

HAS INTERNATIONAL LAW LIVED UP TO ITS PROMISE IN ADVANCING THE RIGHTS OF WOMEN AND GIRLS?

This panel was convened at 11:30 a.m., Thursday, June 26, 2020, by its moderator Patricia V. Sellers, Special Advisor for Gender for the Office of the Prosecutor of the International Criminal Court, who introduced the panelists: Lisa Davis of The City University of New York School of Law; Donald Steinberg of Our Secure Future; Adwoa Kufuor-Owusu of the East Africa Regional Office, UN Office of the High Commissioner for Human Rights; and Irene Khan of the International Development Law Organization.

REMARKS BY DONALD STEINBERG*

My work over the last forty-five years has been at the intersection of human rights, conflict transformation, and development with the U.S. government, civil society, and the United Nations. The clearest lesson I have learned is that peaceful, prosperous, and just societies only emerge when we draw on the leadership and contributions of all of society, including women, people with disabilities, racial and religious minorities, the LGBTQ community, displaced persons, and other marginalized groups. The paradox we face is that most of the policymakers and gatekeepers who are key to ensuring this diversity and inclusion are people like me: privileged, straight, older men with little direct experience of exclusion and abuse based on identity factors.

I. MEN AS ALLIES AND PARTNERS

As a result, it is not surprising that women have been systematically excluded from peace processes around the world; that peace negotiations often begin with the granting of amnesties through which men with guns forgive other men with guns from crimes committed against women and children; that the end of formal conflict often leads to a more pernicious form of violence against women as a result of failed demobilization and security sector reform; and that issues such as sexual and reproductive health, girls' education, psychosocial support for the survivors of violence, and women's economic and social empowerment are neglected.

Addressing these challenges as a man, I have seen my role as an ally, a partner, and a facilitator of women's leadership, with an agenda defined by them. This does not mean that I have adopted a passive role, nor that I am shy about stepping forward to advocate for these concerns.

For example, as deputy administrator at the U.S. Agency for International Development in the Obama administration, I had the real privilege to work for Secretary of State Hillary Clinton and with Ambassador for Global Women's Issues Melanne Verveer, U.S. Agency for International Development (USAID) Senior Gender Coordinator Carla Koppell, dedicated career officers, and a veritable Gender Dream Team to implement a strategy based on four pillars:

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- (1) Support and empower women and women's groups on the frontlines of peace, human rights, and justice in their countries;
- (2) Mainstream and integrate gender into all our efforts, including by requiring gender impact statements for all major USAID projects;
- (3) Help State and USAID become global thought-leaders, advocates, and partners for governments, international agencies, and NGOs through formal policies and implementation plans with time-bound, measurable goals tied to outcomes; and
- (4) Walk the walk within our own agencies through gender-sensitive hiring and employment practices, widespread training, elimination of unconscious biases, and more inclusive leadership patterns.

II. MOBILIZING MEN AND WOMEN FOR WOMEN, PEACE, AND SECURITY

More recently, I have been privileged to put together a new initiative, "Mobilizing Men as Partners for Women, Peace and Security." The roots of this initiative came from a program organized at the Georgetown Center for Women, Peace and Security a few years back. I had the privilege of speaking on a program with Secretary Clinton, Under-Secretary of Defense Michelle Flournoy, Ambassador Samantha Power, and Ambassador Verveer. With that line-up, the audience filled up Gaston Hall, which seats about eight hundred persons.

As she left the stage, Secretary Clinton turned to me and said, "Don, where were all the men?" When I looked at the audience, there were indeed fewer than one hundred men there. We sat down to discuss why men are missing in action in the women, peace, and security (WPS) arena, and what we could do about it.

After leaving government, I joined with women and men from diplomacy, defense, academia, and civil society to form, "Mobilizing Men as Partners for Women, Peace and Security," supported by Our Secure Future. It has grown to an initiative with about 250 groups and individuals.

Our four principal objectives are to use our connections to open doors in the corridors of power for grassroots women from conflict regions who are fully capable of speaking for themselves; to hold global institutions accountable for their WPS commitments; to strengthen, empower and protect women peacebuilders; and to enlarge the WPS community of practice.

We have quietly facilitated high-level contacts for women advocates from Afghanistan, Kurdish Syria, Cameroon, South Sudan, and other conflict-affected countries, and provided small grants and awards to grassroots organizations in a dozen countries.

We are working in support of and in partnership with many great civil society organizations, including Men Engage, Promundo, International Civil Society Action Network, USIP, Institute for Inclusive Security, and of course the Georgetown WPS Center. We are always looking for new partners, and you can find our Charter, Statement of Principles, and more information at OurSecureFuture.org.

III. CHALLENGES IN INTERNATIONAL STRUCTURES FOR WPS

I would also like to address some factors that have limited our progress in the women, peace, and security arena, and specifically to address five of them.

First, the basic documents and provisions in international law that undergird the promotion of the WPS agenda are fairly weak. While I am a big supporter of UN Security Council Resolution 1325 and its successor resolutions, they are mostly hortatory, with verbs like "encourage," "request," and "urge," rather than "demand." Further, there are no provisions for sanctioning governments or non-state actors for failing to meet its measures, nor even a mechanism for listing those scoff-laws so as to publicly name and shame them.

There is no Security Council working group, no regular mechanism for these issues to be brought to the Council, and few time-bound measurable goals backed accountability provisions and financial and human resources. Incidentally, all these provisions are included in other protection regimes, including for Children and Armed Conflict under UN Security Council Resolution 1612.

Second, we tend to address issues of women's empowerment and leadership in the peace and security sector only through a utilitarian lens: that is, we want women at the table because we get better results, more diverse insights, and community ownership. We also measure success narrowly, focusing on numerical goals in UN resolutions, National Action Plans, and peacekeeping mandates.

As a result, we often overlook the fundamental truth that a seat at the table, preferably at the head of the table, is a non-negotiable human right enshrined in the Universal Declaration of Human Rights and international law. And we forget that even modest progress cannot be sustained unless it comes with changes in gender power dynamics and more inclusive leadership patterns.

Third, in addressing women, peace, and security, most male allies know that we have to take a step back, display humility, and avoid mansplaining on WPS issues. Still, we often think our engagement gives us a special status and immunity. We cannot forget that issues of sexism and misogyny at the core of WPS are so "charged" that we must check our male privilege at the door and prove our bona fides every day.

IV. A FEMINIST APPROACH TO THE COVID-19 RESPONSE

Fourth, the global governance structures continue to adopt a male-dominated, testosterone-driven posture with respect to global issues of peace and security. Indeed, one of the strongest feminist critiques of international law has been its narrow definition of national security as addressing acts of war and peace between sovereign states. In a recent article I published with Israeli scholar and activist Ruth Halperin-Kaddari, we consider what would have been achieved if the world would have adopted a "feminist" approach to the COVID-19 pandemic, stressing:

- (1) International cooperation and coordination instead of a Darwinian "survival of the fittest" competition;
- (2) Prioritization of human security and socioeconomic well-being instead of a traditional militaristic and forceful approach to national security;
- (3) Flexible and pragmatic policies based on empirical evidence, science, and long-term perspectives, instead of prioritizing ideology, public posturing, and national political considerations;
- (4) Diverse, inclusive, and equitable leadership and decision making, reflecting ground truths and input from marginalized communities, rather than centralized, elitist processes that close down civil society space; and
- (5) Transparency, flexibility, and a willingness to admit mistakes instead of face-saving, finger-pointing, and "show no weakness" postures.

Under this alternative scenario, in late 2019, when COVID-19 was first identified, the UN Security Council would have declared it to be a threat to international peace and human security. The council would have brought China, the World Health Organization (WHO), and other international experts to its chambers to transparently share information on the virus, and then disseminated this information to regional bodies, other governments, and civil society actors. The Council would have adopted a resolution to mandate global cooperation and coordination to slow the virus's spread. Rapid reaction teams would have deployed immediately to targeted hot

spots and transmission points. The UN would have authorized nations to use travel and trade restrictions, but these would have been adopted collaboratively rather than as ad hoc and unilateral measures. This step would have ensured that the measures were not used—nor viewed—as punitive actions or extensions of xenophobic immigration policies or trade wars.

To those who ask whether COVID-19 should be within the Security Council's purview, let me answer a question with a question. During the period since the coronavirus emerged, what greater threat to global peace and security has the Council addressed than a pandemic that has killed five hundred thousand people, infected almost ten million, pushed more than sixty million people into extreme poverty, and brought the global economy to its knees?

V. PROGRESS, ONE HOUSEHOLD AT A TIME

Finally, testosterone does not easily coexist with long-term, incremental change and patience. Too often, we demand immediate results, whether they are “real” and sustainable or not. On this point, I want to quickly describe a visit I made with USAID a few years back to the small town of Nebaj, Guatemala, where we were supporting women survivors of domestic violence working with local authorities and religious leaders to combat centuries-old beliefs and cultural practices to end impunity for abusers and assist survivors. In our conversation, I kept asking the women for proof of major changes. Finally, a man in the back stood up, and said:

With all due respect, sir, I think you're missing the point. Let me tell my story. When I was a young boy, my father would frequently get drunk and beat my mother. I was powerless to stop him and felt impotent. I thought that this was how a man was supposed to act. And so, when I grew up and got married, I did the same thing. Two years ago, I started coming to these meetings and I realized the pain I was causing my family. Last year, my wife gave birth to a son, and when I held him in my arms, I said: “Enough is enough. This stops with me.” I will never again bring violence into my home.

I left that meeting with a different understanding. Yes, the WPS agenda can be measured in major new laws and groundbreaking resolutions. But at times, it is also measured in ending the cycle of generational violence in one house in a small town in Guatemala.