

**From Dialogue to Joint Actions:
Is It Possible to Overcome the Public Split in the Conflict in Donbas?**
(WIPD presentation and expert discussion)

22 November 2018

Organiser: Centre of Public Initiatives “Ideas for Change” and partner organisations of the transnational dialogue platform “**Women’s Initiatives for the Peace in Donbas(s)**” (WIPD)

Presentation of the transnational dialogue platform
“**Women’s Initiatives for the Peace in Donbas(s)**” (WIPD)

Introductory statement
by

Ambassador Marie Jacobsson,
Swedish Ministry for Foreign Affairs and
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Dialogue Participants, Excellencies, Ladies and Gentlemen,

I would like to thank the Centre of Public Initiatives ‘*Ideas for Change*’ and partner organisations of the transnational dialogue platform ‘Women’s Initiatives for the Peace in Donbas(s)’ for inviting me to take part in this presentation. It is a great honour.

The “*Women’s Initiatives for the Peace in Donbas(s)*” (WIPD) is – and I quote from the WIPD’s own description – a “*standing dialogue platform, uniting women activists from Ukraine (including internally displaced persons and residents of certain districts of Donetsk and Luhansk oblasts), Russia (including Ukrainian refugees from Donbas) and other European countries.*”

The mere description of the project reveals the political intricacies involved. It states that the aims of the dialogue platform are to:

- establish relationships between representatives of different sides of the conflict;
- offer methods to reduce tension and neutralise fear and enemy images; and
- identify potential actors for peaceful development in the region.

From this description we can conclude that the dialogue consists of three main elements that are clearly interrelated:

1. to establish relationships,
2. to offer methods for dialogue, and
3. to identify relevant actors.

All three elements are needed to make it work.

This may sound simple, but it is not easy. Instead of focusing on differences and obstacles, the women engaged in the dialogue platform have created their own methods for dialogue and cooperation. And they have done so *even though* they do not always agree on the narrative. The women involved in the dialogue have worked step by step, in a well-organised, well-structured and truly professional manner. They have been supported, and listened to, by skilled and experienced women from outside the regions. They have not rushed the process, not wanting to endanger it.

This makes the platform unique in many respects, and it demonstrates the importance of participation by people and groups who are particularly affected by the conflict.

As we all know, only a few women are formally engaged in the political processes in which the conflict is discussed, such as the Minsk process. That is not a satisfactory situation. It is therefore no surprise that a group of wise women have taken this initiative. The women concerned are strong and prepared to address aspects of the conflict and conflict resolutions that are often

overlooked.

Before I continue, allow me to say a few words about Sweden's engagement in matters relating to women, peace and security. Our engagement goes back a long way – in fact decades. Supporting women's full and effective participation in peace negotiations and political processes is a key priority for Sweden. Both women and men must actively and effectively participate in all decision-making processes at all levels. By the establishment of a network of women mediators in 2015 – the Swedish Women's Mediation Network – Sweden is able to support dialogue and peacebuilding efforts such as your initiative.

The Swedish Women's Mediation Network was established with the aim of promoting peaceful conflict resolution and actively supporting women's meaningful participation in sustainable peace-making processes before, during and after conflict. This includes supporting local women to take active part in conflict resolution; and to give them political space and legal support. We believe that it is important to show public support for women who are actively engaged in peace and dialogue processes, and highlight their good work. Your important dialogue platform is a valuable example.

But our voices reach beyond Sweden. As of today, several women's mediation networks have been established: *Nordic Women Mediators*, *FemWise-Africa*, the *Mediterranean Women Mediators Network* and *Women Mediators across the Commonwealth*. They all consist of women who share experiences, who refuse to be silent and who are in the right. None of these networks existed a few years ago, and more are likely to appear. The avalanche has just begun.

Last month representatives from all these mediation networks met in New York during the annual United Nations Security Council's debate on *Women, Peace and Security*. Together they wrote an Open Letter to the Secretary-General of the United Nations. The letter ends with the following words:

"Peace is built around many tables. Women are ready to sit at all of them and contribute to a more sustainable and inclusive peace, for the benefit of men and women alike."

Ukraine is one of the focus countries for Sweden's National Action Plan for the implementation of UN Security Council Resolution 1325 on *Women, Peace and Security*. This means that our Embassy in Kiev (represented here today by Ambassador Martin Hagström), together with partners, has an active role in contributing to follow-up country-specific results.

I am an international lawyer. Most, if not all, of my work focuses on international peace and security. Decades ago, when I began my career, peace and security were closely linked with the use of force and military measures. At that time, few men – and they were mostly men – connected security with human rights, environmental issues or the rule of law. Human rights were often seen as internal matters of a State or, in terms of Article 2(7) of the Charter of the United Nations, as “*matters which are essentially within the domestic jurisdiction of any state*”. And this was the case, even though the preamble of the UN Charter clearly reaffirms “*faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small*”.

Admittedly, we have come a long way since the adoption of the United Nations' Charter. But we are far from achieving our goal. One serious shortcoming is that women are still forgotten about when we refer to human rights. Women are still excluded, sometimes on purpose, sometimes due to genuine ignorance. Often, the structures in a society make it even harder for women to contribute their knowledge, strengths, experience and intelligence. But we are, and must be, on the move!

Allow me to say a few words about the terms ‘peace process’ and ‘dispute’.

There is no legal definition of the term ‘peace process’, but the term is normally used to cover all stages of a peaceful settlement of a dispute, including the phase required to build and maintain sustainable peace. This, I would argue, clearly includes also a ‘peace dialogue’.

An international legal dispute is most often defined as “*a disagreement on a question of law or fact, a conflict, a clash of legal views or of interests.*”¹ International law requires that States solve their disputes peacefully and international law therefore offers a variety of dispute settlement tools.

It is worth taking a closer look at Article 33 of the UN Charter on the peaceful settlement of disputes. Article 33 states that: “*The parties to any dispute ... shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice*”. As you all know, the list is non-exhaustive and imposes an obligation on the parties to any dispute, “*which is likely to endanger the maintenance of international peace and security*”, to not remain passive.

The examples given in Article 33 of the UN Charter are a mixture of political, diplomatic and legal methods. Only two of these are purely legal: arbitration and judicial settlement.

While international law offers a toolbox of inter-state dispute settlement procedures, it has nothing to say about the inclusion of women in such dispute settlement procedures. It is a well-known fact that most international judges and arbitrators are men.

The situation is similar with regard to political processes such as peace processes. There are no generally applicable treaties stipulating that women must be part of peace processes. However, we should note that according to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), States “shall ensure to women, on equal terms with men, the right... *[t]o participate in the formulation of government policy and the implementation thereof*”.

So, not only do women have the right to formulate government policy, states have an obligation “*to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organisations*”.

¹<http://www.icj-cij.org/en/contentious-jurisdiction>

This, in my view, imposes an obligation on States to ensure that women are part of peacebuilding processes. And if States are not willing to include women, women are, at a minimum, legally guaranteed the right “[t]o participate in non-governmental organisations and associations concerned with the public and political life of the country”.

More and more attention is being given to the importance of ensuring women’s participation. Studies show that when women are involved, the chances of sustainable peace are greater. A successful peace process is not just about reaching a ceasefire. It is also about justice, education, health, reconciliation, the equitable distribution of resources and the protection of the natural environment.

An interesting study by the US-based organisation *Inclusive Security* shows that few women are at the table when ceasefires, truces or cessation of hostilities are negotiated. Ceasefires are often negotiated among the warring parties. And these are most often men. The study shows that ceasefire agreements play a crucial role in a peace process since they often influence, or determine outright, which actors will subsequently be invited to the negotiating table, and which issues will appear on the agenda of those talks. It also shows that we have little information on how such agreements incorporate women’s and civil society’s needs, perspectives and considerations. But we can guess that it is not necessarily in women’s favour.

You have probably heard the expression ‘*women’s rights are human rights*’. You may think this is a modern claim. It is not. It stems from the United States’ women’s suffrage movement of the 19th century. And it is worth repeating: women’s rights are human rights!

What we are now seeing with the project “Women’s Initiatives for the Peace in Donbas(s)” are initiatives by women – but not just for women – they are initiatives for the benefit of all those who are affected by the conflict. They are initiatives by women who have taken it upon themselves to address matters that others believe to be unattainable – or simply forgotten.

Furthermore, peace dialogues and peace processes are about human rights and international law.

They are about a rules-based order. They are about the rule of law.

A sustainable peace process lays the foundation for resilient institutions that promote economic, political and social emancipation *for all*. Peace processes therefore need to be inherently inclusive. No discussions *about* women should take place *without* the involvement of women.

While the conflict continues, life goes on: children are born, and birth certificates must be issued; young children become teenagers; and teenagers finish school and start work or further education; exams must be held and school grades issued. And of course, people grow old and pass away, and death certificates must be issued. All this requires practical solutions; solutions built on dialogues and creative thinking.

The transnational dialogue platform “Women’s Initiatives for the Peace in Donbas(s)” (WIPD) addresses precisely these matters, but its implications are more far-reaching than its practical achievements.

I would like to conclude by thanking all the participants for the work that they have put into this project and wish them all the best with the continuation of their work.