

ANALIZA IN OCENA RESOLUCIJE VS OZN 1325 – KAKŠNA SO PRIPOROČILA ZA PRILOŽNOSTI V PRIHODNJE

AN ANALYSIS AND CRITIQUE OF THE UNSCR 1325 RESOLUTION – WHAT ARE RECOMMENDATIONS FOR FUTURE OPPORTUNITIES?

Povzetek Resolucija VS OZN 1325 pomeni prelomnico za ženske, mir in varnost. Članek vključuje analizo in oceno resolucije. Analiza obsega uresničevanje resolucije, vključno z napakami o ne vključevanju žensk na vseh ravneh mirovnih in konfliktnih procesov. Obravnavane so ključne priložnosti za doseganje sprememb: resno sodelovanje s civilno družbo, strokovnjaki in vladami, usklajena strategija združevanja moških skupin in posameznikov kot moških pobudnikov sprememb ter sprejemanje dobro financiranih in vplivnih nacionalnih akcijskih načrtov v različnih državah kot neke vrste meta politike, za katero je nujno popolno prevrednotenje vlog spolov. Iz sklepov članka izhaja, da je najpomembnejša resnična predanost enakosti spolov, s katero se bo mogoče premakniti od prizadevanj k dejanjem. Zdaj je pravi čas za ukrepanje.

Ključne besede *Resolucija VS OZN 1325, ženske, mir in varnost, enakost spolov.*

Abstract UNSCR 1325 was a watershed moment for women, peace and security. This article analyses and critiques the Resolution itself. The current implementation of the Resolution is identified, including failures to include women in all aspects of peace and conflict processes. Key opportunities to achieve transformative change are covered: meaningful engagement with civil society, experts and governments; a coordinated strategy to unite men and men's groups as male champions of change; and states having high-impact well-resourced national action plans that are a meta-policy requiring a complete gender re-think. The article concludes that the most important requirement is that there is a true commitment to gender equality in order to move from aspiration to action; the time to act is now.

Key words *UNSCR 1325, women, peace and security, gender equality.*

Introduction

In 2015 there were two important anniversaries of momentous and pivotal moments for women and women's rights: the fifteenth anniversary of UN Security Council Resolution 1325 (UNSCR 1325), and the twentieth anniversary of the Beijing Platform for Action (Powell, 2015). These two documents, among other things, call for women to be included in leadership and decision-making positions (Wilett, 2010). UNSCR 1325 demands a re-focus, to viewing women as agents of change and agents of peace, rather than only as victims of war. Women are over half of the global population; however, they remain marginalised and excluded in all aspects of peace and conflict processes (Wilett, 2010). UNSCR 1325 did not just ask governments to simply acknowledge women's important contributions – it charged them to act. However, where are the women (Enloe, 1989)?

This article will address the question in four parts. Firstly, a brief overview of UNSCR 1325, and why it was adopted, will be provided. Secondly, there will be an analysis of the current successes or failures in implementation. Thirdly, the UNSCR 1325 Resolution will be critiqued, and finally, the essay will identify areas of opportunity. The essay will conclude that “UNSCR 1325 is a unique and potentially transformative resolution” (Oudraat, 2013, p. 618). However, in order to achieve transformational change, it is time for new strategies to be adopted and male champions of change to be united for action. The underlying issue of gender inequality must be addressed, as security for all the citizens of the world cannot be achieved while oppressive gender hierarchies remain (Wilett, 2010).

1 WHAT IS UNSCR 1325 AND WHY WAS IT ADOPTED?

UNSCR 1325 was the result of a long historical and political process; it had its roots in the UN Charter that recognises the equal rights of men and women (Olsson & Gizelis, 2013). The Resolution was adopted on 31 October 2000 by the UN Security Council, under its Namibian Chair.¹ Earlier that year, Namibia had passed the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations (Pratt & Richter-Devroe, 2011), and this provided the impetus to introducing this Resolution. UNSCR 1325 is commonly called a watershed moment for women, peace and security, and a major turning point in raising global attention to these concerns (Miller, Pournik & Swaine, 2014). UNSCR 1325 provides four key pillars that need to be addressed. It calls for: an increase in the participation of women at all levels of decision-making; the protection of women from sexual and gender-based violence; the prevention of violence against women through the promotion of women's rights; and the mainstreaming of a gender perspective in all aspects of peace operations (UNSCR 1325, 2000).

UNSCR 1325 was the culmination of years of lobbying by feminists and women's groups (Meger, 2012); its conceptual roots are derived from the 1995 Beijing

¹ *The Security Council members, in addition to the permanent five that unanimously adopted the Resolution were: Argentina, Bangladesh, Canada, Jamaica, Malaysia, Mali, Namibia, the Netherlands, Tunisia, and Ukraine.*

Declaration and Platform for Action, signed by 189 countries (Miller, Pournik & Swaine, 2014). The breakthrough at the Beijing Platform for Action had its origins in Boutros Ghali's Agenda for Peace in 1992, which introduced a bottom-up approach of peace building to mainstream conflict resolution (Pratt & Richter-Devroe, 2011). UNSCR 1325 was adopted following feminist transnational advocacy groups uniting to put violence against women onto the mainstream security agenda (Harrington, 2011). The vision of those who advocated the adoption of the UNSCR 1325 Resolution was to prompt radical change in the structural issues that continued to oppress women, and to invigorate the importance of gender equality (Swaine, 2009). Conceptual shifts post-Cold War, which turned the focus from a realist State-centred view (Pratt and Richter-Devroe, 2011) towards a more holistic, agent-centred view, human security (Oudraat, 2013), provided a hospitable environment for discourse, and action, on the security concerns specific to women. As UN peacekeeping became more complex to address a wide range of areas, which were predominantly linked to peace-building, this further brought gender equality into the spotlight for international peace and security (Olsson & Gizelis, 2013). A key component of the success of this Resolution was the interchange between the international organisations, Member States, and civil society (Inclusive Security, 2014) and this interchange is also a key component of success moving forward.

2 ANALYSIS OF THE CURRENT SUCCESS OF IMPLEMENTATION

Over fifteen years on, implementation has not been successful and changes are required in order to move from rhetoric; to action; and then to impact. In a statement in 2004, the UN Security Council (UNSC) called upon Member States to advance the implementation of UNSCR 1325 through national action plans (NAP) or other national-level strategies (Dharmapuri, 2013). However, another ten years on, only just over a quarter of UN Member States have a NAP to implement the Resolution. Importantly, the top three troop-contributing nations to the UN – India, Pakistan and Bangladesh, do not have a significant number of women in their forces (Dharmapuri, 2013) and do not have NAPs (Dharmapuri, 2011). The UNSC recognised the significant disparity between the promise of UNSCR 1325 and the reality of implementation when it adopted Resolution 2122 in October 2013 (Inclusive Security, 2014). This Resolution urged Member States to examine existing NAPs and progress to preparations for the 2015 high-level review. There was also a warning in this Resolution: that without a significant shift in implementation activities, women and gender perspectives would continue to be under-represented in security and peace decisions for the foreseeable future (Miller, Pournik & Swaine, 2014).

Two areas that are key in the women, peace and security agenda, which have shown the least progress since UNSCR 1325 was adopted, are the inclusion of women in peace negotiations and including women as peacekeepers on peacekeeping operations (Miller, Pournik & Swaine, 2014). UN statistics have 4268 women currently deployed in various peacekeeping missions (UN Peacekeeping, Feb

2016)² – this accounts for only 4% of peacekeepers. This percentage is about the same as when the Resolution was adopted over 15 years ago (Gippner & Mohan, 2015). However, more positively, in absolute terms, the numbers of women have tripled in peacekeeping operations since 2012, and there are three all-women formed police units and five women have led peacekeeping operations (Gippner & Mohan, 2015). A female officer of the pioneering all-women unit in Liberia advises that structural changes are still needed, as it is ‘still an overwhelmingly male space’ (Gippner & Mohan, 2015). She points out issues such as very limited medical facilities for women peacekeepers in UN camps, and the absence of maternity benefits and childcare support. There has been no significant increase in the number of women involved in peace negotiations since UNSCR 1325 was passed (Westendorf, 2013). A UNIFEM report of 2010 noted that “women’s participation in peace processes remains one of the least well-implemented elements of the women, peace and security agenda” (Sharp, 2013, p. 160). The report concluded that it was clear that where crucial decisions are made post-conflict, women are “conspicuously underrepresented” (UNIFEM, 2010, p. 2).

There are also other areas where significant progress must be made in implementing UNSCR 1325. There is still evidence of sexual exploitation and abuse by UN peacekeepers (Swaine, 2009), most recently allegations of sexual abuse of street children in Bangui (Al Jazeera, 2015). This sexual abuse appears to be prevalent and the perpetrators often unpunished, despite the UNSC in the Resolution calling for an end to impunity for gender-based crimes (Wilett, 2010). Reports of horrific sexual violence against women continue to be reported back from conflict zones (Swaine, 2009), including, most recently, reports from areas controlled by militant groups, aligned with the Islamic State of Iraq and the Levant, of brutal acts of violence against women and girls (Malinowski, 2015). These on-going concerns have resulted in the UN Assembly approving on 19th June that it would be an International Day for the Elimination of Sexual Violence in Conflict (UN News Centre 2015). However, the challenge still remains, warned the UN Secretary-General’s Special Representative on Sexual Violence in Conflict, Zainab Bangura, in converting “political will into concrete actions and protection on the ground” (UN News Centre, 2015). UNIFEM, in a report in 2010, stated that less than eight percent of funds in peace agreements are allocated to implementation in any way for women or their specific interests (Swaine, 2009 & UNIFEM, 2010, p. 12). In the aftermath of conflict, women’s concerns appear to be systematically ignored and marginalised, relegated to a ‘special needs’ category and routinely underfunded (Wilett, 2010).

3 CRITIQUE OF UNSCR 1325

Although UNSCR 1325 has been referred to as the ‘Magna Carta’ or the ‘Bill of Rights’ for women, there are still many areas of concern (Miller, Pournik & Swaine, 2014). One concern is that the version that was unanimously approved was essentially

² *Includes military experts, troops and police.*

watered down; it had a number of very important feminist ideas and aspirations removed for various reasons (Swaine, 2009). A non-governmental organisation (NGO) working group had been convened that consisted of an assortment of NGOs, the majority of whom did not define themselves as feminist or peace activists (Otto, 2010). This resulted in important aspects such as conflict prevention, de-militarisation and discussion of militarism being sidelined and removed before it even reached the UNSC. There had been disagreements over content and a pragmatic approach had been adopted, with members making strategic calculations as to what the UNSC would find acceptable (Otto, 2010). The draft was further divested of feminist ideas while it was subject to the diplomatic negotiations of the UNSC (Otto, 2010). Therefore, “crucial aspects of feminist anti-war activism” were removed, and no paragraphs addressing the important underlying structural gender inequalities that can lead to conflict were left in (Otto, 2010). The vision of peace that had emerged at the Platform for Action in Beijing: “a sustainable peace based on gender equity, social justice, and respect for human rights” was therefore not entirely embraced in the final version of UNSCR 1325 (Sharp, 2013).

While the Resolution has been translated into over one hundred different languages, there has been less than satisfactory progress in translating words into action (Swaine, 2009). The language of the Resolution has been criticised for, in parts, being weak (Miller, Pournik & Swaine, 2014) and patriarchal (Puechguirbal, 2010). The Resolution is ‘soft law’ owing to its language, and its positioning of the Resolution outside the more robust Chapter VII mandate, and therefore it can be argued that it is limited in achieving true progress for women (Swaine, 2009). The UNSC does have the authority to make declarations that are binding on Member States; however, the language used in the Resolution is often weak, including expressions such as ‘urges’, ‘requests’, ‘encourages’, and ‘calls upon’ governments and parties to act. It is simply up to Member States and regional organisations to elect to adopt NAPs or a national-level strategy, and no formal sanctions or penalties exist for failing to do so (Miller, Pournik & Swaine 2014). The language of UNSCR 1325 also uses ‘gender’ and ‘women’ interchangeably, which reinforces the incorrect belief that only women have ‘gender’ perspectives. Furthermore, the way that women are at times defined – as victims, vulnerable, and in association with children (Sharp, 2013), “is not only essentialist but undermines women’s agency” (Puechguirbal, 2010, p. 172). However, contrary to the protective gender stereotypes, there are some more positive empowered representations of women in the Resolution (Otto, 2010). There are references to women as peacekeeping personnel, participants in peace-building, peace advocates and implementers of peace agreements, bearers of human rights, refugees and ex-combatants (UNSCR 1325, 2000).

There are no accountability mechanisms in UNSCR 1325 to monitor its implementation, and as it is not a Treaty then there are no ratification, compliance or verification requirements (Wilett, 2010). The then UN Secretary General expressed frustration, in his 2009 annual report on UNSCR 1325, about its ‘weak implementation framework’ and the ‘absence of clear targets and reliable data’,

identifying this as an ‘obstacle’ to strengthening women’s participation as intended (Otto, 2010). There is also a lack of an accountability mechanism as to whether the UN itself implements the Resolution in its daily work. In fact, there appears to be a lack of political will (Oudraat, 2013) and commitment within the UN hierarchy to meaningfully implement UNSCR 1325 (Puerchguirbal, 2010). It is crucial to include women in higher decision-making if there is to be greater inclusiveness and gender equality (Gippner & Mohan, 2015), but this is not occurring even within the UN. It took the UN five years to institute its own action plan and gender mainstreaming is still not mandatory in all of the UN’s specialised agencies (Swaine, 2009). In October 2014 the UN Secretary-General himself was accused of turning his back on UNSCR 1325 in an open letter by AIDS-Free World (Donovan & Lewis, 2014) with the lack of women included in his appointed High Level Panel on Peacekeeping Operations (Deen, 2014).

The lack of accountability mechanisms has also allowed UNSCR 1325 to be a vehicle for officials to pay lip service to gender perspectives (Puerchguirbal, 2010). Officials and government representatives celebrate the adoption of UNSCR 1325 every year. Statements are made “purporting to represent the views of women” and also detailing what actions will be taken next (Puerchguirbal, 2010). However, this generally accounts to empty rhetoric and propagandistic gestures to mainstream gender (Sjoberg, 2014). The rhetoric may in fact “obscure the structural obstacles that in reality impede progress on the Resolution” (Swaine, 2009). Furthermore, there has been a reluctance to fund and resource appropriately NAPs and initiatives related to gender equality (Swaine, 2009). Often government agencies must absorb these costs into already stretched budgets and personnel resourcing, with the result being minimal resourcing and a lack of meaningful implementation of UNSCR 1325.

4 WHAT OPPORTUNITIES ARE THERE FOR THE FUTURE?

There is an opportunity for the UN to strengthen the implementation of and demonstrate its commitment to UNSCR 1325 by passing a further Resolution that has strong language, accountability mechanisms and requirements for reporting. The existence of the UNSCR 1325 framework, and the seven other women, peace and security Resolutions, in itself has not proven sufficient to achieve the desired transformational change (Sharp, 2013). The UN could require that all Member States, when deploying on UN peacekeeping operations, commit and demonstrate their incorporation of UNSCR 1325 and mainstreaming gender in all areas of their peacekeeping operations. Gender mainstreaming is at the heart of the UNSCR 1325 Resolution and key to its implementation success (Swaine, 2009). NATO has successfully implemented the incorporation of all aspects of UNSCR 1325, and in particular gender mainstreaming, in their Bi-SC Directive, which is binding for all NATO-led operations and obligates its members and partner nations (NATO Legal Gazette, 2013). A Resolution could address conflict prevention and general disarmament – both long-standing objectives of women’s peace movements to address militarism (Otto, 2010). Fundamentally, a Resolution could also address

the structural causes of women's inequality, not limited to conflict, which UNSCR 1325 lacks (Otto, 2010). The Resolution could also call on, and co-ordinate, male champions of change, or men as allies, to provide leadership and action on gender inequality (Dharmapuri, 2011).

The UN should institute a strategy or campaign that brings together men, and men's groups, to promote gender equality in peacekeeping (Dharmapuri, 2011). Men are widely acknowledged as being key to achieving change for issues related to women, as they are often in positions of power and influence and therefore are crucial to generating political and social will to achieve positive change (Dharmapuri, 2011). There are already men's organisations such as MenEngage Alliance, and the UN Network of Men, that can be supported. There are also national organisations such as Australian Elizabeth Broderick's 'Male Champions of Change', that includes well-known feminist Lieutenant-General David Morrison, ex-Chief of Army. Male Champions of Change's website³ states that it brings together "men of influence to form a high profile coalition to achieve change in gender equality issues." This group further states that they will "work together to identify and implement progressive, high impact actions that disrupt the status quo and create meaningful and lasting change." Often the progress and change required to achieve gender equality are put in a 'special-needs' basket; having male champions of change recognises that these are not simply 'women's concerns', but rather global issues that we all have a responsibility to solve. Men have a vital role in achieving transformational change for their mothers, wives, sisters, daughters, colleagues and friends; a co-ordinated strategy would enable their individual voices to join together to create new social norms and behaviours.

A key opportunity is a conscious focus on meaningful and co-ordinated involvement of civil society, experts and governments; currently, the engagement is ad hoc and unco-ordinated. This would result in more high-impact NAPs, it would leverage and share expertise, and also build implementer capacity whilst bolstering commitment (Inclusive Security, 2014). This may also mean a higher understanding, through education, of what the truly feminist and transformative aspirations of UNSCR 1325 are (Swaine, 2009). There has been growing expertise and strength in the women, peace and security field; however, the different agencies, groups and experts are not co-ordinated to maximise impact. Within the UN itself there are numerous UN agencies that are conducting activities that can be considered to be linked to UNSCR 1325. Inclusive Security is an organisation that has recently launched a 'Resolution to Act' initiative, aiming to work alongside governments and civil society to close the gap from rhetoric to action for the implementation of UNSCR 1325 (Inclusive Security, 2014). They are partnering with other agencies and have launched a community of experts dedicated to assisting governments in moving from low to high impact NAPs.

³ <http://malechampionsofchange.com/about-us>.

Operationalising UNSCR 1325 and ensuring adherence to the norms stated in the Resolution must be undertaken by States; this can occur through high impact, well-resourced NAPs (Westendorf, 2013). In order to achieve meaningful action, these NAPs must be more than a matter of just ‘adding women and stirring’ (Women Peacemakers Program, 2014), but a deeper process of rethinking peace and security through a gendered perspective (Westendorf, 2013). For national action plans to be high impact they should move from what is currently often provided – a collation of what a country is already doing – to a more results focused NAP that is structured around the intended outcomes and an audit of the quality of those actions (Swaine, 2009). A results-focused NAP would deliver more than a technical approach and embrace the “transformative aspirations of gender mainstreaming” (Swaine, 2009). For national action plans to be transformational requires a complete gender re-think in relation to all governmental policies (Westendorf, 2013). Instead of simply being an ‘add-on’ to other policies, it needs to be an overarching meta-policy that traverses all of government, across military and civilian police spheres (Westendorf, 2013). Governments should draw on the expertise of a co-ordinated civil society, their libraries of NAP resources and online Resource Centres to heighten implementation.

The UN requires a clear strategy to effectively operationalise its own policies, co-ordinated in its specialised agencies, and to generate greater political will amongst Member States (Dharmapuri, 2013). Some Member States lack the political will to act, potentially because of entrenched cultural norms, so it is key that there are accountability mechanisms and requirements for reporting, as detailed earlier. To achieve the integration of a gender perspective into peace operations and a significant increase in female participation, then a strategic vision at UN headquarters and within key Member States is required (Dharmapuri, 2013). Some key Member States are the three top troop-contributing countries, India, Bangladesh and Pakistan, who have a low number of women in their forces and no NAPs. The vision should result in a gender-sensitive force generation strategy (Dharmapuri 2013), especially in the key mission areas where women are most needed. Including women in a meaningful way will increase operational effectiveness and will be a powerful force for peace (Inclusive Security, 2016).

Now is a key opportunity to implement these strategies and plans, having just celebrated the fifteenth anniversary of the adoption of UNSCR 1325. At this anniversary the UN held a High Level Review, released a Global Study on women, peace and security, and unanimously approved UNSCR 2242, the eighth of the UNSCRs on women, peace and security. The open debate was the most popular in UNSC history, with 113 speakers registering to speak. The new Resolution 2242 includes many different aspects of the women, peace and security agenda, and has the potential to serve as an important tool in the implementation of UNSCR 1325 if adequate resources are allocated. The creation of the Informal Experts Group on women, peace and security is charged with greater oversight and coordination of implementation efforts. Only time will tell if this new Resolution will have a

large positive impact. This momentum needs to be harnessed and driven across the finish line so that results can be realised.

In conclusion, this article has outlined how UNSCR 1325 was the culmination of years of lobbying by feminists and women's groups (Meger, 2012), and was a watershed Resolution for women. However, even though it has been recognised that it is "a unique and potentially transformative Resolution" (Oudraat, 2013), that rhetoric has not transformed into results. Key critiques of the Resolution were identified: the lack of accountability and reporting requirements; the 'soft law' status and weak language; empty rhetoric without political commitment in resourcing; and the fact that the Resolution itself did not state all of the feminist aspirations for sustainable peace and addressing gender inequality (Otto, 2010). Key opportunities were identified: there should be a meaningful, co-ordinated plan of involvement with civil society, experts and governments; a co-ordinated strategy should be implemented to unite men and men's groups as male champions of change; and Member States should be required and assisted to formulate high impact, well-resourced NAPs that are a meta-policy requiring a complete gender re-think. It has been identified that this is a key time to conduct this change, with the results of the global study commissioned as part of the 15-year review recently released, and a new Resolution to be acted upon.

Currently, there is no country in the world where women are equal to men, in terms of livelihood and economic security, political rights and personal safety (Miller, Pournik & Swaine, 2014). However, progress towards achieving gender equality is occurring in many countries. The past fifteen years has shown that perhaps it was naive to think that a UN Resolution, along with its follow up Resolutions and high-level political rhetoric, was enough to precipitate the wide-reaching principles into meaningful action (Westendorf, 2013). The most important requirement is that there is a true commitment to gender equality in order to move from aspiration to action (Dharmapuri, 2013). The time to act is now.

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