

# Gender Dimensions of Mediation Policies and Processes

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# Areas for Mainstreaming Gender-Responsive Mediation Policies and Approaches

- Judicial processes (i.e. involving the various pillars of justice)
- Labor disputes both local and transnational;
- Conflict resolution and peace building initiatives (i.e. political, religious, socio-cultural both local and transnational)

# The Meanings of Gender

- Gender refers to the social construction of roles, behaviors and attitudes associated with being male and female in a particular context;
- Gender identity is differentiated from sexual identity which mainly refers to the biological characteristics of males;
- Notions of masculinity and femininity;
- Constructions changed through time;
- Constructions mediated by power relations in society; it is discursive
- Learned and can be unlearned

# Mediation

- It is one of several possible responses to conflicts, crises and civil unrest.
- Mediation can be defined as “a structured communication process, in which an impartial third party works with parties to the conflict to find commonly agreeable solutions to their dispute in a way that satisfies all interests at stake.”

Source: Virginia M. Bouvier, Mediation Strategy/Process Design DPA/OAS Gender and Mediation Training Mediation Support Unit Department of Political Affairs United Nations 19 November 2012 Mediation Support Unit, Department of Political Affairs, United Nations 19 November 2012

# Gender Issues in Peace Building Processes

- Low number of women at the peace table.
- A sample of 24 comprehensive peace processes since 1992, reviewed by UN Women, shows that women represent a negligible percentage of all participants to peace negotiations.
- Consequently, ceasefire and peace agreements rarely include women's specific security and peacebuilding needs.
- Only six ceasefire agreements out of forty-five major conflicts since 1989, include sexual violence is only as a prohibited act.

**Source:** UN Security Council. Report of the Secretary-General on women and peace and security, S/2011/598.

# Gender Issues in Conflict Situations

- Women have or are forced into different roles in crises, conflicts and post-conflict settings. “
- They are civilians, victims of violence and sexual violence;
- they constitute the majority of refugees and internally displaced persons;
- They are combatants and providers of support to fighters;
- “They head households after the absence or loss of their husbands and become the main breadwinners;
- They are responsible for the health and education of their children and are confronted with the demobilized, mainly male, fighters reintegrating into their communities

# Key Elements of Mediation-Support Framework

- It is voluntary, requiring the consent of the parties.
- It leaves autonomy to the parties insofar as they can control the outcome of the mediation process.
- It provides for an inclusive space in which conflicting parties can share sensitive issues.
- It relies on the mediator's impartiality and
- Mediator's observance of confidentiality.

# Why is a gender-responsive mediation process needed?

- It is mandated by international agreements. Gender equality is enshrined in the UN Charter, affirmed in CEDAW;
- Five UN Security Council resolutions \*as well as the United Nations Secretary-General's reports on mediation support (2009) women's participation in peace building (2010);
- These have repeatedly called for the inclusion of dedicated gender expertise and greater numbers of women in peace processes.
  - (S/RES/1325 (2000), S/RES/1820 (2008), S/RES/1888 (2009), S/RES/1889 (2009) and S/RES/1960 (2010)),

# Advantages of adapting a gender-responsive mediation process

## **Inclusivity**

- Ensuring the systematic and structured participation of women leaders, gender experts and women's organizations for them helps identify the gender dimensions of substantive issues on the negotiation agenda and thus contribute to creating a truly inclusive conflict settlement or peace processes;

# Why the need for Inclusiveness....

- Enhancing female representation and taking into account women's needs, vulnerabilities, capacities, priorities and interests in peace and mediation processes generates a more comprehensive response that is more likely to create a stable and secure peace.

# A gender-responsive mediation process promotes

- **Efficiency.** Adopting a gender perspective is likely to install a broader set of female and male mediation skills and qualities in conflict settlement and can increase the efficiency of the overall mediation process.
- **Effectiveness.** Thorough information gathering from both men and women about the impact of a crisis or conflict provides for a more balanced set of facts and can help the mediation process effectively accomplish its goals

# Elements of a gender-responsive mediation process?

- A gender-responsive, third-party mediation rests on three overlapping and intertwined areas:

## **1. Representation and participation:**

Comprises the measures and initiatives taken to reverse under-representation of women in peace negotiations and to allow for women's meaningful participation

# Concerns Related to the Meaningful Participation of Women in Mediation Processes

- Persistence of norms and values that privilege male perspectives and interests;
- Use of sexist language; disempowering arguments;
- Trauma and “psychology of abuse,”
- Fear of negative impacts on them, on their children, on their financial security, if they articulate their views and needs;

# What is a gender-responsive mediation process?

## **3. Substantive issues on the agenda and content of agreements:**

Refers to the extent to which gender dimensions of substantive topics on the agenda and the provisions contained in agreements are designed and implemented to be equally beneficial to men and women and would neither undermine nor harm them.

# Elements of a gender-responsive mediation process

## **2. Institutional framework and process management:**

Includes planning, design and implementation of third-party mediation processes in such a way that (institutional) policies, procedures and practices take into account the impact they will have on individuals as a result of their gender.

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# UN Women Recommendations to Make Justice Systems work for Women

1. Increase women's access to courts and truth commissions during and after conflict;
2. Implement gender-responsive reparation programs;
3. Invest in women's access to justice;
4. Train judges and monitor decisions;
5. Put women in the front line of law enforcement;
6. Support one-stop shops and specialized services to reduce attrition in the justice chain.

Source: UN Women, 2011. in Pursuit of Justice: Progress of the World's Women. New York

THANK YOU

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