University of Reading

Gender equality in the decision-making processes of post-war societies: evidence from Iraqi Kurdistan

Article

Published Version

Creative Commons: Attribution 4.0 (CC-BY)

Open Access

Bagheri, Saeed ORCID logoORCID: https://orcid.org/0000-0002-9398-8067 (2022) Gender equality in the decision-making processes of post-war societies: evidence from Iraqi Kurdistan. Journal of Human Rights Practice, 14 (2). pp. 622-647. ISSN 1757-9627 doi: https://doi.org/10.1093/jhuman/huab029 Available at https://centaur.reading.ac.uk/101945/

It is advisable to refer to the publisher's version if you intend to cite from the work. See Guidance on citing.

To link to this article DOI: http://dx.doi.org/10.1093/jhuman/huab029

Publisher: Oxford Academic

All outputs in CentAUR are protected by Intellectual Property Rights law, including copyright law. Copyright and IPR is retained by the creators or other copyright holders. Terms and conditions for use of this material are defined in the End User Agreement.

www.reading.ac.uk/centaur

University of Reading

CentAUR

Central Archive at the University of Reading

Reading's research outputs online

Journal of Human Rights Practice, 2022, 1–26
https://doi.org/10.1093/jhuman/huab029
Article

OXFORD

Article

Gender Equality in the Decision-Making Processes of Post-War Societies: Evidence from Iraqi Kurdistan

Saeed Bagheri *

Abstract

During the war with Islamic State in northern Iraq (2014–17), a notable number of Kurdish women joined the Peshmerga (Iraqi-Kurdish fighters), the military forces of the Kurdish Regional Government (KRG) in an effort to prevent Islamic State's advance into the oil-rich city of Kirkuk. Besides causing international resonance, the presence of women fighters was publicized by the KRG as a sign of modernity and gender equality. However, once the war ended, in the peace negotiations between the KRG and the Iraqi central government, the role of Kurdish women was drastically reduced. By examining the events that took place in Kirkuk before and after Islamic State and the diplomatic follow-up, this article analyses the role of women in a war to peace transition, focusing specifically on the power-sharing process to ensure that their effective and equal participation in decision-making is respected. The article provides an insight into respect for international human rights law, management of gender equality and the role of women in legal and political systems against the backdrop of the clash over Kirkuk and a complex power-sharing process in post-war Iraq.

Keywords: Iraq; the Kurdish Regional Government (KRG); gender equality; peacebuilding; Security Council Resolution 1325; Peace and Security Agenda; women

1. Introduction

This article looks into the role of Kurdish women in the war to peace transition in Iraq after the fall of Islamic State. It focuses on the Iraqi Kurdish women's role in peacebuilding processes rather than the Iraqi women's roles in their active participation on the frontlines of the war against Islamic State and in the liberation of Kirkuk.

* Saeed Bagheri [saeed.bagheri@reading.ac.uk] is Lecturer in International Law at the University of Reading, School of Law, UK. His recent publications include: *International Law and the War with Islamic State: Challenges for Jus ad Bellum and Jus in Bello* (Oxford: Hart Publishing, 2021).

© The Author(s) 2022. Published by Oxford University Press.
This is an Open Access article distributed under the terms of the Creative Commons Attribution License (https://creativecommons.org/licenses/by/4.0/), which permits unrestricted reuse, distribution, and reproduction in any medium, provided the original work is properly cited.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

Given the long-term tensions between the Iraqi central government and the Iraqi Kurds over Kirkuk, the article seeks to identify the role of women in the KRG's policies on Kirkuk after the KRG's military resistance against Islamic State in northern Iraq. Concerning the image of women in the Peshmerga forces (Iraqi-Kurdish fighters), which was extensively used by the KRG to construct a positive international picture of unity between Baghdad and the KRG, and equality arguments during the war against Islamic State, the main question of this article is: where do Kurdish women stand, and have they acquired power and position in decision-making structures and general participation in post-2017 Iraq and Iraqi Kurdistan as a reflection of gender equality and human rights in the Iraqi and Kurdish legal system and practice.

Against the backdrop of the clash over the oil-rich city of Kirkuk and a complex power-sharing process in post-war Iraq, the article provides an insight into respect for international human rights principles, management of gender equality and the role of women in the creation of a new constitutional order. Having addressed the provisions on gender equality and fundamental rights of women in the Draft Constitution of the Iraqi Kurdistan Region (2009), this article then evaluates the extent to which Kurdish women's voices have been heard both as fighters and as social and political participants in the peacebuilding processes in Iraqi Kurdistan within the context of a social and political structure mainly shaped by men.

The first section provides an overview of the representation of Iraqi women in democracy, governance and decision-making processes. It focuses generally on the roots of the lack of gender representation within Iraqi society. It further examines the extent to which Kurdish women have been included in the KRG's policies in the Islamic State era.

In the following section, the power-sharing and decision-making processes in post-2017 Iraq and Iraqi Kurdistan are evaluated from an international law perspective. In doing so, section two examines the role of Kurdish women in national reconciliation in the context of the KRG's legal and political system. This section also examines the participation of Kurdish women in the fight against Islamic State as a reflection of the changing nature of conflicts, and how this has formed a distinct image of women in the KRG.

2. The representation of Iraqi women in democracy, governance and decision-making: an overview

Before turning to the role of Kurdish women in decision-making during the war to peace transition in Iraq, this section explores the extent to which Iraqi and Iraqi Kurdish women have been represented in the development and governance of Iraqi society.

2.1 The roots of failures in gender representation within Iraqi society

Since the early 1960s, Kurdish ethnic strife against the Iraqi central government has formed the basis for the de facto civil war between the two sides. During the US-led invasion of Iraq (2003), Kurdish nationalists, who viewed Saddam Hussein's administration as the major obstacle to their political, economic, social and cultural aspirations, enthusiastically supported Operation Iraqi Freedom (Nader et al. 2016: 22; Rogg and Rimscha 2007: 830). The fall of Saddam Hussein in 2003 and the ratification of the new Iraqi Constitution in 2005 represented major milestones in Kurdish aspirations to achieve their political objectives, including the creation of a self-governing Kurdish state, since the new Constitution recognized both an autonomous Kurdistan region and the KRG in northern Iraq. However,

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

the political position of the KRG was gradually undermined by the Iraqi central government's decision to cut the Kurdistan region's allocation of the federal budget in 2015 (Crisis Group 2017: 1–3, 5; Frappi 2016: 114). The aim of this article, however, is not to focus on the roots of the historical disagreements between the Iraqi Kurds and Baghdad; rather, it concentrates on the peacebuilding process to shed light on the fragility of governance and women's rights in terms of political participation.

It is worth stating explicitly here that the situation for women within Iraqi society is no better now than it was in the past. Although many secular and apolitical Shi'i, Sunni, Kurdish and Christian women concurred in their appreciation of the achievements of the early Ba'th in socioeconomic status, those who were politically active in opposition to the regime are filled with accounts of political repression. (Al-Ali and Nicol 2009: 21–54; Al-Ali 2007: 260–70). In particular, as a result of the chronic insecurity and uncertainty in the aftermath of the Gulf War (1991), the structures of governance disintegrated and women's political participation was extremely restricted. The contrast, however, in Iraqi Kurdistan is stark. The aftermath of the Gulf War saw a significant political change within Iraqi Kurdistan due to the no-fly zone protected by the US, UK and France between 1991 and 2003. First and foremost, the protection resulting from the zone in Iraqi Kurdistan served as a vital precondition for the subsequent formation of the de facto state. As a result, an alliance of political parties in Iraqi Kurdistan held parliamentary and presidential elections, leading to the establishment of the KRG, a new autonomous government of Kurdistan in Iraq (Jüde 2017: 852). After a long period of decline, therefore, Iraqi Kurdish women were in a better situation than their counterparts, being allowed to be involved in the KRG and to form women's organizations. They held high positions in the KRG. Following the establishment of Kurdish autonomy in 1992, Iraqi Kurdish women started to actively participate in the Kurdistan National Assembly and the first cabinet, with women making up 7 per cent in the first parliament of Kurdistan in 1992. This increased to 27 per cent in the second parliament in 2005 and 33 per cent in 2012—the highest percentage of women in any parliament throughout the Middle East. Women chaired several committees in the Kurdish parliament as decision-makers (Shadow Report 2014: 65). Having participated in rebuilding civil society, Iraqi Kurdish women formed the Women's Network, a coalition of twenty women's organizations that came together across political party lines to play a key role in public life (Esfandiari, Frumkin, Koppell et al. 2003: 5; Pina 2006: 5).

However, continuing male domination appears evident in the performance of government and the distribution of key positions in official representations at conferences, meetings and supervisory departments outside the region (Shadow Report 2014: 21). This is reflected in the male-dominated post-war peace negotiations between the KRG and Baghdad after the fall of Islamic State and the Kurdish independence referendum. It has been reported that the KRG has not been effective in improving the male-dominated parliament's capacity to work effectively with women and this has led them to exclude women from governance (Aref and Alzameli 2018: 8). Obviously, the political and economic participation of women in both Federal Iraq and KRG continues to be limited by the weight of customs and tradition, the lack of awareness in society, the economic dependence of women on men, and the influence of conservative and religious authorities on society (Aref and Alzameli 2018: 8).

Although Kurdish men and women were drawn together out of necessity to fight against Islamic State, they were not able to take joint action to reconstruct Iraqi society after its defeat. As has been explicitly pointed out by the UN Human Rights Committee, ignoring

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

women's capabilities and their determinative role in politics and decision-making processes is a matter of gender inequality and discrimination in post-war situations (UN Human Rights Committee 2000: para. 5). This is substantially embedded in historical and cultural identity and traditional cultural practices as the preconditions for the development of cultural and social competences in Iraqi Kurdistan that refuses to recognize gender equality in its society. Despite Kurdish female activists' struggles for human rights and an end to the existing gender-based discrimination and violence, the paths to women's empowerment in social and political life and participation in the economy, education and representation at local level remain closed, and women continue to be under-represented in both local and national government.

2.2 Kurdish women in post-2017 Iraqi Kurdistan: victims or active role players?

Given the long-term tensions between the Iraqi central government and the Iraqi Kurds over Kirkuk, this section seeks to clarify the role that women played in the KRG's policies towards Kirkuk during military resistance against Islamic State in Iraqi Kurdistan. The rise of Islamic State in Iraq and its subsequent capture of several towns including Mosul and Kirkuk in 2014 spurred the Peshmerga forces to take control of the latter by waging an unexpectedly fierce military campaign. The KRG found the war to be a strategic asset in advancing Kurdish solidarity as they took control of the oilfields surrounding Kirkuk. Such a posture, however, was unacceptable to the Iraqi central government and, ultimately, the Peshmerga's presence in the oil-rich region reignited the conflict between the Kurdish and Iraqi forces in Kirkuk preventing them from concentrating on peacebuilding efforts in the aftermath of the defeat of Islamic State.

The Iraqi Kurds' 100-year struggle for autonomy and independence has been the primary reason for their disputes with the Iraqi central government, particularly over funds and oil exports, sharing the federal budget, and the status of the disputed territories, including the oil-rich governorate of Kirkuk in Iraqi Kurdistan (Cornish and Pitel 2019; Gunter 2008: 1–18; O'Driscoll and Baser 2019: 2025). In essence, Kirkuk was the main reason behind the underlying tensions within Iraqi society, in terms of the relations between the Iraq Kurds and central government, even before the rise and fall of Islamic State. However, the rise of Islamic State in Iraq presented an unmissable strategic opportunity for the Kurds to take control of Kirkuk during their fierce resistance campaign (Holland-McCowan 2018: 24: Kajjo 2014; Taspinar 2019). This section of the article seeks to determine whether Kurdish women had been victims during the conflict or whether they acted as politically active players in the fight for independence.

The participation of Kurdish women in the war with Islamic State was greatly advantageous to the KRG in taking control of Kirkuk, which undoubtedly had an impact on their recent policies and legislation aimed at advancing women's social and political rights. At first glance, therefore, it might be said that, in a conflict-affected region like the Middle East, where women are routinely treated as second-class citizens and denied many of their human rights, Kurdish women have a relatively elevated status in Iraqi society.

Kurdish women were considered to be part of the KRG's militia and they undoubtedly played a key role in the war with Islamic State, which indisputably demonstrated the female fighters' exceptional combat skills and leadership (Marouf 2018; Valentine 2016). In addition to a very active role in the Kurdish military, women and feminist civil society made significant efforts in doubling the number of women participating in peace processes and

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

peacekeeping operations. Following the increasing presence of Islamic State in the region, the Iraqi Women Network (established in 2003) convened a forum on women's peace and security along with other women's organizations.[1] The forum concluded in the Erbil Declaration, one of the primary points of which was 'to empower women to participate in the decision-making positions, in the negotiations for conflict resolutions and national reconciliation, in the operation of peacekeeping, security and building a state of equal citizenship, and to disseminate the culture of non-violence and tolerance' (Women's International League for Peace & Freedom 2019).

It is argued that the relationships between Kurdish women and the KRG are shaped by their views on the achievements of the KRG with regard to gender equality (Al-Ali and Pratt, 2001: 344; Ranharter 2015). However, one cannot claim that women's equality and human rights have been realized to the extent that they were often military commanders during the war as well as activists in civil society organizations. In other words, the substantial participation of Kurdish women in the military operation against Islamic State and in the liberation of Kirkuk cannot be indicated as outstanding progress in gender equality, public life, human rights and social justice in Iraqi society given that many structural causes and social views and beliefs did not change. Women's exclusion from the decision-making process after the war is an important indication of that. One of the major reasons why the KRG has not been successful in entrenching women's political participation is the lack of a genuine democracy, or a solid process towards genuine democracy. The weak power-sharing arrangement between the two prominent parties in Iraqi Kurdistan—namely the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), particularly in the aftermath of the independence referendum (2017), has demonstrated that reconciliation is quite unlikely. Having said this, the preference of the Iraqi central government and the international community in fomenting a political domain for Kurdish governance in Iraq is evident. Of course, international support that the Iraqi Kurds are searching to recover is limited, with the acknowledgement of the Iraqi Kurds being 'good fighters', but nothing more (Khalil 2009: 1; Yılmaz 2018: 2).

While lifting gender-based restrictions in the military might be considered as a step towards gender equality, introducing the Kurdish militia as a platform for women to show and improve their knowledge and skills with a growing awareness in partnership with the Kurdish men does not show enormous progress in equality, diversity and respect for human rights per se. In other words, by showing Kurdish women to be a part of the Kurdish militia in combat against Islamic State, the KRG tried to promote a narrative of gender equality within Iraqi Kurdish society, but it did not make real efforts to change the structural obstacles of gender equality and societal stereotypical roles. Given the causes, consequences and the worst effects of armed conflict, however, people often fight in the military not because of their desire for equality, but because they often do not have any other option. For instance, in the wake of Islamic State's aggression in north-western Iraq in 2014, in which a large number of the defenceless Yazidi Kurdish women were raped or killed by Islamic State's forces, Iraqi Kurdish women often saw no option but to take up arms themselves (Dietrich and Carter 2017: 30; Nilsson 2017: 268).

1 The Network was established as a group of organizations working towards the implementation of the Security Council Agenda on Women, Peace and Security, launched through Security Council Resolution 1325 (2000).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

Despite the Iraqi Kurds, neighbouring Kurdish spaces (particularly in southern Turkey and in the enclaves in Syria) have been able to pursue and centre women's active political participation alongside military service. For instance, the developments in terms of the Kurdish women's representation in politics are framed as a process of feminization in southern Turkey. This is simply a process for Kurdish women to be included in political decision-making, both in terms of numbers represented and the ideas they could put forward to represent women's interests. ''Identity rights' and 'women's emancipation' are two primary reasons why Kurdish women have been more successful in becoming involved in decision-making in pro-Kurdish politics in Turkey and Syria. In the 1990s, Kurdish women gained gender awareness within political arenas and started to question male domination in Turkish politics, while female political activists have joined political parties for gender identity concerns from the beginning of the 2000s. In the same way, the Syrian Kurds in Rojava were successful in centring women's active political participation following the Marxist thoughts and understanding of equality which realize the secular perception of freedom for women and the critical role of women in any revolution (Ahmed 2018: 69; Al-Ali and Tas 2018: 13; Çağlayan 2020: 95–153; Bodette 2018; Tasdemir 2013: 94).

Moreover, it has already been proven that the Peshmerga considered the rare spectacle of female fighters to be an advantage against Islamic State because Islamic State's fighters 'are prejudiced against being killed by women and being denied *Jannat* (heaven)'[2] (Chatterjee 2016: 209). In such a case, therefore, it cannot be assumed that Kurdish women only participated in the war with Islamic State to express their political demands. In expanding the way in which we think about the link between gender equality and women's participation in the military, it has been argued that women are not always heard when they voice their demands or articulate feminist interests (Domingo, Holmes, O'Neil et al. 2015: 86). In itself, women's and feminist interests offer greater scope for inclusion of women and their voices in the political decision-making processes, which can serve to advance gender equality and justice. Viewed from this perspective, even if the military participation of Kurdish women is considered as female empowerment, this has not exactly enhanced women's representation in political decision-making processes. Instead, allowing women 'into the room', when significant political and geopolitical decisions are being made, would negate the need for women to fight. Indeed, to the extent that one is willing to accept that women and men are not different, it would be convenient to merely claim that they should not be treated differently under the law (Edwards 2011: 38; Lorber 2011: 15). Accordingly, liberal feminism, as a valuable tool of the feminist critique of international law, criticizes international law for failing women and criticizes liberal inclusion for ignoring them and marginalizing their participation (Charlesworth 1995: 7; Edwards 2011: 37). On balance, women's inclusion in significant positions of power, policy making and decision-making processes would ensure gender equality, providing that the government takes a stand against discriminatory practices and behaviours.[3]

2 The idea of being denied heaven stretches back to the very roots of the extremist beliefs of Islamic State's members who believe that if they were killed in battle, they went to paradise as long as they were killed by a man. This means that they will be denied their prize in paradise if they die at the hands of a woman (Earle 2014).

3 Indeed, leadership would play a significant role in allowing women to participate equally with men in peacebuilding processes in terms of liberal feminism and gender equality (Miranda 2005: 6; Stiehm 2001: 40).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

Looking at all these aspects, it is clear that Kurdish women's active involvement in fighting Islamic State provided a huge advantage to the KRG in pushing back the enemy and taking control of Kirkuk. The female Peshmerga then also became part of the mission to secure Kirkuk and its nearby oilfields, giving the KRG more leverage in their demands for a self-governing state. However, the future of the female Peshmerga fighters and women's representation in the KRG remains unclear, and the major question that remains is whether, and to what extent, their contributions will be recognized in the KRG's policies (Marouf 2018).

3. Decision-making on war to peace transition in post-2017 Iraq and Iraqi Kurdistan

In order to identify the Kurdish women's involvement and the extent of their role in decision-making on war to peace transition after the fall of Islamic State in Iraq, it is important to consider the challenges women faced from an international law perspective. Within this context, this section explores the role of Kurdish women in national reconciliation as a matter of gender equality.

3.1 Women and decision-making during the war to peace transition: a legal review

International peace and security are the most crucial and contentious concerns of the international community as they have to consider the strategic interests of powerful actors. At the same time, non-state actors and a wide range of civil society actors can play an important role in establishing peace and security within a country. In this vein, women are one of the most important groups in all societies that have both fought on the frontline and have made efforts to build peace. However, in times of armed conflict they have mostly been victims despite their active roles. As a matter of the commitment to peace and non-violence in societies, the importance of women's initiatives in peacebuilding processes and the prevention of violence has been identified by the UNSC in Resolutions: 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), 2242 (2015), 2467 (2019), and 2493 (2019).

These UNSC resolutions that aim to prevent violence and protect women and girls are also intended to strengthen women's participation in peace processes. The UNSC's ten resolutions recognize the role and contributions of women to peacebuilding, as well as their fundamental right to be included in any peace negotiation process. The resolutions are considered to be part of the UNSC's Women, Peace and Security Agenda (hereafter WPS Agenda) (Kirby and Shepherd 2016: 374; George and Shepherd 2016: 297–306). Among the resolutions, Resolution 1325 (2000) is the foundation of the UNSC's WPS Agenda. It was the first resolution to deal specifically with this and all the other resolutions build on it.

Violence against women during times of armed unrest has threatened international peace and security.[4] The preference for military expenditure and military policies instead of

4 The term 'violence against women' has been defined in the UNGA Declaration on the Elimination of Violence against Women (1993) as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

the essential resources for comprehensive development and poverty reduction generally has implications for women's security. Evidence from Australia indicates that an increase of just 1 per cent in a country's military expenditure as a percentage of gross domestic product (GDP) makes it less likely that peace agreements will have provisions to ensure gender equality and women's rights after conflict (Brodtmann, Crewther, Gibbon et al 2018: 10; True and Riveros-Morales 2019: 34). Women and girls tend to be disproportionately negatively affected by the collapsed social and political infrastructure as a result of armed conflicts and militarization of governments.[5] For these reasons, many countries have launched national action plans (hereafter NAPs) at the national and regional level that drive the implementation of Resolution 1325 (2000) and the WPS Agenda in order to prevent further violence against women. Iraq was the first country in the Middle East to adopt an NAP (Aref and Alzameli 2018; UN Iraq 2014) to promote a progressive gender-perspective in preventing conflict and creating peace at the local, national and international levels. The Iraq NAP on WPS was produced by the Iraqi central government and the KRG and prompted by women's civil society organizations. The NAP is jointly developed, with financial and technical support from UN Women, by the Ministry of Women's Affairs, the Ministry of the Interior and the Ministry of Defence in Baghdad, and the Ministry of the Interior and Women's High Council in Kurdistan (UN Women 2015: 19; Aref and Alzameli 2018: 12–13). The Iraq NAP is framed around six pillars: Participation; Protection and Prevention; Promotion; Social and Economic Empowerment; Legislation and Law Enforcement; Resource Mobilization, Monitoring, and Evaluation.[6]

(UNGA 1994). According to CEDAW General Recommendations 19, 'gender-based violence is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men' (UN CEDAW Committee 1993: para. 1). It is also worth noting that CEDAW General Recommendations 35 has made it explicit that the prohibition of gender-based violence against women has evolved into a principle of customary international law. See UN CEDAW Committee (2017). General Recommendation No. 35 on Gender-Based Violence against Women, Updating General Recommendation No. 35, UN. Doc. CEDAW/C/GC/35 (14 July 2017), para. 2. General Recommendation No. 19: Violence against Women UN. Doc. A/47/38 (1993), para. 1.

5 Evidence from the Tamil community in Sri Lanka indicates that military engagement affects the lives of women in numerous forms. The physical presence of the military causes women to fear, and makes them vulnerable to, sexual violence and harassment. The military also carries out surveillance and monitoring, creating fear and suspicion among people, which leads to self-censorship and a breakdown of intra-community trust and relations. This results in the isolation of women-headed households and reduces their access to traditional community support mechanisms such as extended family or neighbours (Satkunanathan 2017: 583).

6 The Iraq NAP is a concrete step to support women's participation in peace and security processes and towards accountability for the implementation of the WPS agenda. Having addressed women's rights, gender equality and their role in peace and security, the Iraq NAP highlights the political parties lack of gender equality policies and women's participation in decision-making processes. According to the Iraq NAP, 'There is a general lack of understanding of the importance of women's participation in formulating legislation, policies and political decision-making. A proportional representation will enable women's increased performance and participation in political and public life, thus paving the way in the long run for raising of women's rights on the political agendas and enabling women's full participation in all resolutions of conflict, increasing the possibility of searching for non-violent ways of solving them and taking women's rightful place in all peace negotiations' (Federal Government of Iraq and Kurdistan Regional Government 2014: 11).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

It is also worth noting that UNSC Resolution 1325 (2000) and subsequent resolutions of the WPS Agenda have several recommended actions that can be used as a framework for indicators[7] to monitor the implementation of Resolution 1325 (2000) and progress in preventing violence against women. In particular, the indicators require inclusion of women and women's interests in decision-making processes related to the prevention, management and resolution of conflicts; the increased representation and meaningful participation of women in formal and informal peace negotiations and peacebuilding processes; and increased representation and meaningful participation of women in national and local governance, as citizens, elected officials and decision-makers (Ibid, Annex: Comprehensive set of indicators, 37–40). Overall, the UNSC 'urges Member States supporting peace processes to facilitate women's full, equal and meaningful inclusion and participation in peace talks from the outset, both in negotiating parties' delegations and in the mechanisms set up to implement and monitor agreements' (UNSC Resolution 2493 2019, para. 3). The Council has also recognized 'the importance of supporting, and promoting civil society, especially local, grassroots, women-led organizations, and religious and community leaders, girls- and youth-led organizations, for all prevention and response efforts' (UNSC Resolution 2467 2019, para. 19).

Ultimately, the UNSC Resolution 1325 (2000) and subsequent resolutions of the WPS Agenda form the basis for action and enhance efforts to promote and protect women's rights in conflict and post-war situations. When one considers the requirements of the UNSC's previous resolutions and its WPS approach to women's participation, it quickly becomes apparent that Resolution 2493 (2019) on women, peace and security is the Council's noteworthy achievement in terms of empowering women to participate fully in political and economic life. For the first time, in this resolution, the UNSC called on Member States to promote the 'civil, political and economic rights' of women and increase funding for programmes that further women's economic empowerment and security (para. 5). The concept of 'civil, political and economic rights' is a combination of human rights conjunctions of 'civil and political rights' and 'economic, social and cultural rights' which recall the 1966 International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR) as the sources of legal obligations for all ratifying parties under customary international law. The UNSC assesses implementation of the resolutions of the WPS Agenda, and takes action on information pertinent to resolutions. The Council receives information on the implementation of the Agenda primarily from reports of the Secretary-General, which provide information and analysis of issues and recommendations on the way forward (see UNSC 2010. Women and Peace and Security (Report of the Secretary-General), UN Doc. S/2010/498 (28 September 2010), para. 75; UNSC Resolution 2493 (2019), para. 10.

7 By adopting Resolution 1889 (2009) on women, peace and security, the UNSC called for the development of indicators to measure progress on the implementation of Resolution 1325 (2000). In response, the UN Secretary-General submitted a report to the UNSC on 6 April 2010 for its consideration (S/2010/173). The report was the culmination of an inter-agency technical exercise and a consultation process involving Member States and civil society. In this report, the Secretary-General proposed a set of 26 indicators for use at the global level to track the implementation of Resolution 1325 (2000). See UNSC (2010). Women and Peace and Security (Report of the Secretary-General), UN Doc. S/2010/498 (28 September 2010): 33–48.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/human/huab029/6594536 by University of Reading user on 01 June 2022

Having further recognized the need for the promotion of 'civil, political and economic rights' of women and their economic empowerment and security in Resolution 2493 (2019), the UNSC has substantially highlighted the importance of empowering women to participate in political and economic life, which has been set forth within Article 3[8] of the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (hereafter CEDAW) (CEDAW 1979). In essence, it seems that the ultimate objective of Resolution 2493 (2019) is giving women a hard-hitting and effective option for pushing towards participation and advancement in decision-making processes through enforcing states to fully recognize women's 'civil, political and economic rights'. This would also enable women in post-war societies to seek the support of the UN to put pressure on their governments to adopt women's demands regarding non-discriminatory participation in decision-making processes.

CEDAW is a major international instrument which aims at gender equality and women's participation in public and political life. Implementation of the Convention is monitored by the Committee on the Elimination of Discrimination against Women (hereafter CEDAW Committee) consisting of twenty-three experts on women's rights from around the world. In addition to the actions advocated by the UNSC resolutions, the CEDAW Committee has made specific recommendations on violence against women. In particular, the Committee's General Recommendation No. 30 (UN CEDAW Committee 2013) on the rights of women in conflict prevention, conflict and post-war situations is one of the important elements of the Committee that form a normative framework for actions to implement Resolution 1325 and the WPS Agenda. The recommendation outlines how the implementation of the UNSC resolutions and the WPS Agenda are constitutive of obligations under CEDAW. It also stipulates that implementation 'must be premised on a model of substantive equality and cover all rights enshrined in the Convention' (Ibid., para. 26. For more discussion, see O'Rourke and Swaine 2018: 167–99). Generally, the recommendation offers a broad interpretation of the types of gender-based violence that women and girls might experience related to conflict, and the range of contexts and actors involved (UN Women 2015: 12). Relatedly, the scope of gender-based violence has been further broadened by General Recommendation 35 of CEDAW, providing that 'gender-based violence against women is affected and often exacerbated by cultural, economic, ideological, technological, political, religious, social and environmental factors, as evidenced, among others, in the contexts of displacement, migration, increased globalization of economic activities including global supply chains, extractive and offshoring industry, militarisation, foreign occupation, armed conflict, violent extremism and terrorism' (UN CEDAW Committee, 2017).[9]

Evidence from Africa indicates that a large part of the effort made by the UN, the UN's many organizations (including centres, agencies commissions, programmes, etc.) and

8 Article 3 of CEDAW declares: 'States shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men'.

9 The UN's preventive diplomacy was presaged by Article 99 of the UN Charter allowing the Secretary-General to bring threats to international peace and security to the attention of the UNSC. It refers to an action that can prevent disputes from arising between states. It can also prevent existing disputes from escalating into armed conflict, as well as limit the spread of the latter should they occur (Ogunsanya and Mngqibisa 2015: 3).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

regional bodies such as the European Union (EU), African Union (AU), and Association of Southeast Asian Nations (ASEAN), has been centred on preventive diplomacy[9] and women's participation in decision-making in the transition from war to peace and in the peace-building processes in post-war societies (Muggah and White 2013: 7–8). The efforts made by the regional and international organizations in Africa have clearly demonstrated that women's major role as active participants in efforts to end conflicts and to facilitate reconstruction in order to return to economic prosperity in a post-war society cannot be ignored. Despite the general inability of international peace treaties to compensate for the suffering of women in armed conflicts, peacebuilding processes constitute the best ways to alleviate and redress the harm done and can form the primary basis for taking international responsibility for the consequences of violations against women. Women are community members and may be future political leaders. Therefore, their contributions, in compliance with UNSC Resolution 1325 (2000) and subsequent resolutions of the WPS Agenda, are vital to the prospects for peacebuilding and development, and this ensures that strategies to incorporate a gender perspective have a future beyond the peacekeeping period. The participation of women at all levels is key to the operational effectiveness, success and sustainability of peace processes and peacebuilding efforts (Gleeson, De Lacy, Maloney and McAlpine. 2014: 229; Heathcote and Otto 2014: 9).[10]

In view of this, the participation of women in the peace processes is a prerequisite for post-war issues, as well as for prevention, protection and recovery from the long-term consequences of conflicts affecting women. Assuring and maintaining the conditions for the promotion and protection of international peace and security, human rights, democracy, the peaceful settlement of disputes under the principles of the threat or use of force against the territorial integrity or political independence of states, and respect for state sovereignty, would promote women's advancement and empowerment.

Despite the devastating impacts of armed conflicts on women, they often endeavour to preserve order in their societies by acting as peacekeepers.[11] By considering ongoing conflicts, violence and instability around the world, the implementation of cooperative strategies for peace and security is an urgent necessity. From this perspective, 'equal access to and full participation in power structures and decision-making, and increasing women's capacity to participate in decision-making and leadership' (*Beijing Declaration and Platform of Action* 1995: para. 134), as well as considering their initiatives regarding conflict

9 The UN's preventive diplomacy was presaged by Article 99 of the UN Charter allowing the Secretary-General to bring threats to international peace and security to the attention of the UNSC. It refers to an action that can prevent disputes from arising between states. It can also prevent existing disputes from escalating into armed conflict, as well as limit the spread of the latter should they occur (Ogunsanya and Mngqibisa 2015: 3).

10 According to the UN Global Study on the implementation of UNSC Resolution 1325, mediators, facilitators and leadership in peace operations must be proactive in including women in all aspects of peace-making, peacekeeping and peacebuilding. As the study describes, there is a substantial increase in frequency of gender-sensitive language in peace agreements, and the number of women, women's groups and gender experts who serve as official negotiators, mediators, signatories, witnesses or in advisory bodies (UN Women, Preventing Conflict Transforming Justice Securing the Peace 2015: 15).

11 Between 2008 and 2017, the UN conducted 48 peace operations, of which 23 were peacekeeping operations. The percentage of female participation in the UN peacekeeping operations has been 28.2 per cent between 2008 and 2017 (Smit and Tidblad-Lundholm 2018: vii, 3).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

prevention and resolution efforts, would be a strong asset in promoting and maintaining long-term peace and security.

By considering the UNSC resolutions in support and confirmation of the role of women in peace negotiations, the next section will analyse the limited role of Iraqi women in the post-war peace negotiations between the KRG and the Iraqi central government. Despite the efforts made by the UN bodies and the initiatives carried out by states to improve the gender balance in the legal and political systems, the continued exclusion of women from the peacebuilding negotiations and ignoring their strategic capabilities in working on political advocacy, human rights and post-war national reconciliation, is a demonstration of the failure to put the WPS Agenda into practice, especially in the case of the KRG.

3.2 The role of Kurdish women in reconciliation of post-2017 Iraq and Iraqi Kurdistan

Taking effective control of Kirkuk by the KRG after the fall of Islamic State in June 2014 empowered the Kurds. The KRG's strengthened economic capability after Islamic State's defeat was a crucial factor in holding the independence referendum in Erbil, Duhok, Sulaymaniyah and the disputed region of Kirkuk, on 25 September 2017. However, the referendum exacerbated tensions within Iraqi Kurdistan and a crisis between the KRG and Baghdad was triggered by the decision of the Iraqi central government, parliament and Supreme Court in Baghdad to call the referendum unconstitutional and illegitimate (Klain and Hintz 2017; O'Driscoll and Baser 2019: 2017). The tension between the two sides eased when the Iraqi Security Forces (hereafter ISF) quickly recaptured Kirkuk on 16 October 2017, and imposed sanctions (including the closure of borders with neighbouring countries and an international flight ban), against the KRG leadership (Pichon 2017: 5; Scholl 2018: 10). Thereafter, the KRG and Baghdad began intensive negotiations to improve relations and establish prolonged peace and stability between and within both the Iraqi and Kurdish societies.

Because Iraqi Kurdish women had already been active combatants against Islamic State, they were also expected to participate in peace talks with the Iraqi central government. However, as Pakshan Zangana, Secretary-General of the KRG High Council for Female Affairs, has pointed out, 'The role of women in politics is receding. Political leaders must show commitment and create a conducive environment for the effective and meaningful participation of women in peace negotiations to unite the country' (United Nations Iraq 2017). The differing levels of participation of women in combat and in peacebuilding efforts bring about a complex set of questions.

In this respect, the realities of the image of Kurdish women in the KRG and their predicted role in decision-making processes in the governmental level need to be investigated within the context of the KRG's legal and political system, both in theory and practice.

4. The image of Kurdish women in the KRG

Following the US-led invasion of Iraq in 2003, the Iraqi Kurds shifted their regional government into a strong bargaining position through the Draft Constitution of the Iraqi Kurdistan Region, which was approved by the Kurdistan parliament on 24 June 2009. One of the primary and most innovative concepts of the Draft Constitution was minimizing the use of Sharia and Islamic identity in Iraqi Kurdistan as a bludgeon to keep women in line. Although such provisions are not unique in the Arab region, in regard to Iraqi Kurdistan,

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

Kurdish authorities could be seen to have made significant efforts to guarantee women's rights, such as gender equality, the prohibition of gender discrimination and the protection and promotion of civil and political rights covered by the international treaties to which Iraq is a party (Kelly 2010: 736). For instance, in an attempt to fight all forms of discrimination against women and to achieve gender equality in the region, Article 20(3) of the Draft Constitution provides that men and women shall be equal before the law. The government of the region must seek to remove all obstacles hindering equality in all spheres of life, and in civil, political, social, cultural and economic rights. The government of the region also guarantees that all shall enjoy their rights, as stipulated in this Constitution and the international charters signed by the State of Iraq.

It is also worth noting that the Draft Constitution changed some of the trends of Kurdish women's political participation and leadership. For instance, Article 41(2) states that:

> Fair representation of all geographic localities, ethnic and religious groups shall be taken into consideration when organising a system for electing members, as well as guaranteeing that no less than 30 per cent of the seats in the Kurdistan parliament be reserved for women representatives.

This came about primarily as a strong civil society demand and the Kurds have made significant strides in the consultation of minorities within Kurdistan in the drafting of this constitution and in lodging significant protections for them in the document (Kelly 2010: 737).

Regardless of the extent to which the new constitutional rules have affected Iraqi Kurdish society, the Kurdish women's military resistance against Islamic State's advance across Iraqi Kurdistan has demonstrated the empowerment of women in this region. It has been commonly accepted that, although women have been envisaged as the primary victims of violence in times of war, they can also actively engage in conflicts as combatants and also as peacebuilders in post-war societies. Despite the decisive efforts of the UN and the other organizations responsible for integrating a 'gender perspective'[12] in conflict prevention and foreign occupation, cultural factors mean that women are not enabled to play a substantial role in the post-war era as much as they did during conflicts as fighters alongside men. So far, the practice has shown that women's roles have been consistently overlooked by the warring parties during the peace negotiations.

As a result of the emergence of Islamic State in Iraq, Kurdish women broke down the Iraqi patriarchal culture by joining the militia as active combatants. Regardless of what impelled them to join their male Peshmerga colleagues on the front line, Kurdish women took a significant step towards equality in Iraqi society by doing so. Given that Kurdish women have served as active members of the Peshmerga over the years, it is not surprizing that they took up arms to defend themselves against Islamic State. In contrast to the major roles (as fighters and commanders) that women have played within the Peshmerga for decades, it seems that the war with Islamic State was a unique opportunity for the KRG to take advantage of women fighting on the frontline to regain the disputed region of Kirkuk. It was also

12 The gender perspective focuses on conflict resolution and peacebuilding contributions based on the perspective of both women and men. In essence, the gender perspective requires an equal sharing of the tasks of peacebuilding between both genders (Bell 2015: 4; Ogunsanya and Mngqibisa 2015: 9).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

a unique opportunity for Kurdish women to demonstrate their capabilities as effective combatants.

Given the defeat of Islamic State, however, the evidence shows that Kurdish women's participation remains limited due to discriminatory national laws (Kaya 2017: 17) and societal attitudes.[13] Indeed, there are many other obstacles concerning women's rights and empowerment in Iraqi Kurdistan, preventing considerable progress in the area of gender equality, not least in terms of awareness. Admittedly, 'honour crimes'[14] are the most obvious examples that fall into these obstacles, which are increasing despite the tightening of the legislation on the matter, the slow and inadequate implementation of new policies and laws, and a still predominantly male political and institutional leadership that prevents the representation of Kurdish women and the implementation of gender-sensitive policies and laws (Aref and Alzameli 2018: 8). Gender-based violence and honour crimes still persist in Iraqi Kurdistan and are one of the main reasons why Kurdish women join the militia, while they mostly viewed their participation in the Peshmerga as a sign of broader social equality. In other words, despite the claims of improved gender equality as evidenced through participation in the militia, social inequality as evidenced in honour crimes is still continuing in Iraqi Kurdistan.

According to UN reports, although Iraq has made progress in advancing the political representation of women (a minimum of 25 per cent of elected legislative positions are reserved for women, and there are visible female politicians and civil society leaders at both the national and provincial levels), women remain under-represented at all levels.[15] In other words, even if it is accepted that Kurdish women play active roles in the Kurdish parliament or in local councils, the number of women occupying key roles, including executive positions, is still very small. Therefore, it is quite difficult to claim that they are currently making valuable contributions towards improving the political system within the KRG.

The comparatively low number of Kurdish women in significant positions of power within the KRG's political system is a sign of the ongoing inequality within Iraqi Kurdistan.

13 To highlight this, it can be argued that the KRG and the Iraqi central government are not doing much to change societal attitudes, as is required of them by international law. For example, Article 5 of CEDAW requires that 'State parties shall take all appropriate measures: (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women; (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases'. Broadly speaking, international law has failed in both Iraq and Iraqi Kurdistan in terms of ensuring gender equality and social inclusion.

14 Honour crimes are acts of violence, including killing, physical abuse, confinement, control of movement, deprivation of education, forced marriage and underage marriages, forced suicide and public dishonouring, perpetrated by male family members against a relative who is perceived to have brought shame upon the family or tribe. This is perhaps the most brutal manifestation of patriarchal ideology grounded in the cultural belief that women's bodies are the site of honour and that their sexuality and movement must be strictly controlled in order to avoid bringing dishonour upon the family (Begikhani and Faraj 2016: 130–152; Khayyat 1990; Puttick 2015: 26).

15 UNSC Letter S/2018/475 (18 May 2018) (Summary of the Meeting on Women and Peace and Security in Iraq, held by Informal Expert Group on 29 March 2018).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

Iraqi Kurdish society is still very much a patriarchal one and Kurdish women still face patriarchal attitudes towards their participation in social, political and economic life and still suffer gender-based violence. To the extent that Kurdish women are excluded from high-level political positions and crucial decision-making spheres, including political, legal and economic affairs, the continuing structural inequalities within the KRG stretch back to the very roots of the 'feminine honour code' or' honour thinking' within Iraqi Kurdish society. This way of thinking is based on the belief that Kurdish women are morally pure, good mothers and virtuous wives who do not strive for professional success. It encourages women to hope for early marriage and to remain sexually inexperienced for fear of bringing shame on their families. In essence, the feminine code of honour entails sexual shame or chastity, which is expressed in terms of remaining a virgin until marriage, restraint in sexual relations, pudeur in social relations with men, and overall decorum (Kinga 2008: 328; Mosquera et al. 2002: 17; Wright 2014: 184). This 'feminine code of honour' can be seen as just another form of domestic abuse perpetrated by men and is a further example of the patriarchal domination and control exercised over women in Iraqi Kurdish society. It is for these reasons that Kurdish women who challenged gender stereotypes by playing an active role in fighting Islamic State are still barred from high-level governmental, professional and leading roles.

Furthermore, Kurdish women who hold important positions in the KRG are still influenced by patriarchal domination. There is evidence to back up the assertion that even women who join political parties in Iraqi Kurdistan become fixated on national identity more than gender identity and, therefore, accept the patriarchal domination and political environment (Abdulkarim Ali 2019: 38). In other words, Kurdish women in power are once again forced to prove that national politics and resistance are more important than gender issues since the KRI is still fighting for independence (Abdulkarim Ali 2019: 38).

Ultimately, although Kurdish women are in a situation in which they can exercise some political rights, they still have relatively little power to effectively challenge the status quo and work towards gender equality. It is also perhaps worth making explicit that the lack of systematic and consistent engagement with the wider political field of Iraqi society as a whole and focusing all activities on the narrower political field of Iraqi Kurdistan has backfired against women's rights in Iraqi Kurdistan (Al-Ali and Pratt 2001: 351).

Taking all this into consideration, the record of the Iraqi Kurdistan parliament (hereafter IKP) in improving equality and women's fundamental rights has been less successful than it first appears (McDonald 2001: 146–51).

5. The future role of Kurdish women as policy makers in post-war Iraq

The Kurdistan Region's Draft Constitution was written on 22 August 2006 and was approved by an outright majority of the IKP on 24 June 2009. According to the Draft Constitution, it should be ratified in a referendum before it takes effect. Therefore, the IKP, which is located in Erbil (the capital of Iraqi Kurdistan), approved the Constitution in June 2009 with ninety-six votes out of a total of 111 members. In the 111-seat parliament, eleven seats are reserved for minorities that are resident in Kurdistan—five for Assyrians, five for Turkmens and one for Armenians (Naji 2018: 3). The KRG Council of Ministers established a High Council for Women's Affairs on 14 December 2009, to support gender mainstreaming in policy making, combat violence and discrimination against women, and

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/human/huab029/6594536 by University of Reading user on 01 June 2022

to enhance the status of women through advising the government on gender mainstreaming policies and developing appropriate strategies (Kurdistan Regional Government 2012).[16]

Considering that the role of Kurdish women's as decision-makers was guaranteed by the new Draft Constitution, it would be illuminating to explore how women have participated in government and general decision-making processes over the past few years. The High Council for Women's Affairs began its work in June 2011 under the chairmanship of the Prime Minister at the time, and with the membership of six ministers: Ministers of the Interior, Finance and the Economy, Justice, Culture and Youth, Labour and Social Affairs, and Education. Obviously, the Council is a National Women Machinery (NWM) of the KRG. While the NWM in Iraqi Kurdistan continues, the Ministry for Women in the Central Government, which was the NWM of the Iraqi central government, was dismantled. The Council was established to promote the status of women through cooperation with official bodies, NGOs and relevant regional and international agencies, and to prepare, follow up on and evaluate policies, programmes and laws related to women's issues and their fundamental rights in general. The Council's establishment was seen as a positive step towards improving the intervention of the government for the advancement of women in Iraqi Kurdistan. However, after three years of Council business, there were still no explicit regulations to deal with gender.

According to the 2014 Shadow Report submitted to the CEDAW Committee (Shadow Report, 2014), the establishment of the Council has not led to the sufficient empowerment of Kurdish women because the projects and strategies prepared by the Council and approved by the Presidency of the Council of Ministers have not yet entered into force (Ibid:21–22).

As a former Iraqi Kurdistan member of the Iraqi parliament (2006–10), Tanya Gilly Khailany, rightly pointed out:

> Peace needs women's meaningful participation. For that to happen, first, women must get a seat at the table. In [Iraq], there have been many women in political parties, they have headed women's caucuses in the parliament, but when it comes to core issues, women are still not at the table. It is also about bringing issues that matter to women to the table (UN Women 2018).

While the aim of this study is to elucidate inequalities in Iraqi Kurdistan, it is worth noting here that women in the rest of Iraq are continuing to be denied gender equality, including Kurdish women. By acceding to CEDAW in 1986, Iraq has obligated itself to comply with internationally accepted requirements and standards of gender equality. According to CEDAW, Iraq should take all appropriate measures to eliminate discrimination against

16 Gender mainstreaming was established as a major global strategy for the promotion of equality between women and men and the promotion of women's status and roles in societies in the Beijing Platform for Action from the Fourth UN World Conference on Women in Beijing in 1995. According to the UN Economic and Social Council, gender mainstreaming is: 'The process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal is to achieve gender equality' (UN Office of the Special Adviser on Gender Issues and Advancement of Women 2002: 1; *Beijing Declaration and Platform of Action* 1995: 11). See also Kindervater and Meintjes 2018: 472.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

women in the political and public life of the country. In particular, Iraq should ensure women's equal rights: 'to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government', and 'to participate in non-governmental organizations and associations concerned with the public and political life of the country' (Article 7 of CEDAW). The CEDAW committee, however, has raised concerns about the political participation of women. Having considered the seventh periodic report (2018) (UN CEDAW Committee, 2018; UN CEDAW Committee, 2013) of Iraq on how it implements the provisions of CEDAW, the Committee stressed the importance of the inclusion of women in decision-making processes, notably those related to peace and reconciliation.[17]

Accordingly, in Iraqi society, in which women had a significant role on the frontline of conflicts as fighters, the gaps in the effective implementation of the constitutional rules and CEDAW provisions would leave women disadvantaged when seeking to exercise gender equality as their primary right. Despite the innovative concepts of the Iraqi Constitution and the Kurdistan Region's Draft Constitution, particularly in terms of gender equality and the empowerment of women, the evidence shows that the KRG and the Iraqi central government are still male institutional edifices. Although women have a presence in the parliament they still fail to fully represent women's interests (Al-Moumin 2008;). This is most likely because of the fact that a 33 per cent gender quota in governmental agencies which was adopted by the KRG in 2012 (gender quota system) (Shadow Report 2014: 65), has depoliticized the Kurdish women's struggle for political participation. There is a strong assertion that political parties in Iraqi Kurdistan have conditioned women who would like to be in power to compromise their identities (Abdulkarim Ali 2019: 37). In other words, women fall under the shadow of their male dominated political parties because they are not allowed to use their connections and, therefore, lose aspirations for gender equality which explicitly represents women's interests as a whole. There can be no doubt that the most important method of representing women's interests is the visible presence of women in the parliament because it raises the aspirations of other women to participate in public life (Sawer 2000: 632). While representation of women's interests could be achieved through equal participation of women in decision-making processes as legislators who reflect women's anxieties from a 'female perspective', a male-dominated representation does not guarantee such interests.

As mentioned earlier, tensions between the KRG and Baghdad have subsided since the independence referendum held in the Kurdistan region on 25 September 2017. Since the

17 It is ultimately the case that neither KRG nor the Iraqi central government have made a significant progress in the course of women's empowerment. According to the CEDAW Committee Experts, although Iraq had made positive steps in promoting and protecting the rights of women, major challenges have persisted concerning the implementation of Resolution 1325 on women, peace and security. Further to the CEDAW Committee, all UN bodies that were active in Iraq had noted significant gaps in the participation of women in decision-making processes. In response, the Iraq delegation emphasised that Iraq was the first country to develop a plan to implement Resolution 1325 before the rise of the Islamic State and the Iraqi central government had implemented numerous plans to notably contain the massive displacement experienced by the country. However, Iraq was in a post-war situation. and this had a bearing on the implementation of the resolution. See for more details, UN CEDAW Committee (2019). In Dialogue with Iraq, Committee on the Elimination of Discrimination against Women Stresses the Importance of Female Political Participation (22 October 2019).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

referendum and its aftermath, KRG authorities have made considerable efforts to open negotiations on outstanding issues, including allocation of the federal budget, oil revenues, border controls, the status of Kurdish airports which were closed to international flights, disputed territories and the status of Kirkuk, all of which would ensure peace and stability in the region. After the Iraqi forces recaptured Kirkuk, prominent delegations from the KRG visited Baghdad to discuss the major issues with official ministers in the Iraqi central government. Among the groups of envoys which represented the KRG, however, there was no evidence that Kurdish women participated in any of the meetings with Baghdad or in the negotiations about the post-war situation. This means that Kurdish women are not politically empowered at local or national levels of government. As the UNSC has pointed out, women are still under-represented in decision-making processes with regard to conflict negotiation.[18] In the present context, the main question that inevitably comes up at any step of the KRG–Baghdad post-war peace negotiations is the extent to which women have been included in the preliminary and initial negotiations that would form the basis for agreements and bilateral peace treaties between the KRG and Baghdad.

Although Iraq was the first Arab country to launch an NAP (2014–18) for the implementation of Resolution 1325 (2000) in 2014 to defend women's rights and provide support to the Iraqi central government and the KRG in implementing the Resolution,[19] the post-2017 era demonstrated that no real progress has been made in women's rights or justice, and no lessons have been learnt from the Resolution (Khodary 2016: 505). Notwithstanding the military resistance of the Iraqi Kurdish women against Islamic State, it is a tragic truth that the KRG still insists on the inevitability of traditional and cultural values, and, thus, ignores women during the most significant stages of reconciliation and rebuilding of a post-war Iraq.

It is commonly accepted that '[peace negotiations] have been overwhelmingly male-dominated based on the assumption that the male fighters who started the war are the only ones able to stop it, i.e. the same fighting men, but in peace-making packaging' (Haeri and Puechguirbal 2010: 106). This is why women have often been absent from peace talks, and, therefore, the peace agreements held between the parties in the absence of women 'largely do not address women's perspectives or concerns' (Bell 2018: 417). However, even if admissible, such an assumption might be indicated if women's contributions to war efforts have generally not been recognized (Stern 2019: 6). In this sense, women are more likely to be denied places in peace negotiations and are, therefore, unable to draw attention to the particular difficulties they experienced in conflict situations (Gardam and Jarvis 2001: 8; Stern 2019: 6). That being said, post-war societies are constructed, in part, in response to

18 According to the UNSC, if women are to play an equal part in maintaining peace and security, they must be empowered politically and economically, and represented adequately at all levels of decision-making, both at the pre-conflict stage and during hostilities and at the point of peacekeeping, peacebuilding and national reconciliation. See UNSC (2000). Peace Inextricably Linked with Equality between Women and Men (Statement by the UNSC President on Occasion of International Women's Day, SC/6816 (8 March 2000).

19 The findings relating to the Iraq, Jordan and Palestine NAPs-WPS across the action plans show that, on average, 55 per cent of all actions across the plans were dedicated to institutional needs and priorities. Actions that related specifically to women's and girls' strategic needs made up 35 per cent across the plans, while 8 per cent focused on women's and girl's practical needs (Swaine 2018: 27).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

ideas about 'who took part in the armed struggles' (Stern 2019: 6). On this basis, I use this pattern in support of the argument that in the post-war society of Iraq—in which Iraqi Kurdish women played a substantial role as fighters on the frontline in the conflict against Islamic State and in the clashes between the KRG and Iraqi forces—peace negotiations would be more successful and more in line with the rule of law with the significant involvement of women.

It is important to elucidate here two key elements with respect to the important role of women in peacebuilding. First, women need to be included in formal peace negotiations because of their affinity with peace (Charlesworth 2008: 351). Of course, women have the capacity for both violence and peace and are capable of taking part alongside male combatants in armed conflicts. However, they are still more likely to use their social roles, the skills and networks they developed during the conflict to promote reintegration in the aftermath of the war, pushing for peace from within their movements (Anderlini 2007: 104; Gizelis 2011: 525). Women have equal capacity in demobilization, disarmament and reconciliation and they have often been successful peacebuilders, basing their strategies on the principles of inclusivity and collaboration, and producing peacebuilding outcomes that are community-based and sustainable (Moothoo-Padayachie 2004: 57; Schirch and Sewak 2005: 16).

Second, women's gender identity as military actors will ultimately have less influence than their presence as women in peace processes. It is important to be clear that, when violence reaches into societies, sustainable peace cannot be achieved only by the military hierarchy. The political influence of women through challenging conditions of gender inequality will be more effective than military intervention. As Anderlini rightly pointed out, women are transformative leaders and more amenable to 'widening political discourse, seeking the middle ground' (Anderlini 2007: 129–30). Influencing decision-making at the highest levels and the presence of women at peacebuilding negotiations may facilitate more productive interactions. Evidence indicates that women participants in peace processes are usually focused less on the spoils of the war and more on reconciliation, economic development, education and transitional justice. In essence, they go beyond defining peace as the absence of violent conflict (Agbajobi 2010: 233–54; Jordan 2003: 239–51; Lindborg 2017; Schirch and Sewak 2005: 17). Ultimately, it is important to engage women in conflict resolution in order to ensure that their issues, experiences and demands are included and addressed.

It is ultimately the case that working on peacebuilding without considering the viewpoints of women, even if successful, would lead to a general sense of disengagement and suppression of expectations within society. After all, given that women and girls are the group most affected by violence in armed conflict (McKay 1998: 381), it is worth mentioning that decisions made regarding peacebuilding in a post-war society will affect women more than any other part of society. Women—especially those who participate in conflict as combatants and confront their own set of challenges, including the risk of sexual abuse or harassment—are often subjected to mistreatment by all participants in armed conflicts, and by civilian and military personnel, including UN peacekeeping forces (Gardam and Jarvis 2001: 7; Haeri and Puechguirbal 2010: 111). As a corollary to this, excluding women from decision-making processes in post-war societies can be considered to be every bit as abusive towards women as what happens in times of armed conflict.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

In addition, women can act as consultants instead of participating directly in the negotiations.[20] They can discuss the issues related to peacebuilding and post-war situations by identifying the challenges ahead and making innovative proposals. As Virginia Woolf rightly argued, women can best help prevent war 'not by repeating [men's] words and following [men's] methods but by finding new words and creating new methods' (Woolf 1966: 143; Lindsey 2011: 28). . In this way, they can play a major part in the achievement of a long-term and stable peace. Finally, because women often operate outside existing power structures underpinning the conflict, inclusion of women in the formal structures, and not merely as consultants in informal ways, would allow them to lobby and promote dialogue for the implementation of their proposals by using national and international legal norms (Bigio and Vogelstein 2016: 6).

6. Conclusion

Women have often been extremely successful in taking the peacemakers role, but this significant aspect is often underestimated, hindered or actively suppressed by governments, and other authorities (regional and sub-regional) and armed groups. Across the world, governments and male-dominated actors are reluctant to accept more diverse and gender-based viewpoints and experiences in times of conflict and peacebuilding. Although women are less likely than men to condone conflict and violence,[21] they often suffer from violence more than men, as they are also the mothers and family members of both fighters and victims. Therefore, because they have also been victims of violence in armed conflict, they can help significantly in any post-war reconciliation process and can prevent further violence in the future if they are fully included in the reconstruction process.

More precisely, men and women need to be equal partners in any peacebuilding process despite the gender-based assumptions about economic, social and cultural roles that substantially preclude the sharing of responsibility between men and women in all spheres that are necessary for gender-based equality (Lindsey 2011: 28; UN Committee on Economic, Social and Cultural Rights 2005, para. 14).[22]

Conversely, women who have participated in conflicts in different positions are often ignored by both sides in the post-war decision-making processes. This points to theories that women are treated more as objects, rather than as a subject, of international politics and conflict (Sjoberg 2018: 3–16). As seen in post-2017 Iraq and Iraqi Kurdistan, the warring

20 Given the importance of women's roles in peacebuilding processes, the peace agreements that result are 20 per cent more likely to last at least two years when women are included, and an agreement is 35 per cent more likely to last for 15 years if women participate in its creation (O'Reilly 2015: 12).

21 Evidence indicates that, when women's parliamentary representation increases by 5 per cent, a country is almost five times less likely to respond to a crisis with violence. It is worth noting that women's participation is associated with a decreased risk of civil war and lower levels of human rights abuses, such as killings, political imprisonment and torture. To highlight this with an actual example, it has been indicated that in post-conflict Rwanda, where over 50 per cent of parliamentarians are women, lawmakers have supported inclusive decision-making processes that promote reconciliation efforts at the local level (Caprioli and Boyer 2001: 503–518).

22 See also UN Committee on Economic, Social and Cultural Rights, General Comment No. 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights, UN Doc. E/C.12/2005/4 (11 August 2005), para. 14.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

parties have attempted to keep women and female-centred issues off the agenda, recalling that female fighters do not take up weapons to fight for gender equality and freedom.

In light of this connection, UNSC Resolution 1325 (2000) and subsequent resolutions adopted under the WPS Agenda were outstanding first steps taken by the UN to ensure justice and gender equality in all societies (see Vega and Nelson 2006: 437–65).

As long as peace negotiations are carried out by state leaders, the absence of women from leading governmental positions and opposition parties is another reason for women's low participation rates in peace talks and peacebuilding processes in post-war societies. Given that Kurdish women do not hold any high-level political positions in the KRG, they will face major challenges during the peacebuilding process regarding inequality, oppression and abuse exercised over women due to the patriarchal social structures embedded within Iraqi Kurdish society, which in is itself based on traditional cultural practices.

Acknowledgements

No acknowledgement.

Funding statement

No funding.

References

Abdulkarim Ali, D. 2019. The Struggles of the Kurdish Women's Movement in the Kurdistan Region of Iraq. Masters Thesis, Lunds University. https://lup.lub.lu.se/luur/download?func=downloadFile&recordOId=8998986&fileOId=8998988 (referenced 5 February 2021).

Agbajobi, D. 2010. The Role of Women in Conflict Resolution and Peacebuilding. In R. Bowd and A. B. Chikwanha (eds). *Understanding Africa's Contemporary Conflicts: Origins, Challenges and Peacebuilding*, 233–54. Addis Ababa: Institute of Security Studies.

Ahmed, S. 2018. The Inauthenticity of the Left in the Kurdish Liberation Movement in Iraqi Kurdistan. *Journal of Socialist Theory* 46(1): 65–76.

Al-Ali, N. 2007. *Iraqi Women: Untold Stories from 1948 to the Present*. London & New York: Zed Books.

Al-Ali, N., and P. Nicol. 2009. *What Kind of Liberation? Women and the Occupation of Iraq*. California: University of California Press.

Al-Ali, N., and N. Pratt. 2001. Between Nationalism and Women's Rights: The Kurdish Women's Movement in Iraq. *Middle East Journal of Culture and Communication* 4: 337–53.

Al-Ali, N., and L. Tas. 2018. Dialectics of Struggle: Challenges to the Kurdish Women's Movement. *LSE Middle East Centre Paper Series* 22: 1–24.

Al-Moumin, M. 2008. Constitutional and Legal Rights of Iraqi Women. Washington DC.: Middle East Institute. https://www.mei.edu/publications/constitutional-and-legal-rights-iraqi-women (referenced 5 February 2021).

Anderlini, S. 2007. *Women Building Peace: What They Do, Why It Matters*. London: Lynne Rienner Publishers.

Aref, S., and Q. Alzameli. 2018. *Implementation of Iraq National Action Plan for UNSCR 1325 (2014–18)*. Baghdad: UN Assistance Mission for Iraq (UNAMI).

Begikhani, N., and N. Faraj. 2016. Legal Treatment of Honour Crimes: Comparison between Iraqi National and the Kurdistan Region's Laws. *European Journal of Comparative Law and Governance* 3(2): 130–52.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

Beijing Declaration and Platform of Action (adopted at the Fourth World Conference on Women, New York: UN). 1995. https://www.un.org/womenwatch/daw/beijing/pdf/Beijing%20full%20report%20E.pdf (referenced to 5 February 2021).

Bell, C. 2015. *Text and Context: Evaluating Peace Agreements for Their 'Gender Perspective'*. New York: UN Women.

———. 2018. Women, Peace Negotiations, and Peace Agreements: Opportunities and Challenges. In Aoláin, F.Ní, Cahn, N, Haynes, D.F and Valji N. (eds.) *The Oxford Handbook of Gender and Conflict*, 417–29. Oxford University Press.

Bigio, J., and R. Vogelstein. 2016. *How Women's Participation in Conflict Prevention and Resolution Advances U.S. Interests*. New York: Council on Foreign Relations Press.

Bodette, M. 2018. *Kongreya Star and Its Committees*. Rojava: The Diplomatic Relations Centre of Star Congress.

Brodtmann, G., Crewther, C., Gibbon, D. et al. 2018. Women, Peace and Security: Addressing the Gaps and Strengthening Implementation. *Australian Strategic Policy Institute* 1–18.

Çağlayan, H. 2020. *Women in the Kurdish Movement: Mothers, Comrades, Goddesses*. (S. Coşar, trans). Cham: Palgrave Macmillan.

Caprioli, M., and M. Boyer. 2001. Gender, Violence, and International Crisis. *Journal of Conflict Resolution* 45(4): 503–18.

Charlesworth, H. 1995. Feminists Critiques of International Law and Their Critics. *Third World Legal Studies* 13(1): 1–16.

———. 2008. Are Women Peaceful? Reflections on the Role of Women in Peace-Building. *Feminist Legal Studies* 16(3): 347–61.

Chatterjee, D. 2016. Gendering ISIS and Mapping the Role of Women. *Contemporary Review of the Middle East* 3(2): 201–18.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (adopted by Resolution 34/180 of the UNGA on 18 December 1979).

Cornish, C., and L. Pitel. 2019. A 100-Year Struggle: The Kurdish Fight for Land and Identity. *Financial Times*. https://www.ft.com/content/871c10c2-e9c3-11e9-85f4-d00e5018f061 (referenced 5 February 2021).

Crisis Group. 2017. Oil and Borders: How to Fix Iraq's Kurdish Crisis. *Middle East Briefing* 55: 1–15.

De la Vega, C., and C. Haley Nelson. 2006. The Role of Women in Peacekeeping and Peacemaking: Devising Solutions to the Demand Side of Trafficking. *William & Mary Journal of Women and the Law* 12(2): 437–65.

Dietrich, L., and S. Carter. 2017. *Gender and Conflict Analysis in ISIS Affected Communities of Iraq*. Oxford: OXFAM.

Domingo, P., R. Holmes, T. O'Neil et al. 2015. *Women's Voice and Leadership in Decision-Making: Assessing the Evidence*. London: Overseas Development Institute.

Earle, G. 2014. ISIS Fighters Terrified of Being Killed by Female Troops. New York Post. https://www.nypost.com/2014/09/19/isis-fighters-terrified-of-being-killed-by-female-troops/ (referenced to 5 February 2021).

Edwards, A. 2011. *Violence against Women under International Human Rights Law*. Cambridge University Press.

Esfandiari, H., J. Frumkin, C. Koppell et al. 2003. *Building a New Iraq: Women's Role in Reconstruction*. Washington DC: The Woodrow Wilson International Centre for Scholars.

Federal Government of Iraq and Kurdistan Regional Government. 2014. Iraq National Action Plan for Implementation of the United Nation Security Council Resolution 1325 Women, Peace and Security 2014–2018. https://www.iknowpolitics.org/sites/default/files/final_draft_-_nap_1325_eng.pdf (referenced to 5 February 2021).

Frappi, C. 2016. The Energy Factor: Oil and State Building in Iraqi Kurdistan. In S. M. Torelli (ed.), *Kurdistan: An Invisible Nation*, 91–120. Milano: ISPI.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

Gardam, J., and M. Jarvis. 2001. *Women Armed Conflict and International Law*. The Hague: Kluwer Law International.

George, N., and L. Shepherd. 2016. Women, Peace and Security: Exploring the Implementation and Integration of UNSCR 1325. *International Political Science Review* 37(3): 297–306.

Gizelis, T. 2011. A Country of Their Own: Women and Peacebuilding. *Conflict Management and Peace Science* 28(5): 522–42.

Gleeson, S., De Lacy, S., Maloney, M., and McAlpine, F. 2014. Security Council Resolution 1325: Age and Gender in Conflict and the Future of Feminist Activism. In Heathcote G. and D. Otto (eds). *Rethinking Peacekeeping, Gender Equality and Collective Security*, 224–42. New York: Palgrave McMillian.

Gunter, M. 2008. *The Kurds Ascending: The Evolving Solution to the Kurdish Problem in Iraq and Turkey*. New York: Palgrave Macmillan.

Haeri, M., and N. Puechguirbal. 2010. From Helplessness to Agency: Examining the Plurality of Women's Experiences in Armed Conflict. *International Review of the Red Cross* 92(877): 103–22.

Heathcote, G., and D. Otto. 2014. Rethinking Peacekeeping, Gender Equality and Collective Security: An Introduction. In G. Heathcote and D. Otto (eds), *Rethinking Peacekeeping, Gender Equality and Collective Security*, 1–22. New York: Palgrave McMillian.

Holland-McCowan, J. 2018. *The Kurds after the 'Caliphate': How the Decline of ISIS Has Impacted the Kurds of Iraq and Syria*. London: ICSR Publications.

Jordan, A. 2003. Women and Conflict Transformation: Influences, Roles, and Experiences. *Development in Practice* 13(2–3): 239–51.

Jüde, J. 2017. Contesting Borders? The Formation of Iraqi Kurdistan's De Facto State. *International Affairs* 93(4): 847–63.

Kajjo, S. 2014. As Iraq's Central Government Struggles against ISIS, the Kurds Quietly Take Another Step towards Independence. Carnegie Endowment for International Peace. https://www.carnegieendowment.org/sada/55954 (referenced to 5 February 2021).

Kaya, Z. 2017. Gender and Statehood in the Kurdistan Region of Iraq. *LSE Middle East Centre Paper Series* 18: 1–21.

Kelly, M. 2010. The Kurdish Regional Constitution within the Framework of the Iraqi Federal Constitution: A Struggle for Sovereignty, Oil, Ethnic Identity, and the Prospects for a Reverse Supremacy Clause. *Penn State Law Review* 114(3): 707–808.

Khalil, L. 2009. Stability in Iraqi Kurdistan: Reality or Mirage?. Working Paper. Washington DC.: Saban Centre for Middle East Policy at the Brookings Institution.

Khayyat, S. 1990. *Honour and Shame: Women in Modern Iraq*. London: Saqi Books.

Khodary, Y. 2016. Women and Peace-Building in Iraq. *Peace Review* 28(4): 499–507.

Kindervater, L., and S. Meintjes. 2018. Gender and Governance in Post-Conflict and Democratizing Settings. In F. N., Aoláin (ed.). *The Oxford Handbook of Gender and Conflict*, 417-429. Oxford University Press.

King, D. E. 2008. The Personal is Patrilineal: *Namus* as Sovereignty. *Identities: Global Studies in Culture and Power* 15(3): 317–42.

Kirby, P., and L. Shepherd. 2016. The Futures past of the Women, Peace and Security Agenda. *International Affairs* 92(2): 373–92.

Klain, K., and L. Hintz. 2017. A Series of Miscalculations: The Kurdish Referendum and its Fallout. United Nations Office for the Coordination of Humanitarian Affairs. https://www.reliefweb.int/report/iraq/series-miscalculations-kurdish-referendum-and-its-fallout (referenced to 5 February 2021).

Kurdistan Regional Government. 2012. National Strategy to Confront Violence against Women in Kurdistan 2012–2016 (Five Years Plan). Supreme Council for Women Affairs. https://www.ekrg.org/files/pdf/strategy_combat%20violence_against_women_English.pdf (referenced to 5 February 2021).

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

Lindborg, N. 2017. The Essential Role of Women in Peacebuilding. United States Institute of Peace. https://www.usip.org/publications/2017/11/essential-role-women-peacebuilding (referenced to 5 February 2021).

Lindsey, C. 2011. *Women Facing War*. Geneva: International Committee of the Red Cross.

Lorber, J. 2011. *Gender Inequality: Feminist Theories and Politics*. Oxford University Press.

Marouf, H. 2018. Peshmerga Female Fighters: From Frontline to Sideline. The Washington Institute for Near East Policy.https://www.washingtoninstitute.org/fikraforum/view/peshmerga-female-fighters-from-frontline-to-sideline (referenced to 5 February 2021).

McDonald, S. 2001. Kurdish Women and Self-Determination: A Feminist Approach to International Law. In S. Mojab (ed.). *Women of a Non-State Nation: The Kurds*, 146–51. California: Mazda Publishers.

McKay, S. 1998. The Effects of Armed Conflict on Girls and Women. *Peace and Conflict* 4(4): 381–92.

Miranda, R. 2005. Impact of Women's Participation in Decision-Making. Prepared for the UN Department of Economic and Social Affairs. Addis Ababa. https://www.un.org/womenwatch/daw/egm/eql-men/docs/EP.7_rev.pdf (referenced 5 February 2021).

Moothoo-Padayachie, N. 2004. Women at the Peace Table. *Agenda: Empowering Women for Gender Equity* 18(59): 56–8.

Mosquera, P. M. R., A. S. R. Manstead, and A. H. Fischer. 2002. Honor in the Mediterranean and Northern Europe. *Journal of Cross-Cultural Psychology* 33(1): 16–36.

Muggah, R., and N. White. 2013. *Is There a Preventive Action Renaissance? The Policy and Practice of Preventive Diplomacy and Conflict Prevention*. Oslo: NOREF – Norwegian Peace Building Resource Centre.

Nader, A. 2016. *Regional Implications of an Independent Kurdistan*. Santa Monica: RAND Cooperation.

Naji, A. 2018. Election of Kurdistan Parliament: Kurdish Competition with Consequences on Baghdad. Al-Bayan Center for Planning and Studies. https://www.bayancenter.org/en/wp-content/uploads/2018/08/09090909087.pdf (referenced to 5 February 2021).

Nilsson, M. 2018. Muslim Mothers in Ground Combat against the Islamic State: Women's Identities and Social Change in Iraqi Kurdistan. *Armed Forces & Society* 44(2): 261–79.

O'Driscoll, D., and B. Baser. 2019. Independence Referendums and Nationalist Rhetoric: The Kurdistan Region of Iraq. *Third World Quarterly* 40(11): 2016–34.

O'Reilly, M. 2015. *Reimagining Peacemaking: Women's Roles in Peace Processes*. New York: International Peace Institute.

O'Rourke, C., and A. Swaine. 2018. CEDAW and the Security Council: Enhancing Women's Rights in Conflict. *International & Comparative Law Quarterly* 67(1): 167–99.

Ogunsanya, K., and K. Mngqibisa. 2015. A Gender Perspective for Conflict Management. Occasional Paper No. 4/2000. https://www.reliefweb.int/sites/reliefweb.int/files/resources/accord-gender-2000.pdf (referenced to 5 February 2021).

Pichon, E. 2017. Iraqi Kurdistan's Independence Referendum. European Parliamentary Research Service. https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/608752/EPRS_BRI(2017)608752_EN.pdf (referenced to 5 February 2021).

Pina, A. 2006. Women in Iraq: Background and Issues for U.S. Policy. Congressional Research Service Report for Congress. Washington DC: Library of Congress.

Puttick, M. 2015. The Lost Women of Iraq: Family-Based Violence During Armed Conflict. Minority Rights Group International and Ceasefire Centre for Civilian Rights. https://www.minorityrights.org/wp-content/uploads/2015/11/MRG-report-A4_OCTOBER-2015_WEB.pdf (referenced to 5 February 2021).

Ranharter, K. 2015. *Gender Equality and Development after Violent Conflict: The Kurdistan Region of Iraq*. London: Palgrave Macmillan.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

Rogg, I., and H. Rimscha. 2007. The Kurds as Parties to and Victims of Conflicts in Iraq. *International Review of the Red Cross* 89(868): 823–42.

Satkunanathan, A. 2017. Sri Lanka: The Impact of Militarization on Women. In F. Ní Aoláin (ed.). *The Oxford Handbook of Gender and Conflict*, 579–90. Oxford University Press.

Sawer, M. 2000. Parliamentary Representation of Women: From Discourses of Justice to Strategies of Accountability. *International Political Science Review* 21(4): 361–80.

Schirch, L., and M. Sewak. 2005. The Role of Women and Peacebuilding. Working Paper. Global Partnership for the Prevention of Armed Conflict.

Scholl, E. 2018. *Shaping Iraq's Oil and Gas Future*. Washington, DC: Atlantic Council.

Shadow Report submitted to the CEDAW Committee at the 57th Session. 2014. Iraqi Women in Armed Conflict and Post-Conflict Situation. https://www.tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IRQ/INT_CEDAW_NGO_IRQ_16192_E.pdf (referenced to 5 February 2021).

Sjoberg, L. 2008. Theories of War. In F. Aoláin. (eds.). *The Oxford Handbook of Gender and Conflict*, 3–16. Oxford University Press.

Smit, T., and K. Tidblad-Lundholm. 2018. Trends in Women's Participation in UN, EU and OSCE Peace Operations. SIPRI Policy Paper. https://www.sipri.org/sites/default/files/2018-10/sipripp47_pko_gender_data.pdf (referenced to 5 February 2021).

Stern, O. 2019. *Gender, Conflict and International Humanitarian Law: A Critique of the 'Principle of Distinction*'. London & New York: Routledge.

Stiehm, J. 2001. Women, Peacekeeping and Peacemaking: Gender Balance and Mainstreaming. *International Peacekeeping* 8(2): 39–48.

Swaine, A. 2018. *Balancing Priorities: Lessons and Good Practices from Iraq, Jordan and Palestine for NAP-1325 Drafting Teams*. New York: UN Women.

Tasdemir, S. 2013. The Feminization of pro-Kurdish Party Politics in Turkey: The Role of Women Activists. PhD Thesis in Kurdish Studies, Sussex University.

Taspinar, Ö. 2019. ISIS and the False Dawn of Kurdish Statehood. Brookings. https://www.brookings.edu/blog/order-from-chaos/2019/12/13/isis-and-the-false-dawn-of-kurdish-statehood/ (referenced to 5 February 2021).

True, J., and Y. Riveros-Morales. 2019. Towards Inclusive Peace: Analysing Gender-Sensitive Peace Agreements 2000–2016. *International Political Science Review* 40(1): 23–40.

UN CEDAW Committee. 1993. General Recommendation No. 19: Violence against Women UN. Doc. A/47/38.

UN CEDAW Committee. 2013. Consideration of Reports submitted by States Parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Combined Fourth, Fifth and Sixth Periodic Reports of States Parties: Iraq. UN Doc. CEDAW/C/IRQ/4-6. https://www.refworld.org/docid/525bea814.html (referenced to 5 February 2021).

UN CEDAW Committee. 2013. General Recommendation No. 30 on Women in Conflict Prevention, Conflict and Post-conflict Situations. UN. Doc. CEDAW/C/GC/30.

UN CEDAW Committee. 2017. General Recommendation No. 35 on Gender-Based Violence against Women, Updating General Recommendation No. 35, UN. Doc. CEDAW/C/GC/35 m.

UN CEDAW Committee. 2018. Seventh Periodic Report submitted by Iraq under Article 18 of the Convention, Due in 2018. UN. Doc. CEDAW/C/IRQ/7.

UN CEDAW Committee. 2019. In Dialogue with Iraq, Committee on the Elimination of Discrimination against Women Stresses the Importance of Female Political Participation. https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25189&LangID=E (referenced to 5 February 2021).

UN Committee on Economic Social and Cultural Rights. 2005. General Comment No. 16: The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights. UN Doc. E/C.12/2005/4.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022

UNGA. 1994. Resolution 48/104, UN Doc. A/RES/48/104.

UN Human Rights Committee. 2000. CCPR General Comment No. 28: Article 3 (The Equality of Rights Between Men and Women). CCPR/C/21/Rev.1/Add.10. https://www.refworld.org/docid/45139c9b4.html (referenced to 5 February 2021).

UN Iraq. 2014. Government of Iraq Launches Its National Action Plan on UN Security Council Resolution 1325 (2014-2018). https://www.uniraq.org/index.php?option=com_k2&view=item&id=1617%3Agovernment-of-iraq-launches-its-national-action-plan-on-un-security-council-resolution-1325-2014-2018&Itemid=605&lang=en (referenced to 5 February 2021).

UN Office of the Special Adviser on Gender Issues and Advancement of Women. 2002. *Gender Mainstreaming: An Overview*. New York: UN.

UN Women. 2015. *Preventing Conflict Transforming Justice Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution*, 1325. New York: UN.

UN Women. 2018. When It Comes to Women's Rights, There's No Room for Diplomacy. https://www.unwomen.org/en/news/stories/2018/10/in-the-words-of-tanya-gilly-khailany (referenced to 5 February 2021).

United Nations Iraq. 2017. 16 Days of Activism Meeting Focuses on Expanding Women's Political Space in Iraq. Report from the UN Assistance Mission for Iraq (UN Press Releases & Statements, 6 December 2017).https://www.uniraq.org/index.php?option=com_k2&view=item&id=8298:16-days-of-activism-meeting-focuses-on-expanding-women-s-political-space-in-iraq&Itemid=605&lang=en (referenced to 5 February 2021].

UNSC. 2000. Peace Inextricably Linked with Equality between Women and Men (Statement by the UNSC President on Occasion of International Women's Day, SC/6816 (8 March 2000), available at https://www.un.org/press/en/2000/20000308.sc6816.doc.html (referenced 5 August 2020).

UNSC. 2000. Resolution 1325. UN Doc. Adopted 31 October. S/RES/1325.

UNSC. 2008. Resolution 1820. UN Doc. Adopted 19 June. S /RES/1820.

UNSC. 2009. Resolution 1888, UN Doc. Adopted 30 September. S/RES/1888.

UNSC. 2009. Resolution 1889, UN Doc. Adopted 5 October. S/RES/1889.

UNSC. 2010. Resolution 1960, UN Doc. Adopted 16 December. S/RES/1960.

UNSC. 2010. Women and Peace and Security. Report of the Secretary-General. UN Doc. S/2010/498 (28 September 2010).

UNSC. 2013. Resolution 2106, UN Doc. Adopted 24 June. S/RES/2106.

UNSC. 2013. Resolution 2122, UN Doc. Adopted 18 October. S/RES/2122.

UNSC. 2015. Resolution 2242, UN Doc. Adopted 13 October. S/RES/2242.

UNSC. 2019. Resolution 2467, UN Doc. Adopted 29 April. S/RES/2467.

UNSC. 2019. Resolution 2493, UN Doc. Adopted 29 October. S/RES/2493.

Valentine, S. 2016. Meet the Peshmerga Women Fighting ISIS. *Newsweek*. https://www.newsweek.com/meet-peshmerga-women-fighting-isis-461282 (referenced to 5 February 2021).

Women's International League for Peace & Freedom. 2019. How a Collective of Iraqi Women Is Bringing the Country Closer to Peace. https://www.wilpf.org/how-a-collective-of-iraqi-women-is-bringing-the-country-closer-to-peace/ (referenced to 5 February 2021).

Woolf, V. 1966. *Three Guineas*. New York: Harcourt, Brace & Company,

Wright, T. 2014. On 'Sisterhood': What Iraqi Kurdish Women Migrants Have to Say about Women and the Commonalities They Share. *Journal of International Women's Studies* 15(2): 182–96.

Yılmaz, A. 2018. The Changing Dynamics of the Kurdish Question, Berlin: *SWP [German Institute for International and Security Affairs] Comment* 45: 1–7.

Downloaded from https://academic.oup.com/jhrp/advance-article/doi/10.1093/jhuman/huab029/6594536 by University of Reading user on 01 June 2022