

Women's Peace

Recommendations of the Gender Advisory Team (GAT) on the peace negotiations in Cyprus

...s to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security. Noting the need to consolidate data on the impact of armed conflict on women and girls, 1. Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict; 2. Encourages the Secretary-General to implement his strategic plan of action (A/49/587) calling for a greater participation of women at decisionmaking levels in conflict resolution and peace processes; 3. Urges the Secretary-General to appoint more women as special representatives and envoys to pursue good offices on his behalf. In this regard calls on Member States to provide candidates to the Secretary-General, for inclusion in a regular, updated centralized roster; 4. Further urges the Secretary-General to seek to expand the role and contribution of women in United Nations field-based operations, and especially among military observers, civilian police, human rights and humanitarian personnel; 5. Expresses its willingness to incorporate a gender perspective into peacekeeping operations and urges the Secretary-General to ensure that, where appropriate, field operations include a gender component; 6. Requests the Secretary-General to provide to Member States training guidelines and materials on the protection of women and the particular needs of women, as well as on the importance of involving women in all peacekeeping and rebuilding measures; invites Member States to incorporate these elements as well as HIV/AIDS awareness training into their national training programmes for military and civilian police personnel in preparation for deployment, and requests the Secretary-General to ensure that civilian personnel of peacekeeping operations receive similar training; 7. Urges Member States to increase their voluntary financial, technical and logistical support for gender equality training efforts, including those undertaken by relevant funds and programmes, inter alia, the United Nations Trust Fund for Women and United Nations Children's Fund, and by the Office of the United Nations High Commissioner for Human Rights and other relevant bodies; 8. Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia: (a) The special needs of women and girls during repatriation, resettlement and for rehabilitation, reintegration and post-conflict reconstruction; (b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements; (c) Measures that ensure the protection of and respect for human rights.

'Neutrality' or 'objective terms' in official documents, especially state documents, very often imply a male-centred approach which deprives women of the opportunity to voice their needs, views and perspectives on the content of such documents, be they a peace agreement or a new constitution. To remedy this, United Nations Security Council Resolution 1325 on women, peace and security [UNSCR 1325 (2000)] calls upon member-states to include women's perspectives and contributions to both the peace process and conflict resolution. Within this context, GAT has submitted the following recommendations, based on key principles of gender equality pertaining to four key areas discussed in the peace negotiations in Cyprus. These areas are governance and power-sharing, citizenship, property, and economy. The recommendations aim to ensure that women are effectively represented at the negotiation table and that the peace agreement which eventually emerges genuinely serves their interests.

Governance and Power-Sharing

NON-DISCRIMINATION

1. *The Constitution of the United Federal Cyprus must provide equal rights and opportunities* for men and women, and must use clear and direct language prohibiting any form of discrimination.

2. *The Constitution must prohibit* any kind of direct and/or indirect discrimination.

GENDER STEREOTYPES

3. *Fundamental rights and freedoms must not be limited for reasons of general morality or public morals.* All women, including homemakers, must have health and social security rights and benefits; and women's bodily, sexual, and reproductive rights must be secured.

4. *Wording in the comprehensive settlement must be gender sensitive* and must avoid gender stereotyping.

5. *The Constitution must declare that the state commits itself to ensuring the actual implementation of gender equality* in every field, by taking all necessary legal and institutional, temporary and special measures (such as quotas or positive discrimination) to achieve genuine equality.

INSTITUTIONS

6. *Equal distribution of positions* in the cabinet, federal and federated unit/constituent state parliaments and local governments to men and women must be secured.

7. *Gender balance in all public decision-making bodies*, namely, the Supreme Court, the Public Service Commission and independent offices inter alia must be secured.

8. *Political and public institutions must establish means to ensure gender equality* and non-discrimination, such as gender equality mechanisms, focal points, a special Ministry or a specific portfolio within a given Ministry, a parliamentary commission, a special desk at the Ombudsperson's office, and a separate unit within the federal police force.

INTERNATIONAL AND DOMESTIC LAW

9. *All international and regional conventions and treaties pertaining to women's rights* specifically as well as to human rights more broadly, must be ratified and incorporated into the Constitution.

10. *Legislation related to social issues must take into account discrepancies* that currently exist and ensure harmonization so that the policies, legislation and practices do not disadvantage people in one community over the other. Specific federal-based legislation must be developed for gender-based violence.

CITIZENSHIP

11. *Women must be granted equal rights* with men to acquire, change or retain their citizenship.

12. *A federal competency within citizenship, immigration, migration and asylum laws and mechanisms on trafficking in human beings* must be developed according to international best practices.

13. *Legislation regarding immigrants, refugees and asylum seekers* must also secure the rights of women and children.

Citizenship

PRINCIPLES

1. *Citizenship rights* should be non-discriminatory.

2. *Citizenship should be based on equal opportunity*, including women's right to affirmative action to redress imbalances created by history, tradition or custom.

ACCESS TO CITIZENSHIP

3. *Citizenship rights should not be treated as a unitary bundle*; transferability of rights between the two constituent states should be provided for and different categories of rights should be accessible on a non-exclusive basis. The right of choice in exercising rights should be recognised.

4. *Provisions should be incorporated in the law to allow minors* to enjoy the same rights in both constituent states.

NON-DISCRIMINATION

5. *Citizenship should not be presumed on ethno-national, hetero-normative bases* or the performance of violence.

6. *Discrimination should be criminalized* in both civil and military legislation.

7. *Protection of the rights of women, children, sexual minorities, and the elderly* should be guaranteed.

8. *Protection of minority rights* should be guaranteed.

9. *Monitoring mechanisms* should scrutinize violations of antidiscrimination legislation in the mass media and other public information mechanisms.

GENDER MAINSTREAMING AND INSTITUTIONS

10. *Gender mainstreaming* should be prioritised at all levels.

11. *Institutions pertaining to social and economic rights* should ensure equality of protection.

12. *Institutions pertaining to equality* should be staffed by professionals with expertise in intersectional gender issues and on-going training provided.

13. *All levels of education* should include gender awareness, reproductive health issues, cultural pluralism, the institutionalization of both languages, and the purging of discriminatory language.

14. *Health protection should include women's health* and should be guaranteed for women in poverty.

15. *Protection from gender-based violence* should be ensured for everyone.

FAMILY LAW

16. *Civil law should include gender-sensitive provisions* in matters of marriage, divorce, custody, and reproductive rights.

17. *Domestic violence* should be combated through effective cooperation of the police and justice system.

18. *Equal parental responsibility* should be stipulated in law.

19. *Civil partnerships* should be recognised.

NON-CITIZENS

20. *Protection of non-citizen vulnerable groups* should be guaranteed.

NON-ABROGATION

21. *Women's rights should not be suspended* under emergency or exceptional legislation.

Property

PRINCIPLES

1. *Women should be guaranteed equal access to property* and land ownership and to inheritance rights.
2. *Women's rights to management of property* should be equally guaranteed.
3. *Mechanisms should be instituted and gender mainstreamed* at both constituent state and federal levels to protect against the exploitation of women's property.

MARRIAGE AND DIVORCE

4. *Protection of women's property rights* on both constituent state level and federal level should be guaranteed in marriage and divorce.
5. *Effective cooperation of police, judicial and economic institutions* should be ensured for the purpose of guaranteeing women's property rights as well as rights to alimony and child support.
6. *Possession of property through deception or coercion, including within marriage and in divorce*, should be criminalized.
7. *Protection of property rights within civil partnerships* should be guaranteed.
8. *The contribution of women's unpaid labour* in the accrual of property during marriage should be reflected in property allocation upon divorce.

VULNERABLE GROUPS

9. *Property rights for minorities and other vulnerable groups should be monitored* by law and through the set-up of effective mechanisms.
10. *Effective representation of women in decision-making* on matters pertaining to property rights held in common by minority groups and other religious or cultural associations administering property on behalf of communities or minority or cultural groups should be guaranteed.
11. *Legal guarantees for protection of women and children in poverty and/or propertyless women* should be provided equally.
12. *Protection of vulnerable women's property* from fraudulent alienation should be guaranteed.
13. *Gender-sensitive provisions* should be included in legislation regarding bankruptcy, dispossession, debt, etc.

WEALTH MANAGEMENT

14. *Institutions should be set up to monitor women's representation in wealth management institutions* with a view to proposing policies to address gender discrimination and exclusion.

REFUGEES AND POST-CONFLICT RECONSTRUCTION

15. *Any indemnity provision*, including those relating to property dispossession, should not be gender-biased.
16. *Gender issues should be mainstreamed in the legislation regarding post-conflict reconstruction*, and women's representation should be effectively guaranteed in the institutions set up to implement it.

Economy

PRINCIPLES

1. *The economic advancement of women* should constitute a point of priority in economic planning and resource allocation.
2. *Economic policies should be scrutinised* to ensure that they do not disadvantage women, directly or indirectly.
3. *Women and their interests* should be represented at all levels of economic decision-making.
4. *The feminisation of poverty, the gender pay gap, the glass ceiling*, and other established barriers to women's economic empowerment must be addressed.

RESEARCH, MONITORING, AND EDUCATION

5. *The federal state must adopt gender budgeting* initiatives. To this end, gender-disaggregated statistics shall be compiled.
6. *Monitoring must address gender inequities* in the area of employment, including the eradication of the gender pay gap and lack of access to social security.
7. *Research on the gender impact of neoliberal economic policies* in Cyprus must be undertaken.
8. *Schools should provide training on gender equity*. Young girls must be taught leadership skills.
9. *Training in cooperative education, management and marketing* should be incorporated into public education.

EMPLOYMENT AND SOCIAL SECURITY

10. *Access to social security benefits should be guaranteed* for all forms of labour, including informal and precarious labour, as well as domestic labour.
11. *Gender discrimination at work*, including in pay and employment opportunities and dismissal, should be forbidden in law.
12. *Domestic and migrant workers* should be guaranteed fair terms of employment as well as decent working conditions.
13. *Social security policies* and reforms to social security schemes should take into account the gender dimensions of their application.

WEALTH MANAGEMENT

14. *The federal state must adopt legislative measures* establishing quotas or targets for gender representation on company boards.
15. *Measures must be taken to ease the access of self-employed women to economic resources* such as credit, agricultural inputs, and land.
16. *The organization of self-employed women into cooperatives* should be promoted through law and policy design. ■

WHO IS GAT?

The Gender Advisory Team (GAT) was formed in October 2009, as a core group of women who are interested in seeing gender equality integrated into the peace negotiations in Cyprus as well as in all the peace building processes post-conflict. GAT consists of civil society activists and scholars from both sides of the divide, who have extensive knowledge and hands-on experience on gender issues in their respective communities and elsewhere.

HOW DID THE RECOMMENDATIONS ARISE?

During the many attempts to craft a peace agreement over the decades, leaders of the Greek-Cypriot and Turkish-Cypriot communities of different political persuasions have considered a number of issues and agreed on some but diverged on others. What is an established fact is that one issue has remained beyond the purview of these negotiations, and largely by agreement of both sides: women's rights in particular, and gender issues more generally. Having identified this, GAT presented the Cypriot leaders with sets of recommendations on matters pertaining to chapters under discussion in March 2010 and September 2011.

HOW WERE THE RECOMMENDATIONS RECEIVED?

GAT's efforts were acknowledged by the United Nations Secretary General Ban Ki-Moon in his report on his mission of good offices in Cyprus on 24 November 2010 (Doc Ref: s/2010/603), where he stated that: "... mindful of the important role of women in peace negotiations, as recognized by the Security Council in resolution 1325 (2000), I would encourage the sides to continue their engagement with the Gender Advisory Team, consisting of civil society activists and scholars from across the island, and to seriously consider its gender-focused recommendations on the main areas under discussion in the peace talks." (§43)

GAT's work has also been acknowledged by the leaders' representatives, who met the team together and separately several times. During these meetings, they committed to studying the recommendations and taking up the issues raised. GAT has also met with members of relevant technical committees, who have communicated a willingness to address gender issues in their work.

IS FURTHER INFORMATION AVAILABLE?

The current brief includes abbreviated versions of the recommendations made by GAT to the negotiators. The full text of the recommendations, including explanatory notes detailing the rationale behind each recommendation is contained in a report produced by GAT and published by PRIO Cyprus Centre entitled "WOMEN'S PEACE IN CYPRUS: RECOMMENDATIONS OF THE GENDER ADVISORY TEAM (GAT) ON IMPLEMENTING UNSCR 1325 PROVISIONS ON WOMEN, PEACE AND SECURITY".

THE AUTHOR

THE GENDER ADVISORY TEAM CONSISTS OF WOMEN'S RIGHTS PRACTITIONERS AND ACADEMICS WORKING ON GENDER IN CYPRUS, WHO SHARE A COMMITMENT TO EQUALITY AND PEACE.

THE PROJECT

This brief contains abbreviated versions of GAT's recommendations, published in full in PCC Report 3/2012 and downloadable from <http://www.prio.no/cyprus>.

PRIO

The Peace Research Institute Oslo (PRIO) is a non-profit peace research institute (established in 1959) whose overarching purpose is to conduct research on the conditions for peaceful relations between states, groups and people. The institute is independent, international and interdisciplinary, and explores issues related to all facets of peace and conflict.