

WHAT YOU SHOULD KNOW ABOUT THE WOMEN, PEACE, AND SECURITY ACT OF 2017

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BACKGROUND

The Women, Peace, and Security Act of 2017 is a major milestone for US law. It recognizes that women are on the frontlines of international security challenges as powerful agents of change to create stability and peace. The law mandates women's meaningful participation in international peace and security.

Why is Women, Peace and Security Important?*

- Women's status in a country is a major predictor of peace. Where women have few rights or opportunities to participate in decision-making, there are higher levels of violence and conflict. Several quantitative studies show that <u>higher levels of gender equality</u>¹ are associated with a lower propensity for conflict, both within and among states. Worsening treatment of women is among the first indications of <u>instability in a society</u>.²
- Women's participation in decision-making leads to longer lasting peace agreements. A study that analyzed 181 peace agreements signed since 1989 found that when women had participated in the peace process, the resulting agreement was <u>35 percent more likely to last at least fifteen years</u>.³
- A gender perspective in conflict operations increases effectiveness and is a force multiplier. Studies from NATO, the UN, and others show that <u>a gender perspective increases</u> <u>operational effectiveness</u>⁴ by expanding the amount of nuanced and comprehensive information a mission can gather.

Valerie Hudson, "What Sex Means for World Peace," Foreign Policy, April 24, 2012, https://foreignpolicy.com/2012/04/24/what-sex-means-for-world-peace/
Valerie Hudson, Bonnie Ballif-Spanvill, Mary Caprioli, and Chad F. Emmett, Sex and World Peace (New York: Columbia University Press, 2012); Mary Caprioli, "Primed for Violence: The Role of Gender Inequality in Predicting Internal Conflict," International Studies Quarterly 49, no. 2 (2005): 161–178;

Erik Melander, "Gender Inequality and Intra-State Armed Conflict," International Studies Quarterly 49, no 4 (2005): 695–714.

Laurel Stone, "Annex II: Quantitative Analysis of Women's Participation in Peace Processes," in Marie O'Reilly, Andrea Ó Súilleabháin, and Thania Paffenholz, Reimagining Peacemaking: Women's Roles in Peace Processes, p. 34 (New York: International Peace Institute, June 2015).
Sahana Dharmanuri, "Not Just a Numbers Came: Just and Women's Participation in UN Peacelycoping," Providing for Peacekeening p. 4.

^{4.} Sahana Dharmapuri, "Not Just a Numbers Game: Increasing Women's Participation in UN Peacekeeping," Providing for Peacekeeping no. 4, International Peace Institute, July 2013, <u>https://www.ipinst.org/wp-content/uploads/publications/ipi_epub_not_just_a_numbers_game.pdf</u>

WHO INITIATED THE WOMEN, PEACE, AND SECURITY (WPS) ACT IN THE UNITED STATES?

The WPS Act was initiated by a coalition of civil society organizations working together as the U.S. Civil Society Working Group (CSWG) in Washington, DC. A small subset of CSWG members championed the WPS agenda by working closely with congressional members and staffers from both parties. Additional stakeholders from think tanks and universities weighed in from outside of Washington.

The concept of WPS originates from UN Security Council Resolution 1325 (UNSCR 1325) passed in 2000. It recognizes that violent conflict affects women, men, girls, and boys differently and calls for women's full and meaningful participation at all stages of international peace and security decision-making. UNSCR 1325 was drafted and championed by women in civil society and passed unanimously. Many countries have directed the implementation of UNSCR 1325 through <u>National Action Plans</u>⁵ (NAPs). As of July 2023, <u>more than one hundred countries have adopted NAPs</u>⁶ to ensure the meaningful participation of women in international peace and security decision-making. In December 2011, President Barack Obama established the first US NAP on Women, Peace, and Security with <u>Executive</u> <u>Order 13595</u>,⁷ detailing the commitments of the Department of State, Department of Defense, US Agency for International Development (USAID), and other relevant federal agencies. These agencies developed specific implementation plans and began to integrate WPS.

LEGISLATIVE HISTORY OF THE WPS ACT

In August 2012, the first iteration of the WPS Act was introduced in the 112th Congress (2011-2012) with bipartisan support in both the <u>House of Representatives</u>⁸ and the <u>Senate</u>.⁹ The Act was then revised and reintroduced in the <u>House</u>¹⁰ and the <u>Senate</u>¹¹ during the 113th Congress (2013–2014), without either chamber taking any further action. WPS bills were again reintroduced during the 114th Congress (2015-2016) in both the <u>House</u>¹² and the <u>Senate</u>,¹³ and this time the House acted and passed its version on 11/15/2016. However, the Senate failed to act on either bill. In the 115th Congress (2017 – 2018), the bill was sponsored in the <u>House</u>¹⁴ by Representative Kristi Noem (R-SD), and originally cosponsored by Representatives Jan Schakowsky (D-IL), Eliot Engel (D-NY), and Ed Royce (R-CA). In the <u>Senate</u>,¹⁵ the bill was sponsored by Senator Jeanne Shaheen (D-NH), and cosponsored by Senators Shelley Moore Capito (R-WV), Marco Rubio (R-FL), Christopher A. Coons (D-DE), and Benjamin L. Cardin (D-MD). While the

^{5.} Our Secure Future, "National Action Plans," https://oursecurefuture.org/our-secure-future/project/national-action-plans

^{6.} Peace Women, Women's International League of Peace and Freedom, "National Action Plans: At A Glance," July 2023, https://1325naps.peacewomen.org/ 7. The White House, "Executive Order—Instituting a National Action Plan on Women, Peace, and Security," December 19, 2011, https://obamawhitehouse.

archives.gov/the-press-office/2011/12/19/executive-order-instituting-national-action-plan-women-peace-and-securited archives.gov/the-press-office/2011/12/19/executive-order-institution-plan-women-peace-and-securited archives.gov/the-press-office/2011/12/19/executive-order-institution-plan-women-peace-and-securited archives.gov/the-press-office/2011/12/19/executive-order-institution-plan-women-peace-and-securited archives.gov/the-press-office/2011/12/19/executive-order-institutive-order-institutive-order-institutive-order-institutive-order-institutive-order-institutive-order-institutive-order-institutive-order-institutive-order-institutive-order

^{8.} Congress.gov. "H.R.6255 - 112th Congress (2011-2012): Women, Peace, and Security Act of 2012." August 1, 2012. https://www.congress.gov/ bill/112th-congress/house-bill/6255

^{9.} Congress.gov. "S.3477 - 112th Congress (2011-2012): Women, Peace, and Security Act of 2012." August 1, 2012. https://www.congress.gov/bill/112th-congress/senate-bill/3477

^{10.} Congress.gov. "H.R.2874 - 113th Congress (2013-2014): Women, Peace, and Security Act of 2013." July 31, 2013. https://www.congress.gov/ bill/113th-congress/house-bill/2874

^{11.} Congress.gov. "S.1942 - 113th Congress (2013-2014): Women, Peace, and Security Act of 2014." January 16, 2014. https://www.congress.gov/ bill/113th-congress/senate-bill/1942

^{12.} Congress.gov. "H.R.5332 - 114th Congress (2015-2016): Women, Peace, and Security Act of 2016." November 16, 2016. https://www.congress.gov/ bill/114th-congress/house-bill/5332

^{13.} Congress.gov. "S.224 - 114th Congress (2015-2016): Women, Peace, and Security Act of 2015." January 21, 2015. https://www.congress.gov/ bill/114th-congress/senate-bill/224

^{14.} Congress.gov. "H.R.2484 - 115th Congress (2017-2018): Women, Peace, and Security Act of 2017." June 21, 2017. https://www.congress.gov/ bill/115th-congress/house-bill/2484

^{15.} Congress.gov. "All Info - S.1141 - 115th Congress (2017-2018): Women, Peace, and Security Act of 2017." October 6, 2017. https://www.congress.gov/ bill/115th-congress/senate-bill/1141/all-info

House passed its bill version again on 06/20/2017, the Senate chose to move its own version, and the House passed the Senate bill on 09/25/2017. President Trump signed the "Women, Peace, and Security Act of 2017" into law (P.L. 115-68)¹⁶ on 10/06/2017.

Besides the United States, Israel¹⁷ is the only other country with a domestic law that focuses on Women, Peace and Security. <u>Amendment 6C of Israel's Women's Equal Rights Law</u>¹⁸ (1951) includes language about implementing UNSCR 1325.

The Women, Peace, and Security Act of 2017 recognizes that women are on the front lines of international security challenges as powerful agents of change to create stability and peace.

WHAT DOES THE WPS ACT DO?

The spirit and intent of the law is to express

the sense of Congress that: (1) the United States should be a **global leader in promoting the participation of women** in conflict prevention, management, and resolution and post-conflict relief and recovery efforts; and (2) **the political participation and leadership of women** in fragile environments, particularly during democratic transitions, **is critical to sustaining democratic institutions**.

The WPS Act requires training, accountability, and coordination across multiple US government agencies. While Canada <u>committed \$150 million CAD in 2017 to WPS policies and programs as part of its NAP</u>,¹⁹ the United States WPS Act currently does not include any authorizations of funds. However, the Act does call for the following:

The President is required to submit a Women, Peace and Security Strategy to the US Congress.

The law, as currently written, requires the President to submit two government-wide Women, Peace and Security Strategies. The first such strategy was submitted in 2019,²⁰ supported by specific implementation plans by the <u>Department of State</u>, the <u>Department of Defense</u>, <u>USAID</u>, and the <u>Department of Homeland Security</u> a year later. <u>The second U.S. Strategy on WPS²¹</u> was released in the fall of 2023, thereby sunsetting this critical provision of the law unless it is reauthorized by Congress.

16. Congress.gov. "S.1141 - 115th Congress (2017-2018): Women, Peace, and Security Act of 2017." October 6, 2017. https://www.congress.gov/ bill/115th-congress/senate-bill/1141

^{17.} Sarai Aharoni, "Implementing SCR 1325: Lessons from Israel," Open Democracy, May 10, 2015, https://www.opendemocracy.net/en/5050/implement-ing-scr-1325-lessons-from-israel/

H.E. Mr. Ron Prosor, "Permanent Mission of Israel to the United Nations: Women, Peace, Security" (statement, United Nations Security Council, New York, NY, October 28, 2011), https://embassies.gov.il/un/statements/security_council/Pages/Women-and-Peace-and-Security.aspx

^{19.} Government of Canada, "Canada's Action Plan for the Implementation of United Nations Security Council Resolutions on Women, Peace and Security - 2017-2022," November 6, 2017, https://www.international.gc.ca/transparency-transparence/women-peace-security-femmes-paix-securite/2017-2022-action-plan.aspx?lang=en

^{20.} Government of the United States, "United States Strategy on Women, Peace and Security," June 2019, https://www.state.gov/wp-content/up-loads/2021/01/WPS_Strategy_10_October2019.pdf

^{21.} The White House, "U.S. Strategy and National Action Plan on Women, Peace and Security," October 2023, https://www.whitehouse.gov/wp-content/up-loads/2023/10/U.S.-Strategy-and-National-Action-Plan-on-Women-Peace-and-Security.pdf

The law further requires a report to Congress two years after each strategy is submitted, which summarizes and evaluates their progress. This requirement is significant, not only because it provides an accountability mechanism for the law but because it allows for learning and improvement across the US government. In addition to the 2019 Strategy, the Trump Administration also <u>released a set of metrics</u> and <u>milestones</u>²² not required by the WPS Act to accompany the overall implementation of the WPS Strategy. In compliance with the WPS Act, <u>the first such report was released in 2021</u>.²³

In 2022, the Biden Administration released <u>a voluntary report to Congress²⁴</u> on the progress on the implementation of WPS policies. These requirements contained in the WPS Act go beyond the previous <u>2011 US National Action Plan²⁵</u> created by Executive Order 13595, which did not include mechanisms for the monitoring and evaluation of the NAP.

The President should promote women's participation in conflict prevention.

Although women are disproportionately affected by conflict, they are also almost always on the frontlines of peace movements in their countries. From Rwanda to Colombia, Afghanistan, Ukraine, and Bosnia to Liberia, women have mobilized assistance in humanitarian emergencies, mediated warring factions, and repaired communities torn apart by conflict. The WPS Act promotes women's agency as peace actors rather than focusing solely on their victimization during violent conflict. This Act recognizes women's full participation, leadership, and agency as essential to the success of peace and security worldwide.

According to a 2017 report by the <u>Council on Foreign Relations</u>,²⁶ evidence shows that women's participation in conflict prevention and resolution advances security interests. For example, as noted above, peace agreements are <u>35 percent more likely to last at least fifteen years when women participate</u>.²⁷ It is also documented that higher levels of <u>gender equality are associated with a lower propensity for conflict both between and within states</u>.²⁸

The US Department of State and the US Department of Defense must provide gender analysis training for conflict prevention, mitigation, and resolution.

The WPS Act mandates that US agencies carry out trainings specifically on gender analysis. Gender analysis means considering the different experiences, priorities, and needs of women, men, boys, and girls in a given situation. The information from a gender analysis can provide nuanced and comprehensive information to improve the effectiveness of peace and security operations.

The Department of State and USAID are required to provide training on women's engagement in conflict prevention and resolution, protection of civilians from violence and exploitation, and international human rights and humanitarian law. The Department of Defense is additionally mandated to emphasize training on gender considerations as well as effective strategies for ensuring women's full participation.

The Department of State and USAID must establish guidelines for use by overseas US personnel when consulting with stakeholders to ensure the meaningful participation of women in the prevention, mitigation, and resolution of violent conflict.

In mandating that US overseas personnel engage in dialogue with a broader range of stakeholders, the law enables and prioritizes the meaningful participation of women and marginalized communities and makes consultation with underrepresented groups a priority in US foreign policy. This directly allows for greater US support of women peacebuilders.

^{22.} The White House, "Women, Peace, and Security Strategy: Milestones & Metrics," October 2019, https://trumpwhitehouse.archives.gov/wp-content/up-loads/2019/10/Women-Peace-and-Security-Metrics-and-Milestones.pdf

^{23.} The White House, "United States Government Women, Peace, and Security (WPS) Congressional Report," June 2021, https://www.whitehouse.gov/wp-content/uploads/2021/07/USG_Women_Peace_Security_WPS_Congressional_Report_FINAL6.30.2021-Updated-July-16.pdf

The White House, "United States Government Women, Peace, and Security Congressional Report," July 2022, https://www.state.gov/wp-content/uploads/2022/07/US-Women-Peace-Security-Report-2022.pdf

The White House, "United States National Action Plan on Women, Peace, and Security," December 2011, https://1325naps.peacewomen.org/wp-content/ uploads/2020/12/us_nationalactionplan_2011.pdf

^{26.} The Council on Foreign Relations, "Women's Contributions to Peace and Security Processes," February 24, 2017, https://www.cfr.org/report/womens-contributions-peace-and-security-processes

^{27.} Stone, "Annex II," 34.

^{28.} Our Secure Future, "Women, Peace and Security by the Numbers," https://oursecurefuture.org/publication/women-peace-and-security-numbers

The WPS Act requires training, accountability, and coordination across multiple US government agencies.

HOW IS THE WPS ACT FUNDED?

Even though the WPS Act does not include any authorizations of specific funding levels, Congress made clear that WPS programming, the promotion of gender equality and women's leadership, and programs focused on gender-based and conflict-related sexual violence should be supported from monies appropriated to foreign affairs accounts such as the "Economic Support Fund", and the "International Narcotics Control and Law Enforcement," and regional funds.

For Women, Peace and Security funding in particular, Congress has stipulated in past appropriation laws that monies should be made available from these funds. For example, the <u>Consolidated Appropriations</u> Act FY 2023 (P.L. 117-328)²⁹ allowed for \$150,000,000; the Consolidated Appropriations Act FY 2022 (P.L. 117-103)³⁰ for \$135,000,000, and the <u>Consolidated Appropriations Act FY 2021 (P.L. 116-260)³¹ for</u> \$130,000,000. The <u>Further Consolidated Appropriations Act FY 2020 (P.L. 116-94)</u> generally provided that monies "should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls."³²

The U.S. also has a track record of supporting Gender Equality efforts on an ad hoc basis. In the past, Congress has allocated funding to several WPS priorities, such as the training of women police in Afghanistan. For example, the <u>FY 2017 National Defense Authorization Act³³</u> included a provision to make \$25 million available for programs and activities to support the recruitment and retention of women in the Afghan National Defense and Security Forces.

In addition, vital funding for gender programming is set aside in the <u>FY 2018 State and Foreign</u> <u>Operations Bill (SFOPS)</u>.³⁴ Section 7059 on Gender Equality explicitly states that:

funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.

Furthermore, the 2018 SFOPS mandated that not less than \$50 million of funds appropriated under Title III be allocated to support women's leadership and not less than \$150 million of funds appropriated under Title III be allocated to address gender-based violence.

^{29.} Congress.gov. "H.R.2617 - 117th Congress (2021-2022): Consolidated Appropriations Act, 2023." December 29, 2022. https://www.congress.gov/ bill/117th-congress/house-bill/2617

^{30.} Congress.gov. "H.R.2471 - 117th Congress (2021-2022): Consolidated Appropriations Act, 2022." March 15, 2022. https://www.congress.gov/ bill/117th-congress/house-bill/2471

^{31.} Congress.gov. "H.R.133 - 116th Congress (2019-2020): Consolidated Appropriations Act, 2021." December 27, 2020. https://www.congress.gov/ bill/116th-congress/house-bill/133

^{32.} Congress.gov. "H.R.1865 - 116th Congress (2019-2020): Further Consolidated Appropriations Act, 2020." December 20, 2019. https://www.congress.gov/ bill/116th-congress/house-bill/1865.

^{33.} Congress.gov. "S.2943 - 114th Congress (2015-2016): National Defense Authorization Act for Fiscal Year 2017." December 23, 2016. https://www.con-gress.gov/bill/114th-congress/senate-bill/2943

^{34.} Congress.gov. "Text - H.F.3362 - 115th Congress (2017-2018): Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018." July 24, 2017. https://www.congress.gov/bill/115th-congress/house-bill/3362/text

Congress and the administration can work together to identify lessons learned from these early commitments to help set future goals for the WPS agenda. As the field moves forward, the WPS law provides a strong policy framework to address international security and peace matters more effectively.

* The United Nations founding documents and subsequent publications relating to UNSCR 1325, use the phrase, "Women, Peace and Security" without an oxford comma. This is because "Women, Peace and Security" emphasizes the importance of women's participation and decision- making in international peace and security. However, the US National Action Plan on WPS and the US WPS ACT of 2017 use the phrase, "Women, Peace, and Security" with an oxford comma. Both versions are used within this document depending on whether they are referring to the UN or to the US context.

SUMMARY OF THE WOMEN, PEACE, AND SECURITY ACT OF 2017 PUBLIC LAW NO: 115-68. REPRINTED FROM WWW.CONGRESS.GOV.

(Sec. 3) This bill expresses the sense of Congress that: (1) the United States should be a global leader in promoting the participation of women in conflict prevention, management, and resolution and post-conflict relief and recovery efforts; (2) the political participation and leadership of women in fragile environments, particularly during democratic transitions, is critical to sustaining democratic institutions; and (3) the participation of women in conflict prevention and conflict resolution helps promote more inclusive and democratic societies and is critical to country and regional stability.

(Sec. 5) The President, within one year after enactment of this bill and again four years later, shall submit to the appropriate congressional committees and make public a Women, Peace, and Security Strategy, which shall:

- be aligned with other nations' plans to improve the participation of women in peace and security processes, conflict prevention, peace building, and decision-making institutions; and
- include goals and evaluation plans to ensure strategy effectiveness.

Such a strategy shall include a specific implementation plan from each relevant federal agency.

The President is urged to promote women's participation in conflict prevention.

It is the sense of Congress that the President should: (1) provide technical assistance and training to female negotiators, peace builders, and stakeholders (non-governmental and private sector entities engaged in or affected by conflict prevention and stabilization, peace building, security, or related efforts); (2) address security-related barriers to women's participation; (3) encourage increased women's participation in U.S.-funded programs that provide foreign nationals with law enforcement, rule of law, or military education training; (4) support appropriate local organizations, especially women's peace building organizations; and (5) expand gender analysis to improve program design.

(Sec. 6) The Department of State shall ensure that personnel responsible for, or deploying to, countries or regions considered to be at risk of undergoing, or emerging from, violent conflict obtain training in the following areas, each of which shall include a focus on ensuring participation by women:

- conflict prevention, mitigation, and resolution;
- protecting civilians from violence, exploitation, and trafficking in persons; and
- international human rights law.

The Department of Defense shall ensure that relevant personnel receive training in:

- conflict prevention, peace processes, mitigation, resolution, and security initiatives that addresses [sic] the importance of participation by women; and
- gender considerations and participation by women, including training regarding international human rights law and protecting civilians from violence, exploitation, and trafficking in persons.

(Sec. 7) The State Department and the U.S. Agency for International Development shall establish guidelines for overseas U.S. personnel to consult with stakeholders regarding U.S. efforts to:

- prevent, mitigate, or resolve violent conflict; and
- enhance the success of mediation and negotiation processes by ensuring the meaningful participation of women.

The State Department is urged to work with international, regional, national, and local organizations to increase the participation of women in international peacekeeping operations.

(Sec. 8) The State Department, within one year after the first strategy's submission, shall brief the appropriate congressional committees on training regarding the participation of women in conflict resolution.

The President, within two years after each strategy's submission, shall submit to the appropriate congressional committees a report that evaluates the implementation of such strategy and the impact of U.S. diplomatic efforts and foreign assistance programs to promote the participation of women.

Gender perspectives improve security outcomes





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