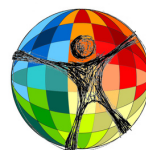# Peace by Meaningful Inclusion: The Impact of Women on Peacebuilding in Sri Lanka, Liberia, and Afghanistan

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personne et le pluralisme
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# ABSTRACT

As highlighted by UN Security Council Resolution 1325 (2000), it is often argued that including women in peace processes leads to a more sustainable peace. This essay seeks to evaluate this claim by examining two aspects of post-conflict society which contribute to sustainable peace: reconciliation and human rights. Specifically, it assesses whether including women in peace processes contributes to a post-conflict society in which the underlying causes of the conflict are resolved, also referred to as reconciliation, and there is increased respect for human rights.

The essay uses three case studies to determine the impact of women's inclusion in peace processes on post-conflict society. In Sri Lanka, peace talks subsequent to the 2002 Ceasefire Agreement sidelined women and the subsequent military victory has excluded them, leading to ongoing ethnic tensions and increased militarization. In Liberia, a united group of women led the process, using traditional gender norms to their advantage, to shape and implement a peace agreement and post-conflict society which has largely resolved the underlying causes of the conflict and increased respect for human rights. Finally, in Afghanistan, divisions between women, their relative exclusion from the peace process, and societal backlash to changing gender roles has led to a return to conflict and women's oppression.

Ultimately, the essay concludes that women's participation improves post-conflict reconciliation and human rights records if women are united and leading the process in a manner instrumentalizing gender norms, meaning that it matters how women are included in peace processes if peace is to be maintained.

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# I. Introduction

Including women in the peace process makes peace more sustainable.[1] Variations on this statement are commonly cited as the main argument for greater gender equality in peace negotiations.[2] Instead of arguing that women deserve to be included because it is their interests and their country's future at stake, or because they have the same right as men to participate, the typical claim is that including women increases the likelihood of a permanent resolution to the conflict.[3] The explanation provided for this assertion is that women will advocate for components of positive peace, going beyond merely ensuring there is not a return to violence, to include the institutions and socioeconomic prosperity which make lasting peace more likely.[4] Due to their typical position within the home, they are supposedly more likely to be aware of what society requires to resolve the conflict's causes, and therefore better able to address them.[5]

However, while women should be included in peace processes, not least because they will be impacted by the decisions made, making women seemingly solely responsible for maintaining peace is a lot to ask. This essay seeks to evaluate the claim that including women creates a longer-lasting peace by examining two aspects of post-conflict society which contribute to sustainable peace: reconciliation and human rights. Specifically,

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[1] See "Women's Participation in Peace Processes" (2020), online: *Council on Foreign Relations* <www.cfr.org/womens-participation-in-peace-processes/> ["Women's Participation"]; SC Res 1325, UNSCOR, *55th Year*, UN Doc S/Res/1325(2000) (31 October 2000) at Preamble ["SC Res 1325"].

[2] See "Women's Participation", *supra* note 1; SC Res 1325, *supra* note 1 at Preamble, para 1.

[3] See "Women's Participation", *supra* note 1; SC Res 1325, *supra* note 1 at Preamble, para 1.

[4] See "Why It Matters" (2020), online: *Council on Foreign Relations* <www.cfr.org/womens-participation-in-peace-processes/why-it-matters> ["Why It Matters"]; Zohra Moosa, Maryam Rahmani & Lee Webster, "From the private to the public sphere: new research on women's participation in peace-building" (2013) 21:3 Gender & Development 453 at 456–57.

[5] See Moosa, Rahamni & Webster, *supra* note 4 at 457–58; "Why It Matters", *supra* note 4.

it assesses whether including women in peace processes contributes to a post-conflict society in which the underlying causes of the conflict are resolved, also referred to as reconciliation, and there is increased respect for human rights. It will argue that women's participation improves post-conflict reconciliation and human rights records if women are united and leading the process in a manner consistent with gender norms. If women are not able to unite over the common goal of peace, are not leading the process, but included as merely token representatives or otherwise sidelined in negotiations, or if their efforts are too transgressive of social norms, a lasting peace is unlikely to be realized.

To aid in the evaluation of the claim that women's participation increases the likelihood of durable peace, this essay will first provide a brief history of women's involvement in peace processes, focusing on the more recent developments following the 1998 Good Friday Agreement in Northern Ireland and UN Security Council Resolution 1325 (2000) (UNSCR 1325). It will then examine the peace processes in Sri Lanka, Liberia, and Afghanistan to demonstrate how the varying outcomes in terms of reconciliation and respect for human rights can be explained by the nature of women's participation in the peace process. Overall, including women is important, but relying on them to completely alter a country's trajectory is likely over-optimistic.

## II. Overview of Women and Peace Processes

### a. Women's Historical Involvement in Peace Processes

Throughout history, women have typically been viewed as naturally inclined towards peace.[6] Although this view relies on gender stereotypes, and ignores examples of female combatants in conflicts, women have often been strong advocates for peace.[7] The gendered nature of wartime roles has meant women are

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[6] See Malcolm Saunders, "Are Women more Peaceful than Men?: The Experience of the Australian Section of the Women's International League for Peace and Freedom, 1915-39" (1991) 3:1 Interdisciplinary Peace Research 45 at 45.

[7] See Margaret McGuinness, "Women as Architects of Peace: Gender and the Resolution of Armed Conflict" (2006) 15 Michigan State J Intl l 63 at 76.

frequently the main victims of atrocities, including sexual and gender-based violence (GBV), and they are left at home to witness the devastation of their communities, families, and lives.[8] As a result, women often begin campaigns for peace to prevent horrific tragedies and losses.[9] Women's organizations in the 19th century argued for peace, and against slavery, the US Civil War, and the Spanish-American War.[10] In 1915, over one thousand women from twelve countries held an International Congress of Women at The Hague advocating for mediation to end WWI, and the Women's International League for Peace and Freedom travelled to the 1919 Versailles peace negotiations to press for their vision of peace.[11] Additionally, throughout the Cold War, women were actively involved in campaigns against nuclear weapons and the Vietnam War.[12] More recently, the 1990s intrastate conflicts in Guatemala, El Salvador, and Papua New Guinea all had women leading peace efforts, and the Mothers of the Plaza de Mayo in Argentina gained worldwide attention for their calls to end the violent dictatorship.[13] Therefore, despite only recently being recognized as vital for a successful peace process, women have

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[8] See J Ann Tickner & Jacqui True, "A Century of International Relations Feminism: From World War I Women's Peace Pragmatism to the Women, Peace and Security Agenda" (2018) 62 Intl Studies Q 221 at 225–26.

[9] See Tickner & True, *supra* note 8 at 222, 225–26; McGuinness, *supra* note 7 at 76,

[10] See McGuinness, *supra* note 7 at 74; Harriet Hyman Alonso, "Peace and Women's Issues in US History" (1994) 8:3 Peacemaking in American History 20 at 21–22.

[11] See Anya Jabour, "Why women's peace activism in World War I matters now" (last updated 8 November 2018), online: *The Conversation* <theconversation.com/why-womens-peace-activism-in-world-war-i-matters-now-75254>; Tickner & True, *supra* note 8 at 222–23; Mona Siegel, "Peacemaking and women's rights... a century in the making" (18 November 2019), online (blog): *London School of Economics* <blogs.lse.ac.uk/wps/2019/11/18/peacemaking-and-womens-rights-a-century-in-the-making/>.

[12] See McGuinness, *supra* note 7 at 76; Alonso, *supra* note 10 at 23.

[13] See "Women's Participation in Peace Negotiations: Connections between Presence and Influence" (October 2012) at 2, 9, online (pdf): *UN Women* <reliefweb.int/sites/reliefweb.int/files/resources/03AWomenPeaceNeg.pdfhttps://reliefweb.int/sites/reliefweb.int/files/resources/03AWomenPeaceNeg.pdf> ["Women's Participation in Peace Negotiations"]; McGuinness, *supra* note 7 at 77.

been seeking to be included for centuries. [14] This recognition
brings them one step closer to achieving their goal.

### b. Recognition of the Importance of Including Women in Peace Processes

The question then raised is how international society came
to view women's participation as a requirement of any peace
process. This shift only occurred after significant efforts by women,
as discussed previously, and notably, the success of their
involvement in the 1998 Northern Ireland Good Friday
Agreement negotiations. [15]

### i. Lessons from Northern Ireland

By 1998, Northern Ireland had been embroiled in a
conflict, known as "the Troubles," between the Catholic Irish
Republican Army (IRA) and Protestant Unionists for
approximately thirty years. [16] Catholics generally wanted a unified
Ireland, whereas Protestants largely wanted to remain part of the
UK. [17] The IRA frequently conducted terrorist attacks and
bombings, and the British Army and other Unionists also engaged
in violence and human rights violations. [18] However, since the
1998 Good Friday Agreement, Northern Ireland has had a
mostly stable peace, which can in large part be attributed to the
efforts of the Northern Ireland Women's Coalition (NIWC). [19]
Prior to the official negotiations commencing, women established

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[14] See SC Res 1325, *supra* note 1 at Preamble, para 1; McGuinness, *supra* note 7 at 74, 76; Alonso, *supra* note 10 at 21–22; Jabour, *supra* note 11; Siegel, *supra* note 11.

[15] See McGuinness, *supra* note 7 at 74, 76; Alonso, *supra* note 10 at 21–22; Jabour, *supra* note 11; Siegel, *supra* note 11; "Northern Ireland Case Study" (2020), online: *Council on Foreign Relations* <www.cfr.org/womens-participation-in-peace-processes/northern-ireland> ["Northern Ireland"].

[16] See "Northern Ireland", *supra* note 15.

[17] See Jeff Wallenfeldt, "the Troubles" (last updated 21 August 2020), online: *Encyclopaedia Britannica* <www.britannica.com/event/The-Troubles-Northern-Ireland-history>.

[18] See *ibid*.

[19] See "Moving Past the Troubles: The Future of Northern Ireland Peace" (2021), online: *Council on Foreign Relations* <www.cfr.org/backgrounder/moving-past-troubles-future-northern-ireland-peace>; "Northern Ireland", *supra* note 15.

a cross-community coalition which regularly consulted with Catholic and Protestant community members to determine their needs and concerns, as well as relay updates on peace talks.[20] Indeed, women became trusted intermediaries, able to go between opposing parties on critical issues, because their coalition meant they were not seen as representing any one side.[21] Based on their knowledge of community concerns, women were then able to influence the agreement to include provisions to promote the social cohesion crucial for a lasting peace, such as the reintegration of political prisoners, victims' rights, education, and mixed housing.[22] Finally, the NIWC was essential in ensuring the referendum on the peace agreement was successful, as the group actively campaigned for it to pass, and people felt that they could trust the women's opinion.[23] Without the women, it is likely that talks would have broken down due to the lack of trust between the opposing sides. [24] Thus, Northern Ireland demonstrated the value of including women in peace processes, as they could use their role in society to secure an agreement that had the broad community support necessary to ensure it lasted.[25] The international community took note of this success, and in subsequent peace negotiations began making it a point to include women to increase the likelihood of achieving and maintaining peace.[26]

ii.     *UN Security Council Resolution 1325 (2000)*

After the success of women's involvement in the Northern Ireland peace negotiations, the international community gradually shifted to regard women's inclusion in peace processes as crucial, codifying this understanding in UN Security Council Resolution

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[20] See "Northern Ireland", *supra* note 15.

[21] *See ibid.*

[22] *See ibid.*

[23] *See ibid.*

[24] *See ibid.*

[25] *See ibid.*

[26] See SC Res 1325, *supra* note 1 at Preamble, para 1; "Women's Participation in Peace Negotiations", *supra* note 13 at 1, 17; Moosa, Rahamni & Webster, *supra* note 4 at 454–55.

1325 (2000) on Women, Peace and Security.[27] However, this
Resolution was also the culmination of decades of international
mobilization on gender equality which often focused on violence
against women (VAW).[28] The Beijing Fourth World Conference on
Women in 1995 promoted the role of women in peacemaking
partly as a response to the significant impact of conflict on women
and girls.[29] This led to the formation of the Coalition on Women
and International Peace and Security, which, in turn, lobbied for
UNSCR 1325.[30] These efforts were successful, as the resolution
was adopted unanimously in October 2000.[31]

UNSCR 1325 addresses the disproportionate impact of
conflict and war on women and girls, and therefore emphasizes
the role that women should, and do, play in conflict prevention
and peacebuilding.[32] It seeks to integrate women and girls into
peace and security——an area from which they have historically
been excluded——through its four pillars: participation, protection,
prevention, and relief and recovery.[33] The first calls for the
increased participation of women in decision-making institutions
which aim to prevent, manage, and resolve conflict, as well as in
peace negotiations and peace operations.[34] The second responds
to the impact of conflict on women and girls.[35] In particular, it

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[27] See SC Res 1325, *supra* note 1 at Preamble, para 1; "Women's Participation
in Peace Negotiations", *supra* note 13 at 1, 17; Moosa, Rahamni & Webster,
*supra* note 4 at 454–55; "Northern Ireland", *supra* note 15.

[28] See Tickner & True, *supra* note 8 at 225–26; "What is UNSCR 1325?" (last
visited 15 December 2021), online: *United States Institute of Peace*
<www.usip.org/gender_peacebuilding/about_UNSCR_1325>    ["What    is
UNSCR 1325"].

[29] See "What is UNSCR 1325", *supra* note 28.

[30] See *ibid*.

[31] See "Security Council Resolution 1325" (last visited 15 December 2021),
online: *PeaceWomen* <www.peacewomen.org/SCR-1325>.

[32] See "What is UNSCR 1325", *supra* note 28; SC Res 1325, *supra* note 1 at
Preamble.

[33] See "What is UNSCR 1325", *supra* note 28.

[34] See *ibid*; SC Res 1325, *supra* note 1 at Preamble, paras 1, 4.

[35] See "What is UNSCR 1325", *supra* note 28; SC Res 1325, *supra* note 1 at
Preamble, paras 8–16.

seeks to protect them from sexual violence and GBV.[36] The third pillar calls for improvements to intervention strategies to prevent VAW, including prosecuting those violating women's rights, strengthening women's rights, and supporting local peace initiatives and conflict resolution processes led by women.[37] Finally, the last pillar promotes measures to address international crises through a gendered lens, considering the unique needs of women and girls in international responses.[38] Each UN Member State is supposed to develop the Resolution into a National Action Plan and commit to government action to ensure implementation.[39] UNSCR 1325 has proved influential for women's involvement in peace processes and is often relied on when lobbying for their inclusion.[40] Despite difficulties in ensuring its implementation, it has been followed by several other UN Security Council resolutions also addressing women and girls in conflict.[41] Yet, although the Resolution is an important step in recognizing the role of women in peace processes and has drawn attention to the importance of their inclusion, as will be discussed, women continue to be underrepresented and underutilized in peace processes.[42]

## III. Essay Methodology

To investigate the impact of women's inclusion in peace processes on reconciliation and respect for human rights, this essay uses a comparative case study approach. Specifically, it will examine the peace processes in Sri Lanka, Liberia, and Afghanistan to determine how the involvement of women

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[36] See "What is UNSCR 1325", *supra* note 28; SC Res 1325, *supra* note 1 at Preamble, paras 10–11.

[37] See "What is UNSCR 1325", *supra* note 28; SC Res 1325, *supra* note 1 at Preamble, para 11.

[38] See "What is UNSCR 1325", *supra* note 28; SC Res 1325, *supra* note 1 at Preamble, paras 12–17.

[39] See "What is UNSCR 1325", *supra* note 28.

[40] See "What is UNSCR 1325", *supra* note 28; "Women's Participation in Peace Negotiations", *supra* note 13 at 17; "Women's Participation", *supra* note 1.

[41] See "Women's Participation in Peace Negotiations", *supra* note 13 at 1; "Women's Participation", *supra* note 1.

[42] See "What is UNSCR 1325", *supra* note 28; "Women's Participation", *supra* note 1; SC Res 1325, *supra* note 1 at Preamble, paras 1, 4.

impacted the process and how the differing ways in which women
participated influenced post-conflict outcomes. Together, the three
case studies illustrate the spectrum of women's participation, from
a women-led process to women included as token
representation.[43] They also portray unique cultural contexts and
divergent mechanisms of conflict resolution, ranging from a within
country peace process, to a military victory, to a process driven
by international actors.[44] Overall, the case studies are chosen to
depict different circumstances of women's involvement in
peacebuilding, and therefore draw some general conclusions
about the best way to include women in peace processes to
ensure their impact lives up to the claims and the conflict is
resolved. In order to make these conclusions, the case studies aim
to be representative, though the findings are limited by the
number of countries studied. Nevertheless, the essay will shed
light on the impact that women can have on post-conflict
reconciliation and respect for human rights.

## IV. Case Studies

Three case studies will be examined to address this essay's
guiding question of whether the inclusion of women in peace
processes contributes to a post-conflict society in which the
underlying causes of the conflict are resolved and there is

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[43] See "How the Women of Liberia Fought for Peace and Won" (2020), online:
*Tavaana* <tavaana.org/en/en/content/how-women-liberia-fought-peace-and-
won> ["Women of Liberia"]; Lucy Morgan Edwards, "How the West Lost Its Best
Opportunity for Reconciliation in Afghanistan" (2012) 43:3 Asian Affairs 441
at 449; Jorrit Kamminga, "Women, Peace and Security: The uphill battle of
transforming Afghanistan through women's meaningful participation in
peacebuilding and security" in Adenrele Awotona, ed, *Rebuilding Afghanistan
in Times of Crisis: A Global Response* (Routledge: 2019) 105 at 109, 111–
13, 116; Susanne Schmeidl, "The Emperor's New Clothes: The Unravelling of
Peacebuilding in Afghanistan" (2007) 82:1 Die Friedens-Warte 69 at 72; Rita
Manchanda, "Women's Agency in Peace Building: Gender Relations in Post-
Conflict Reconstruction" (2005) 40:44/45 Economic and Political Weekly 4737
at 4742.

[44] See "Women of Liberia", *supra* note 43; Edwards, *supra* note 43 at 449;
Kamminga, *supra* note 43 at 109, 111–13, 116; Schmeidl, *supra* note 43 at 72;
"Sri Lanka profile – Timeline", *BBC News* (18 November 2019), online:
<www.bbc.com/news/world-south-asia-12004081> ["Sri Lanka profile"];
Nithyani Anandakugan, "The Sri Lankan Civil War and Its History, Revisited in
2020" (31 August 2020), online: *Harvard International Review*
<hir.harvard.edu/sri-lankan-civil-war/>.

increased respect for human rights. The three countries are Sri Lanka, focusing on the 2002 Ceasefire Agreement, Liberia, concentrating on the 2004 Accra Comprehensive Peace Agreement, and Afghanistan, examining the 2001 Bonn Agreement and the more recent negotiations between the Afghan government and the Taliban. This section will examine each case study to demonstrate how the nature of women's involvement impacted post-conflict reconciliation and human rights. For each, there will be an overview of the conflict and peace process, followed by an analysis of how this led to the divergent outcomes.

### a. Sri Lanka (2002 Ceasefire Agreement)

i. <u>Overview of the Peace Process</u>

Sri Lanka has a history of ethnic tension between the majority Sinhalese population and the minority Tamils, who are primarily concentrated in the North and East of the country.[45] Under the British colonial regime, Tamils were privileged, as they had better access to English language schools.[46] However, following Sri Lanka's independence in 1948, the majoritarian electoral system enabled the Sinhalese population to gain control of the country and pass laws alienating the Tamil population.[47] This included the *Sinhala Only Act*, which made it harder for Tamils to access government services as Sinhala was the only official language, and introducing ethnic quotas for admittance to university, reducing the number of Tamils accepted.[48] Ethnic tensions erupted in race riots in 1983, beginning a twenty-six-year civil war in which Tamil separatists, primarily the Liberation Tigers of Tamil Eelam (LTTE), sought independence.[49]

Throughout the conflict, women's groups on all sides called for peace.[50] Some, such as the Mother's Front and Mothers and Daughters of Lanka, were motivated by a desire to protect their sons from enforced disappearances by the government or LTTE

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[45] See Anandakugan, *supra* note 44.

[46] See *ibid*.

[47] See *ibid*.

[48] See *ibid*.

[49] See *ibid*.

[50] See Manchanda, *supra* note 43 at 4741.

recruitment.[51] Others did not use such explicitly gendered framing,
but still argued for a need to resolve the conflict, including Women
for Peace, Women's Study Circle, Women's Action Committee,
the Association of War-Affected Women, and later, Suriya, and
the Women and Media Collective.[52] However, since the different
populations were geographically isolated by the war, it was often
difficult to generate inter-ethnic civil society groups, and so not all
of these groups endured throughout the conflict.[53] Consequently,
civil society, including women's groups, largely remained
ethnically polarized.[54]

In 2002, the government and LTTE agreed to a ceasefire
which led to peace talks.[55] Women's groups from the South
conducted significant lobbying of government to be included in
the peace negotiations and were supported by the international
community, which had recently passed UNSCR 1325.[56] The
groups' access to government leaders, including the female
president, led to some success.[57] Women were not included in the

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[51] See Malathi de Alwis, "Interrogating the 'political': feminist peace activism in
Sri Lanka" (2009) 91 Feminist Rev 81 at 82–83; Manchanda, *supra* note 43
at 4741; Sepali Kottegoda, "Do women play a role in Sri Lanka's
'reconciliation'?: Gender dynamics in the transition from war to peace"
(21 August 2012), online: *Groundviews* <groundviews.org/2012/08/21/do-
women-play-a-role-in-sri-lankas-reconciliation-gender-dynamics-in-the-transition-
from-war-to-peace/>.

[52] See Manchanda, *supra* note 43 at 4741; Kottegoda, *supra* note 51.

[53] See Manchanda, *supra* note 43 at 4741; Kottegoda, *supra* note 51.

[54] See Manchanda, *supra* note 43 at 4741; Kottegoda, *supra* note 51; Shashank
Bengali, "Sri Lanka road trip finds north and south still divided after civil war",
*Los Angeles Times* (28 March 2015), online: <www.latimes.com/world/asia/la-
fg-sri-lanka-highway-20150328-story.html>; Ambika Satkunananthan,
"Securitisation and militarisation in Sri Lanka: A continuum", *Daily FT*
(20 January 2021), online: <www.ft.lk/columns/Securitisation-and-
militarisation-in-Sri-Lanka-A-continuum/4-711827> [Satkunanathan,
"Securitisation and militarisation"].

[55] See Salma Yusuf, "Women in Peace or Pieces? Perspectives from Sri Lanka"
(2018/2019) 31:1/2 Canadian Women Studies 222 at 222.

[56] See Manchanda, *supra* note 43 at 4742; Kumudini Samuel, "The importance
of autonomy: Women and the Sri Lankan Peace Negotiations" (November 2010)
at 3, online (pdf): *Centre for Humanitarian Dialogue* <www.hdcentre.org/wp-
content/uploads/2016/08/48Theimportanceofautonomy-
WomenandtheSriLankanPeaceNegotiations_0-November-2010.pdf>.

[57] See Manchanda, *supra* note 43 at 4742.

main negotiations, however, a separate gender subcommittee outside the main peace talks was agreed to, where female LTTE and government representatives would meet to discuss women's issues pertaining to the peace resolution.[58] Women were not included in any significant way in the main peace negotiations, though the subcommittee did make some progress.[59] Unfortunately, before the terms of reference for the subcommittee could officially be approved, peace talks were suspended when the LTTE pulled out, and the women were forced to return without having made any significant headway or come to any agreements.[60] While there would be subsequent efforts to include women in the peace process and keep up pressure on the parties to focus on women in any resolution to the conflict, ultimately the sidelining of women continued.[61]

With the failure of peace negotiations, the ceasefire lasted only on paper.[62] The government returned to fighting, driving the LTTE out of the East by 2006, and, in 2008, the government officially broke the ceasefire, marking a return to open hostilities.[63] This led to a brutal military campaign to retake control of the entire country, culminating in a military victory by the government in 2009.[64] Since the campaign resulted in the killing of much of the LTTE's leadership, including its commander, no subsequent peace negotiations occurred.[65] The government merely regained control of areas previously held by the LTTE, and the demilitarization and reconstruction processes occurred very slowly.[66]

ii. *Outcome*

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[58] See Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6; Yusuf, *supra* note 55 at 222, 227.

[59] See Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–7, 10; Yusuf, *supra* note 55 at 222, 227–28.

[60] See Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–8, 10.

[61] See Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10.

[62] See "Sri Lanka profile", *supra* note 44

[63] See *ibid*.

[64] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44.

[65] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44.

[66] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44.

As discussed, women did not play any significant role in the resolution of the conflict.[67] Instead, the government's military victory meant the country's post-conflict future was determined according to the wishes of the predominantly male victors without any negotiated agreement.[68] The government has championed the role of the Sinhalese military in creating peace, and thereby promoted the dominant view in society of the conflict, namely that the Sinhalese won, and the Tamils were wrong for attempting to secede.[69] Tamils are thus by default viewed with suspicion as they may have been supporters of the terrorist LTTE.[70] This perspective has not helped resolve the ethnic tensions which led to the conflict, as it perpetuates discrimination against Tamils and a vision of Sri Lanka in which they are not included.[71] Rather than working to create a society in which both ethnic groups can live together peacefully, the military victory has reinforced each side's opinion of what the country should be.[72] The Sinhalese perceive the victory as a vindication of their interests and the view that Sri Lanka is Sinhalese.[73] In contrast, Tamils see themselves as a persecuted minority whose rights are continually violated.[74] The lack of a peace process, and therefore no mandated and genuine attempts at reconciling these opposing views, has ultimately meant their opposing opinions, and therefore ethnic tensions, persist.[75]

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[67] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10.

[68] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28.

[69] See DB Subedi, "The Emergence of Populist Nationalism and 'Illiberal' Peacebuilding in Sri Lanka" (2021) Asian Studies Rev 1 at 6.

[70] See *ibid* at 6, 9, 12–13, 18.

[71] See *ibid* at 6, 9, 12–13, 17–18.

[72] See *ibid*.

[73] See Subedi, *supra* note 69 at 6, 9, 12–13, 17; Human Rights Council, *Promoting reconciliation, accountability and human rights in Sri Lanka,* UNHRCOR, 46th Session, UN Doc A/HRC/46/20 (2021) 1 at paras 29–31.

[74] See Subedi, *supra* note 69 at 6, 12–13, 15; Human Rights Council, *supra* note 73 at paras 29–31.

[75] See Subedi, *supra* note 69 at 6, 9, 12–13, 15, 17; "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742;

Additionally, the military victory has not improved respect for human rights in Sri Lanka. The dominant understanding that the military ended the war has reinforced the view that these institutions are positive, and they should be celebrated.[76] While peace agreements often try to reduce the role of the military in society, in Sri Lanka, its role in ending the conflict has meant that it continues to play a dominant role in society.[77] In fact, the current president, Gotabaya Rajapaksa, led the military during its final campaign against the LTTE, and he has only increased the prominence of, and government support for, the military.[78] Under his presidency, the military has taken on an enhanced role in education and healthcare, even leading the COVID-19 response.[79] There has also been a refusal to acknowledge the human rights violations that it has perpetrated, including the atrocities committed during the war and its current use of force and torture in detention.[80] The *Prevention of Terrorism Act*, initially implemented during the war to allow the government to detain people indefinitely without charge, remains in place despite repeated calls to repeal it, and freedom of expression is limited.[81] Overall, the fact that the military and current government leaders are seen as having won the war means that much of the majority Sinhalese population trusts these institutions, and so gives them significant latitude in their actions.[82] Thus, there is little societal

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Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Human Rights Council, *supra* note 73 at paras 29–31.

[76] See Subedi, *supra* note 69 at 6, 9, 12–13, 15, 17; Human Rights Council, *supra* note 73 at paras 20–23, 29–31.

[77] See Subedi, *supra* note 69 at 6, 9, 12–13, 15, 17; Human Rights Council, *supra* note 73 at paras 20–23, 29–31; Satkunanathan, "Securitisation and militarisation", *supra* note 54.

[78] See Satkunanathan, "Securitisation and militarisation", *supra* note 54; Subedi, *supra* note 69 at 6, 9, 12–13, 15, 17; Human Rights Council, *supra* note 73 at paras 20–23, 29–31; Moosa, Rahamni & Webster, *supra* note 4 at 457–58; "Why It Matters", *supra* note 4; "Liberia Case Study" (2020), online: *Council on Foreign Relations* <www.cfr.org/womens-participation-in-peace-processes/liberia> ["Liberia Case Study"].

[79] See Satkunanathan, "Securitisation and militarisation", *supra* note 54; Human Rights Council, *supra* note 73 at paras 20–23, 29–31.

[80] See Human Rights Council, *supra* note 73 at paras 26–28, 37–38.

[81] See Human Rights Council, *supra* note 73 at paras 32, 36.

[82] See Subedi, *supra* note 69 at 6, 9, 12–13, 15, 17; "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742;

pressure to improve the human rights situation or reduce the military's role.[83]

The absence of women at the peace table, and indeed the absence of any peace table, is likely in part responsible for the current situation.[84] Although women made attempts to influence policy, both during the 2002 peace negotiations and after the conflict, not having a significant role in government meant they were largely excluded from shaping the country post-conflict, including ensuring reconciliation or respect for human rights.[85] Women tend to view peace not merely as the absence of violence, but as also requiring respect for human rights, reconciliation, and socioeconomic support.[86] Many of the women's groups involved in the peace negotiations, and the ones which exist today, focus on human rights issues and reconciliation.[87] They are committed to resolving ethnic tensions, improving women's rights and democracy, and ending the militarization of society, including military impunity.[88] However, because there were no peace talks in which they could express these views, women's concerns were never placed on the agenda of those in power making the

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Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Human Rights Council, *supra* note 73 at paras 20–23, 29–31.

[83] See Subedi, *supra* note 69 at 6, 9, 12–13, 15, 17; "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Human Rights Council, *supra* note 73 at paras 20–23, 29–35.

[84] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28.

[85] See Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 222, 227–28.

[86] See Moosa, Rahamni & Webster, *supra* note 4 at 457–58; "Why It Matters", *supra* note 4.

[87] See Manchanda, *supra* note 43 at 4741; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 222, 227–28; de Alwis, *supra* note 51 at 82–83; Kottegoda, *supra* note 51.

[88] See Manchanda, *supra* note 43 at 4741; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 222, 227–28; de Alwis, *supra* note 51 at 82–83; Kottegoda, *supra* note 51.

decisions about Sri Lanka's future. [89] Instead, women were excluded from shaping peace in the country, and forced to try to alter public opinion or lobby a government which glorified the military and dismissed these concerns.[90] Including women in the Sri Lankan peace process could have brought reconciliation and human rights to the forefront, as these were, and are, issues women are highlighting, however, because they were not involved in any conversations surrounding peace, they were unable to influence the country's direction.[91]

One reason for which women in Sri Lanka were unable to control the peace process or influence the country post-conflict is because they were not unified. During the conflict, it was difficult to achieve inter-ethnic collaboration because of the geographical divisions between the two sides.[92] Tamil women were located primarily in the LTTE-controlled North and East, whereas Sinhalese women were in the South.[93] Travel between the two areas was almost impossible, and so maintaining the communication required to form a united group was difficult.[94] Even following the 2002 attempt at peace talks, women were unable to maintain cross-ethnicity communication for any significant period due to their difficulties in maintaining communication across the distance.[95] Additionally, there was no impetus for sustained unity

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[89] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28.

[90] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Subedi, *supra* note 69 at 6, 9, 12–13, 15, 17; Human Rights Council, *supra* note 73 at 9.

[91] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Kottegoda, *supra* note 51.

[92] See Manchanda, *supra* note 43 at 4741; Anandakugan, *supra* note 44; Shashank Bengali, *supra* note 54.

[93] See Manchanda, *supra* note 43 at 4741; Anandakugan, *supra* note 44; Satkunanathan, "Securitisation and militarisation", *supra* note 54.

[94] See Manchanda, *supra* note 43 at 4741–42; Bengali, *supra* note 54; Kottegoda, *supra* note 51; Satkunanathan, "Securitisation and militarisation", *supra* note 54.

[95] See Manchanda, *supra* note 43 at 4741–42; Samuel, *supra* note 56 at 3–4, 6–8, 10; Bengali, *supra* note 54; Kottegoda, *supra* note 5; Satkunanathan, "Securitisation and militarisation", *supra* note 54.

in women's groups. While Tamil women were significantly affected by the war and government persecution, Sinhalese women in the South were largely isolated from the conflict.[96] The war simply did not affect them in any major way, and so beyond a committed group of civil society activists, there were no broader grassroots efforts for peace among Sinhalese women. [97] Consequently, unlike in successful women-led peace negotiations, such as Liberia and Northern Ireland, women were never united enough to transcend societal divisions, and become viewed as trusted, neutral intermediaries.[98] This limited their access to those in power on both sides, and meant that they were unable to pressure parties into peace negotiations or take control of the peace process. [99] Instead, women remained isolated from decisions about Sri Lanka's future, as they did not have the power to push for peace, reconciliation, or respect for human rights.[100]

In post-conflict Sri Lanka, the continued ethnic divide in perceptions of the war and experiences of discrimination has meant there remains no unifying factor among women which inspires them to advocate for improvement in human rights or the country's non-existent approach to reconciliation.[101] Instead, the

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[96] See Ahilan Kadirgamar, "Polarization, Civil War, and Persistent Majoritarianism in Sri Lanka" (18 August 2020), online: *Carnegie Endowment for International Peace* <carnegieendowment.org/2020/08/18/polarization-civil-war-and-persistent-majoritarianism-in-sri-lanka-pub-82437>; Anandakugan, *supra* note 44; Bengali, *supra* note 54; Kottegoda, *supra* note 51; Satkunanathan, "Securitisation and militarisation", *supra* note 54; Visvajit Sriramarajan, "Post-War Sri Lanka: Fractured and Unjust for Tamils", *The Diplomat* (15 May 2020), online: <thediplomat.com/2020/05/post-war-sri-lanka-fractured-and-unjust-for-tamils/>.

[97] See Manchanda, *supra* note 43 at 4741–42; Samuel, *supra* note 56 at 3–4, 6–8, 10; Kadirgamar, *supra* note 96; Anandakugan, *supra* note 44; Bengali, *supra* note 54; Kottegoda, *supra* note 51; Satkunanathan, "Securitisation and militarisation", *supra* note 54; Sriramarajan, *supra* note 96.

[98] See Manchanda, *supra* note 43 at 4741–42; Samuel, *supra* note 56 at 3–4, 6–8, 10; "Northern Ireland", *supra* note 15; "Liberia Case Study", *supra* note 78.

[99] See Manchanda, *supra* note 43 at 4741–42; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 222, 227–28; Kottegoda, *supra* note 51.

[100] See Manchanda, *supra* note 43 at 4741–42; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 222, 227–28; Kottegoda, *supra* note 51.

[101] See Subedi, *supra* note 69 at 6, 9, 12–15, 17; "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742;

Sinhalese broadly approve of the president, and of the war's outcome, and so there simply are no broad grassroots movements supporting change.[102] Furthermore, Sri Lanka remains a very patriarchal society.[103] Despite having had two female leaders, women are expected to play very traditional roles, and few women are in government.[104] Thus, women have limited avenues to advocate for reconciliation or human rights, and any attempts to do so are likely to be easily dismissed by the men in power because they are expressed by women violating established social norms.[105] This is not to say that women in Sri Lanka are not trying to improve the human rights situation or women's political participation. However, social norms make it difficult for them to effect any significant changes. Instead, they are excluded from power, and so remain dependent on lobbying, where they are more likely to be dismissed rather than taken seriously, especially when arguing against the strongly supported military.[106] As a result, women have been unable to significantly influence the country since the end of the conflict, and there remain many problems with human rights and reconciliation.[107]

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Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Human Rights Council, *supra* note 73 at paras 26–31.

[102] See Subedi, *supra* note 69 at 6, 9, 12–15, 17; "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Human Rights Council, *supra* note 73 at paras 26–31.

[103] See Ambika Satkunanathan, "Sri Lanka: The Impact of Militarization on Women" in Fionnuala Ni Aolain et al, eds, *The Oxford Handbook of Gender and Conflict* (New York: Oxford University Press, 2018) 579 at 582–83 [Satkunananthan, "Impact of Militarization"]; Ranmini Vithanagama, ed, *Exploring Women's Empowerment* (Colombo: International Centre for Ethnic Studies, 2018) at 350–53, 358, 520.

[104] See Satkunananthan, "Impact of Militarization", *supra* note 103 at 582–83; Vithanagama, *supra* note 103 at 350–53, 358, 520.

[105] See Satkunananthan, "Impact of Militarization", *supra* note 103 at 582–83; Vithanagama, *supra* note 103 at 350–53, 358, 520; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28.

[106] See Subedi, *supra* note 69 at 6, 9, 12–15, 17; "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Human Rights Council, *supra* note 73 at paras 26–31.

[107] See Subedi, *supra* note 69 at 6, 9, 12–15, 17; "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742;

Overall, attempts by some women in Sri Lanka to promote respect for people of all ethnicities, resolving the ethnic tensions which led to the conflict and improving human rights, have not been successful.[108] Due to the military victory, women were excluded from decisions about the country's post-conflict future, and they were unable to unify to put pressure on the government to take their concerns regarding these issues seriously.[109] Women have also been unable to successfully refute traditional gender roles and gain power in government since the end of the war.[110] Ultimately, Sri Lankan women have been unable to control the country's direction, and, instead, the military has, which, as it won the war and achieved peace by violating human rights and undermining reconciliation, has little incentive to adopt measures which do the opposite.[111]

### b. Liberia (2004 Accra Comprehensive Peace Agreement)

#### i. Overview of the Peace Process

Liberia also underwent a long period of conflict due to entrenched societal divisions.[112] The Americo-Liberian elite, descendants of freed slaves who settled in Liberia in the first half

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Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Human Rights Council, *supra* note 73 at paras 26–31.

[108] See Manchanda, *supra* note 43 at 4741; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 222, 227–28; de Alwis, *supra* note 51 at 82–83; Kottegoda, *supra* note 51.

[109] See "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28.

[110] See Yusuf, *supra* note 55 at 222, 227–28; Satkunananthan, "Impact of Militarization", *supra* note 103 at 582–83; Vithanagama, *supra* note 103 at 350–53, 358, 520.

[111] See Subedi, *supra* note 69 at 6, 9, 12–15, 17; "Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda, *supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Human Rights Council, *supra* note 73 at paras 26–31.

[112] See Lucinda Rouse, " 'Not a noisy gun': The women peacebuilders of Liberia", *Al Jazeera* (22 March 2021), online: <www.aljazeera.com/features/2021/3/22/not-a-noisy-gun-the-women-peacebuilders-of-liberia>.

of the 19th century, historically dominated Liberian politics.[113] This led to significant inequality and grievances among the rest of the population, culminating in the outbreak of the first civil war in 1989, when Charles Taylor assumed the presidency in a coup.[114] Fighting for control of the country continued until the signing of an initial peace agreement in 1997, which made Taylor the elected president.[115] However, peace did not last long, as the second civil war erupted in 1999 when the rebel group Liberians United for Reconciliation and Democracy began a military offensive to topple Taylor's government.[116] Both conflicts became well-known for their brutality.[117] Child soldiers were used by all parties, one-third of the population was displaced, and it is estimated over 200,000 people were killed during the second conflict.[118] Women and girls were also subjected to widespread sexual violence, abductions, forced labour, and forced marriage. [119]

In response to the second conflict, women from all backgrounds formed the Women of Liberia Mass Action for Peace to demand its end.[120] They led marches, rallied in markets, and engaged in sit-ins and strikes to force the parties to the negotiating table.[121] Women occupied a soccer field on Taylor's route to and from his office, which convinced him to participate in talks.[122] They then lined streets around the hotels of rebel leaders in Sierra Leone until they also agreed to take part.[123] The role of women in

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[113] See *ibid*.

[114] See Rouse, *supra* note 112; "Liberia Case Study", *supra* note 78.

[115] See "Liberia Case Study", *supra* note 78; "Security Council Resolution 1325: Civil Society Monitoring Report 2011: Liberia" (2011) at 105–106, online (pdf): *Global Network of Women Peacebuilders* <www.peacewomen.org/sites/default/files/GNWP_Monitoring_Liberia.pdf> ["Monitoring Report 2011"].

[116] See Rouse, *supra* note 112; "Liberia Case Study", *supra* note 78.

[117] See Dorina Bekoe & Christina Parajon, "Women's Role in Liberia's Reconstruction" (1 May 2007), online: *United States Institute of Peace* <www.usip.org/publications/2007/05/womens-role-liberias-reconstruction>.

[118] See "Liberia Case Study", *supra* note 78; "Women of Liberia", *supra* note 43.

[119] "Liberia Case Study", *supra* note 78.

[120] See *ibid*; Bekoe & Parajon, *supra* note 117.

[121] See "Liberia Case Study", *supra* note 78.

[122] See "Women of Liberia", *supra* note 43.

[123] See *ibid*.

arranging such meetings earned them a reputation as trusted and objective intermediaries.[124] While they were not significantly involved in drafting the peace agreement, they played a crucial role in ensuring that there was one.[125] In line with their previous tactics, women occupied the negotiation area, lobbying negotiators as they entered and exited meeting rooms.[126] When the parties could not come to an agreement, a delegation of approximately 200 women staged a sit-in, blocking every exit and entry point, including the windows, which prevented negotiators from leaving without an agreement.[127] This mass mobilization which exerted pressure on the men involved in or silently supportive of the conflict to work towards peace was successful, resulting in the 2004 Accra Comprehensive Peace Agreement.[128]

However, women's mobilization in Liberia did not end with the signing of the Agreement.[129] Recognizing that its effective execution would be crucial for peace, women organized a workshop to identify benchmarks in the peace agreement's implementation.[130] They then disseminated information about when certain tasks should occur to the general public, especially women, using easily understandable language which allowed civil society to watch over the agreement's implementation.[131] When disarmament proved slower than expected, women travelled to camps created for this purpose to convince fighters to lay down their arms, speeding up the process.[132] More recently, women have created palava or peace huts to train women in conflict

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[124] See "Liberia Case Study", *supra* note 78.

[125] See *ibid*; Franck Kuwonu, "Women: Liberia's guardians of peace" (2018), online: *Africa Renewal* <www.un.org/africarenewal/magazine/april-2018-july-2018/women-liberia%E2%80%99s-guardians-peace>; Petra Debusscher & Maria Martin De Almagro, "Post-conflict women's movements in turmoil: the challenges of success in Liberia in the 2005-aftermath" (13 May 2016) 54:2 J Modern African Studies 293 at 300.

[126] See "Liberia Case Study", *supra* note 78; Kuwonu, *supra* note 125.

[127] See "Liberia Case Study", *supra* note 78; Kuwonu, *supra* note 125.

[128] See Kuwonu, *supra* note 125.

[129] Bekoe & Parajon, *supra* note 117.

[130] See *ibid*.

[131] See *ibid*.

[132] See *ibid*.

resolution and mediation skills and provide a space for the peaceful resolution of disputes between local community members, reducing the risk of them erupting into violence.[133] Women were also successful in gaining political influence.[134] A coalition of women provided transport, childcare, and supervision of market stalls to allow women to register to vote for the 2005 elections, the first after the signing of the agreement.[135] The mass mobilization of women created a significant political force in Liberia, and ultimately led to the election of the first female president of an African state, Ellen Johnson-Sirleaf, who was committed to the peace process.[136] Liberia has since remained relatively peaceful, and, consequently, its peace process is frequently cited as an example of what women can achieve when they are involved in creating peace.[137]

ii.      *Outcome*

Nevertheless, Liberia demonstrates how the manner in which women are included matters when it comes to realizing peace. Indeed, the Liberian peace process has been successful because it was led by a group of unified women who used social norms to their advantage in creating and implementing a more sustainable form of peace. While Liberia is not perfect, and there is still work to be done in resolving the conflict's causes and ensuring respect for human rights, it has been more successful in these areas than Sri Lanka and Afghanistan.[138]

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[133] See Kuwonu, *supra* note 125; "Monitoring Report 2011", *supra* note 115 at 119; Pearl Karuhanga Atuhaire, "Building sustainable peace in post-conflict settings in Africa: A case study of Liberia" in Anna Chitando, ed, *Women and Peacebuilding in Africa* (London: Routledge, 2020) 64 at 68.

[134] See "Liberia Case Study", *supra* note 78; Bekoe & Parajon, *supra* note 117.

[135] See "Liberia Case Study", *supra* note 78; Bekoe & Parajon, *supra* note 117.

[136] See "Liberia Case Study", *supra* note 78; Bekoe & Parajon, *supra* note 117; Erica Lawson, "How women bring about peace and change in Liberia" (12 November 2017), online: *The Conversation* <theconversation.com/how-women-bring-about-peace-and-change-in-liberia-86670>; Richard Lappin, "Bridging the Capabilities–Expectations Gap: Lessons Learned from Post-Conflict Democracy Assistance to Liberia" (2019) 15:3 Democracy & Security 248 at 266.

[137] See Atuhaire, *supra* note 133 at 64.

[138] See *ibid* at 65, 67, 70, 73, 75–76, 78.

Liberia's achievements can in part be attributed to the fact
the peace process was led by a unified group of women.[139]
Although the conflict had an ethnic dimension, women around the
country and of all ethnicities were similarly affected by the conflict,
and so had an interest in realizing a lasting peace.[140] Different
groups of women recognized their common goal, reaching out to
one another to work together in creating peace.[141] Mass Action
for Peace, which led the women's efforts, included Muslim and
Christian women, women from urban and rural areas, and those
who were part of the elite, as well as those who were not.[142] Their
ability to put aside any differences and work towards a common
goal allowed Mass Action for Peace to mobilize large numbers of
women for peace.[143] It also enabled them to continue organizing
women to ensure the Agreement was implemented successfully
after being signed.[144] Additionally, working together helped heal
some of the division within Liberian society, as it came to not
matter who the women were or their backgrounds, only that they
were taking action to realize peace.[145] As well, the inclusion of
diverse groups led to a more sustainable peace by ensuring
differing opinions were taken into account, and the peace process
responded to the needs of the various communities.[146] This further
helped reduce alienation, thus contributing to greater social
cohesion and reconciliation post-conflict. [147] While Liberia's

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[139] See "Women of Liberia", *supra* note 43.

[140] See *ibid*; Lappin, *supra* note 136 at 259; Ecoma Alaga, "Background brief:
'Pray the Devil Back to Hell:' Women's Ingenuity in the peace process in Liberia"
(23 March 2011) at 10–11, online (pdf): *Peacebuild*
<www.peacebuild.ca/Alaga%20-%20Participation%20FINAL.pdf>.

[141] See "Women of Liberia", *supra* note 43; Alaga, *supra* note 140 at 10–11.

[142] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note
78; Alaga, *supra* note 140 at 10–11.

[143] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note
78; Alaga, *supra* note 140 at 10–11.

[144] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note
78; Alaga, *supra* note 140 at 10–11.

[145] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note
78; Alaga, *supra* note 140 at 10–11, 16; Lappin, *supra* note 136 at 259.

[146] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note
78; Alaga, *supra* note 140 at 10–11, 16; Lappin, *supra* note 136 at 259.

[147] See Theodora-Ismene Gizelis, "A Country of their Own: Women and
Peacebuilding" (14 November 2011) 28:5 Conflict Management & Peace

divisions have not been completely resolved, and ethnic tensions related to the conflict occasionally erupt into violence, the inclusive nature of the process to create peace did improve reconciliation as different communities increased their trust of one another by while working towards the same goal.[148]

Women's leadership in Liberia's peace process also contributed to its success in achieving reconciliation and respect for human rights. Women's commitment to peace to ensure that they were no longer subjected to the horrors of the conflict meant that they were also very dedicated to the peace agreement's successful implementation.[149] Women were not included just to say that women were involved, but actually influenced the Agreement through their lobbying and led many of the processes which implemented it.[150] Their involvement in the peace process also increased the capacity of women as peacebuilders, allowing them to develop institutions, such as the palava huts, designed to prevent conflict in the future and train other women in conflict resolution and mediation.[151] These institutions and skills further resolve the underlying causes of the conflict as any remaining disputes have a forum for peaceful resolution, and future possibly violent conflicts can be prevented.[152] Women's leadership also increased their sense of ownership of the peace process.[153] Since the agreement was the result of their efforts, they became

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Science 522 at 524; "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Alaga, *supra* note 140 at 10–11, 16; Lappin, *supra* note 136 at 259.

[148] See Gizelis, *supra* note 147 at 524; "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Alaga, *supra* note 140 at 10–11, 16; Lappin, *supra* note 136 at 259; Atuhaire, *supra* note 133 at 68, 70, 73, 75–76, 78; Debusscher & De Almagro, *supra* note 125 at 305; Veronika Fuest, "Contested Inclusions: Pitfalls of NGO Peace-Building Activities in Liberia" (2010) 45:2 Africa Spectrum 2 at 11.

[149] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Alaga, *supra* note 140 at 10–11 15–16.

[150] See "Liberia Case Study", *supra* note 78; Kuwonu, *supra* note 125.

[151] See Alaga, *supra* note 140 at 5; Kuwonu, *supra* note 125; "Monitoring Report 2011", *supra* note 115 at 119; Atuhaire, *supra* note 133 at 68.

[152] See Alaga, *supra* note 140 at 5; Kuwonu, *supra* note 125; "Monitoring Report 2011", *supra* note 115 at 119; Atuhaire, *supra* note 133 at 68.

[153] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Alaga, *supra* note 140 at 10–11 15–16.

committed to ensuring its success. [154] Consequently, women worked to develop a timeline for implementation, and to meet the deadlines set.[155] They contributed to the formation of a strong democracy, and ensured the president was committed to the peace process and respecting human rights.[156] When progress in justice and security sector reform slowed, especially disarmament, women found solutions to the problems so goals could be met.[157] Ultimately, having women lead the process meant that rather than peace being something which happened to them, they were involved in determining what it would look like, and so had a greater interest in ensuring it was realized.[158] This led to a peace process that much of the population was dedicated to securing and which focused on resolving the conflict's causes as well as respecting human rights.[159] While there may still be issues which need to be addressed, it has been largely successful.[160]

Despite women's role in the peace process, one of the main human rights issues in Liberia is women's rights, as discrimination and violence against women remain problems.[161] The peace agreement was implemented successfully because of the efforts of women. However, their role largely aligned with

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[154] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Alaga, *supra* note 140 at 10–11 15–16; Bekoe & Parajon, *supra* note 117; "Women of Liberia", *supra* note 43.

[155] See Bekoe & Parajon, *supra* note 117.

[156] See "Liberia Case Study", *supra* note 78; Bekoe & Parajon, *supra* note 11; Lawson, *supra* note 136; Lappin, *supra* note 136 at 266.

[157] See Bekoe & Parajon, *supra* note 117.

[158] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Alaga, *supra* note 140 at 10–11, 15–16; Bekoe & Parajon, *supra* note 117; "Women of Liberia", *supra* note 43.

[159] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Alaga, *supra* note 140 at 10–11, 15–16; Bekoe & Parajon, *supra* note 117; "Women of Liberia", *supra* note 43; Lawson, *supra* note 136; Lappin, *supra* note 136 at 266.

[160] See Gizelis, *supra* note 147 at 524; "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Alaga, *supra* note 140 at 10–11, 16; Lappin, *supra* note 136 at 259; Atuhaire, *supra* note 133 at 64, 68, 70, 73, 75–76, 78; Debusscher & De Almagro, *supra* note 125 at 305, Fuest, *supra* note 148 at 11.

[161] See Atuhaire, *supra* note 133 at 70, 73, 75–76.

societal gender norms.[162] Women were able to contribute to reconciliation and bridge the divide between warring groups because they were perceived as neutral peacemakers, rather than as enemy combatants.[163] Relying on the persistent stereotype of women as neutral, impartial observers allowed women to communicate with both sides in the conflict, and ultimately convince them to participate in peace negotiations.[164] Women continually referred to themselves as sisters, wives, and mothers, valued and acceptable roles for Liberian women, which emphasized their relationships to men, and their peaceful and non-threatening nature.[165] Their non-violent actions to call for peace further drew on their femininity and the perception of women as unthreatening, allowing them the access to male combatants needed to persuade them to agree to peace and later disarm.[166] While the emphasis on traditional roles may have helped them in forcing men to sign a peace agreement, it unfortunately has reinforced a stereotypical view of women which often contributes to sexual violence and other forms of VAW.[167] Therefore, despite a female president who passed laws to empower and protect women, social norms have not changed, and the laws are not always enforced.[168] Instead, respect for women's rights is limited as women are only empowered to the extent that their empowerment aligns with socially acceptable roles.[169] Women are thus confined to the role of community peacemaker, which, although this helps foster reconciliation and

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[162] See Gizelis, *supra* note 147 at 524; "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Alaga, *supra* note 140 at 10–11, 16; Lappin, *supra* note 136 at 259; Atuhaire, *supra* note 133 at 64, 68, 70, 73, 75–76, 78.

[163] See Alaga, *supra* note 140 at 14; "Liberia Case Study", *supra* note 78.

[164] See Alaga, *supra* note 140 at 14; "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78.

[165] See "Women of Liberia", *supra* note 43.

[166] See *ibid*; "Liberia Case Study", *supra* note 78.

[167] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Atuhaire, *supra* note 133 at 73, 76.

[168] See Seun Bamidele, "War, Sex and Justice: Barriers to Gender Justice in Post-Conflict Liberia" (2017) 12: 1 Intl J Criminal Justice Sciences 69 at 77–80; Lawson, *supra* note 136.

[169] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Atuhaire, *supra* note 133 at 73, 76; Lawson, *supra* note 136.

maintain peace, does not help improve Liberia's human rights record on women's issues.[170] Nevertheless, Liberia should still be viewed as more of a success than a failure in spite of the imperfect outcome. More efforts are needed to ensure that women are able to transcend their traditional roles and create a more equal society.[171] However, it still provides an example of a women-led peace process which was able to bring about greater unity and a generally successful transition to democracy.[172]

### c. Afghanistan (2001 Bonn Agreement and Ongoing Negotiations)

#### i. Overview of the Peace Process

In the last forty years, Afghanistan has rarely seen a period of sustained peace.[173] The Soviet invasion in 1979 was followed by rebel fighting leading to the installation of the brutally oppressive Taliban regime, and from 2001 to 2021 US and NATO troops were militarily involved.[174] After the 9/11 al-Qaeda terrorist attacks, the US and NATO invaded Afghanistan to oust the Taliban, as the government had allowed al-Qaeda to operate from within its territory.[175] The US and allied forces took control of the country relatively quickly, and a group of Afghan and international officials signed the Bonn Agreement in 2001 which set out the process for Afghanistan's transition to democracy.[176] Women were invited to attend these talks, though the Agreement

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[170] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Atuhaire, *supra* note 133 at 73, 76; Lawson, *supra* note 136; Bamidele, *supra* note 168 at 77–80.

[171] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78; Atuhaire, *supra* note 133 at 73, 76; Lawson, *supra* note 136; Bamidele, *supra* note 168 at 77–80.

[172] See "Women of Liberia", *supra* note 43; Atuhaire, *supra* note 133 at 64.

[173] "A Historical Timeline of Afghanistan", *PBS NewsHour* (last updated 30 August 2021), online: <www.pbs.org/newshour/politics/asia-jan-june11-timeline-afghanistan> ["Historical Timeline of Afghanistan"].

[174] See *ibid*.

[175] See *ibid*.

[176] See "Historical Timeline of Afghanistan", *supra* note 173; "Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (Bonn Agreement)" (last visited 15 December 2021), online: *UN Peacemaker* <peacemaker.un.org/afghanistan-bonnagreement2001>.

has been criticized as being mainly an agreement between international elites and Afghan warlords who supported the US against the Taliban.[177] Though women may have been present, they were not significantly involved in the Agreement's development, did not create the impetus for negotiations, and were not significantly involved in its implementation.[178]

Life for women, particularly urban women, did improve while NATO forces were in Afghanistan.[179] However, they were not significantly involved in structuring the future of post-conflict Afghanistan.[180] Women gained more power and influence than they had previously, but there remained a general hostility towards women's empowerment from a majority of the population which limited their ability to advance their unique interests.[181] This is not to say women were completely excluded from decision-making. Women played an active role in drafting the 2004 constitution, as approximately 15,000 women from thirty-four provinces shared their views on what peace should look like.[182] They also comprised almost 20% of a peace jirga, an Afghanistan

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[177] See "Afghanistan Case Study: Bonn Agreement (Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions)" (last visited 15 December 2021), online: *Council on Foreign Relations* <wpp-v2-interactives1.pantheonsite.io/womens-participation-in-peace-processes/afghanistan-0> ["Afghanistan Case Study"]; Susanne Schmeidl, *supra* note 43 at 72.

[178] See "Afghanistan Case Study", *supra* note 181; Schmeidl, *supra* note 43 at 72; Kamminga, *supra* note 43 at 109, 111–12.

[179] John R Allen & Vanda Felbab-Brown, "The fate of women's rights in Afghanistan" (September 2020), online: *The Brookings Institution* <www.brookings.edu/essay/the-fate-of-womens-rights-in-afghanistan/>;
"Afghanistan Case Study: Current Peace Effort" (last visited 15 December 2021), online: *Council on Foreign Relations* <www.cfr.org/womens-participation-in-peace-processes/afghanistan> ["Current Peace Effort"].

[180] See "Afghanistan Case Study", *supra* note 177; Schmeidl, *supra* note 43 at 72.

[181] See "Current Peace Effort", *supra* note 181; Belquis Ahmadi, "Afghanistan Talks: No Women, No Peace" (1 March 2019), online: *United States Institute of Peace* <www.usip.org/publications/2019/03/afghanistan-talks-no-women-no-peace>; Allen & Felbab-Brown, *supra* note 179; Kamminga, *supra* note 43 at 109, 111–12.

[182] See Claudio Lanza & Zakira Rasooli, "Afghan Women: Modernizing Global Practices of Peacebuilding" (15 January 2021), online: *The Policy Corner* <www.policycorner.org/en/2021/01/15/afghan-women-modernizing-global-practices-of-peacebuilding/>.

deliberative body, demanded to be included in peace processes, and nine were appointed to the sixty-four-member High Peace Council.[183] Women's groups consulted with women across the country about their needs and expectations for the peace process, and communicated their findings to the Afghan government, political leaders, and the international community.[184] In 2014, women pleaded with Taliban fighters for peace and collected 300,000 signatures demanding it.[185] Yet, these efforts did not result in the change in attitudes necessary for their involvement to be meaningful, and women have not held significant national leadership roles in peace.[186] Thus, while women's rights may have improved, women remained limited in their abilities to influence the peace process.[187]

The relative marginalization of women from the peace process continued during the most recent peace negotiations.[188] Afghan representatives, including Afghan women, were excluded from the US-Taliban agreement where the US committed to withdrawing all of its military by summer 2021, leaving the future of the country up to intra-Afghan peace talks which began in September 2020.[189] These talks included four women representatives from the Afghan government, however, in line with the Taliban's traditional oppressive views on the place of women, no women were included on their negotiating team.[190] Negotiations in March 2021 included one woman representative from the Afghan government.[191] These discussions were ultimately

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[183] See Ahmadi, *supra* note 181.

[184] See *33bid.*.

[185] See *ibid.*

[186] See Allen & Felbab-Brown, supra note 179; Kamminga, *supra* note 43 at 109, 111–13, 116.

[187] "Current Peace Effort", *supra* note 181; Allen & Felbab-Brown, supra note 179; Kamminga, *supra* note 43 at 109, 111–13, 116.

[188] See "Current Peace Effort", *supra* note 181, Azadah Raz Mohammad et al, "Standing with Afghanistan: Inclusion and women's rights in peace talks", *The Interpreter* (22 June 2021), online: <www.lowyinstitute.org/the-interpreter/standing-afghanistan-inclusion-and-women-s-rights-peace-talks>.

[189] See Mohammad et al, *supra* note 188.

[190] See "Current Peace Effort", *supra* note 181; Mohammad et al, *supra* note 188.

[191] See Mohammad et al, *supra* note 188.

moot, as the peace process failed. Upon US withdrawal, violence and conflict quickly returned, and the Taliban regained control of the country, instituting a government with no female representatives.[192] As was the fear of many women, the Taliban's return to power likely marks a return to women's oppression, and thus a post-conflict country, without women's involvement.[193]

### ii. Outcome

As illustrated, the peace process in Afghanistan has been the least successful of the three countries examined in this essay. Even prior to the Taliban's return to power and the conflict which gave them control in 2021, there was always violent fighting in parts of the country.[194] The Taliban had also regained control of some areas even prior to the US withdrawal.[195] This outcome can in large part be attributed to the nature of the peace negotiations, in which women were not unified, women did not lead the process, and women acted contrary to prevailing gender norms in attempts to ensure greater gender equality.

Although women were included as representatives during the various peace negotiations, at no point did they lead or instigate the process.[196] Instead, women seem to have been included to satisfy international norms regarding the importance of their participation and support the narrative promoted by the US that one of the aims of the war was to liberate Afghan women from Taliban oppression.[197] While women may have had more

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[192] See Lindsay Maizland, "The Taliban in Afghanistan" (last updated 15 September 2021), online: *Council on Foreign Relations* <www.cfr.org/backgrounder/taliban-afghanistan>.

[193] See *ibid*; Roshan Noorzai & Zeba Khadem, "Women Concerned over Underrepresentation in Afghan Talks", *VOA News* (12 October 2020), online: <www.voanews.com/a/extremism-watch_women-concerned-over-underrepresentation-afghan-talks/6197044.html>.

[194] See Leif Rosenberger, "Afghan Conflict: Root Cause, Economic Impact and Reconciliation" (22 May 2019), online: *Economonitor* <leaders.economicblogs.org/economonitor/2019/afghan-conflict-root-economic-reconciliation/>.

[195] See Maizland, *supra* note 192.

[196] See Ahmadi, *supra* note 181; "Afghanistan Case Study", *supra* note 177; Schmeidl, *supra* note 43 at 72; Kamminga, *supra* note 43 at 109, 111–13, 116.

[197] See "What is UNSCR 1325", *supra* note 28; "Women's Participation", *supra* note 1; SC Res 1325, *supra* note 1 at Preamble, paras 1, 4; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy: Reconciliation in Afghanistan"

holistic insights into what was necessary to achieve peace, they
were included by the main actors in the peace process to ensure
that women's interests were represented, and so were largely
confined to this role, generally seen as less important. [198]
Consequently, women were often sidelined in negotiations, with
much of the power to dictate agreements given to international
actors, such as the US, and those in power in Afghanistan.[199] For
example, the Bonn Agreement was the result of discussions
between the US and Afghan warlords who had supported them
in their opposition to the Taliban, meaning that women had very
little influence on what was decided.[200] Women did subsequently
attempt to influence the shape of the post-conflict country through
their processes of consultation and appointments to institutions
promoting peace.[201] However, their inclusion in these institutions
again appears to have occurred because it was deemed
important to have a certain number of women present, not
because it was believed they had anything particularly significant
to contribute.[202] Yet, this belief does not reflect reality. For a
successful resolution of underlying causes of conflict, the needs of
the population must be addressed.[203] Women were more likely to
be aware of the ongoing issues because of their extensive
consultation efforts across the country on what was needed for
peace. [204] They therefore were aware of what problems still
needed to be resolved by the peace process to prevent a return
to conflict and bring about reconciliation, as well as aspects of

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(8 April 2012), online: *Harvard Political Review* <harvardpolitics.com/women-in-jeopardy-reconciliation-in-afghanistan/> ["Women in Jeopardy"].

[198] See Ahmadi, *supra* note 181; "Afghanistan Case Study", *supra* note 177; Schmeidl, *supra* note 43 at 72; Kamminga, *supra* note 43 at 109, 111–13, 116; Moosa, Rahamni & Webster, *supra* note 4 at 457–58; "Why It Matters", *supra* note 4.

[199] See Kamminga, *supra* note 43 at 109, 111–13, 116; Schmeidl, *supra* note 43 at 72; Edwards, *supra* note 43 at 449.

[200] See Schmeidl, *supra* note 43 at 72; Edwards, *supra* note 43 at 449.

[201] See Ahmadi, *supra* note 181; Lanza & Rasooli, *supra* note 182.

[202] See "Afghanistan Case Study", *supra* note 181; Schmeidl, *supra* note 43 at 72; Kamminga, *supra* note 43 at 109, 111–13, 116; Edwards, *supra* note 43 at 449; Allen & Felbab-Brown, supra note 179.

[203] See Moosa, Rahamni & Webster, *supra* note 4 at 457–58; "Why It Matters", *supra* note 4.

[204] See Ahmadi, *supra* note 181.

human rights which were not being upheld.[205] In contrast, the peace process was largely conducted by elites without this in-depth knowledge of the population's needs.[206] International elites and many Afghans in government had not been in the country during the Taliban regime, nor were they in local communities, listening to what individuals wanted from peace.[207] This meant that the peace process was divorced from the context in which it was being implemented, limiting its chances of success because it did not address why the conflict occurred or take action to prevent future disputes from becoming violent.[208] As a result, peace in Afghanistan remained very fragile, and when the US left, it quickly returned to conflict.[209]

Additionally, the sidelining of women meant that most never developed any ownership over the process, nor did they gain the capacity to meaningfully assert their concerns.[210] In contrast to the unified women's movement in Liberia, women who participated in Afghanistan's peace processes were typically highly educated and from urban areas.[211] They were primarily concerned with protecting women's rights and ensuring their participation in peace negotiations and government.[212] However, most rural women faced completely different issues, particularly

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[205] See *ibid*.

[206] See Schmeidl, *supra* note 43 at 72; Kamminga, *supra* note 43 at 109, 111–13, 116; Edwards, *supra* note 43 at 449; Edwards, *supra* note 43 at 449.

[207] See Schmeidl, *supra* note 43 at 72; Kamminga, *supra* note 43 at 109, 111–13, 116; Edwards, *supra* note 43 at 449; Edwards, *supra* note 43 at 449; Ahmadi, *supra* note 181.

[208] See Schmeidl, *supra* note 43 at 72; Kamminga, *supra* note 43 at 109, 111–13, 116; Edwards, *supra* note 43 at 449; Edwards, *supra* note 43 at 449; Ahmadi, *supra* note 181; Moosa, Rahamni & Webster, *supra* note 4 at 457–58; "Why It Matters", *supra* note 4; Ian J Lynch, "Women Are Critical to Building a Lasting Peace in Afghanistan", *The Diplomat* (2 August 2019), online: <thediplomat.com/2019/08/women-are-critical-to-building-a-lasting-peace-in-afghanistan/>.

[209] See Maizland, *supra* note 192; Lynch, *supra* note 208.

[210] See Kamminga, *supra* note 43 at 109, 111–13, 116.

[211] See "Women of Liberia", *supra* note 43; Atuhaire, *supra* note 133 at 64; Allen & Felbab-Brown, supra note 179.

[212] See Allen & Felbab-Brown, supra note 179; Ahmadi, *supra* note 181; Lanza & Rasooli, *supra* note 182; "Current Peace Effort", *supra* note 181.

how to meet their basic needs and survive recurring violence.[213]
Rural women also did not experience the same improvements in
women's rights after 2001, and so were willing to sacrifice aspects
of their rights for peace, something that urban women vehemently
opposed.[214] Urban women did solicit the opinions of rural women
on key issues and rural women did sign petitions, but there
remained division among women along these lines.[215] As
demonstrated by Liberian women, having a large portion of the
population invested in achieving the same goal of peace is crucial
in ensuring the conflict's causes are effectively addressed, and
institutions promoting human rights are developed.[216] It also
increases the peacebuilding capacity of individuals in society,
providing them with the skills needed to ensure reconciliation and
respect for human rights, and thereby prevent a return to
conflict.[217] However, in Afghanistan, with the exception of an elite
group of women, much of the female population was never
involved in creating peace, nor did what was agreed to
necessarily address their needs.[218] They therefore had little
incentive to work towards implementation of others' goals.
Respect for women's rights and human rights generally, as well as

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[213] See "Current Peace Effort", *supra* note 181; Allen & Felbab-Brown, supra
note 179; Kalem Shahed, "Afghanistan: In Search for an Alternative Route to
Stability" (2018) 9:1 Global Policy 146 at 146–47.

[214] See "Current Peace Effort", *supra* note 181; Allen & Felbab-Brown, supra
note 179; Shahed, *supra* note 213 at 146–47.

[215] See "Current Peace Effort", *supra* note 181; Ahmadi, *supra* note 181; Allen
& Felbab-Brown, supra note 179; Shahed, *supra* note 213 at 146–47.

[216] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note
78; Alaga, *supra* note 140 at 10–11, 15–16; Bekoe & Parajon, *supra* note 117;
"Women of Liberia", *supra* note 43.

[217] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note
78; Alaga, *supra* note 140 at 5, 10–11, 15–16; Bekoe & Parajon, *supra* note
117; "Women of Liberia", *supra* note 43; Kuwonu, *supra* note 125; "Monitoring
Report 2011", *supra* note 117 at 119; Atuhaire, *supra* note 133 at 68.

[218] See "Current Peace Effort", *supra* note 181; Ahmadi, *supra* note 181; Allen
& Felbab-Brown, supra note 179; Shahed, *supra* note 213 at 146–47; Ruth
Pollard, "When the Only Woman in the Room Has to Stare Down Warlords",
*Bloomberg* (27 March 2021), online:
<www.bloomberg.com/opinion/articles/2021-03-27/afghanistan-is-on-the-
verge-of-a-peace-deal-that-could-imperil-women-s-rights>.

reconciliation, seemed far removed from their reality.[219] These women also lacked the capacity to participate in elite-driven peace negotiations, as many remained uneducated, or were too busy meeting their family's needs.[220] Ultimately, the divergent goals of urban and rural women meant there was never a strong enough force to push back against male and elite domination of the peace process. As a result, the majority of the population was not invested in ensuring the agreement was implemented, and so did not work to ensure reconciliation and increased respect for human rights, making the peace unsustainable.

Finally, although Afghan women only participated to a limited extent in the peace processes, their inclusion led to resentment among many men because it was contrary to entrenched social norms.[221] Despite the oppressive Taliban no longer being in power, the peace process did little to counter the entrenched narratives of women as second-class citizens.[222] Today, only 15% of Afghan men believe women should be allowed to work outside the home and two-thirds complain Afghan women have too many rights.[223] Many men are therefore hostile to women's greater participation in society and peace efforts.[224] Indeed, many laws were passed during the period of relative peace which negatively impacted women's rights, such as the Shiite Family Law which denied women child custody and freedom

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[219] See "Current Peace Effort", *supra* note 181; Ahmadi, *supra* note 181; Allen & Felbab-Brown, supra note 179; Shahed, *supra* note 213 at 146–47; Pollard, *supra* note 218.

[220] See "Current Peace Effort", *supra* note 181; Ahmadi, *supra* note 181; Allen & Felbab-Brown, supra note 179; Shahed, *supra* note 213 at 146–47; Kamminga, *supra* note 43 at 116; Pollard, *supra* note 218.

[221] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Sari Kouvo, "Women and Reconciliation: What are the Concerns?" (28 July 2011), online: *Afghanistan Analysts Network* <www.afghanistan-analysts.org/en/reports/war-and-peace/women-and-reconciliation-what-are-the-concerns/>.

[222] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221; Edwards, *supra* note 43 at 450.

[223] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221.

[224] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221; Edwards, *supra* note 43 at 450.

of movement. [225] Yet, rather than working within socially
acceptable boundaries of what women could do, women had
significantly more power and abilities than previously. [226] They
were included in peace negotiations, government, and other
peace institutions and could not be excluded without the Afghan
government facing severe international condemnation. [227] Their
involvement in the public sphere directly challenged dominant
social norms which viewed the woman's place as within the home
and as being subservient to men. [228] Consequently, many men
disapproved of the women's actions and efforts to influence peace
through these institutions. [229] They were also hostile to women's
ideas about what was necessary for peace, and many did not
believe women had the skills required to participate in peace
negotiations, meaning that their valid concerns which may have
helped resolve the causes of the conflict or improve respect for
human rights were ignored. [230] Ultimately, men felt alienated
because they no longer had the same level of power and so were
more likely to support a return to Islamic fundamentalism which
stripped women of their rights, as the Taliban promoted. [231] Men
therefore took the first opportunity to return women to their

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[225] See Kouvo, *supra* note 221; "Women in Jeopardy", *supra* note 197.

[226] See Ahmadi, *supra* note 181; Lanza & Rasooli, *supra* note 182.

[227] See Ahmadi, *supra* note 181; Lanza & Rasooli, *supra* note 182; "Current Peace Effort", *supra* note 181.

[228] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221; Edwards, *supra* note 43 at 450.

[229] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 2221; Edwards, *supra* note 43 at 450.

[230] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221; Kathleen Kuehnast et al, "Peacebuilding Efforts of Women from Afghanistan and Iraq: Lessons in Transition" (December 2012) at 4, online (pdf): *United States institute of Peace* <www.usip.org/sites/default/files/SR319.pdf>; Edwards, *supra* note 43 at 450.

[231] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221; Kuehnast et al, *supra* note 230 at 4; Edwards, *supra* note 43 at 450.

traditional role, even if it led to conflict.[232] Not only did this decrease respect for human rights by culminating in a return to Taliban rule where women are severely oppressed, but it also did not resolve the underlying and ongoing conflict between men and women in Afghan society.[233] Thus, the fact that women acted so contrary to entrenched gender norms during the period of relative peace contributed to a backlash that caused much of the country to support an entity and conflict which undid any progress in terms of reconciliation and respect for human rights.[234] The women that had been involved in peace processes were not a large enough or unified enough group to take control of any peace processes and prevent this response, sending Afghanistan back to conflict and Taliban rule.[235]

## V. Conclusion

In conclusion, as has been illustrated by all three case studies, it is important to include women in peace processes to resolve the underlying causes of the conflict and improve respect for human rights post-conflict. However, merely including women as token representatives of their gender is not enough to significantly change the outcome. Instead, women must be leaders of the peace process and act as a unified force. It is also beneficial for a lasting peace if women utilize traditional gender norms to their advantage, as this will help prevent backlash from the male power structures in society which could preclude them from having any significant effect.

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[232] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221; Kuehnast et al, *supra* note 230 at 4; Edwards, *supra* note 43 at 450.

[233] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221; Kuehnast et al, *supra* note 230 at 4; Edwards, *supra* note 43 at 450.

[234] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221; Kuehnast et al, *supra* note 230 at 4; Edwards, *supra* note 43 at 450.

[235] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown, supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221; Kuehnast et al, *supra* note 230 at 4; Edwards, *supra* note 43 at 450; "Current Peace Effort", *supra* note 181; Shahed, *supra* note 213 at 146–47; Ahmadi, *supra* note 181; "Afghanistan Case Study", *supra* note 177; Schmeidl, *supra* note 43 at 72; Maizland, *supra* note 192.

In both Sri Lanka and Afghanistan, women were sidelined
in the peace processes and unable to unify around key issues.[236]
Additionally, women promoting peace were viewed with hostility
by those in power, albeit for different reasons, and so their views
were not taken seriously.[237] As a result, women's concerns and
the causes of the conflicts remained unaddressed, and those in
power have been able to reduce protections for human rights by
taking advantage of the power they gained through conflict.[238] In
contrast, a unified women-led peace movement in Liberia which
relied on the accepted social roles of women was able to take
charge of the peace process and its implementation. [239]
Consequently, they were able to direct the future of the country,
creating institutions and laws which promoted reconciliation
between the warring parties and improved respect for human
rights.[240] While there is still work to be done, it has been much
more successful than the other peace processes discussed and

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[236] See Ahmadi, *supra* note 181; "Afghanistan Case Study", *supra* note 177;
Schmeidl, *supra* note 43 at 72; Kamminga, *supra* note 43 at 109, 111–13, 116;
"Current Peace Effort", *supra* note 181; Shahed, *supra* note 213 at 146–47;
"Sri Lanka profile", *supra* note 44, Anandakugan, *supra* note 44; Manchanda,
*supra* note 43 at 4742; Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra*
note 55 at 227–28; Subedi, *supra* note 69 at 6, 9, 12–15, 17; Human Rights
Council, *supra* note 73 at paras 26–31.

[237] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown,
supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221;
Kuehnast et al, *supra* note 230 at 4; Edwards, *supra* note 43 at 450;
Satkunananthan, "Impact of Militarization", *supra* note 103 at 582–83;
Vithanagama, *supra* note 103 at 350–53, 358, 520.

[238] See Kamminga, *supra* note 43 at 109, 111–13, 116; Allen & Felbab-Brown,
supra note 179; "Women in Jeopardy", *supra* note 197; Kouvo, *supra* note 221;
Kuehnast et al, *supra* note 230 at 4; Edwards, *supra* note 43 at 450; "Current
Peace Effort", *supra* note 181; Shahed, *supra* note 213 at 146–47; Ahmadi,
*supra* note 181; "Afghanistan Case Study", *supra* note 177; Schmeidl, *supra*
note 43 at 72; Maizland, *supra* note 192; Manchanda, *supra* note 43 at 4742;
Samuel, *supra* note 56 at 3–4, 6–8, 10; Yusuf, *supra* note 55 at 227–28; Subedi,
*supra* note 69 at 6, 9, 12–15, 17; Human Rights Council, *supra* note 73 at paras
20–23, 26–31.

[239] See "Women of Liberia", *supra* note 43; Atuhaire, *supra* note 133 at 64;
Bekoe & Parajon, *supra* note 117.

[240] See "Women of Liberia", *supra* note 43; "Liberia Case Study", *supra* note 78;
Alaga, *supra* note 140 at 10–11, 15–16; Bekoe & Parajon, *supra* note 117;
"Women of Liberia", *supra* note 43; Lawson, *supra* note 136; Lappin, *supra*
note 136 at 266.

provides an inspiring model for future peacebuilding endeavours.[241]

Overall, it appears that the inclusion of women in peace processes is beneficial. However, merely including one woman at a negotiating table is not likely to be enough to create lasting peace. Women need to have power over the process and be able to provide more of an influence than merely ensuring there is a provision on violence against women or other women's issues in the final agreement.[242] Their unique perspectives on the causes of the conflict provide insights that may be otherwise missed, and it is through listening to them, and having them lead the process that a more sustainable peace can occur.[243] Women themselves need to be unified to develop this powerful voice. Although they may themselves be divided over the issues leading to the conflict, if they can manage to find a common cause, such as peace, and take ownership of the process, they will be able to take charge of any agreement's implementation to achieve their common goal. Rather than having competing sides still fighting indirectly through politics, they are then able to better resolve the underlying conflicts and contribute to improved respect for human rights whose denial may lead to a return to conflict. Finally, while it may seem counter-intuitive to argue women should respect gender norms, it may benefit them to use traditional roles to their advantage in peace negotiations. In this way, their actions are less likely to be viewed with hostility by the men traditionally in positions of power, and they can use that trust to work towards achieving their goals. Ultimately, agreeing to and implementing peace is complicated. Nevertheless, it is crucial that women are involved in a meaningful way, not just because they are humans affected by conflict who deserve to have a say in their country's future, but because when they work together, they can create a more peaceful future.

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[241] See "Women of Liberia", *supra* note 43; Atuhaire, *supra* note 133 at 64.

[242] See "Women's Participation", *supra* note 1; SC Res 1325, *supra* note 1 at Preamble, para 1.

[243] See Moosa, Rahamni & Webster, *supra* note 4 at 457–58; "Why It Matters", *supra* note 4.

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