:

- 1. What is the composition of the transitional political institutions proposed?
- 2. What types of expertise, experience and public legitimacy are necessary for the transitional government?
- 3. Will the transitional arrangements include women or the provision for civil society actors more broadly? If the latter, how will women's representation be guaranteed?
- 4. Do the transitional arrangements contemplate modes of public consultation?
- 5. What arguments might be useful to advocating for wider inclusion? For example:
 - a. Arguments based on improving the legitimacy of the interim arrangements?
 - b. Arguments based on improving the effectiveness of interim arrangements?
- 6. Is there room to suggest the inclusion of particular women in any proposed transitional government? What options might be useful?
 - a. Nominating specific named women?
 - b. Having women's groups nominate members?
 - c. A specified number of ministries to be held by women?
 - d. Principles of women's inclusion established?
- 7. Is a separate legislative body being proposed to operate during the transition?
 - a. How is it structured?
 - b. Will it be provided for by elections, or appointed?
 - c. What standards (existing laws or policies) or opportunities for ensuring women's representation exist?
- 8. What other 'transitional' bodies are being included, can provisions or principles for the inclusion of women on these bodies be suggested?

Appendix: Peace Agreements Mentioned

Afghanistan, Peshawar Accord, 24 April 1992. Available at: https://peaceagreements.org/view/482/

Afghanistan, Afghan Peace Accord (Islamabad Accord), 7 March 1993. Available at: https://peaceagreements.org/view/409/

Afghanistan, Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions ('Bonn Agreement'), 5 December 2001.

Available at: https://peaceagreements.org/wview/272/

Bahrain, Bahrain National Dialogue Proposals, Executive Summary, 28 July 2011. Available at: https://peaceagreements.org/wview/1415/

Burundi, Accord de Partage de Pouvoir au Burundi, 6 August 2004. Available at: https://peaceagreements.org/view/202/

Central African Republic, Accord politique de Libreville sur la résolution de la crise politico-sécuritaire en République Centrafricaine, 11 January 2013. Available at: https://www.peaceagreements.org/view/809

Central African Republic, Transitional National Charter (Interim Constitution), 18 July 2013. Available at: https://www.peaceagreements.org/view/1659/

Comoros, General Agreement on National Reconciliation (Fomboni Agreement), 17 February 2001.

Available at: https://peaceagreements.org/view/621/

Democratic Republic of Congo, Intercongolese Negotiations: The Final Act ('The Sun City Agreement'), 2 April 2003.

Available at: https://peaceagreements.org/wview/404/

Democratic Republic of Congo, Ordonnance No. 08/2002 Du 2 Fev 2008, 2 February 2008. Available at: https://www.peaceagreements.org/wview/1190

India, Memorandum of Settlement on Bodoland Territorial Council, 10 February 2003. Available at: https://www.peaceagreements.org/wview/652

Iraq, Law of Administration for the State of Iraq for the Transitional Period, 8 March 2004. Available at: https://peaceagreements.org/wview/1422/

Liberia, Supplement to the Abuja Accord, 17 August 1996. Available at: https://peaceagreements.org/view/551/

Liberia, Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy (LURD), the Movement of Democracy in Liberia (MODEL) and the Political Parties (Accra Agreement), 18 August 2003.

Available at: https://www.peaceagreements.org/wview/338/

Madagascar, Charte de la Transition, 9 August 2009. Available at: https://www.peaceagreements.org/view/836/

Myanmar, The Framework for Political Dialogue, 15 October 2015. Available at: https://www.peaceagreements.org/wview/1519/

Nepal, Nepal Interim Constitution, 15 January 2007. Available at: https://www.peaceagreements.org/wview/1322/

Nepal, Constitution of Nepal 2015, 20 September 2015. Available at: https://www.peaceagreements.org/wview/1361/

Papua New Guinea (Bougainville), Draft Basic Agreement Concerning the Bougainville Reconciliation Government, 24 December 1998.

Available at: https://peaceagreements.org/view/370/

Papua New Guinea (Bougainville), Lincoln Agreement on Peace, Security and Development on Bougainville, 23 January 1998.

Available at: https://www.peaceagreements.org/view/437/

Philippines (Mindanao), Final agreement on the implementation of the 1976 Tripoli Agreement between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF), 2 September 1996. Available at: https://peaceagreements.org/wview/479/

Philippines (Mindanao), Annex on Power-Sharing to the Framework Agreement on the Bangsamoro (FAB), 8 December 2013.

Available at: https://peaceagreements.org/wview/868/

Sierra Leone, Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL) (Lomé Agreement), 7 July 1999. Available at: https://peaceagreements.org/view/478/

Somalia, Agreement between the Transitional Federal Government of Somalia and Ahlu Sunna Waljama'a, 15 March 2010.

Available at: https://www.peaceagreements.org/view/747/

Somalia, Addis Ababa Agreement concluded at the first session of the Conference on National Reconciliation in Somalia, 27 March 1993.

Available at: https://peaceagreements.org/view/216/

Somalia, Transitional Federal Charter of the Somali Republic, 29 January 2004. Available at: https://peaceagreements.org/view/590/

Somalia, Consultative Meeting on Ending the Transition in Somalia: Statement on Adoption of the Roadmap (Kampala Roadmap), 6 September 2011. Available at: https://peaceagreements.org/wview/745/

Somalia, Decision on the High Level Committee, Djibouti Agreement, 25 November 2008. Available at: https://peaceagreements.org/view/686/

Somalia, The Garowe Principles on the Finalization and Adoption of the Constitution and the End of Transition (Garowe I), 24 December 2011.

Available at: https://peaceagreements.org/wview/1681/

Somalia, The Garowe II Principles on Federalism, System of Government and Ending of Transition through operationalizing Garowe I (Garowe II), 7 February 2012. Available at: https://peaceagreements.org/wview/1680/

Somalia, Provisional Constitution of the Federal Republic of Somalia, 01 August 2012. Available at: https://www.peaceagreements.org/wview/1360/

Somalia, Protocol Establishing the Somali New Federal Parliament, 22 June 2012. Available at: https://peaceagreements.org/view/779/

South Sudan, Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), 12 September 2018. Available at: https://www.peaceagreements.org/view/2112/

South Sudan, Agreement on the Resolution of the Conflict in South Sudan, 17 August 2015. Available at: https://peaceagreements.org/wview/1357/

South Sudan, Agreement on Resolution of the Conflict in Jonglei State between Government of the Republic of South Sudan and South Sudan Democratic Movement/Army-Cobra Faction (SSDM-SSDA-Cobra) (Yau Yau Agreement), 9 May 2014. Available at: https://peaceagreements.org/wview/1357/

Sudan, Darfur Peace Agreement, 5 May 2006. Available at: https://peaceagreements.org/wview/350/

Togo, Dialogue Inter-Togolais: Accord Politique Global, 20 August 2006. Available at: https://peaceagreements.org/wview/1264/

Yemen, National Dialogue Conference Outcomes Document. 25 January 2014. Available at: https://peaceagreements.org/wview/1400/

Zimbabwe, Constitution of Zimbabwe Amendment (No 20) 2013, 19 March 2013. Available at: https://www.peaceagreements.org/view/1340/

References

- Inter-Parliamentary Union data on women in national parliaments indicates that in the ast majority of Parliaments women are under-represented at the end of 2018 comprising on average 24% of national parliament representatives. See Women in National Parliaments. Available at: http://archive.ipu.org/wmn-e/classif.htm.
- 2 Anderson, M. and L. Swiss, 2014. Peace Accords and the Adoption of Electoral Quotas for Women in the Developing World, 1990 – 2006. Politics & Gender, 10, pp. 33 – 61.
- Afghanistan (1992-1993), Angola (1994-1998), Bosnia (1991-1995), Bougainville (Papua New Guinea) (1992-2005), Burundi (1994-2005), Central African Republic (2012-2016), Comoros (1997-2010), Democratic Republic of Congo (1996-2006), Iraq (2003-2005), Guinea-Bissau (1998-1999), Kenya (2008-2010), Liberia (1989-2003), Libya (2011-Ongoing), Madagascar (2009-2013), Mali (2012-2015), Mindanon (Philippines) (1969-Ongoing), Nepal (2006-2015), Somalia (1991-Ongoing), South Sudan (2013-Ongoing), Sudan (1983-Ongoing), Yemen (2011-Ongoing). For key series of peace agreements (re)negotiating interim governance arrangements see PA-X Database:
 - Central African Republic: 1998, 2013-2015, Available at: https://bit.ly/2BS96cw
 - Liberia: 1990-2003, Available at: https://bit.ly/2Sxk0d9
 - Madagascar: 2009-2012, Available at: https://bit.ly/2RzeLt7
 - South Sudan: 2013-2015, Available at: https://bit.ly/2PhxOXb
 - Yemen, 1990: 2011-2014, Available at: https://bit.ly/2KWmmQ9

All peace agreements referenced in this article may be found on PA-X. (2019). Peace Agreement Database and Access Tool, Version 2. Political Settlements Research Programme, University of Edinburgh, Sanja Badanjak, Robert Forster, Astrid Jamar, Sean Molloy, Jan Pospisil, Laura Wise. (2018). PA-X Codebook, Version 1. Political Settlements Research Programme, University of Edinburgh, Edinburgh, Edinburgh

- 4 Preamble, Supplement to Abuja Accord, 1996.
- 5 Bekoe, D.A., 2008. Implementing Peace Agreements: Lessons from Mozambique, Angola and Liberia (New York: Routledge).
- The 'ni-ni deal' was initially broken when the electoral courts accepted the candidacies of two of the former-President's and another former-President's wife. It was only after international pressure and sanctions that the electoral courts re-convened and upheld the agreement (see Pigou, P. 2013. Will Madagascar's Elections End the Perennial Crisis? *International Crisis Group*, November 12, 2013, Available at: https://www.crisisgroup.org/africa/southern-africa/madagascar/will-madagascar-s-elections-end-perennial-crisis.
- 7 Binningsbø, H.M., and K. Dupuy, 2009. Using Power-Sharing to Win a War: The Implementation of the Lomé Agreement in Sierra Leone. Africa Spectrum 44, no. 3 pp. 87–107.
- 8 See further, General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures, paragraph 19, stating that 'Not all measures that potentially are, or will be, favourable to women are temporary special measures.'
 UN Doc. CEDAW/C/2004/I/WP.1/Rev.1, 30 (2004). Available at https://www.un.org/womenwatch/daw/cedaw/cedaw/30/GenRecWP1-auv.PDF.

- 9 Guidance on Gender and Inclusive Mediation Strategies. New York: United Nations Department of Political Affairs, 2017), 34, Available at: https://peacemaker.un.org/sites/peacemaker.un.org/files/1.%20English%20-GIMS.pdf.
- 10 South Sudan, Agreement on the Resolution of the Conflict in the Republic of South Sudan, 17 August 2015, Chapter 1, Article 10. Available at: https://www.peaceagreements.org/view/1357/.
- 11 Sub-state quotas for women are also adopted in non-transitional arrangements, such as in the Democratic Republic of Congo (37% representation in Kivu District Government), India (4.3% representation in the Bodoland Territorial Council) and Nepal (women's seats in village and municipal executive bodies).
- 12 See article 4, Convention on the Elimination of Discrimination Against Women (CEDAW); see also, United Nations, Committee on the Elimination of Discrimination against Women, General Recommendation 25, Temporary Special Measures, UN Doc. CEDAW/C/2004/I/WP.1/Rev.1, 30 (2004).
- 13 Menkaus, K., 2017. Elections in the Hardest of Places: The Case of Somalia. Journal of Democracy 4 pp. 132-146, at 139, suggesting that 'Clan leaders ignored the 30 percent seat quota for women. Leaders of stronger clans did not want to "sacrifice" any of their clan's allocated seats for the sake of running a female candidate. As early results suggested how far short of the 30 percent quota the new Parliament would fall, international pressure began to mount. Somali political elites responded to it by pressuring or bribing weaker subclans and minority groups to set aside seats for women.'

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