



Economic and Social Commission for Western Asia (ESCWA)

REPORT

EXPERT GROUP MEETING ON THE REGIONAL STUDY ON IDENTIFICATION OF LEGISLATIVE GAPS FOR THE FULL IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 1325 (2000) IN THE ARAB REGION

Summary

The Economic and Social Commission for Western Asia (ESCWA), in cooperation with the Economic Commission for Africa (ECA) Office for North Africa and the Inter-Parliamentary Union (IPU), organized an expert group meeting to review the first draft of the regional study on “Identification of legislative gaps for the full implementation of Security Council resolution 1325 in the Arab Region” in Beirut, on 25 and 26 June 2014.

The study examines the legislative action needed in order to fully implement resolution 1325 in seven Arab countries: Egypt, Iraq, Lebanon, Libya, Palestine, Tunisia and Yemen. The output falls under the Development Account project on institutional and capacity-building for Arab parliaments and other stakeholders for the implementation of Security Council resolution 1325 (2000) on Women, Peace and Security. The project aims at increasing knowledge and capacity in parliaments in the seven selected Arab countries in order to fully implement the resolution.

The meeting brought together representatives from national women’s machineries, legal experts from the seven target countries and peer reviewers. Its findings will be used to finalize the study, which will feed into other stages of the Development Account project, including the design of training manuals on the four pillars of resolution 1325 and four training sessions for parliamentarians and other stakeholders in the countries concerned.

This report contains an overview of the proceedings of the meeting, the main points raised in discussions and recommendations.

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I. INTRODUCTION

1. In the context of efforts by the United Nations to implement Security Council resolution 1325, the Economic and Social Commission for Western Asia (ESCWA), in collaboration with the Economic Commission for Africa (ECA) and the Inter-Parliamentary Union (IPU), held an expert group meeting to review the regional study on “Identification of legislative gaps for the full implementation of Security Council resolution 1325 in the Arab Region”. The study is being prepared by the ESCWA Centre for Women (ECW) as part of the Development Account project on institutional and capacity-building for Arab parliaments and other stakeholders for the implementation of Security Council resolution 1325 (2000) on Women, Peace and Security. The project aims at increasing knowledge and capacity in parliaments in the seven selected Arab countries in order to fully implement the resolution. The meeting objectives were the following:

- (a) Provide feedback on the first draft of the study;
- (b) Share experiences, best practices and lessons learned with regard to implementation of resolution 1325 in the region;
- (c) Discuss the outline of the training manuals to be prepared for parliamentarians.

II. TOPICS OF DISCUSSION

2. Ms. Atallah, Director of ECW, underscored the responsibility of member States for implementing the four pillars of resolution 1325 in the Arab region.

3. Ms. Mejri, representing ECA, said that women had a right to participate in decision-making and that their role should be strengthened, especially in conflict and post-conflict settings.

4. Ms. Deitch, Associate Social Affairs Officer in ECW, presented an overview of the Development Account project on institutional and capacity-building for Arab parliaments and other stakeholders for the implementation of Security Council resolution 1325 (2000) on Women, Peace and Security. The project focused on seven target countries (Egypt, Iraq, Lebanon, Libya, Palestine, Tunisia and Yemen) and was the first of its kind in the region. The findings of the study would feed into the normative sections of a four-part training manual designed for four capacity-building training sessions aimed at helping parliamentarians to implement resolution 1325. An online knowledge portal would be established with the International Knowledge Network of Women in Politics (<http://knowpolitics.org>), an interactive network providing members and administrators of parliaments with access to resources and the opportunity to discuss good practices and success stories. The portal would also be used to evaluate project activities.

5. Mr. Azzam, ESCWA consultant, enumerated challenges faced in putting together the first draft of the study, including the limited timeline and a lack of data. The study drew from reports and studies on implementation of resolution 1325 and information received from experts who had taken part in a consultative expert group meeting on the same subject, held on 17 and 18 December 2013. He hoped that participants would provide more information about relevant country experiences.

6. A chapter-by-chapter discussion of the study, which is based on the four pillars of the resolution (prevention, protection, participation, and provision of relief and recovery) and includes a fifth chapter on the role of members of parliament, followed the opening session.

A. PREVENTION

7. Mr. Azzam acknowledged that efforts to prevent conflict must take into account the pre-existing sociocultural environment and institutional structures. Equality between men and women must be promoted

from within the culture and institutions should raise awareness and facilitate dialogue on women's empowerment and gender equality. Of the countries under study, all but Libya had at least one ministry or institution responsible for the empowerment of women. Libya had requested support from ESCWA to establish such an institution and a grouping of civil society organizations called the 1325 Network was addressing the resolution. Egypt and Palestine had action plans for implementing the resolution, but Iraq was the only country with a fully fledged strategy.

8. Several experts and country representatives said it could not be ignored that the lack of women's representation in political decision-making had cultural roots. In Egypt, women's representation in Parliament had fallen from 12 per cent in 2010 to 2 per cent in 2012, pointing to broader issues of how to empower and protect women under certain types of regime and in times of political transition. In Palestine, however, a new training manual addressing the causes of conflict and violence against women would support the work of monitoring mechanisms to protect women.

B. PARTICIPATION

9. Mr. Azzam said that the second chapter looked at the participation of women in government bodies and their presence in the military and peacekeeping forces. Information regarding peacekeeping had been hard to come by and the question had arisen as to whether it was desirable to include information on women's participation in spheres outside political decision-making, such as the economy.

10. Representatives from Egypt and Libya said that the chapter should include information on women's participation in the judiciary and legislative branches. Representatives from Palestine and Yemen advocated including women's participation in non-conventional decision-making positions, such as national dialogues. It was suggested that mention could be made of the positive impact on the empowerment of women that had resulted from the uprisings and national dialogue in Yemen.

11. A representative for Iraq said that inclusion of a quota clause in the Iraqi Constitution did not guarantee its fulfillment. Reference was made to the assassination of female human rights activists in Libya and the United Nations was urged to protect such women.

C. PROTECTION IN TIMES OF PEACE

12. Mr. Azzam said that the chapter on protection provided an overview of laws designed to protect women in times of peace and their enforcement in the target countries. They included legislation on human trafficking, domestic violence, female genital mutilation, and child and forced marriage.

13. The representative of Lebanon noted that polygamy could be a factor encouraging human trafficking, and touched on the issue of domestic and family violence. Single motherhood was cited as a factor contributing to discrimination against women. A representative of the Office of the United Nations High Commissioner for Refugees (UNHCR) reported on the activities of its working group on prevention, protection and responding to sexual and gender-based violence. Although the working group focused on protection in times of conflict, the violence it dealt with also occurred in peacetime.

D. PROVISION OF RELIEF AND RECOVERY

14. Mr. Azzam said that there were no available indicators on the provision of relief and recovery. Because countries did not take responsibility for refugees, it was difficult to make meaningful recommendations on their protection. Several speakers said that member States also had a duty to protect internally displaced persons. Representatives of Libya and Iraq said that international humanitarian law was not entirely clear on the issue.

15. Participants concluded that the chapter should deal with the responsibilities and accountability of States during conflict, reflect on international law, and make clear policy recommendations to States on how better to protect women. The study could explore the mandates of States and international organizations to implement resolution 1325 and where they overlapped.

E. ROLE OF PARLIAMENTARIANS

16. Mr. Azzam underscored the role of parliamentarians, which was essential to ensuring accountability. In most countries of the region, the executive issued decrees that then required parliamentary approval. This could be positive for implementing resolution 1325, as it allowed for efficient decision-making.

17. In Lebanon and Libya, no law could be passed without the consent of Parliament. In Palestine, parliamentary commissions were responsible for legislative change. There was a difference, however, between the adoption of laws and their implementation. In Yemen's case, decisions made by Parliament were temporary. In Iraq, the executive branch was responsible for passing legislation.

18. Participants agreed on the need for the study to explore the situation in each country and identify which bodies (besides parliament) were responsible for enacting legislation to implement resolution 1325. In that way, the real decision makers, as well as parliamentarians, could be targeted for training.

19. Participants thereafter discussed the next steps in the project, including the design of training manuals.

20. In Lebanon, a recently conducted training course for government officials on resolution 1325 had been based largely on learning about best practices and had proved useful.

21. Participants recommended that training manuals should draw from the regional study and highlight gaps in legislation that needed to be addressed. They should also contain best practices and lessons learned from within and beyond the region in order to assist parliamentarians to draft appropriate laws.

22. It was agreed that participants in training sessions should include members of parliamentary committees, the executive branch and other decision-making bodies. It was important to select participants who were likely to remain in influential positions. The legislative activity underway in target countries, such as constitutional changes, needed to be taken into account when timing the training sessions.

III. CONCLUSIONS AND RECOMMENDATIONS

23. Participants agreed that the draft study provided valuable material, especially in the light of the political and security situation in the region, and commended ESCWA for its work. They agreed that it should not only provide an overview of legislation and its implementation, but also include more analysis of how to address gaps in legislation. The study should identify links between the pillars of resolution 1325 and make recommendations on their implementation through legislation. The author of the study pointed out that it must reach the right audience and address gaps in legislation. Participants welcomed plans for training and vowed to assist with promotion of the project in coordination with national women's machineries. Participants proposed the following amendments to the text of the study.

A. PREVENTION

24. The overview of existing gender policies and national women's machineries should either be subsumed into the introduction or presented as an annex. The text should be restructured to emphasize the advocacy role of stakeholders in promoting resolution 1325. The chapter must take into account the region's unpredictable political dynamics and consider links between various types of legislation for conflict prevention at the international, regional and national levels. The term "instability" would be more appropriate than "regime change".

B. PARTICIPATION

25. It was agreed that the study needed to include consideration of transitional justice, economic participation, national dialogues, peace negotiations and the appointment of ministers. It should also be acknowledged in the study that, although quotas for the participation of women in political bodies existed in many countries, filling them remained a challenge. Analysis of that issue was required. The study should recommend that countries abide by a minimum quota of 30 per cent for women's political participation.

C. PROTECTION IN TIMES OF PEACE

26. It was noted that protection of women in times of peace should include addressing polygamy, early marriage, marital rape and single motherhood. The chapter should include more analysis of freedom of movement and refugee status law, and look at different types of gender-based violence and gaps in relevant legislation, and how they related to the implementation of resolution 1325.

D. PROVISION OF RELIEF AND RECOVERY

27. Participants agreed on the need to highlight the circumstances of internally displaced persons and the lack of detailed information and reliable data in that regard. The responsibilities of the State with regard to protecting internally displaced persons and refugees should be underscored, with specific reference to obligations under international law.

E. ROLE OF PARLIAMENTARIANS

28. Participants observed that the study should take into account the variety of parliamentary structures and legislative processes across the seven countries concerned and identify who was responsible for executing the mandates of resolution 1325 in each case. The reasons for focusing training sessions on parliamentarians needed greater explanation. More analysis was needed as to who was responsible for the enactment and implementation of laws in countries undergoing periods of transition.

IV. ORGANIZATION OF WORK

A. DATE AND VENUE OF MEETING

29. The expert group meeting was held at the United Nations House in Beirut, on 25 and 26 June 2014.

B. ATTENDANCE

30. The meeting brought together members of national women's machineries in the seven countries targeted by the project, experts in fields related to gender, peace and security and in Security Council resolution 1325, and representatives of relevant United Nations entities.

Annex*

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