

THE SECURITY COUNCIL AND NORM CONSUMPTION

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I. INTRODUCTION

Since 1999, the United Nations (UN) Security Council has adopted an unprecedented number of non-coercive resolutions on broad-based, thematic issues of peace and security (“TIPS resolutions”). TIPS resolutions address issues as diverse as women’s equality, HIV/AIDS, and children’s rights, and urge all—not just select—states to take action. Yet before 1999, the Council had not interpreted its mandate to maintain international peace and security to include consideration of, for example, women’s and children’s rights in resolutions.

Council actions matter not only to Council members but to all states.¹ Within the international system, the Council is the sole organ with the capacity for collective judgment and mobilization of force in interpreting the UN Charter. As a practical matter, Council decisions may bind all member states, enforce international standards and even influence the content of international law. Therefore, the Council’s “con-

1. See *infra* Part III (discussing the Council’s powers under Chapter VII); see also David M. Malone, *Introduction to THE UN SECURITY COUNCIL: FROM THE COLD WAR TO THE 21ST CENTURY* 1, 3 (David M. Malone ed., 2004).

sumption,”² or assumption and rhetorical employment, of human rights-based security norms presents important questions for international legal theory and international law.

The international relations and international law literature abounds with accounts of norm diffusion.³ Constructivist scholars contend that international organizations (IOs) can shape the interests of states and the contents of norms. But constructivist accounts of norm diffusion tend to conflate the role of IOs and their organs⁴ with that of other norm entrepre-

2. I borrow the term “consumption” from Susan Park to describe a process embedded within the over-all process of norm diffusion. See Susan Park, *Theorizing Norm Diffusion Within International Organizations*, 43 INT’L POL. 342 (2006) [hereinafter Park, *Theorizing*] (identifying the gap in constructivist literature).

3. I use the term “diffuse” to describe the process of movement of various norms among and between actors. Norm diffusion is composed of distinct processes of adoption, consumption, and promotion. I use the term “adoption” to denote a distinct moment in the process of diffusion when an actor formally acknowledges and declares a particular norm’s relevance to its work. For different accounts of norm diffusion, see *infra* Part II.A.

4. See *infra* Part II.A. In this Article, I use the definition of IOs advanced by Jose Alvarez. JOSE ALVAREZ, *INTERNATIONAL ORGANIZATIONS AS LAW-MAKERS 1* (2005) [hereinafter ALVAREZ, *INTERNATIONAL ORGANIZATIONS*] (citing CLIVE ARCHER, *INTERNATIONAL ORGANIZATIONS* (3d ed. 2001) and HENRY G. SCHERMERS & NIELS M. BLOKKER, *INTERNATIONAL INSTITUTIONAL LAW: UNITY WITHIN DIVERSITY* (Martinus Nijhoff Publishers 4th ed. 2003) (1974)); see *infra* text accompanying note 33 (providing Alvarez’s definition of “IO” in full).

I also adopt the following as necessary characteristics of IOs: “establishment (1) by international agreement between states; (2) of at least one organ distinct from member states capable of so acting; and (3) under international law.” *Id.* at 6. For ease of reference, I follow the practice of some international relations theorists, and use the general term “IO” to include specific organs of IOs such as the Security Council. When the distinction is critical to my analysis in this Article, I distinguish between the IO and its organs. In international relations literature, the dynamics of IO organs or bodies are often conflated with those of IOs. For example, in their case studies, Finnemore and Barnett focus on the offices of the UNHCR and the UN Secretariat, entities within the larger UN, which they term “IOs.” See MICHAEL BARNETT & MARTHA FINNEMORE, *RULES FOR THE WORLD: INTERNATIONAL ORGANIZATIONS IN GLOBAL POLITICS 3* (2004). It is beyond the scope of this analysis to identify and analyze the many bureaucratic microprocesses that are also at work in IO decisionmaking, but this type of inquiry would be helpful to future analysis. See generally MAX WEBER, *THEORY OF SOCIAL AND ECONOMIC ORGANIZATION* (1947); Philip Selznick, *An Approach to a Theory of Bureaucracy*, 8 AM. SOC. REV. 47 (1943).

neurs.⁵ Moreover, they do not explain how IOs consume the norms they are later reported to diffuse. Likewise, for rational choice-based theorists, IOs act as agents for their rational interest-balancing state principals. Given the centrality within this theory of state actors' desire to maximize power in international relations, such accounts offer few insights into how the content of a given norm adopted by an IO may change.⁶

These TIPS resolutions present a puzzle: What accounts for the Council's adoption of broad-based human security norms? Why would the Council adopt broad, non situation-specific, human security⁷ resolutions that address subjects not conventionally considered to fall within the ambit of international peace and security concerns? Are the Council's preferences simply the result of powerful individual member states' interests? How does the Council, as both a collection of individual members' interests and an organ with a specific mandate within the UN system, form preferences? How do its preferences change?

By analyzing the Council's process of human rights norm consumption, this Article aims to fill a gap in constructivist accounts and question rational choice-based understandings of how IOs and IO organs consume the norms they are reported to diffuse. I offer a descriptive account of some of the sources of the norms articulated in the non-coercive TIPS resolutions. Case studies of two relatively new human security TIPS resolu-

5. By "norm entrepreneur," I mean to include a broad cross-section of advocates of a particular norm. Members of this group might come from civil society, other IO organs that have internalized the norm, and even states, all of which could seek to further promote the norm. For more on norm entrepreneurs, see generally Cass R. Sunstein, *Social Norms and Social Roles*, 96 COLUM. L. REV. 903 (1996); *infra* Part II.B.

6. *See infra* Part II.A.

7. I use the term "human security" in this Article to describe a category of TIPS resolutions with subjects transcending traditional state-based, militaristic notions of security. These resolutions focus on the needs and rights of individuals as a vital component of sustainable security. In addressing the needs of the individual at different phases of conflict, human security resolutions often blur conventional boundaries between the doctrines of human rights, development, and *jus in bello*. It is not within the scope of this Article to address the normative advisability of human security as an ordering principle for global security. *See infra* Part III.C. For a history of the UN's involvement with the concept of human security, see generally *id.*; S. NEIL MACFARLANE & YUEN FOONG KHONG, *HUMAN SECURITY AND THE UN: A CRITICAL HISTORY* (2006).

tions suggest that UN organs, other IOs, norm entrepreneurs, and transnational advocacy networks have influenced Council members' consumption of human rights-based security norms. Based on an analysis of the nontrivial, though concededly uneven, impact of the non-coercive TIPS resolutions, I argue that such resolutions do not just result in "cheap talk." In closing, I discuss the implications of my norm consumption outline for a larger account of how, if at all, norms change behavior.

I call the process I describe "norm consumption"⁸ to highlight the fact that the Council must first take on, choose, adopt, or otherwise employ rhetorically a norm before it can promote or diffuse the norm. Thus the term loosely corresponds to the process through which a "consumer" selects and purchases a commodity. Consumption describes the ultimate moment of the "transaction," when the Council takes on the norm, as well as the process leading up to this final transaction. The term is not intended to imply that a norm is a resource that can be exhausted or used up. The concept of consumption also leaves the question of Council motivation open: The Council may have consumed the norm for instrumental purposes, and not necessarily because all members were persuaded by the norm. My outline does not attempt to explain the process of norm consumption in all IOs and organs. Rather, it focuses exclusively on the Security Council. IOs' procedures and policies are the subject of a vast literature, and because only some aspects of my account of Council norm consumption may be helpful in understanding the consumption process in other IOs, further empirical study is recommended.⁹

This Article proceeds in eight parts. Part II situates the puzzle of Council norm consumption within the international law and international relations (IL/IR) literature about norm diffusion and identifies the gap in theory that I address in this Article: In both rational choice and constructivist approaches to norm diffusion, the process by which IOs (or their organs) consume human rights norms and change preferences remains underspecified. Under two rational choice-based theo-

8. See Park, *Theorizing*, *supra* note 2, at 358.

9. See generally Alistair Iain Johnston, *Treating International Institutions as Social Environments*, 45 INT'L STUD. Q. 487, 509 (2001) (noting that different institutions vary in the ways they socialize different actors).

ries, neorealism and contractual institutionalism, states choose whether or not to adopt a particular norm based on rational calculations of self-interest rather than on the content of the norm.¹⁰ Human rights norms provide individuals with rights against sovereign states, clashing with conventional neorealist accounts of state power interests. Therefore, these rational choice-based theories do not satisfactorily account for the diffusion of human rights norms or the ways in which the content of norms changes. Constructivists, by contrast, are interested in how the content of norms and institutions might shape various actors', including states', preferences, and frequently describe the processes by which non-state actors diffuse human rights norms. However, constructivist accounts of norm diffusion often conflate the role of IOs with that of other norm entrepreneurs and leave the nature of the interaction between IOs and norm entrepreneurs unexplored.¹¹ I seek to fill this gap and refocus constructivist IL/IR accounts of norm diffusion by examining the process through which an IO organ, the Council, has consumed TIPS human rights norms.

Part III explains how changes in Council work procedures over the past two decades have made Council members more accessible to norm entrepreneurs. I describe aspects of the Council's organizational identity by laying out its Charter-based structure and mandate. I also describe the object of this Article's analysis: the Council's TIPS trend and the array of human security TIPS resolutions. This Part closes with a synoptic overview of human security constructs.

In Part IV, I map two human security TIPS resolutions. In case studies, I trace epistemic communities' development¹² of these human security norms and norm entrepreneurs' promo-

10. See *infra* notes 23-25. Both realists and neorealists argue for the supremacy of state power in international relations. In this Article, I use the term "neorealist" to refer to the two philosophies together.

11. See Johnston, *supra* note 9, at 492 (noting in examining the microprocesses of socialization, which change state behavior and preferences and occur within international institutions, that for social "constructionists," "[o]nce actors are interacting inside institutions, the diffusion and homogenization of values in the 'world polity' seems virtually automatic, even, and predictable"). See generally Park, *Theorizing*, *supra* note 2 (identifying the gap in constructivist literature); Susan Park, *The Role of Transnational Advocacy Networks in Reconstituting Organization Identities*, 5 SETON HALL J. DIPL. & INT'L REL. 79 (Summer/Fall 2004).

12. See *infra* Part II.B for a discussion of "epistemic communities."

tional activities relating to the norms. The accounts I provide rely as much as possible on direct evidence taken from UN documentation, news coverage, and NGO reports to establish correlation between different actors and processes and the Council's adoption of the TIPS resolutions. I do not claim to be able to establish causation. It is challenging to reconstruct the events of the past and the actions of a number of actors, but documentary evidence supports the modest account provided in these case studies. The case studies show the dynamic interaction of actors and processes that preceded the adoption of Resolution 1325 on women, peace, and security and a series of resolutions regarding children and armed conflict. This section also describes the varying impact of non-coercive TIPS resolutions—including their invocation in later binding resolutions and their effect on Security Council peacekeeping operations—at the member state and grassroots level.

In Part V, I review the evidence to answer the question of why we should care about the Council's non-binding human security TIPS resolutions. In many cases, the adoption of these resolutions has had critical impact and, in some cases, it has brought about the prescribed normative behavior. I argue that even where the resolutions have not had material effects, they have undeniably provided a discursive framework for the development and implementation of the relevant norms. Finally, I contend that the impact of these non-coercive TIPS resolutions demands reconsideration of neorealist and some human rights advocates' predictions that coercion is the sole mechanism of influence by which norms diffuse.

In Part VI, I sketch a preliminary outline of norm consumption by the Council based on the TIPS case studies. In the first phase of the Council's norm consumption, epistemic communities and norm entrepreneurs research new applications for a broadly-stated existing norm like women's equality. If this research is fruitful, these actors introduce the newly contextualized norm, such as women's equal right to participation in peace processes, within the international system. In the second phase, norm entrepreneurs including, for example, transnational advocacy networks and states, attempt to persuade various IOs to adopt this newly-framed norm. These second phase-efforts are often targeted at those IOs with mandates explicitly or closely related to the content of the norm or at IOs with flexible bureaucracies. If the norm entrepreneurs

are successful, markers of consensus develop as IOs, various members of the international community, and states adopt the norm. Assuming the norm achieves widespread acceptance,¹³ in the third phase, supported by these markers of consensus and policy research, norm entrepreneurs finally attempt to socialize the non-conforming Council to encourage it to consume the norm.

According to this model, when the Council chooses to consume a norm, it does not necessarily follow that its members are fully persuaded by its substance. In fact, Council members may be influenced to consume and even promote a human rights norm by social pressure from the community of other IOs' or by other member states' acceptance of that norm rather than because the members themselves have internalized the norm. Indeed, it is likely that the Council not yet fully internalized the norms studied here, even if it is promoting them. Pursuant to my definition, internalization would result in the Council invoking the norm at every relevant opportunity, and never straying from its precepts.¹⁴

Part VII analyzes the implications of my outline of the process of norm consumption for constructivist and rational choice-based accounts of human rights norm diffusion. I advance two claims in this section: First, even within the Council, a vehicle for inter-state negotiation and a repository of state power, the evidence suggests that state interest alone does not suffice to explain the consumption of human rights norms. I argue that even powerful states with veto powers act differently as members of an IO organ than they have acted as individual states.¹⁵ Second, I claim that the Council's changing interpre-

13. It is beyond the scope of this Article to examine what factors determine why some norms succeed in diffusing but others do not.

14. See *infra* Part VI.B.

15. For example, China and Russia both affirmed Resolution 1325 with their votes to adopt, though they have implied that they felt the resolution went beyond the Council's institutional capacity and duplicated the General Assembly's mandate. See Security Council Report, Women, Peace and Security (Nov. 2005), http://www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.1141141/k.C01B/november_2005brwomen_peace_and_security.htm (last visited Oct. 27, 2007) [hereinafter Security Council Report WPS Nov. 2005] (indicating that, although Resolution 1325 was unanimously adopted, some members of the Council believe that its subject matters places it more within the realm of the General Assembly); see also U.N. SCOR, 62nd Sess., 5766th mtg., U.N. Doc. S/PV/5766 (Oct. 23, 2007).

tation of its mandate and its consumption of these TIPS resolutions demonstrate that institutionalization also has effects on Council decisionmaking. In this Part's conclusion, finally, I set forth some of the limitations of my account.

Part VIII concludes my study and explains the overall significance of its findings. I argue that my analysis explains otherwise confusing decisions within the Council, and suggest that "soft law" may be far more powerful within the international sphere than some theorists understand it to be. I also sketch a direction for future research.

II. NORM DIFFUSION AND CONSUMPTION

A. *Overview of Norm Diffusion*

International law and international relations literature offers both rational choice-based and norm-based approaches to understanding the diffusion of human rights norms. Constructivist political scientists and many legal scholars emphasize the ideational and constitutive role of norms in shaping actors' preferences and view state interests as a product of social processes.¹⁶ Rather than taking state self-interest as a given, constructivists are interested in the content of state interests and the social processes through which norms diffuse.¹⁷ Professor Martha Finnemore avers that such norms and beliefs, as opposed to simple rational calculations of self-interest,

16. See James Fearon & Alexander Wendt, *Rationalism v. Constructivism: A Skeptical View* (2002), reprinted in HANDBOOK OF INTERNATIONAL RELATIONS, at 52, 53 (Walter Carlsnaes et al. eds., 2005). See generally Martha Finnemore & Kathryn Sikkink, INTERNATIONAL NORM DYNAMICS AND POLITICAL CHANGE, 52 INT'L ORG. 887 (1998); Alexander Wendt, *Constructing International Politics*, 20 INT'L SECURITY 71 (1995) [hereinafter Wendt, *Constructing*]; John Gerard Ruggie, *What Makes the World Hang Together?: Neo-Utilitarianism and the Social Constructivist Challenge*, 52 INT'L ORG. 855 (1998) (discussing the historical development of constructivism); Thomas Risse & Kathryn Sikkink, *The Socialization of International Human Rights Norm into Domestic Practices, Introduction to The Power of Human Rights* 1, 8 (Thomas Risse et al. eds., 1999).

17. See MARTHA FINNEMORE, NATIONAL INTERESTS IN INTERNATIONAL SOCIETY 3-4 (1996); Fearon & Wendt, *supra* note 16; see also Finnemore & Sikkink, *supra* note 16, at 887-89; Wendt, *Constructing*, *supra* note 16; Ruggie, *supra* note 16; Thomas Risse, "Let's Argue!": *Communicative Action in World Politics*, 54 INT'L ORG. 1, 5 (2000).

actually motivate states' behavior.¹⁸ According to Finnemore's theory of norm diffusion at the international level, neorealists' causal arrows, which indicate that states shape the interests of IOs, can be reversed and IOs and NGOs can also be seen to shape the interests of states.¹⁹ Norm diffusion is a central area of inquiry, therefore, and is defined as the process by which "collectively held ideas about behavior" are promoted.²⁰

Similarly, norm-based international legal theorists emphasize the content, or legitimacy, of the international norm and the process of legal interactions that lead to its horizontal or vertical integration.²¹ Transnational legal process theory, for example, focuses primarily on how international norms are internalized within domestic legal systems through the activities of norm entrepreneurs in a three step process: interaction, interpretation, and internalization.²²

By contrast, for rational choice-based neorealist and institutionalist theorists, the state is the critical actor in the anarchic world of international relations.²³ Since states act rationally to maximize self-interest and power, IOs are viewed by ne-

18. FINNEMORE, *supra* note 17, at 2-3, 11 (arguing that state interest ought not to be taken as monolithic and given, but that the *content* of states' interests should be the subject of analysis). For state-based constructivists, "global scripts" may assist in diffusing human rights norms. Non-state-oriented constructivist academics focus on the promotion and diffusion of human rights norms by transnational advocacy networks or norm entrepreneurs. See Fearon & Wendt, *supra* note 16; FINNEMORE, *supra* note 17, at 71-73.

19. FINNEMORE, *supra* note 17, at 13, 22.

20. *Id.* at 23.

21. Harold Hongju Koh, *Why Do Nations Obey International Law?*, 106 YALE L.J. 2599, 2622-23 (1997). Thomas Franck's legitimacy theory and Abram and Antonia Chayes's managerial legal process theory are norm-based approaches. See THOMAS M. FRANCK, *THE POWER OF LEGITIMACY AMONG NATIONS* 43-49 (1990) (arguing that compliance with international law will be secured when a legal norm is perceived to be fair and legitimate); ABRAM CHAYES & ANTONIA HANDLER CHAYES, *THE NEW SOVEREIGNTY: COMPLIANCE WITH INTERNATIONAL REGULATORY AGREEMENTS* 22-25 (1995) (emphasizing intergovernmental cooperation as an effective alternative to coercive enforcement mechanisms in their managerial legal process theory).

22. See Koh, *supra* note 21, at 2646; Mary Ellen O'Connell, *New International Legal Process*, 93 AM. J. INT'L. L. 334 (1999) (identifying the way in which legal norms are internalized at horizontal as well as at vertical levels).

23. HANS MORGENTHAU, *POLITICS AMONG NATIONS: THE STRUGGLE FOR POWER AND PEACE* (5th ed. 1973); KENNETH WALTZ, *THEORY OF INTERNATIONAL POLITICS* (1979).

orealist theorists as epiphenomenal to state interests.²⁴ For these theorists, the human rights norms promoted by IOs and states are mere cloaks for the instrumental goals of the most powerful states and are thus most effectively spread through coercive enforcement by these states or by the IOs under their control.²⁵ Rational choice-based contractual institutionalists also believe that states pursue “self-interest,” but differ from neorealists by allowing that IO coordination can affect state behavior. Contractual institutionalists argue that institutions change the cost-benefit analysis of state actors by encouraging short-term cooperation for long-term power interests.²⁶

This Article seeks to refocus constructivist IL/IR accounts of norm diffusion by examining the processes through which an IO organ, the Council, consumes TIPS human rights norms and state perceptions of what constitutes an issue related to international peace and security change. Thus, this Article’s methodology is generally constructivist, but I also draw on insights from rational choice-based theories. As discussed *infra* in Parts V and VII, this study and my outline of norm consumption has implications for both norm- and rational choice-based theories.

24. See generally Fearon & Wendt, *supra* note 16; JACK GOLDSMITH & ERIC A. POSNER, *THE LIMITS OF INTERNATIONAL LAW* (2005) (arguing that international law emerges from states acting rationally to maximize their interests).

25. See GOLDSMITH & POSNER, *supra* note 24, at 171; see generally Stephen D. Krasner, *Sovereignty, Regimes and Human Rights*, in *REGIME THEORY AND INTERNATIONAL RELATIONS* 139 (Volker Rittberger ed., 1993). Under these accounts, the work programs and mandates of IOs, particularly political organs of IOs like the Council, simply reflect the most powerful states’ interests in balancing power. See generally ALVAREZ, *INTERNATIONAL ORGANIZATIONS*, *supra* note 4, at 29-30; Fearon & Wendt, *supra* note 16.

26. ROBERT O. KEOHANE, *AFTER HEGEMONY: COOPERATION AND DISCORD IN THE WORLD POLITICAL ECONOMY* 107 (1984). Rational choice-based liberal theorists peer into the black box of state “interest” to ascertain what occurs at the national level. While they agree that states adopt human rights norms and laws out of self-interest, they argue that state interests are defined by the preferences of individuals and national interest groups within the state. In response to interest group pressure and tactics, states promote the norms advocated by these groups through legal processes. See Andrew Moravcsik, *Taking Preferences Seriously: A Liberal Theory of International Politics*, 51 INT’L ORG. 513, 516-20 (1997); Anne-Marie Slaughter, *A Liberal Theory of International Law*, 94 AM. SOC’Y INT’L L. PROC. 240, 241 (2000); Anne-Marie Slaughter, *Governing the Global Economy Through Government Networks*, in *THE ROLE OF LAW IN INTERNATIONAL POLITICS* 177, 205 (Michael Byers ed., 2000).

B. *Actors and Mechanisms in Norm Diffusion*

Constructivists describe the involvement of non-state actors as critical to shaping human rights discourse and influencing agenda formation through complex processes described as “norm cascades,” “spirals,” or “boomerang patterns.”²⁷ These non-state actors may work in epistemic communities or transnational advocacy networks that teach states new interests and help to diffuse norms. For norm-based legal scholars, norm entrepreneurs play important roles in diffusing norms and securing compliance.²⁸ As Park observes, however, the constructivist literature “does not satisfactorily explain or examine how IOs themselves are taught interests.”²⁹ Rather, as I have already explained, constructivist accounts of norm spirals or boomerangs tend to treat IOs as merely one of many norm entrepreneurs diffusing norms in the international system.³⁰

In this Article, I simplify Peter Haas’ notion of “epistemic communities” to mean a group of knowledge-based experts who, based on their beliefs and expertise, share a commitment to advancing a particular norm or group of norms.³¹ I employ

27. See Finnemore & Sikkink, *supra* note 16, at 895-904; MARGARET E. KECK & KATHRYN SIKKINK, *ACTIVISTS BEYOND BORDERS* 12-14 (1998); Risse & Sikkink, *supra* note 16, at 17-23. Although constructivist approaches are generally limited in their ability to predict the specific content of the norms which may be adopted by states or IOs, they are uniquely able to explain and unpack the dynamics of social change and to describe the content of actors’ preferences.

28. See Koh, *supra* note 21, at 2648.

29. Park, *Theorizing*, *supra* note 2, at 345.

30. *Id.* at 348-49.

31. Professor Peter Haas defines epistemic communities as consisting of:

professionals from a variety of disciplines and backgrounds, [who] have (1) a shared set of normative and principled beliefs, which provide a value-based rationale for the social action of community members; (2) shared causal beliefs, which are derived from their analysis of practices leading or contributing to a central set of problems in their domain and which then serve as the basis for elucidating the multiple linkages between possible policy actions and desired outcomes; (3) shared notions of validity—that is intersubjective, internally defined criteria for weighing and validating knowledge in the domain of their expertise; and (4) a common policy enterprise—that is a set of common practices associated with a set of problems to which their professional competence is directed, presumably out of the conviction that human welfare will be enhanced as a consequence.

Keck and Sikkink's understanding of transnational advocacy networks as "networks of activists, distinguishable [from epistemic communities] largely by the centrality of principled ideas or values in motivating their formation . . . [for whom the] goal is to change the behavior of states and of international organizations."³² Likewise, I accept Alvarez's definition of an IO: "IOs are typically collections of sovereign states that have banded together as states to create, under a constitutive international agreement governed by international law usually known as a 'charter' or a 'constitution,' an apparatus, more or less permanent, charged with the pursuit of certain defined common ends."³³ The Council is technically an organ of an IO, but I follow the practice of some international relations theorists and use the general term IO to include specific organs such as the Security Council.³⁴

Both rational-choice and constructivist theorists acknowledge that coercion and persuasion are significant social mechanisms of influence.³⁵ For example, constructivists Keck and Sikkink argue that transnational advocacy networks define and create issues, set agendas, and organize campaigns in order to influence the positions of states.³⁶ Transnational advocacy networks use the socialization process of persuasion to strategically frame issues to provoke action.³⁷ For some construc-

Peter Haas, *Introduction: Epistemic Communities and International Policy Coordination*, 46 INT'L ORG. 1, 3 (1992).

32. KECK & SIKKINK, *supra* note 27, at 1-2. According to my characterization, then, the distinction between epistemic communities and transnational advocacy networks is the centrality of "knowledge-based expertise" in the former and the broad adherence to a norm, without particular need for expertise, in the latter. Epistemic communities and transnational advocacy networks may all be considered norm entrepreneurs.

33. ALVAREZ, INTERNATIONAL ORGANIZATIONS, *supra* note 4, at 1.

34. *See id.*

35. *See generally* GOLDSMITH & POSNER, *supra* note 24; Ryan Goodman & Derek Jinks, *How to Influence States: Socialization and International Human Rights Law*, 54 DUKE L.J. 621 (2004) (suggesting acculturation, the general process by which actors adopt the beliefs and behavioral patterns of the surrounding culture, as a possible mechanism for the diffusion of human rights); KECK & SIKKINK, *supra* note 27.

36. *See* KECK & SIKKINK, *supra* note 27, at 25.

37. *Id.* For institutionalists, mechanisms influencing state preferences within IOs include persuasion, reputation, and information. Rather than altering fixed "self-interest," these mechanisms merely alter strategy and the cost/benefit analyses of states. Johnston, *supra* note 9, at 490.

tivists, however, additional mechanisms of socialization can create ideational change. According to Alastair Johnston, political scientists generally agree on two common themes of socialization: (1) the entity or individual being socialized is a newcomer and (2) values, roles, and expectations are "internalized."³⁸

Johnston's mechanism of "social influence" is animated by the desire to "avoid loss of status . . . or humiliation," not by the desire to seek material benefits or even reputational benefits.³⁹ Johnston emphasizes that *degrees* of socialization and internalization of norms exist and that actors may exhibit "pro-social" behavior as a result of material consequences rather than persuasion.⁴⁰ Similarly, legal scholars Ryan Goodman and Derek Jinks argue that acculturation, briefly summarized as the desire to conform to and mimic a dominant reference group, plays a nontrivial role in socializing states and diffusing human rights norms. Goodman and Jinks emphasize that coercion, persuasion, and acculturation mechanisms interact and are not mutually exclusive in producing norm-change and compliance at the international level.⁴¹

Guided by these different theories of processes, actors and mechanisms of norm diffusion, I turn now to examining the practices of the Council.

38. For Johnston, socialization is defined as "a process by which social interaction leads novices [or newcomers] to endorse 'expected ways of thinking, feeling and acting.'" Johnston, *supra* note 9, at 494-95. Johnston's account of socialization focuses on interactions between small groups and individuals and, unlike Goodman and Jinks' account of acculturation, does not posit that large entities such as states can be "socialized." See Goodman and Jinks, *supra* note 35.

39. Johnston, *supra* note 9, at 500.

40. *Id.* at 495. The newcomer's desire for social goods depends on an "intersubjectively agreed upon notion of what socially valuable behavior looks like" and there must be (1) a normative consensus about good behavior and (2) a forum that will make the particular behavior "public and observable." *Id.* at 501-502.

41. See Goodman & Jinks, *supra* note 35; see also A. M. Weisburd, *Implications of International Relations Theory for the International Law of Human Rights*, 38 COLUM. J. TRANSNAT'L L. 45 (1999) (arguing that human rights are more likely to be advanced by altering the thinking of populations and government officials than by more traditional legal tools).

III. THE SECURITY COUNCIL AND NORMS

Situated at the “apex of international power” and equipped with coercive powers to enforce international peace and security, the Council operates in the paradigmatic realm of state power: security.⁴² In this Part, I set forth the Council’s structure, precedent, and its UN Charter-based powers. Because much has already been written on the powers of the Security Council elsewhere, this Part provides only a basic summary.⁴³ I analyze the Council’s broad discretion in interpreting its mandate, its unique enforcement capacity, and its evolving work procedures. The combination of these factors has made the Council an attractive, albeit still somewhat elusive, target for norm entrepreneurs. In this Part, I also introduce the characteristics of what I call human security TIPS resolutions.

The UN Charter sets forth the mandate, formal constraints, and parameters of Security Council power.⁴⁴ Under Article 25, the “political” action of the Security Council can have binding legal effect on member states and organs of the UN.⁴⁵ The Council also has exclusive enforcement powers under Chapter VII of the UN Charter.⁴⁶ The Security Council includes five permanent members—China, France, Russia, the

42. W. Andy Knight, *The Future of the UN Security Council*, in *ENHANCING GLOBAL GOVERNANCE: TOWARDS A NEW DIPLOMACY?*, at 19, 19 (Andrew Cooper et al. eds., 2002).

43. See generally IAN BROWNLIE, *THE POWERS AND FUNCTIONS OF THE UNITED NATIONS SECURITY COUNCIL* (1999); BARDO FASSBENDER, *UN SECURITY COUNCIL REFORM AND THE RIGHT OF VETO: A CONSTITUTIONAL PERSPECTIVE* (1998); NEIL FENTON, *UNDERSTANDING THE UN SECURITY COUNCIL: COERCION OR CONSENT?* (2004); ERIKA DE WET, *THE CHAPTER VII POWERS OF THE UNITED NATIONS SECURITY COUNCIL* (2004); VIRGIL HAWKINS, *THE SILENCE OF THE SECURITY COUNCIL: CONFLICT AND PEACE ENFORCEMENT IN THE 1990S* (2004); MAX HILAIRE, *UNITED NATIONS LAW AND THE SECURITY COUNCIL* (2005); Knight, *supra* note 42; PETER MALANCZUK, *AKEHURST’S MODERN INTRODUCTION TO INTERNATIONAL LAW 373-77* (7th rev. ed., Routledge 2004) (1970); THE UN SECURITY COUNCIL, *supra* note 1; KENNETH MANUSAMA, *THE UNITED NATIONS SECURITY COUNCIL AND THE POST COLD-WAR ERA: APPLYING THE PRINCIPLE OF LEGALITY* (2006).

44. U.N. Charter arts. 33-54, 83-84.

45. Under Article 25, member states agree to “accept and carry out” decisions of the Security Council. *Id.* art. 25; see also KEMAL DERVIS, *A BETTER GLOBALIZATION: LEGITIMACY, GOVERNANCE, AND REFORM* 28 (2005); Knight, *supra* note 42.

46. See U.N. Charter arts. 39-51.

United Kingdom, and the United States—each of which possesses the power to veto any proposed resolutions.⁴⁷ The Council also includes ten member states⁴⁸ elected to serve two-year terms that may vote on proposed resolutions but do not have veto power.⁴⁹

The Charter addresses the normative powers and competencies of the Security Council, assigning the Council primary responsibility for maintaining international peace and security.⁵⁰ Chapter VI of the UN Charter provides the Council's

47. The composition and structure of the Council is a matter of continuing controversy. For example, Alvarez argues: "By giving the world's five "police" powers decidedly unequal powers in the Security Council, the UN's drafters violated the equality between states mentioned in Articles 1 and 2 of the Charter for the sake of effective collective security." Jose Alvarez, *Constitutional Interpretation in International Organizations*, in *THE LEGITIMACY OF INTERNATIONAL ORGANIZATIONS* 104, 108 (Jean-Marc Coicaud & Veijo Heiskanen eds., 2001) [hereinafter Alvarez, *Constitutional*]. The question of how to achieve the right balance between efficiency and democratic representation has sparked numerous proposals for and debates about Security Council reform. These debates are beyond the scope of this Article. See, e.g., Bardo Fassbender, *Pressure for Security Council Reform*, in *THE UN SECURITY COUNCIL*, *supra* note 1, at 341; The Secretary-General, *Report of the Secretary-General's High-Level Panel on Threats, Challenges and Change, A More Secure World: Our Shared Responsibility*, U.N. Doc. A/59/565 (Dec. 2, 2004) [hereinafter *A More Secure World*].

48. U.N. Charter arts. 23, 27. These provisions were amended in 1965, and on January 1, 1966 the number of temporary member states was raised from six to ten. Corresponding amendments to the voting requirements were also made at this time. Still, there are no regional representatives from Latin American, African, or Muslim countries in the Security Council's permanent membership. Under Security Council voting rules, nine votes, including the concurring votes of the Permanent five members, are required to decide on any substantive issue, while nine votes from any of the members will suffice for procedural issues. MALANCZUK, *supra* note 43, at 373.

49. *Id.* at 373-74.

50. U.N. Charter arts. 24, 33-54, 61-72. Chapters VI-VIII and XII set forth the critical Security Council powers: (1) The permissive power to encourage the peaceful settlement of disputes, *id.* arts. 33(2) (stating that the Security Council "shall, *when it deems necessary*, call upon the parties to settle their dispute by such means"), 34-38 (stating that the Security Council "*may*" make recommendations with a view to the same ends (emphasis added)); (2) to refer cases to the International Court of Justice, *id.* art. 36(3); and (3) to identify and act upon threats to global peace and security, *id.* art. 39 ("The Security Council *shall* determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations . . . to maintain or restore international peace and security." (emphasis added)). See also Marc Perrin De Brichambaut, *The Role of the United Nations*

promotional capacity, and actions taken under this Chapter are generally regarded to be non-binding on member states.⁵¹ Chapter VII provides the Council with enforcement powers and wide discretion in determining what qualifies as an act of aggression or as a threat to or breach of international peace and security such that enforcement action might be taken.⁵²

Security Council in the International Legal System, in THE ROLE OF LAW IN INTERNATIONAL POLITICS, supra note 26, at 269, 269-70; ALVAREZ, INTERNATIONAL ORGANIZATIONS, supra note 4.

51. Promotional action is one of the four categories of Council action, according to Steven Ratner. The other three include declarative, interpretative, or enforcement action. Steven R. Ratner, *The Security Council and International Law, in THE UN SECURITY COUNCIL, supra note 1, at 591, 591-92.* The question of whether a Security Council Resolution is binding was treated by the International Court of Justice (ICJ) in its 1971 Advisory Opinion on *Namibia*. Although not binding in itself, the ICJ's opinion provides helpful guidance. The ICJ stated that the resolution's language must be "carefully analysed" in each case. The question of whether the Security Council in fact intended to utilize its article 25 powers must be examined by reviewing the "terms of the resolution to be interpreted, the discussions leading to it, the Charter provisions invoked and in general, all circumstances that might assist in determining [its] legal consequences." *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276, Advisory Opinion, 1970 I.C.J. 41 (June 21).* HAWKINS, *supra* note 43, at 36-37 (citing U.N. Charter art. 33).

52. Article 41 allows the Security Council to levy targeted or general sanctions. U.N. Charter art. 41. According to Hawkins, the Security Council levied sanctions in fourteen different cases in the 1990s, and article 42 allows the Security Council to pursue peacekeeping and passive or active enforcement actions. The Security Council has decided to intervene in internal conflicts. While still controversial, the majority opinion today is that the Security Council has authority to intervene in states to halt internal conflicts under article 2(7) of the U.N. Charter. HAWKINS, *supra* note 43, at 40, 54. "Measures adopted under Chapter VII have precedence in questions of national sovereignty." *Id.* at 54. Through 2000, the Security Council had only found a "breach" of the peace four times in its history, with just one such finding in the 90s. Likewise, determinations of the existence of "acts of aggression" are underutilized by the Council. Determinations of a "threat to (international) peace and security" or to "peace and security in the region" are most frequently the triggers for invocation of Chapter VII powers. *Id.* at 38. However, the Council does not always follow a determination of a threat by invoking Chapter VII. Without utilizing Chapter VII, the Council found threats to the peace and condemned hostilities in Afghanistan in 1998, and the Democratic Republic of the Congo (DRC) in 1999. *Id.* at 39; S.C. Res. 1214, U.N. Doc. S/RES/1214 (Dec. 8, 1998) (Afghanistan); S.C. Res. 1234, U.N. Doc. S/RES/1234 (Apr. 9, 1999) (DRC).

While the UN Charter's preamble reaffirms human rights as a concern for all member states, it explicitly empowers the General Assembly and the Economic and Social Council (ECOSOC) to consider human rights issues. The Charter does not directly provide for treatment of human rights in the Security Council's mandate.⁵³ While human rights have traditionally been the province of the General Assembly and ECOSOC, though, the Security Council has resorted to economic sanctions for human rights violations and, since the Cold War, has used human rights violations as a reason for intervention. More recently, as studied here, it has adopted a formal agenda of human rights promotion in its peacekeeping mandates and in its administration of various territories.⁵⁴ Under Article 99 of the Charter, the Secretary-General "may bring to the attention of the Council any matter which in his opinion may threaten international peace and security," and this may include human rights concerns.⁵⁵

The Charter grants the Council promotional and enforcement powers and wide discretion, but it provides almost no formal institutional checks on the Council's power within the UN system.⁵⁶ For example, the UN Charter does not explicitly provide for judicial review of Council determinations of threats to or breaches of the peace by the International Court of Justice (ICJ).⁵⁷ The ICJ and the International Criminal Tri-

53. See U.N. Charter pmbll., arts. 13, 55, 62, 68. The Vienna Convention on the Law of Treaties' principles of interpretation apply to the U.N. Charter, since it is an international treaty and in light of the fact that the text of the Charter does not provide much guidance on principles of interpretation. Tetsuo Sato, *The Legitimacy of Security Council Activities Under Chapter VII of the UN Charter Since the End of the Cold War*, in *THE LEGITIMACY OF INTERNATIONAL ORGANIZATIONS*, *supra* note 47, at 309, 311.

54. For more on the Council's enforceable human rights promotion, see ALVAREZ, *INTERNATIONAL ORGANIZATIONS*, *supra* note 4, at 169-83 (discussing the conflict between Council human rights promotion through military intervention and rights of self-determination under article 2(7)).

55. U.N. Charter art. 99.

56. For further discussion, see ALVAREZ, *INTERNATIONAL ORGANIZATIONS*, *supra* note 4, at 169-83, 189-96.

57. See HAWKINS, *supra* note 43, at 36-37; see also *Questions of Interpretation and Application of the 1971 Montreal Convention Arising from the Aerial Incident at Lockerbie (Libya v. U.K.)*, 1992 I.C.J. 1 (Apr. 14) (determining that the Security Council is bound by the U.N. Charter); *RESTATEMENT (THIRD) OF THE FOREIGN RELATIONS LAW OF THE UNITED STATES* §703 cmt. g (1987) (stating that the Security Council can act to respond to human rights

bunal for the Former Yugoslavia (ICTY) have reviewed Security Council action, however, and have stated that the Security Council's powers are limited by the terms of the UN Charter.⁵⁸

The myriad debates about the legitimacy and permissibility of post-Cold War Security Council activities and the limits of Council power most often cannot be resolved simply by referring to the Charter. Since the Charter gives the Security Council the unique ability to bind member states but fails to provide a clear mechanism for review of Council action by any Charter organ,⁵⁹ and article 39 grants the Council broad discretion to determine whether a "threat to the peace," "breach of the peace," or "act of aggression" exists to trigger its duty to "maintain or restore international peace security," its provisions can provoke debate, particularly as the Council continues to interpret its mandate actively and expansively.⁶⁰

This Article's account of Council human rights norm consumption highlights just one of many evolving areas of Security Council practice.

A. *Non-State Actors and the Security Council*

An increased lack of transparency has accompanied the increased activity of the Security Council in the post-Cold War era.⁶¹ The UN Charter gives the Council the power to adopt

violations if such violations are deemed to represent a threat to international peace and security).

58. The parameters of judicial review of Security Council action are still actively debated. Although the debate is relevant to this Article's consideration of the Security Council's TIPS practice and its role in the UN system, full exploration of the debate is beyond the scope of this Article. *See generally* Alvarez, *Constitutional*, *supra* note 47 (discussing more fully the debate); Sato, *supra* note 53; DAVID SCHWEIGMAN, THE AUTHORITY OF THE SECURITY COUNCIL UNDER CHAPTER VII OF THE UN CHARTER: LEGAL LIMITS AND THE ROLE OF THE INTERNATIONAL COURT OF JUSTICE 165-66 (2001); Prosecutor v. Tadic, Case No. IT-94-I-I, Decision on Defense Motion for Interlocutory Appeal on Jurisdiction, ¶ 28 (Oct. 2, 1995); Conditions of Admission of a State to Membership in the United Nations, Advisory Opinion, 1948 I.C.J. 64 (May 28); Vera Gowlland-Debbas, *The Functions of the United Nations Security Council in the International Legal System*, in THE ROLE OF LAW IN INTERNATIONAL POLITICS, *supra* note 26, at 277, 294.

59. *See* U.N. Charter art. 25.

60. *See id.* art. 39.

61. *See generally* Alvarez, *Constitutional*, *supra* note 47; JULIE MERTUS, THE UNITED NATIONS AND HUMAN RIGHTS: A GUIDE FOR A NEW ERA 134 (2005); HAWKINS, *supra* note 43; W. Michael Reisman, *The Constitutional Crisis in the*

its own rules for work procedures.⁶² Transparency issues thus arise under Rule 48, which states: “*Unless it decides otherwise, the Security Council shall meet in public . . .*”⁶³ Council members regularly discuss and debate issues in closed, off-the-record, informal consultations, and generally conduct on-the-record meetings only for formal voting processes.⁶⁴ This heavy reliance on informal consultations between Council members has resulted in widespread criticism.⁶⁵

With few exceptions, participation in Council proceedings is limited to Council members. Even United Nations officials and Council members’ high level government officials

United Nations, 87 AM. J. INT’L L. 83, 85 (1993) (discussing lack of transparency in Security Council processes). Formally, the Security Council has three principle means available to execute its mandate of maintaining international peace and security, all of which have been used in TIPS practice. They include, in order of increasingly binding effect: press statements, presidential statements and resolutions. HAWKINS, *supra* note 43, at 29. In addition, the Security Council may undertake missions to areas on its program.

62. UN Charter art. 30. *See generally id.* arts. 28-32. Under articles 31 and 32 of the Charter, non-members who are likely to be affected by an issue before the Council or are parties to a dispute may participate in Security Council meetings; however, these parties’ rights may be negatively impacted by the Security Council’s practice of making decisions in informal consultations. *See* HAWKINS, *supra* note 43, at 26.

63. U.N. SCOR, 37th Sess., 2410th mtg., at 9, U.N. Doc. S/96/Rev.7 (Dec. 21, 1982); *see also* HAWKINS, *supra* note 43, at 25.

64. U.N. Doc. S/96/Rev.7, *supra* note 63, at 9; *see also* Reisman, *supra* note 61, at 85-86. As a result, it is rare that a record of intent can be located or that members’ positions are made clear.

65. Reisman, *supra* note 61, at 85.

[A]s the Council has become more effective and powerful, it has become more secretive. Like a parliamentary matryoshka (doll), it now contains ever-smaller ‘mini-Councils,’ each meeting behind closed doors without keeping records, and each taking decisions secretly. Before the plenary Council meets in ‘consultation,’ in a special room assigned to it near the Security Council, the P-5 have met in ‘consultation’ in a special room now assigned to them outside the Security Council. All of these meetings take place *in camera* and no common minutes are kept. After the fifteen members of the Council have consulted and reached their decision, they adjourn to the Council’s chamber, where they go through the formal motions of voting and announcing their decision. Decisions that appear to go further than at any time in the history of the United Nations are now ultimately being taken, it seems, by a small group of states separately meeting in secret.

Id.

are only permitted to participate in the Council's regular public meetings.⁶⁶ Still, some minor innovations have opened space for interaction between non-Security Council member states, other UN organs, IOs, and members of civil society.⁶⁷

First, in 1992, Venezuelan Ambassador Diego Arria developed a meeting format now called the Arria Formula.⁶⁸ Arria Formula meetings are informal Council meetings held outside Council chambers in order for the Security Council to hear the opinions of non-governmental experts on matters and situations under consideration by the Security Council.⁶⁹

Second, "Open Debates" also provide mechanisms for wider formal participation in Council proceedings. In Open Debates, the Security Council invites General Assembly members and personnel from other organs in the UN to provide briefings to the Council and to address a particular subject. In 2004, 2005, and 2006 the Security Council invited civil society representatives to speak at the Open Debates on women, peace, and security.⁷⁰ However, some commentators posit that discussion at these meetings rarely has an immediate impact on the outcome of the Council's resolution or decisionmaking at hand, particularly because Security Council decisions are usually made in advance of the Open Debates.⁷¹

Third, the Security Council has undertaken additional measures to increase participation and transparency, including establishing an Informal Working Group on Working

66. U.N. Doc. S/96/Rev.7, *supra* note 63, at 3, 7; see HAWKINS, *supra* note 43, at 25-26.

67. Normative judgments about whether, when, and to what extent the Council ought to be receptive to advocacy groups and non-Security Council member states vary. For example, New Zealand has argued that non-members should be allowed to participate in relevant informal consultations as a matter of customary international law. HAWKINS, *supra* note 43, at 26 n.7.

68. MERTUS, *supra* note 61, at 134.

69. *Id.* Although Arria Formula meetings are held off the record, full interpretation is provided and Council members are given the opportunity to question presenting experts. Also, in 1993, the Security Council began to post a daily program of its consultations and meetings in the U.N. journal. *Id.*; HAWKINS, *supra* note 43, at 32.

70. On June 22, 2004, the Council first permitted NGOs to address the Council during its regular sessions. Global Policy Forum, Arria and Other Special Meetings between NGOs and Security Council Members, <http://www.globalpolicy.org/security/mtgsetc/brieindx.htm> (last visited Oct. 4, 2007) [hereinafter Global Policy Forum, Arria Meetings].

71. See, e.g., HAWKINS, *supra* note 43, at 26.

Methods of the Council and holding retreats and roundtables with non-Council members.⁷² Security Council members also may circulate draft resolutions to concerned NGOs and non-Council member states on occasion.⁷³ These practices are employed informally and ad hoc, however, and not on a consistent or universal basis.

To some extent, Council and NGO contact was regularized in 1995, when the NGO Working Group on the Security Council (WGSC) was formed. The WGSC claims that it formed to bridge the communication gap between NGOs and the Security Council.⁷⁴ The group targets specific Security Council issues and meets with Council members to work toward the objective of increasing transparency in the Council's work methods.⁷⁵

Composed of thirty NGOs that are "largely Western-based and Western in orientation," the WGSC is "completely informal and enjoys no official status."⁷⁶ One commentator claims, however, that the WGSC "wields considerable influence over Security Council deliberations, particularly on human rights and humanitarian matters."⁷⁷ While empirical studies verifying or rejecting this claim about the influence of the WGSC on the Security Council are lacking, evidence generated in the case studies detailed in Part IV supports the suggestion that, at the very least, the WGSC facilitates a flow of information between the Security Council, certain NGOs at UN Headquar-

72. See Security Council Report, Special Research Report: Security Council Transparency, Legitimacy and Effectiveness 16, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Research%20Report_Working%20Methods%2018%20Oct%2007.pdf. See generally MERTUS, *supra* note 61.

73. See Note by the President of the Security Council, ¶¶ 42-43, U.N. Doc. S/2006/507 (July 19, 2006).

74. MERTUS, *supra* note 61, at 136; see also Global Policy Forum, NGO Working Group on the Security Council Informational Statement, <http://www.globalpolicy.org/security/ngowgrp/statements/current.htm> (last visited Aug. 27, 2007) [hereinafter WGSC Informational Statement].

75. MERTUS, *supra* note 61, at 136. NGOs have had consultative status at ECOSOC for much longer than they have at the Security Council. *Id.* at 135.

76. *Id.* at 136. A Western bias amongst the consulting NGOs raises interesting normative concerns about participation and influence in Council structures which are beyond the scope of this Article.

77. *Id.*; see also WGSC Informational Statement, *supra* note 74.

ters, and the NGOs' advocacy networks.⁷⁸ Some commentators affirm that the WGSC has facilitated informal working relationships between Security Council members and NGOs. Members from the two transnational advocacy networks that lobbied the Security Council to draft and adopt the TIPS resolutions on women, peace, and security and on children and armed conflict were also represented on the WGSC.⁷⁹

While greater opportunities for interaction between civil society and the Security Council exist today, the Council still has strong, though perhaps less exclusive, "control of access to arenas" and retains ultimate "control over the formal agendas."⁸⁰ However, the case studies and my resulting outline of norm consumption demonstrate how the Council's changing

78. Disarmament NGOs on the WGSC, such as the Women's International League for Peace and Freedom (WILPF), provided feedback and suggested changes to the Chapter VII TIPS Resolution 1540 on nuclear disarmament and nonproliferation. See generally Felicity Hill, *How and When Has Security Council Resolution 1325 (2000) on Women, Peace and Security Impacted Negotiations Outside the Security Council?* (2005) (unpublished M.A. thesis, Uppsala University Programme of International Studies), available at <http://www.hdcentre.org/datastore/Felicity%20Hill%20-%201325%20thesis.pdf> [hereinafter Hill, *How and When*]. The Security Council Report, a recently established NGO, is also a member of the NGO Working Group on the Security Council. The goal of this NGO is the distribution of information about Security Council decisionmaking and processes. See Security Council Report, *Mission and Purpose In Full*, http://www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.1074741/k.84B6/MISSION_AND_PURPOSE_IN_FULL.htm (last visited Aug. 27, 2007).

79. See Merav Datan, *Security Council Resolution 1540: WMD and Non-State Trafficking*, DISARMAMENT DIPL., April/May 2005, at 48, available at <http://www.acronym.org.uk/dd/dd79/79md.htm>.

80. Christine Chinkin, *Human Rights and the Politics of Representation: Is There a Role for International Law?*, in *THE ROLE OF LAW IN INTERNATIONAL POLITICS*, supra note 26, at 131, 141. The NGO Working Group on the Security Council, formed in 1995, may have helped bring together the core members of the network which, in 2000, lobbied the Security Council for the adoption of Resolution 1325. This network later called itself the NGO Working Group on Women, Peace and Security (WGWPS). See Global Policy Forum, *NGO Working Group on the Security Council: List of Members*, <http://www.globalpolicy.org/security/ngowkgrp/members.htm> (last visited Oct. 17, 2007) and *NGO Working Group on Women, Peace and Security*, <http://www.womenpeacesecurity.org/> (last visited Oct. 12, 2007) to compare the membership of the two organizations. Likewise, the members of the Coalition to Stop the Use of Child Soldiers, based in London, include Amnesty International, Human Rights Watch, and the Quaker United Nations Office, all of which are also in the WGSC. See *Coalition to Stop the Use of Child*

work procedures and increasing interaction with non-Council members, states, and civil society may inspire further innovations in the substance of the Council work's program.

B. *Non-Coercive Thematic Peace and Security (TIPS) Resolutions*

The broad-based, non-coercive human security resolutions that inspire my inquiry into the Council's norm consumption are part of a growing class of Council resolutions. Since 1946, in addition to adopting geographic and situation-specific resolutions, the Security Council has also adopted broad-based thematic resolutions addressing general issues that the Council believes relate to international peace and security. I call these TIPS (thematic issues of peace and security) resolutions.

TIPS resolutions share a few salient features. They are: (1) non-geographic and non-situation-specific (2) Security Council resolutions that (3) address broad themes or issues and (4) often include consideration of entities or individuals outside the UN's state-based system, including, for example, "parties to armed conflict" or "negotiators of peace agreements."⁸¹ In my case studies, I analyze two specific examples of such resolutions, one of which addresses women, peace, and security and the other of which deals with children in armed conflict.⁸² The Security Council's adoption of TIPS resolutions, like other Council practices, has "changed dramatically" since the end of the Cold War.⁸³ In systematically analyz-

Soldiers [The Coalition], Mission Statement, www.child-soldiers.org/coalition (last visited Oct. 17, 2007).

81. See, e.g., S.C. Res. 1325, U.N. Doc. S/RES/1325 (Oct. 31, 2000) (women, peace, and security); S.C. Res. 1261, U.N. Doc. S/RES/1261 (Aug. 25, 1999) (children in armed conflict).

82. *Id.*

83. Sato, *supra* note 53, at 309. Examples of changes in Council practice include recognizing new states, enforcing an arms embargo to limit the self-defense of a member state, making determinations of law and fact, and creating subsidiary organs and tribunals. BROWNLIE, *supra* note 43, at 12-22. Some scholars have welcomed these developments, but others have adopted a more cautious approach to what they term Security Council "activism." SCHWEIGMAN, *supra* note 58, at 1. Another of these changes is the Council's incorporation of human rights concerns into situation-specific coercive and binding resolutions. The Council has invoked massive human rights violations and humanitarian concerns to justify the use of force in undertaking militaristic humanitarian assistance initiatives. For example, in December

ing each Security Council resolution adopted between 1946 and February 2006, I have identified a pattern in Security Council TIPS practice.⁸⁴

First, in the past nine years, the Council's practice of adopting TIPS resolutions has surged noticeably.⁸⁵ From January 1999 to October 2007, the Security Council adopted forty-one TIPS resolutions.⁸⁶ Meanwhile, in the fifty-three years of practice prior to 1999, the Council had adopted only thirteen TIPS resolutions. Moreover, for the fifty-three years of Security Council operations prior to 1999, TIPS resolutions always

1992, the Security Council authorized use of force in Somalia and focused on human rights and humanitarian issues to justify the intervention. S.C. Res. 794, U.N. Doc. S/RES/794 (Dec. 3, 1992); *see also* Sato, *supra* note 53, at 312-13. *See generally* FENTON, *supra* note 43 (discussing Security Council-backed humanitarian intervention in the 1990s); HAWKINS, *supra* note 43 (discussing the Security Council's history of involvement in human rights enforcement); Lori Fisler Damrosch, *Changing Conceptions of Intervention in International Law*, in EMERGING NORMS OF JUSTIFIED INTERVENTION 91 (Laura W. Reed & Carl Kaysen, eds., 1993); Jane Stromseth, *Rethinking Humanitarian Intervention: The Case for Incremental Change*, in HUMANITARIAN INTERVENTION: ETHICAL, LEGAL AND POLITICAL DIMENSIONS 232 (J.L. Holzgrefe & Robert O. Keohane, eds., 2003); DAVID KENNEDY, *THE DARK SIDES OF VIRTUE: REASSESSING INTERNATIONAL HUMANITARIANISM* (2004); Ryan Goodman, *Humanitarian Intervention and Pretexts for War*, 100 AM. J. INT'L L. 107 (2006).

84. *See infra* tbls. 1-2. Data and analysis are based on my survey of the content and subject matter of all Security Council resolutions adopted from 1947 to 1989 and from 2000 to October 2007. For resolutions adopted from 1990-1999, I am indebted to Virgil Hawkins's survey, collection, and categorization of Security Council resolutions. HAWKINS, *supra* note 43, at 217-42. Over the 44 years from 1946 to 1989, the Security Council adopted 646 resolutions overall, at a rate of about 15 resolutions a year. Over the 13 years from 1989 to 2002, however, the Council adopted 808 resolutions, averaging about 62 a year. *See* Roland Rich, *Crafting Security Council Mandates*, in U.N. ROLE IN PROMOTING DEMOCRACY 62, 63 (Edward Newman & Roland Rich eds., 2004).

85. *See infra* tbls. 1-2; HAWKINS, *supra* note 43, at 223-242.

86. Three TIPS resolutions were adopted within just three months, from August to October of 1999. *See* S.C. Res. 1261, *supra* note 81; S.C. Res. 1265, U.N. Doc. S/RES/1265 (Sept. 17, 1999), and S.C. Res. 1269, U.N. Doc. S/RES/1269 (Oct. 19, 1999); U.N. SCOR, 54th Sess., 4037th mtg., U.N. Doc. S/PV.4037 (Aug. 25, 1999); U.N. SCOR, 54th Sess., 4046th mtg., U.N. Doc. S/PV.4046 (Sept. 17, 1999); U.N. SCOR, 54th Sess., 4053rd mtg., U.N. Doc. S/PV.4053 (Oct. 19, 1999). Resolution 1121, which established a Dag Hammarskjöld medal for peacekeeping, is excluded from the TIPS category since it does not address broad themes and applies only within the U.N. system. *See* S.C. Res. 1121, U.N. Doc. S/RES/1121 (July 22, 1997); HAWKINS, *supra* note 43; U.N. Charter arts. 33-38.

addressed the same two broad themes, either: (1) terrorism or (2) disarmament and non-proliferation.⁸⁷ In 1999, however, the Council broadened the themes covered in TIPS resolutions to include human security-oriented, individual rights-focused resolutions, such as those on the rights of women and children.⁸⁸ That year, the Council adopted resolutions addressing the protection of children and civilians in armed conflict and the prevention of conflict.⁸⁹ The human security TIPS resolutions adopted between January 1999 and October 2007 include the following:

- six resolutions on children and armed conflict;
- Resolution 1325 on women, peace, and security;
- four resolutions on civilians and armed conflict;
- a resolution on cooperation with regional organizations;
- a resolution on HIV/AIDS and peacekeeping;
- a resolution concerning the prevention of armed conflict;
- a resolution concerning the protection of humanitarian personnel; and
- a resolution establishing the Peacebuilding Commission in collaboration with the General Assembly.⁹⁰

87. These two subjects still constitute the majority of TIPS resolutions. And in 2001, the Security Council invoked Chapter VII powers in one of these broad-based TIPS resolutions is effectively making the resolution binding on all members of the General Assembly. S.C. Res. 1373, U.N. Doc. S/RES/1373 (Sept. 28, 2001). Various scholars have commented on this “legislative” development in Security Council resolutions. See, e.g., Stefan Talmon, *The Security Council as World Legislature*, 99 AM J. INT’L L. 175, 175-93 (2005); Jose Alvarez, *Hegemonic International Law Revisited*, 97 AM J. INT’L L. 873 (2003); Paul Szasz, *The Security Council Starts Legislating*, 96 AM J. INT’L L. 901, 901-04 (2002). The Council has continued the practice through, *inter alia*, TIPS Resolution 1540, invoking Chapter VII to address the intersection of proliferation of weapons and terrorism. This resolution establishes a subsidiary organ to collect state reports and complements existing treaty regimes by reaching those states and actors that have not signed. S.C. Res. 1540, U.N. Doc. S/RES/1540 (Apr. 28, 2004); Talmon, *supra*, at 178.

88. See *supra* note 81.

89. See *infra* tbl. 2.

90. See *infra* tbl. 2 for a list of TIPS resolutions adopted since 2000. I include the resolutions establishing the Peacebuilding Commission in the TIPS class because of the broad themes of these resolutions and their nexus with the subjects of other TIPS resolutions. In 2007, the Council also held an Open Debate on the theme of energy, security and climate.

These human security resolutions focus on the needs and rights of individuals, instead of being state-centered. They integrate to varying degrees traditional development concerns (such as health care and equal rights) into the security context.⁹¹ In addition, many of these resolutions call for compliance with human rights rather than just humanitarian standards, and many provisions of the resolutions apply before or after, not only during, conflict.⁹² In each, the Council has linked the issues covered in some novel way to the general subject of international peace and security.⁹³

Until 2001, none of the members of the TIPS class invoked coercive powers.⁹⁴ Likewise, at the time of writing, the Security Council still had not found a threat, breach of the peace, or act of aggression related to human security sufficient to invoke Chapter VII powers in any of the human security TIPS resolutions.

Since the human security TIPS resolutions are therefore not backed by the formal power to bind member states, they might be considered “soft law” or merely recommendatory.⁹⁵

91. See generally discussion *infra* Part III.C (explaining the concept of human security); MACFARLANE & KHONG, *supra* note 7; Lee Feinstein & Anne-Marie Slaughter, *A Duty to Prevent*, 83 FOREIGN AFFAIRS 136 (2004) (arguing for Security Council enforcement of human security violations); Martti Koskenniemi, *The Police in the Temple Order, Justice and the UN: A Dialectical View*, 6 EUR. J. INT’L L. 325, 325 (1995) (arguing against incorporation of human security enforcement by the Security Council, primarily because the content of human security norms is too subjective); Talmon, *supra* note 87, at 182-86 (setting forth certain preconditions before the Security Council can determine that a situation is a threat to international peace and security).

92. See, e.g., S.C. Res. 1325, *supra* note 81, at 1.

93. See, e.g., S.C. Res. 1325, *supra* note 81; S.C. Res. 1314, U.N. Doc. S/RES/1314 (Aug. 11, 2000). See *infra* tbls. 1-2 for lists of the resolutions.

94. However, in 2001, the Council invoked Chapter VII in a TIPS resolution on terrorism. Likewise, in 2004, it invoked Chapter VII in a TIPS resolution on non-proliferation and disarmament. See S.C. Res. 1373, *supra* note 87; S.C. Res. 1540, *supra* note 87; see also *infra* tbl. 2. As of October 2007, approximately a quarter of the TIPS resolutions invoked Chapter VII. See *infra* tbl. 2.

95. For a discussion of the role of non-binding norms in the international legal system, see generally COMMITMENT AND COMPLIANCE: THE ROLE OF NON-BINDING NORMS IN THE INTERNATIONAL LEGAL SYSTEM (Dinah Shelton ed., 2000); Kenneth Abbott & Duncan Snidal, *Hard and Soft Law in International Governance*, 54 INT’L ORG. 421 (2000). Note, however, that some commentators and norm entrepreneurs have erroneously referred to non-

Member states would not implement these non-Chapter VII resolutions out of a conviction that they are binding on states under the UN Charter.⁹⁶ Closer examination of these resolutions, however, yields evidence that they have in fact had a real impact on UN and some state and civil society practices, regardless of their lack of binding power.

C. *The Development of the Human Security Concept*

In the 1980s, scholars began researching and developing the concept of human security in earnest.⁹⁷ There are various definitions of human security, but, in 1994, a human security construct was adopted by the United Nations Development Programme in its report “New Dimensions of Human Security.”⁹⁸ The report, which linked development and security is-

Chapter VII TIPS resolutions as creating binding international law. For example, Sam Cook is quoted as saying, “[Resolution] 1325 is an international law obligation and we know that sometimes it is useful to speak the language of governments to make them sit up and take notice.” Rosemary Bechler, To the UN, from Women Making a Difference, Open Democracy.net, Oct. 28, 2005, http://www.opendemocracy.net/democracy-resolution_1325/bloggers_2971.jsp (last visited Oct. 5, 2007).

96. U.N. Charter art. 39. However, because of their formalized and multilateral character, these TIPS resolutions are not merely “gentlemen’s agreements” and turn on more than personal reputation and assurances for satisfaction. Hartmut Hillgenberg, *A Fresh Look at Soft Law*, 10 EUR J. INT’L L. 499, 500 (1999). In addition, the level of generality of the human security TIPS resolutions’ language alone is not ultimately determinative of how binding the resolutions may be. See JOSEPH S. NYE, JR., *SOFT POWER: THE MEANS TO SUCCESS IN WORLD POLITICS* (2004).

97. Human security conceptions transcend traditional state-based, militaristic notions of security and introduce the needs and rights of individuals as a vital component of security. In addressing the needs of the individual in conflict, human security resolutions often blur conventional boundaries between the doctrines of human rights, development and *jus in bello*. It is not within the scope of this Article to address the normative advisability of human security. For a history of the development of the human security concept, see Kantai Bajpai, *Human Security: Concept and Measurement*, (Kroc Institute, Occasional Paper 19:OP:1, Aug. 2000), available at www.nd.edu/~krocinst/ocpapers/op_19_1.pdf; MACFARLANE & KHONG, *supra* note 7, at 3 (explaining how at the time of human security’s “emergence in the early 1990s, it certainly challenged conventional wisdom”).

98. See UNITED NATIONS DEVELOPMENT PROGRAMME [UNDP], *HUMAN DEVELOPMENT REPORT 1994: NEW DIMENSIONS OF HUMAN SECURITY* (1994) [hereinafter HUMAN DEVELOPMENT REPORT 1994]; MACFARLANE & KHONG, *supra* note 7, at 146 (discussing how the report provided the “first substantial definition of human security”).

sues, was followed by a proliferation of research into conflict prevention and individual rights during conflict by epistemic communities and NGOs.⁹⁹ These communities, whose members include economists and political scientists, linked the human security paradigm to a number of substantive areas including human rights, conflict prevention, disarmament, migration, sustainable development, and restructuring IOs.¹⁰⁰ UN Secretary-General Kofi Annan subsequently adopted a human security construct and played an active role in promoting the linkages between these development issues and international peace and security throughout the UN system.¹⁰¹ Since 1994, therefore, with the backing of epistemic communities of experts, NGOs, and some states, human security concepts have diffused through various bodies and entities within the UN system.

In the late 1990s, some UN member states, including Sweden, which served as a temporary member of the Security Council in 1998, and the United Kingdom, a permanent member,¹⁰² adopted their own national-level interpretations of human security policies.¹⁰³ The United Kingdom's Foreign

99. MACFARLANE & KHONG, *supra* note 7, at xi.

100. BAJPAI, *supra* note 97, at 12.

101. See MACFARLANE & KHONG, *supra* note 7, at 152. See generally BAJPAI, *supra* note 97. An ad hoc working group was established on the Security Council to investigate human security issues in 1998. Subsequent UN-wide initiatives have also reflected human security perspectives. See, e.g., THE COMMISSION ON GLOBAL GOVERNANCE, OUR GLOBAL NEIGHBORHOOD (1995); COMMISSION ON HUMAN SECURITY, HUMAN SECURITY NOW (2003); *A More Secure World*, *supra* note 47.

102. In 1999, when the first few human security TIPS resolutions were adopted, the U.N. Security Council members were: Argentina, Bahrain, Brazil, Canada, China (Permanent Member), France (Permanent Member), Gabon, Gambia, Malaysia, Namibia, the Netherlands, Russia (Permanent Member), Slovenia, the United Kingdom (Permanent Member), and the United States (Permanent Member). UN Security Council, Membership of the Security Council, http://www.un.org/sc/searchres_sc_year_english.asp?year=1999 (last visited Aug. 27, 2007). In 2000, the U.N. Security Council members were: Argentina, Bangladesh, Canada, China (Permanent Member), France (Permanent Member), Jamaica, Malaysia, Mali, Namibia, the Netherlands, Russia (Permanent Member), Tunisia, Ukraine, the United Kingdom (Permanent Member), and the United States (Permanent Member). UN Security Council, Membership of the Security Council, http://www.un.org/sc/searchres_sc_year_english.asp?year=2000 (last visited Aug. 27, 2007).

103. See MACFARLANE & KHONG, *supra* note 7, at 154; FOREIGN AND COMMONWEALTH OFFICE, THE GLOBAL CONFLICT PREVENTION POOL: A JOINT UK

Ministry lists the proliferation of policy research about human security concerns, including conflict prevention, as a critical factor in its decision to dedicate budgetary support for human security.¹⁰⁴ Sweden has had dedicated foreign aid budgets for conflict prevention since the late 1990s.¹⁰⁵ Canada, which also has a Human Security Department, was a member of the Council in 1999 and 2000, when both the first children and armed conflict resolution (Resolution 1261) and Resolution 1325 were adopted.¹⁰⁶

The evolution of human security from a theoretical, academic concept to a series of funded policies involved a wide array of different actors including epistemic communities, NGOs, states, and IOs. The development of the human security concept, in turn, provided a theoretical construct for the articulation of the specific human rights issues addressed in the Council's TIPS resolutions.

GOVERNMENT APPROACH TO REDUCING CONFLICT 5 (2003), available at <http://www.dfid.gov.uk/pubs/files/global-conflict-prevention-pool.pdf> [hereinafter GLOBAL CONFLICT PREVENTION POOL]; Press Release, United Kingdom Foreign & Commonwealth Office, UK Ministers Agree a UK National Action Plan on Women, Peace and Security (Mar. 3, 2006), available at <http://www.fco.gov.uk/servlet/Servlet?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029391638&a=KArticle&aid=1140688344594> [hereinafter UK Ministers Agree]; Government Offices of Sweden, Preventing Violent Conflict—Summery Ds 1999:24, <http://www.sweden.gov.se/sb/d/574/a/20157;jsessionid=AWE3FaFphGX9> (last visited Aug. 27, 2007) (noting that the Swedish “action plan for conflict prevention has been initiated by the State Secretary for Foreign Affairs, Jan Eliasson and conducted under the direction of the Deputy State Secretary for Foreign Affairs, Anders Bjurner”).

104. See GLOBAL CONFLICT PREVENTION POOL, *supra* note 103, at 5.

105. See Government Offices of Sweden, *supra* note 103.

106. See *supra* note 102 (indicating Security Council membership in the relevant years); S.C. Res. 1325, *supra* note 81; S.C. Res. 1261, *supra* note 81. The Canadian government recently launched the Glyn Berry Program, to “support the development of Canadian and international policies, laws and institutions that embed core human security objectives of freedom, democracy, human rights and the rule of law into international peace and security efforts.” Foreign Affairs and Int’l Trade Canada, Human Security: About the Program, <http://geo.international.gc.ca/cip-pic/cip-pic/aboutthegbp-en.aspx> (last visited Aug. 27, 2007).

IV. TWO HUMAN SECURITY TIPS RESOLUTIONS

In this Part, I map out the processes leading up to the Council's adoption of two non-Chapter VII human security TIPS resolutions—Resolution 1325 on women, peace, and security and Resolution 1261 on children and armed conflict (CAAC)—and their respective impacts.¹⁰⁷ The objectives of these case studies are: (1) to gain a greater understanding of how the Security Council has consumed new human security norms, and (2) to examine whether these non-coercive TIPS resolutions are purely rhetorical documents or whether they have had effects.

Each case study is organized as follows: I first provide an overview of the content of the resolutions. Second, I document relevant activities of various norm entrepreneurs, including transnational advocacy networks and epistemic communities composed of civil society advocates, experts, member states, and other IOs in the UN system during the lead up to adoption of the resolutions. Finally, I summarize some of the effects of the resolutions at the international level.¹⁰⁸ I also set

107. S.C. Res. 1325, *supra* note 81; S.C. Res. 1261, *supra* note 81. This resolution has been followed by a series of resolutions on the same subject: S.C. Res. 1314, *supra* note 93; S.C. Res. 1379, U.N. Doc. S/RES/1379 (Nov. 20, 2001); S.C. Res. 1460, U.N. Doc. S/RES/1460 (Jan. 30, 2003); and S.C. Res. 1539, U.N. Doc. S/RES/1539 (Apr. 22, 2004). I researched Resolution 1325 and the CAAC TIPS resolutions, because these TIPS resolutions appear to stretch the interpretation of the Security Council's peace and security mandate the farthest from its traditional state-centered interpretation of security.

108. This grounded case study approach does not establish causation. Instead, my approach identifies correlation, where applicable, between states', IOs', and non-state actors' behavior and discourse relating to the subjects of the resolutions. To track support or lack of support for Resolution 1325 and initiatives by both U.N. bodies and Member States at the international level, I reviewed, *inter alia*: (1) the past six years of documented Security Council practice related to Resolution 1325, including Open Debates, Presidential Statements, and all Resolutions passed from October 2000 to 2006, in official U.N. documents and online; (2) assorted General Assembly resolutions from this time period; (3) reports issued by the Secretary-General's office; (4) Department of Peacekeeping Operations (DPKO)'s initiatives; and (5) Member States' statements and actions in support at the international level. To track civil society's implementation of Resolution 1325, I reviewed publications by and the website for the NGO Working Group on Women, Peace and Security, accounts in the Secretary-General's report, and general research. For the children and armed conflict Resolutions, I reviewed Council resolu-

forth select examples of the national or local impact of the resolutions. These case studies form the basis for my outline of the Council's process of norm consumption.

A. *A Case Study: Women, Peace, and Security*

How did the Security Council come to alter its previous disregard for the relevance of women to security to declare that there is an "inextricable link between women, peace, and security" and unanimously adopt Resolution 1325 in October 2000?¹⁰⁹ This Part provides background on the text and subject of Resolution 1325, and shows that it is an example of the Security Council expanding its purview beyond traditionally militaristic conceptions of threats to state peace and security.

Resolution 1325 builds on a foundation of legal norms and declarations regarding women's rights from within the UN system to formally integrate women's rights, equality, and gender concerns into the Council's program of peace and security work. Its operative language urges the Secretary-General and member states to incorporate gender concerns into UN conflict and peacekeeping operations,¹¹⁰ increase women's participation in decisionmaking processes, and include consideration of women's specific needs for protection in conflict.¹¹¹ In addition to making commitments for Council action, 1325 "urges," "calls upon," and "emphasizes" the need for such diverse actors as negotiators of peace agreements, "parties to armed conflict," and those involved in disarmament,

tions, the website of the Special Representative of the Secretary-General on Children in Armed Conflict, legal instruments, and the websites of the transnational advocacy networks for civil society developments. This is a preliminary analysis and further, more detailed studies about the impact at the national level would also be beneficial.

109. U.N. SCOR, 55th Sess., 4208th mtg., U.N. Doc. S/PV.4208 (Oct. 24, 2000).

110. This is also referred to as "gender mainstreaming." See *infra* Part IV.A.1(a) for an explanation of gender mainstreaming.

111. S.C. Res. 1325, *supra* note 81; see *infra* tbl. 4. The resolution urges Member States and the Secretary-General to increase representation of women at all levels of decision-making and in the prevention, management, and resolution of conflict. It further urges Member States and the Secretary-General to ensure that a gender perspective be mainstreamed into the planning of peacekeeping operations and rebuilding efforts.

ment, demobilization, and rehabilitation (DDR) planning¹¹² to fulfill different gender-equality related responsibilities. It also “reaffirms” the Council’s willingness to implement the Resolution.¹¹³ While this non-binding TIPS resolution does not use mandatory language, its operative language is nonetheless quite strong.

Most of the provisions of Resolution 1325 are at least loosely tied to conflict operations, but some provisions move outside application during conflict and are instead firmly anchored in human rights law. For example, the Resolution “urges member states to ensure increased representation of women at all decision-making levels in national, regional, and international institutions and mechanisms for the management and resolution of conflict.”¹¹⁴ Although conflict is mentioned, this provision is not limited to application during or

112. S.C. Res. 1325, *supra* note 81, ¶¶ 8, 12-13. In the Resolution, the Security Council expresses its readiness and willingness, “whenever measures are adopted under Article 41 of the Charter of the United Nations, to give consideration to their potential impact on the civilian population, bearing in mind the special needs of women and girls” and to “ensure that Security Council missions take into account gender considerations and the rights of women.” *Id.* ¶ 14. According to the U.N. System-wide Action Plan for implementation of Resolution 1325, the substantive areas covered by this Resolution include: (1) conflict prevention and early warning; (2) peacemaking and peacebuilding; (3) peacekeeping operations; (4) humanitarian response; (5) post-conflict reconstruction and rehabilitation; (6) disarmament, demobilization, and reintegration; (7) prevention and response to gender-based violence in armed conflict; and (8) prevention and response to sexual exploitation and abuse by U.N. staff, related personnel, and partners. See The Secretary-General, *Report of the Secretary-General on Women and Peace and Security*, Annex: System-Wide Action Plan for the Implementation of Security Council Resolution 1325 (2000), *delivered to the Security Council*, U.N. Doc. S/2005/636 (Oct. 10, 2005) [hereinafter *2005 WPS Report*]. The Resolution calls for gender balance in staffing of and recruitment for U.N. departments and agencies, U.N. inter-departmental collaboration, inclusion of gender concerns in U.N. monitoring and reporting, and dedication of financial support for gender-sensitive training and Resolution implementation. S.C. Res. 1325, *supra* note 81, ¶¶ 3-5, 7.

113. For example, the Council plans to take gender considerations into account, “including through consultation with local women’s groups” during missions. S.C. Res. 1325, *supra* note 81, ¶ 14. The only time-bound action called for in Resolution 1325 requests the Secretary-General to submit “a study on the impact of armed conflict on women and girls and the role of women in peace-building and gender dimensions of peace processes.” *Id.* ¶ 16.

114. *Id.* ¶ 1.

after conflict, but would logically apply before conflict or even in the absence of conflict. Likewise, one of the policy goals of Resolution 1325 is to “gender mainstream” UN peacekeeping, peacebuilding, and conflict operations.¹¹⁵ Finally, provisions calling on negotiators of peace agreements to adopt “measures that ensure protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, police and the judiciary” also demonstrate how human security TIPS resolutions incorporate human rights concerns, blur the line between peace and conflict operations, and increase the ambit of the Security Council to encompass more inclusive notions of risks to peace and security.¹¹⁶

1. *The Path to Adoption: Sources of Norms*

“These meetings of the Council are the result of the efforts of numerous women and their organizations, which have been demanding for some time now that the Council formally take up the matter. Today, we pay a tribute to their dedication and hard work in making it happen.”

Ambassador Anwarul Karim Chowdhury, Permanent Representative to the UN of Bangladesh¹¹⁷

In this Part, I set forth evidence that the process of norm consumption by the Security Council occurs at least in part in response to non-state actors, and likely reflects more than simple state power interests.

a. *Norms Within the UN System*

Over the past sixty years, the UN Secretariat has provided venues for the articulation of women’s rights through its agenda setting. For example, the Secretariat and other UN organs have facilitated many conferences and treaty negotiations regarding issues related to human security and conflict prevention. These actions built a foundation for the Council’s

115. *Id.* at pmb.; see *infra* Part IV.A.1(a) for an explanation of “gender mainstreaming.”

116. S.C. Res. 1325, *supra* note 81, ¶ 8(c).

117. Remark by Ambassador Chowdhury at the Open Debate on Women, Peace, and Security, October 2000. See U.N. Doc. S/PV.4208, *supra* note 109.

recognition of a connection between women's rights and peace and security in Resolution 1325.

In urging member states to ensure women's participation in decisionmaking and political processes, Resolution 1325 applies existing initiatives and laws in the international system to the security setting.¹¹⁸ At the international level, these preexisting initiatives included the Universal Declaration of Human Rights and the UN Charter, both of which contain guarantees of equal rights.¹¹⁹ These guarantees derive further legal effect from provisions of the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Political Rights of Women, and the International Covenant on Economic, Social, and Cultural Rights (ICESCR).¹²⁰ Numerous international legal instruments and declarations, including the CEDAW and the 1995 Beijing Declaration and Platform for Action¹²¹ (both of which are recalled by Resolution 1325¹²²), also declare the right of equal participation of women in government and in public life.¹²³

118. See S.C. Res. 1325, *supra* note 81, ¶ 1; *infra* tbl. 3.

119. Universal Declaration of Human Rights, G.A. Res. 217A, at pmb., art. 2., U.N. GAOR, 3d Sess., 1st plen. mtg., U.N. Doc A/810 (Dec. 12, 1948). U.N. Charter pmb., art. 55.

120. International Covenant on Civil and Political Rights [ICCPR], *opened for signature* Dec. 16, 1966, 999 U.N.T.S. 171, S. EXEC. DOC. E, 95-2 (1978); Convention on the Elimination of All Forms of Discrimination Against Women [CEDAW], *opened for signature* Dec. 18, 1979, 1249 U.N.T.S. 13; Convention on Political Rights of Women, *opened for signature* Dec. 20, 1952, 193 U.N.T.S. 135; International Covenant on Economic, Social and Cultural Rights [ICESCR], *opened for signature* Dec. 16, 1966, 993 U.N.T.S. 3, S. EXEC. DOC. D, 95-2 (1978).

121. Fourth World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, at 2, U.N. Doc. A/CONF.177/20 (Oct. 17, 1995) [hereinafter *Beijing Declaration*].

122. See S.C. Res. 1325, *supra* note 81, at pmb. (mentioning Beijing Declaration), ¶ 9 (mentioning CEDAW).

123. See CEDAW, *supra* note 120; *Beijing Declaration*, *supra* note 121, at 2 (focusing explicitly on the issue of women in political decision-making and power and reaffirming ECOSOC's initial goal of a representation of 30% women in U.N. decision-making). The Agreed Conclusions 1997/2 of the forty-first session of the Economic and Social Council also reiterate this right of participation. Economic & Social Council [ECOSOC], *Report of the Economic and Social Council for 1997*, ¶¶ 27-28, U.N. Doc. A/52/3 (Sept. 18, 1997) [hereinafter *ECOSOC Report 1997*]. All of these developments helped define the context for later discourse concerning women in armed conflict.

UN gender mainstreaming policies were also important precursors to Resolution 1325. The ECOSOC Agreed Conclusions of 1997/2 define “gender mainstreaming” as the

process of assessing the implications for women and men of any planned action, including legislation, policies or programs 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 programs in all political, economic and societal spheres, so that women and men benefit and inequality is not perpetuated. . . . The ultimate goal is to achieve gender equality.¹²⁴

Since the early 1990s, organs and bodies of the UN other than the Security Council have been articulating and imple-

The drafting, development, and ratification of and reservations from various treaties and the corresponding comments of the Treaty Bodies also indicate the challenges that women’s advocates continue to face in light of continuing state practice and prevalent attitudes.

Regional instruments protecting women’s right to participate in public life and politics include, inter alia, the African [Banjul] Charter on Human and Peoples’ Rights, adopted in 1981 by the Organization of African Unity, and the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms. African (Banjul) Charter on Human and Peoples’ Rights, O.A.U. Doc. CAB/LEG/67/3 Rev. 5 (June 27, 1981); European Convention for the Protection of Human Rights and Fundamental Freedoms, Nov. 4, 1950, 213 U.N.T.S. 222. General Recommendation No. 19 of CEDAW Committee also addresses the subject of violence against women. United Nations Office of the High Commissioner for Human Rights, CEDAW General Recommendation No. 19: Violence Against Women, U.N. Doc. A/47/38 (Jan. 29, 1992). In 1994, the Declaration on the Elimination of Violence Against Women was adopted by the General Assembly. G.A. Res. 48/104, U.N. Doc. A/RES/48/104 (Dec. 20, 1993). In 1994, the U.N. Human Rights Commission appointed a Special Rapporteur on violence against women, and the U.N. ECOSOC endorsed the resolution. U.N.H.R.C. Res. 1994/45, 144, U.N. Doc. E/CN.4/1994/132 (Mar. 4, 1994). The Organization of American States adopted the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, which became effective in March of 1995. Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, 33 I.L.M. 1534 (1994).

124. TSJEARD BOUTA, GEORG FRERKS & IAN BANNON, GENDER, CONFLICT AND DEVELOPMENT 5 (2005) (quoting *ECOSOC Report 1997*, *supra* note 123).

menting gender mainstreaming initiatives.¹²⁵ In 1996, the General Assembly endorsed the concept of gender mainstreaming, and it has since gradually become the official policy

125. The 1993 Vienna Programme for Action called for gender mainstreaming initiatives. World Conference on Human Rights, June 14-25, 1993, *Vienna Declaration and Programme of Action*, ¶ 7, U.N. Doc. A/CONF.157/23 (July 12, 1993) [hereinafter *Vienna Declaration*]. These calls for gender mainstreaming were reiterated in the 1995 Beijing Declaration and Platform for Action. *Beijing Declaration*, *supra* note 121, at 94-95. The call for mainstreaming was again reiterated in the adoption of the report of an expert group for gender mainstreaming in human rights programs in 1995, ECOSOC's adoption of the Agreed Conclusions 1997/2 on mainstreaming a gender perspective into all policies and programs in the United Nations system, and by the Secretary-General in a 1996 report. See Expert Group Meeting, Aug. 31-Sept. 4, 1998, *National Machineries for Gender Equality*, available at <http://www.un.org/womenwatch/daw/news/natlmach.htm>; *ECOSOC Report 1997*, *supra* note 123; The Secretary-General, *Report of the Secretary-General Prepared Pursuant to Commission Resolution 1993/46 of 8 March 1993, delivered to the Security Council and the General Assembly*, U.N. Doc. E/CN.4/1994/34 (Jan. 5, 1994). "The General Assembly, in resolution 52/100, decided to convene a special session to review progress in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women and the Beijing Declaration and Platform for Action." U.N. Dep't of Economic and Social Affairs, Division for the Advancement of Women [DAW], Beijing +5 Process and Beyond ¶ 3, <http://www.un.org/womenwatch/daw/followup/beijing+5.htm> (last visited Oct. 20, 2007) [hereinafter *Beijing +5 Process*]. The Department of Peacekeeping Operations (DPKO) states that its gender mainstreaming policy is influenced by, inter alia, the Nairobi Forward-looking Strategies for the Advancement of Women, G.A. Res. 42/62, U.N. Doc. A/RES/42/62 (Nov. 30, 1987), and traces its mandate for gender mainstreaming directly to Security Council Resolution 1325. See U.N. DEP'T OF PEACEKEEPING OPERATIONS, GENDER RESOURCE PACKAGE FOR PEACEKEEPING OPERATIONS at 10, U.N. Sales No. E.04.IV.6 (2004), available at <http://www.unfcyp.org/Gender%20Affairs/Chapters/GRP%20pdf%20files/GRP%20Full%20Version.pdf> [hereinafter *DKPO GENDER RESOURCE PACKAGE*]. On October 20, 2000, the Brahimi Report addressed women's rights in peacekeeping. See The Secretary-General, *Report of the Secretary-General on the Implementation of the Report of the Panel on United Nations Peace Operations*, ¶ 142, *delivered to the General Assembly*, U.N. Doc. S/2000, A/55/502 (Oct. 20, 2000).

Jacqui True and Michael Mintrom trace the development and diffusion of gender mainstreaming at the national level. See generally Jacqui True & Michael Mintrom, *Transnational Networks and Policy Diffusion: The Case of Gender Mainstreaming*, 45 INT'L STUD. Q. 27 (2001) (claiming that transnational networks composed of the UN and INGOs have facilitated the diffusion of gender-mainstreaming mechanisms in over 100 countries from 1975 to 1988).

of the UN.¹²⁶ The Division for the Advancement of Women (DAW) and the Office of the Special Adviser on Gender Issues and Advancement of Women, along with other actors, collaborated to promote gender mainstreaming in the General Assembly special session in June 2000 and in follow-up actions throughout the UN system.¹²⁷ Four months later, the Security Council was one of the last UN organs to adopt the gender mainstreaming policy through its adoption of Resolution 1325.

The development and dissemination of literature exploring the specific links between women and armed conflict was a vital prerequisite to the Security Council's decision to adopt a TIPS resolution addressing a new subject area—particularly one that urges all member states, even those that have not ratified human rights treaties (including permanent members of the Council), to ensure that human rights are respected and women's equality in political decisionmaking is implemented. The humanitarian conventions invoked in the text of Resolution 1325 established the foundational understanding of the rights of civilians (including women) to protection during armed conflict.¹²⁸ However, in the early 1990s, epistemic communities of development theorists, economists, lawyers, and women's advocates produced two relatively novel bodies of research on (1) the unique and disproportionate impact of contemporary armed conflicts on women (raising an inequality

126. True and Mintrom, *supra* note 125, at 31.

127. Beijing + 5 Process, *supra* note 125.

128. The Preamble of Resolution 1325 recalls the commitments of the Beijing Declaration concerning women and armed conflict and reaffirms "the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts." It calls upon states to end impunity for gender-based crimes against women. Resolution 1325 also calls on all parties to armed conflict to respect humanitarian and human rights law and to protect women and girls from gender-based violence. The humanitarian conventions relevant here include, *inter alia*, the Geneva Convention Relative to the Protection of Civilian Persons in Time of War art. 27, Aug. 12, 1949, 6 U.S.T. 3516, 75 U.N.T.S. 287. *See generally* Protocol I Additional to the Geneva Conventions of 12 August 1949, Dec. 12, 1977, 1125 U.N.T.S. 3 (regarding international armed conflicts); Protocol II Additional to the Geneva Conventions of 12 August 1949 art. 4, Dec. 12, 1977, 1125 U.N.T.S. 609 (stressing needs of children). The Rome Statute set forth the conditions under which rape would be considered a war crime. Rome Statute of the International Criminal Court art. 7, July 17, 1998, 2187 U.N.T.S. 90.

concern about the nexus between women and armed conflict) and (2) the potential benefits of women's participation in peace processes and in decisionmaking (an argument that efficiency is enhanced by including women in decisionmaking).¹²⁹ Following this research, a number of international-level political declarations, including the 1993 Vienna Declaration and the Beijing Platform for Action, addressed both equality and efficiency concerns relating to women's involvement in armed conflict and peace.¹³⁰ The generation and wide diffusion of these norms regarding women and armed conflict was an important precursor to the adoption of Resolution 1325.

b. *The Involvement of Transnational Advocacy Networks and State Support*

In this section, I draw on Keck and Sikkink's transnational advocacy network model¹³¹ to better understand the interac-

129. The Secretary-General, *Report of the Secretary-General on Women, Peace and Security*, ¶¶ 6, 27-29, delivered to the Security Council, U.N. Doc. S/2002/1154 (Oct. 16, 2002) [hereinafter 2002 WPS Report]; HUMAN DEVELOPMENT REPORT 1994, *supra* note 98. International development scholars and practitioners' specific focus on women's role in international security emerged in part as a result of political developments and possibilities at the end of the Cold War and in part due to women's advocates' identification of gaps in existing women's rights legal instruments. Jo Ann Tickner, *Feminist Perspectives on International Relations*, in HANDBOOK OF INTERNATIONAL RELATIONS, *supra* note 16, at 275. Internationally, women and children were found to constitute the majority of all victims, refugees, and people internally displaced by post-Cold War armed conflict. Additionally, women's critical contributions to informal peace processes but exclusion from high-level peace negotiations were documented for the first time at the international level.

130. In 1993, violence against women during armed conflict was acknowledged as a violation of human rights in the Vienna Program for Action. *Vienna Declaration*, *supra* note 125, at 7. Most significantly, in 1995, women's rights activists brought attention to issues facing women in armed conflict in Section E of the Beijing Platform for Action. This section advances six core objectives, many of which contain recommendations that have subsequently been incorporated into the text of Resolution 1325. *Beijing Declaration*, *supra* note 121, at 131-49. The 1998 Forty-second Session of the Commission on the Status of Women reaffirmed the Beijing Platform for Action and issued "Agreed Conclusions on Women and Armed Conflict." United Nations Non-Governmental Liaison Service, NGLS Roundup, April 1998, 42nd Session of the Commission on the Status of Women.

131. See *infra* notes 139-140 and accompanying text for an explanation of this model.

tion of women's rights norm entrepreneurs with the Security Council. Despite the Council's relative lack of transparency, the transnational advocacy network of women's organizations that would eventually be called the NGO Working Group on Women, Peace and Security (WGWPS) successfully lobbied the Security Council for adoption of Resolution 1325 in 2000.¹³² I analyze here the network's formation and its decision to pressure the Security Council to adopt Resolution 1325 as a means for advancing its cause.

Over 4,000 worldwide NGO representatives were active participants in the world conference on women in 1995 in Beijing.¹³³ In March 2000, a vast network of women's advocates gathered at UN headquarters at the Commission on the Status of Women (CSW) for the UN-sponsored five year review of the Beijing Declaration and Platform for Action. At the CSW, "a broad coalition of civil society, UN and state actors . . . [including the] NGO Working Group on Women, Peace, and Security, UNIFEM, and the UN Division for the Advancement of Women"¹³⁴ united to press the Security Council to adopt a resolution on issues related to women's roles not just in conflict but also in conflict prevention and post-conflict rebuilding.

On International Women's Day in March 2000, the Security Council, through its President, Ambassador Anwarul Karim Chowdhury of Bangladesh, issued a diplomatic Press Statement in which the Council acknowledged for the first time that equality between women and men was "inextricably

132. Most of these women's organizations have field operations or global membership and were in contact with grassroots constituencies, including women in conflict areas. For information about the NGO Working Group on Women, Peace and Security's lobbying history, see NGO Working Group on Women, Peace and Security (WGWPS), About Us, <http://www.womenpeacesecurity.org/> (last visited Oct. 20, 2007). A list of the group's member organizations is on the same page. As of October 2007, the NGO Working Group had fourteen members. According to its website, it continues to advocate for implementation of Security Council Resolution 1325. See *supra* note 80 for a comparison between the original membership of the WGSC and that of the WGWPS.

133. DAW, Commission on the Status of Women, Short History of the Commission on the Status of Women 15, available at <http://www.un.org/womenwatch/daw/CSW60YRS/CSWbriefhistory.pdf>.

134. Maha Muna & Rachel Watson, *The U.N. Security Council Addresses Women's Role in Peace*, 11 FORCED MIGRATION REV. 11, 11 (2001).

linked” with the maintenance and establishment of peace and security.¹³⁵ Through this rhetorical statement, the Council signaled that it might accept a broader and potentially more active role in the development of women’s equality. However, in its April 2000 Resolution 1296 (relating to the protection of civilians in armed conflict), the Council treated women as passive victims of conflict rather than as active parts of the solution.¹³⁶ Partially as a result of these disparate signals, the WGWPS, in collaboration with UN entities such as the Development Fund for Women (UNIFEM) and the Division for the Advancement of Women and some Security Council member states, identified both the need for and the potential to leverage Security Council support for issues of women’s equality in conflict and peace.¹³⁷

135. Press Release, United Nations Security Council, Peace Inextricably Linked With Equality Between Women and Men Says Security Council, in International Women’s Day Statement, U.N. Doc. SC/6816 (Mar. 8, 2000).

136. Resolution 1296 provides that “[t]he Security Council . . . [r]eaffirms its grave concern at the harmful and widespread impact of armed conflict on civilians, including the particular impact that armed conflict has on women, children and other vulnerable groups, and further reaffirms in this regard the importance of fully addressing their special protection and assistance needs in the mandates of peacekeeping, peacekeeping and peace-building operations.” S.C. Res. 1296, ¶ 9, U.N. Doc. S/RES/1296 (Apr. 19, 2000). Action regarding women’s equality was also taking place in other U.N. departments at this time. In May 2000, the Department of Peacekeeping Operations concluded its Windhoek Declaration on mainstreaming a gender perspective into peacekeeping operations. See *Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations*, May 29-31, 2000, *Windhoek Declaration and Namibia Plan of Action*, U.N. Doc. A/55/138, S/2000/693 (July 14, 2000) (annexes I and II to the *Letter dated 12 July 2000 from the Permanent Representative of Namibia to the United Nations addressed to the Secretary-General*) [hereinafter *Windhoek Declaration*]. In June 2000, the General Assembly adopted the Outcome Document of the Beijing Declaration and Platform for Action calling for women’s participation in politics and asserting that the General Assembly had “primary responsibility” for full implementation. G.A. Res. S-23/2, ¶ 3, U.N. Doc. A/RES/S-23/2 (Nov. 15, 2000).

137. See Felicity Hill, Dir., U.N. Office, Women’s Int’l League for Peace and Freedom, Address at UN Headquarters on Int’l Women’s Day: Women and Peace: Women Managing Conflict (Mar. 8, 2001) (transcript available at http://www.un.org/womenwatch/feature/iwd/2001/peace_st_hill.html); see also Muna & Watson, *supra* note 134, at 12.

The WGWPS decided to focus on promoting gender equality within the UN and its peacekeeping operations.¹³⁸ It would also push for women's full participation in decisionmaking and peace processes as well as for full consideration of women's unique need for protection in situations of armed conflict. The WGWPS's campaign thus centered on: "(1) issues involving bodily harm to vulnerable individuals and (2) issues involving legal equality of opportunity."¹³⁹

This is consistent with Keck and Sikkink's account of the way transnational advocacy networks' frame strategic issues. In their study of transnational advocacy networks, Keck and Sikkink posit that networks often target difficult to reach but powerful actors.¹⁴⁰ Previously, advocates for gender issues had considered the Security Council beyond their reach,¹⁴¹ but when the WGWPS coalesced around the issue of women, peace, and security, they targeted this difficult to reach but highly concentrated nexus of international power. The group built on the growing foundation of human security resolutions adopted in 1999 and identified the potential for the Security

138. See Felicity Hill, Women's Int'l League for Peace & Freedom, Address at Columbia University: Women's Participation in Security and Peace Policy Making (Mar. 5, 2001), available at <http://www.wilpf.int.ch/publications/2001scr1325.htm> [hereinafter Hill, Columbia Address].

139. See KECK & SIKKINK, *supra* note 27, at 27.

140. *Id.* at 23.

141. In 1999, ECOSOC and the General Assembly hosted the Commission on the Status of Women and adopted non-binding resolutions and Agreed Conclusions about women's equality and representation. The Security Council, on the other hand, had generally remained silent about the role of women and gender in international peace and security as well as about the impact on and involvement of women in its policies, with the exception of Resolution 1265 and Resolution 1296. See S.C. Res. 1265, *supra* note 86, at pmb1., ¶ 13; S.C. Res. 1296, *supra* note 136, at pmb1., ¶ 9; see also *infra* tbs. 1, 2. Feminist international relations theorists have noted that "international relations scholars have tended to view gender as an intra-national problem, irrelevant to international relations." Tickner, *supra* note 129, at 275. Tickner reinforces a feminist perspective, noting that "with its focus on the 'high' politics of war, the [IR] discipline has privileged issues that grow out of men's experiences; we are socialized into believing that war and power politics are spheres of activity with which men have a special affinity and special expertise and that their voices in describing and prescribing for this world are, therefore, likely to be more authentic." According to Tickner, feminist perspectives entered international relations around the end of the Cold War with the diminished role of military security issues that had dominated earlier. *Id.* at 275.

Council to become involved with issues regarding women's equality.¹⁴²

The development of communications channels between and among NGOs by the Working Group on the Security Council and by the Council as well as other changes in Council work procedures were undoubtedly vital to the WGWPS's decision to target the Council. In mid-2000, using personal connections developed at least in part through these channels, the WGWPS lobbied each member of the Security Council to adopt a resolution on women, peace, and security.¹⁴³

The WGWPS's lobbying approach was to build on the TIPS resolutions on CAAC and civilians and armed conflict, the Security Council's press statement on gender equality, and the Department of Peacekeeping Operation's Windhoek Declaration.¹⁴⁴ The WGWPS began its lobbying efforts by visiting Ambassador Durrant of Jamaica, who was the only woman on the Security Council at the time. In addition to Jamaica, the UN Mission for Namibia became a strong supporter of the WGWPS's efforts and agreed to use its upcoming Security Council presidency in October 2000 to host an Arrria Formula Meeting and an Open Debate on the subject of women, peace, and security.¹⁴⁵ The Ambassadors of Bangladesh, the United Kingdom, and Canada were also supportive of the network's efforts.¹⁴⁶ In fact, the former Executive Director of Women's International League for Peace and Freedom (WILPF), one of the original members of the WGWPS, claims that the Working Group secretly drafted the first version of Resolution 1325 for

142. For example, in September 1999, the Security Council had adopted TIPS Resolution 1265 on the Protection of Civilians in Armed Conflict. Resolution 1265 recognized the impact of armed conflict on women, *inter alia*, and called on the Secretary-General to ensure gender-sensitive training of UN personnel in peacemaking, peacekeeping, and peacebuilding activities. S.C. Res. 1265, *supra* note 86, ¶ 14. However, Resolution 1265 failed to acknowledge the active role women might play in peacebuilding and political processes.

143. Hill, Columbia Address, *supra* note 138.

144. *See supra* notes 81 (S.C. Res. 1261 on children and armed conflict), 86 (S.C. Res. 1265 on civilians and armed conflict), 135 (Security Council press statement on gender equality), 136 (Windhoek Declaration).

145. Muna & Watson, *supra* note 134, at 12. It is likely that part of the reason that the U.N. Mission for Namibia supported this drive is that Namibia had previously hosted the Windhoek Declaration negotiations. *Id.*

146. Hill, Columbia Address, *supra* note 138.

the over-burdened Permanent Mission of Namibia to circulate.¹⁴⁷ Utilizing its connections to women in conflict zones, the WGWPS's transnational advocacy network was able to identify women with experience in conflict areas who could address the Council.¹⁴⁸

On October 23, 2000, the Security Council held an Arria Formula meeting with women representatives of five NGOs.¹⁴⁹ One week later, the Presidency of Namibia presided over an Open Debate on women, peace, and security, in which over seventy member states¹⁵⁰ offered statements overwhelmingly in support of acknowledging the contribution and central role of women in maintaining peace and security. Following the Open Debate, the Security Council unanimously adopted Security Council Resolution 1325.¹⁵¹

2. *Impact at the International Level*

Feminist international relations and international law scholars, women's rights NGOs, diplomats, and UN entities welcomed the Security Council's adoption of Resolution 1325 as "groundbreaking,"¹⁵² a "radical decision," a "turning" point,¹⁵³ "momentous progress,"¹⁵⁴ a sign that "the issue of women and armed conflict is perceived as relevant to the mainte-

147. See Hill, *How and When*, *supra* note 78, at 30.

148. Women's International League for Peace and Freedom (WILPF), *Women Break Through the Closed Doors of the Security Council*, October 2000, <http://www.peacewomen.org/un/sc/scwomen.html> (last visited Aug. 27, 2007).

149. *Id.*

150. See *infra* tbl. 5.; see also U.N. Doc. S/PV.4208, *supra* note 109.

151. See *supra* note 102 (listing Security Council membership for 2000); Security Council Report WPS Nov. 2005, *supra* note 15 (discussing unanimous adoption of 1325).

152. Judith Gardam, *Women and Armed Conflict: The Response of International Humanitarian Law*, in LISTENING TO THE SILENCES: WOMEN AND WAR 109, 115 (Helen Durham & Tracey Gurd eds., 2005).

153. Jeremy Greenstock, *1325: The U.N.'s Radical Decision*, OPEN DEMOCRACY, Oct. 18, 2005, <http://www.opendemocracy.net/content/articles/PDF/2932.pdf#search=greenstock%20radical%20decision>; Li Fung, *Engendering the Peace Process: Women's Role in Peacebuilding and Conflict Resolution*, in LISTENING TO THE SILENCES, *supra* note 152, at 225, 225.

154. Hayli Miller, *Facilitating Women's Voices in Truth Recovery*, in LISTENING TO THE SILENCES, *supra* note 152, at 171, 173 n.7 (arguing that Resolution 1325 did not go far enough, but nonetheless conceding that it represents progress).

nance of international peace and security and is consequently being addressed at the highest levels,”¹⁵⁵ and even, incorrectly, as “effectively a piece of international law binding on all 191 UN member states.”¹⁵⁶ The following data establish that Resolution 1325 has increased the Security Council’s inclusion of women’s concerns in its own work program, prompting actions, undertakings, and commitments at the international level that are not likely to have occurred without it.¹⁵⁷

Today, gender mainstreaming training and gender specialist positions have been incorporated into Security Council-created peacekeeping and peacebuilding missions.¹⁵⁸ Compared to the five years prior to adoption of 1325, the Security Council’s incorporation of language concerning women, girls, and gender has increased dramatically. From 1994 to 1999, language on women, gender, or girls appeared in about 4% of Security Council resolutions.¹⁵⁹ By contrast, from the adoption of Resolution 1325 through June 30, 2006, more than 26% of all country-specific resolutions have included language

155. Gardam, *supra* note 152, at 110.

156. Northern Ireland Women’s European Platform, UNSCR 1325 on Trial: Resolution 1325, <http://www.niwep.org.uk/summaryUNSCR1325.htm> (last visited Oct. 17, 2007). Other commentators, including Mertus and Ramcharan, have recognized the “progress” of the Security Council in the field of human rights, with specific attention to the rights of women and children. These scholars primarily focus on the Council’s situation-specific and geographically-specific resolutions. See, e.g., MERTUS, *supra* note 61, at 136-40 (finding increased Security Council action in the area of child soldiers); BERNARD G. RAMCHARAN, *THE SECURITY COUNCIL AND THE PROTECTION OF HUMAN RIGHTS* (2002). Feminist scholars have urged further implementation of Resolution 1325. See, e.g., Jessica Neuwirth, *Women and Peace and Security: The Implementation of Security Council Resolution 1325*, 9 DUKE J. GENDER L & POL’Y 253, 259-60 (2002). For a critical feminist analysis of Resolution 1325, see, e.g., Dianne Otto, *A Sign of “Weakness”? Disrupting Gender Certainties in the Implementation of Security Council Resolution 1325*, 13 MICH. J. GENDER & L. 113 (2006).

157. See *infra* tbls. 5, 7-8; see also G.A. Res. 58/177, ¶ 4, U.N. Doc. A/RES/58/177 (Mar. 12, 2004); G.A. Res. 58/196, at pmbll., U.N. Doc. A/RES/58/196 (Mar. 11, 2004).

158. See United Nations Peacekeeping Operations, Gender and UN Peacekeeping Operations, Gender Mainstreaming in UN Peacekeeping Operations, DPKO, <http://www.un.org/Depts/dpko/gender/p3.pdf>.

159. See *infra* tbl. 6. From 1994-1998, before the adoption of the human security TIPS resolutions in 1999, the percentage was even lower—about 2%.

on women and gender.¹⁶⁰ In addition, the Council has explicitly reaffirmed Resolution 1325 in a number of these resolutions, including some Chapter VII resolutions.¹⁶¹

Since 2000, the Security Council has also issued six Presidential Statements calling for specific, targeted actions to implement Resolution 1325, including prompting the Secretary-General to generate three reports on UN efforts to implement this Resolution.¹⁶² In its October 2005 Presidential Statement, the Security Council made its strongest ongoing commitment to Resolution 1325 yet when it called for the Secretary-General to annually report to the Council on the implementation and progress of the 2005 UN system-wide action plan.¹⁶³ More recently, in October 2006 and 2007, the Security Council received the first and second updates of the Secretary-General's 2005 UN System-wide Action Plan for Implementation of Resolution 1325.¹⁶⁴

Resolution 1325 has prompted roundtables, trainings, and gender awareness sessions for Security Council members, UN agencies, and grassroots activists. For example, in January

160. The Secretary-General, *Report of the Secretary-General on Women, Peace and Security*, ¶ 28, delivered to the Security Council, U.N. Doc. S/2006/770 (Sept. 27, 2006) [hereinafter *2006 WPS Report*] (reporting data as of June 30, 2006). The exact figure is 26.07%

161. See *infra* tbl. 7. Resolution 1325 has been recalled in 15 resolutions explicitly invoking Chapter VII enforcement powers. Of these Chapter VII resolutions, Resolution 1325 is invoked in the operational paragraphs of the resolution three times. According to Mertus, as peacekeeping operations have expanded globally, there has been a corresponding practice by the Security Council to ensure that they remain in conformity with human rights standards. See MERTUS, *supra* note 61, at 124-5; see also S.C. Res. 794, *supra* note 83, ¶ 10.

162. See Statement by the President of the Security Council, U.N. Doc. S/PRST/2007/40 (Oct. 23, 2007); Statement by the President of the Security Council, U.N. Doc. S/PRST/2006/42 (Oct. 26, 2006); Statement by the President of the Security Council, U.N. Doc. S/PRST/2005/52 (Oct. 27, 2005); Statement by the President of the Security Council, U.N. Doc. S/PRST/2004/40 (Oct. 28, 2004); Statement by the President of the Security Council, U.N. Doc. S/PRST/2002/32 (Oct. 31, 2002); Statement by the President of the Security Council, U.N. Doc. S/PRST/2001/31 (Oct. 31, 2001); see also *infra* tbl. 5.

163. U.N. Doc. S/PRST/2005/52, *supra* note 162.

164. See *infra* tbl. 5. See generally *2006 WPS Report*, *supra* note 160 (updating on the status of the 2005 Action Plan); The Secretary-General, *Report of the Secretary-General on Women and Peace and Security*, delivered to the Security Council, U.N. Doc. S/2007/567 (Sept. 10, 2007) [hereinafter *2007 WPS Report*].

and July 2004, in collaboration with select member states at two roundtables, high-level representatives of some Security Council members met and developed 1325 implementation guidelines.¹⁶⁵ These roundtables were co-sponsored by the NGO Working Group on Women, Peace and Security and the Permanent Missions of Canada, Chile, and the United Kingdom.¹⁶⁶ The July 2004 roundtable resulted in a checklist for Council and Secretariat staff to use when drafting resolutions and mandates to ensure gender concerns are included in the texts.¹⁶⁷ Also, an Inter-Agency Task Force on Security Council Resolution 1325, which involves participation from departments across the UN system and the WGWS, meets monthly to “facilitate implementation of Security Council Resolution 1325.”¹⁶⁸ In 2001, Canada formed the “Friends of Security Council Resolution 1325,” which is composed of twenty-eight member states that support the goals of Resolution 1325 and meet regularly to collaborate on how to fully implement the Resolution both within the UN system and within member states.¹⁶⁹

165. Report on Security Council Roundtable, Towards International Peace and Security: Advancing Prevention, Participation and Protection in the Work of the Security Council, Jan. 27, 2004, <http://www.peacewomen.org/un/ngo/Jan272004/finalreport.pdf>; Report on Security Council Roundtable, Peace Support Operations: Consolidating Progress and Closing Gaps in the Implementation of UNSC Resolution 1325, July 1, 2004, <http://www.peacewomen.org/un/ngo/1July04SCRroundtable/SCRroundtablefinalreport.pdf> [hereinafter Peace Support Operations].

166. *Id.* Participants at the sessions included representatives from the Permanent Missions of: Angola, Argentina, Benin, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Denmark, France, Germany, Guinea, Mexico, Norway, Pakistan, the Philippines, Romania, the Russian Federation, Spain, Sweden, the Syrian Arab Republic, the United Kingdom and Northern Ireland, and the United States.

167. *Id.*

168. The NGO Working Group on Women, Peace and Security participates at these meetings as an observer. Members include: DAW, DDA, DPA, DPKO, DPI, ILO, OCHA, OHCHR, OHRM, OSAGI, SRSGAC, UNDP, UNFPA, UNHCR, UNICEF, UNIFEM, UNU, WFP, and IOM (observer). The Task Force is chaired by the Special Adviser on Gender Issues and Advancement of Women. See Inter-Agency Network on Women and Gender Equality, <http://www.un.org/womenwatch/ianwge/annualmeetings/2002/reportwps.htm> (last visited Oct. 17, 2007).

169. Friends of 1325 is a “voluntary, ad hoc group of [27] U.N. Member States who identify as advocates for implementation” of Resolution 1325. UNIFEM, OSAGI, and the NGO Working Group participate in the regular

Members of civil society have also leveraged Resolution 1325 to support their advocacy and to secure funding for women's programs. At the international level, the WGWPS closely monitors gender practices of the Security Council, the Department of Peacekeeping Operations (DPKO), and the UN in general. It lobbies relevant parties on issues ranging from ensuring that Resolution 1325 Arria Formula meetings and Open Debates are scheduled and sponsored by Security Council presidents each year to ensuring that Security Council mandates include gender considerations. Among other civil society actions in support of Resolution 1325, the WGWPS has published five shadow reports detailing and critiquing implementation of Resolution 1325 at the national and international levels.¹⁷⁰ It has also conducted numerous training sessions of civil society actors both at UN headquarters and in member organizations' field locations. The WGWPS member Women's International League for Peace and Freedom publishes a bi-weekly newsletter regarding Resolution 1325 developments with distribution to advocates worldwide.¹⁷¹ The WGWPS has also trained UN staff on using Resolution 1325 in its work.¹⁷² Advocacy by transnational networks has consistently called for the inclusion of gender concerns in the newly formed Peacebuilding Commission, and the Peacebuilding Commission does affirm the inclusion of gender concerns in its evolving work program.¹⁷³

meetings by invitation. WILPF, Working Towards Implementation of 1325: Who's Responsible for Implementation, http://www.peacewomen.org/un/UN1325/whoswho_un.html#Friends1325 (last visited Aug. 27, 2007). Friends of 1325 includes: Australia, Bangladesh, Cameroon, Canada, Chile, Colombia, Croatia, Finland, Germany, Guinea, Jamaica, Japan, Korea, Liechtenstein, Mexico, Namibia, the Netherlands, New Zealand, Norway, the Philippines, Singapore, South Africa, Sweden, Switzerland, Tanzania, the United Kingdom, and the United States. *Id.*

170. See generally NGO WORKING GROUP ON WOMEN, PEACE AND SECURITY, FROM LOCAL TO GLOBAL: MAKING PEACE WORK FOR WOMEN (SECURITY COUNCIL RESOLUTION 1325—FIVE YEARS ON REPORT) (2005), available at <http://www.womenpeacesecurity.org/media/pdf-fiveyearson.pdf> [hereinafter FROM LOCAL TO GLOBAL].

171. *Id.*

172. *Id.*

173. See S.C. Res. 1645, ¶¶ 20-21, U.N. Doc. S/RES/1645 (Dec. 20, 2005); G.A. Res. 60/180, ¶¶ 20-21, U.N. Doc. A/RES/60/180 (Dec. 20, 2005). The High-level Panel on Threats, Challenges and Change recommended that a permanent subsidiary organ of the Council be established for peacebuilding

Other organs of the UN and member states have also invoked and implemented Resolution 1325.¹⁷⁴ The General Assembly has recalled or affirmed Resolution 1325 in more than five resolutions.¹⁷⁵ The Outcome Document of the World Summit of Heads of State in September 2005 affirms the resolution,¹⁷⁶ and the DPKO directly attributes its gender mainstreaming mandate and ensuing actions to Resolution 1325.¹⁷⁷ As many as 107 member states, a number of IOs, and, to a more limited extent, civil society have been represented in the annual Security Council-sponsored Open Debates on Resolution 1325.¹⁷⁸ In successive annual debates, many Security Council and General Assembly members have given examples of the implementation of Resolution 1325 and called for more specific implementation methods.¹⁷⁹

While this non-coercive TIPS resolution has had an impact, it has not been fully implemented by the Security Council.¹⁸⁰ Notwithstanding the UN system-wide action plan and repeated calls from the transnational advocacy network, the WGWPS, and UN women's agencies for formal mechanisms to monitor implementation of Resolution 1325, the Council has not established its own entity for monitoring implementation of the Resolution. Likewise, despite the advocacy of epistemic communities and transnational advocacy networks, gender mainstreaming within the UN has been a slow-moving process.

that would encompass economic and social reconstruction. MACFARLANE & KHONG, *supra* note 7, at xi.

174. See G.A. Res. 58/177, *supra* note 157; G.A. Res. 58/196, *supra* note 157.

175. *Id.*

176. U.N. GAOR, 60th Sess., U.N. Doc. A/60/L.1 (Sept. 15, 2005).

177. The DPKO has developed an action plan and policy for gender mainstreaming as a result of the resolution and a Gender Resource Package for Peacekeeping Operations. Department of Peacekeeping Operations, DPKO Under-Secretary General Policy Statement on Gender Mainstreaming (March 2005), available at <http://www.un.org/Depts/dpko/dpko/info/polsmt.pdf>.

178. See *infra* tbl. 5.

179. See *id.*

180. The High-Level Panel calls on the Council to fully implement the Resolution. See FROM LOCAL TO GLOBAL, *supra* note 170, at vii; 2002 WPS Report, *supra* note 129; The Secretary-General, Report of the Secretary General on Women, Peace and Security, delivered to the Security Council, U.N. Doc. S/2004/814 (Oct. 13, 2004) [hereinafter 2004 WPS Report]; 2005 WPS Report, *supra* note 112; 2006 WPS Report, *supra* note 160.

While the Security Council has increased its formal consideration of women, girls, and gender, it has not invoked 1325's gender mainstreaming provisions in certain resolutions when it might have.¹⁸¹ Furthermore, even after repeated calls from the Security Council, the Secretary-General had still not managed to achieve better than a 37% representation of women among his Secretariat personnel and appointees five years after Resolution 1325's adoption.¹⁸² To cite one example, as of June 2004, only two of the twenty-seven Special Representatives and Envoys were women.¹⁸³

3. *Impact at the National Level*

A number of direct effects of Resolution 1325 are evident at the member state level. In its 2002 Presidential Statement, the Security Council called on member states to develop national-level action plans for implementation of Resolution 1325. The governments of Norway, Sweden, Denmark, and the United Kingdom now have adopted national action plans

181. S.C. Res. 1433 and S.C. Res. 1507 on Ethiopia and Eritrea (UNMEE) represent missed opportunities to implement Resolution 1325. Neither resolution has any mention at all of women's participation in peace processes, protection of women or gender mainstreaming. S.C. Res. 1433, U.N. Doc. S/RES/1433 (Aug. 15, 2002); S.C. Res. 1507, U.N. Doc. S/RES/1507 (Sept. 12, 2003). However, according to S.C. Res. 1320, UNMEE's mandate includes: "Coordinat[ing] the Mission's activities in the temporary security zone and areas adjacent to it with humanitarian and human rights activities of the United Nations and other organizations in those areas." S.C. Res. 1320, ¶ 2, U.N. Doc. S/RES/1320 (Sept. 15, 2000).

182. The Secretary-General, *Report of the Secretary-General on Improvement of the Status of Women in the United Nations System*, ¶ 4, delivered to the General Assembly, U.N. Doc. A/61/318 (Sept. 7, 2006).

183. 2004 WPS Report, *supra* note 180, ¶ 92. Three women served as Deputy Special Representatives in 2004. The situation is more acute regarding troop contributions. Women composed 1 per cent of troop contributing countries' military personnel and 5 per cent of civilian police personnel in peacekeeping operations in June 2004, with no change from 2002. *Id.* ¶ 91. In the 2004 Open Debate, Algeria—an elected Security Council member at the time—hinted that the resolution went beyond the Security Council's capacity and was more properly situated in the General Assembly. Press Release, Security Council, Day-Long Security Council Debate on the Issue of Women, Peace, Security; Problems of Oppression, Exploitation Stressed, U.N. Doc. SC/8230 (Oct. 28, 2004). The NGO "Security Council Report" reads China's and Russia's statements at the Open Debate to indicate that they may share Algeria's view; however, this conclusion is debatable. See Security Council Report WPS Nov. 2005, *supra* note 15.

for implementation of Resolution 1325,¹⁸⁴ and Fiji has produced a draft plan. Women Waging Peace and numerous other American and global NGOs have lobbied for implementation of Resolution 1325 or held training sessions at the national levels,¹⁸⁵ and advocates report that member states have responded favorably to advocates' use of Resolution 1325 for purposes such as encouraging adoption of a gender awareness perspective in disarmament negotiations.¹⁸⁶

The Resolution has had an effect at the regional level as well. In December 2005, following a June seminar on integrating Resolution 1325 into its work, the Organization for Security and Cooperation in Europe (OSCE) adopted Ministerial Council Decision 14/05 on Women in Conflict Prevention, Crisis Management, and Post-Conflict Rehabilitation.¹⁸⁷ The Council Decision integrates Resolution 1325's commitments into OSCE operations.¹⁸⁸

184. See GLOBAL CONFLICT PREVENTION POOL, *supra* note 103 (UK action plan). The Swedish government adopted a National Action Plan for women, peace, and security implementation on June 15, 2006. Press Release, Permanent Mission of Sweden, Geneva, National Action Plan on Women, Peace and Security—UN Security Council Resolution 1325 (Jun. 15, 2006), *available at* http://www.swedenabroad.com/pages/news____50451.asp&root=9864. The Norwegian Government adopted its action plan for implementing Resolution 1325. Press Release, Norway Mission to the UN, Action Plan for the Implementation of UN Security Council Resolution 1325 (Nov. 14, 2006) *available at* <http://www.norway-un.org/Topics/Gender/SC+Resolution+1325/1325.htm>. Denmark has also adopted an action plan for implementing Resolution 1325. Ellen Margrethe Loj, Statement to the U.N. Security Council (Oct. 26, 2006), *available at* <http://www.sikkerhedsraadet.um.dk/en/menu/DanishStatements/UNSCOpenDebateOnWomenPeaceSecurity.htm>; see also FROM LOCAL TO GLOBAL, *supra* note 170, at 48-77.

185. See generally FROM LOCAL TO GLOBAL, *supra* note 170.

186. See generally Hill, *How and When*, *supra* note 78. In the United States, in response to the advocacy for Resolution 1325 by an NGO called Women Waging Peace, Secretary of State Colin Powell sent a code cable to all US ambassadors informing them of the Resolution and suggesting ways in which it might be implemented. *Id.* at 4.

187. Organization for Security and Co-operation in Europe [OSCE], *Decision No. 14/05: Women in Conflict Prevention, Crisis Management and Post-Conflict Rehabilitation*, Ministerial Council Decision 14/05, OSCE Doc. MC.DEC/14/05 (Dec. 6, 2005), *available at* http://www.osce.org/documents/mcs/2005/12/17432_en.pdf.

188. *Id.*

Resolution 1325 has had direct effects at the grassroots level for activists and civil society in countries worldwide.¹⁸⁹ These results can in part be attributed to the efforts of the WGWS and its member Women's International League for Peace and Freedom, supported by funding from states, to facilitate the translation of the Resolution into over 70 different languages.¹⁹⁰ WILPF also publishes a biweekly newsletter which updates a vast network of NGOs about developments relating to women, peace, and security at the grassroots, national, and international level.¹⁹¹ Civil society initiatives worldwide have included radio programming, 1325 trainings, using Resolution 1325 to lobby governments or UN entities for women's involvement in peace negotiations or elections, calling for gender advisors in peacekeeping missions, incorporating gender sensitivity into treaty negotiations, and training women advocates at the grassroots level about the role women can play in peace processes.¹⁹² Coordinating efforts between the national and the international levels, the transnational advo-

189. See WILPF, Women, Peace and Security Initiatives: Country Index, <http://www.peacewomen.org/campaigns/countriesindex.html> (highlighting Resolution 1325 initiatives in, inter alia, Afghanistan, Fiji, Burma, Israel, Colombia, Kosovo, Northern Ireland, Germany, Nepal, Somalia, East Timor, Thailand, Sweden, South Africa, Namibia, and West Africa) (last visited Oct. 20, 2007). See generally NGO WORKING GROUP ON WOMEN, PEACE AND SECURITY: FOUR YEARS ON: AN ALTERNATIVE REPORT AND PROGRESS CHECK ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 1325, at 5 (2004), available at <http://www.peacewomen.org/un/ngo/ngopub/FourYearsOnOct04.pdf> [hereinafter FOUR YEARS ON]; WILPF, <http://www.peacewomen.org> (last visited Aug. 27, 2007) (monitoring implementation of Resolution 1325); WomenWarPeace.org, <http://www.womenwarpeace.org/toolbox/toolbox.htm> (last visited Aug. 27, 2007) (tracking Resolution 1325 efforts).

190. These translations are made available online at WILPF, A Call for Translations of UNSC Resolution 1325 on Women, Peace and Security: 79 Translations Now Available, <http://www.peacewomen.org/1325inTranslation/index.html>. Member States have paid for professional translations: The UK Foreign and Commonwealth Office translated nine languages and the Government of the Democratic Republic of Congo translated four. FROM LOCAL TO GLOBAL, *supra* note 170, at 86.

191. See PEACEWOMEN E-NEWS (WILPF, New York, N.Y.), Index, <http://www.peacewomen.org/news/1325News/1325ENewsindex.html> (last visited Oct. 20, 2007). For a list of organizations collaborating with WILPF, see WILPF, Resolution 1325 in Action, Cross-Sector Collaborations, <http://www.peacewomen.org/1325inaction/index.html> (last visited Oct. 27, 2007) [hereinafter Cross-Sector Collaborations].

192. See Cross-Sector Collaborations, *supra* note 191.

cacy network has been able to use Resolution 1325 as a lobbying tool to encourage the Security Council to meet with women's groups when on mission. For example, when the Council is planning a mission, representatives of the WGWS act as liaisons to the field and inform women there about the planned mission, connecting with women's groups to help arrange meetings between the Security Council and the women's groups. According to the Secretary-General's 2004 report, in contrast to its earlier practice, the Council met with women's groups in every mission it undertook from 2002 to 2004.¹⁹³

Although many Resolution 1325 initiatives have occurred at the national level, gaps in implementation certainly remain. I have analyzed UNDP human development indicators for information regarding one subject covered under Resolution 1325—participation of women in decision-making at the national level.¹⁹⁴ Global trends reflect a gradually increasing percentage of women participating in political decisionmaking at national levels, but the 2005 trend still fell far short of the 30% goal set in the ECOSOC 1997/2 Agreed Conclusions.¹⁹⁵ In my research, I selected sixteen countries from different regions according to each country's status as a Security Council or General Assembly Member during sessions from 2000 to 2005.¹⁹⁶ Although I initially assumed that Resolution 1325's call for increased participation of women would have an effect on the Security Council members who issued that call, the results do not support that assumption. With the exception of the United Kingdom,¹⁹⁷ the members from 2000 have failed to achieve women's participation rates that are noticeably higher than either their starting rates or other member states' rates.¹⁹⁸

In addition, although many women's groups clearly know of and use Resolution 1325 to support their work to integrate women's perspectives into peacebuilding and peacemaking, a

193. See 2004 WPS Report, *supra* note 180, ¶ 7.

194. See S.C. Res. 1325, *supra* note 81, ¶ 1; *infra* tbls. 9-10.

195. See *infra* tbls. 9-10.

196. See *id.*

197. The United Kingdom was and remains one of the strong supporters of Resolution 1325. See FOUR YEARS ON, *supra* note 189, at 12; UK Ministers Agree, *supra* note 103.

198. See *infra* tbls. 9-10.

2005 survey by the WGWPS at the Commission on the Status of Women found that a majority of the surveyed women advocates in attendance, including those from conflict zones, were not aware of Resolution 1325.¹⁹⁹

The Council adopted the women's rights norms and policies articulated in Resolution 1325 in response to transnational advocacy networks' persuasive activity and to the growing consensus within the UN system of IO organs and bodies regarding the nexus between women's rights and security perspectives. The Council's calls for gender mainstreaming and for the equal participation of women in political processes, peacebuilding, and peacekeeping have been implemented at both the international and national levels to varying degrees. In the next Part, I analyze the consumption of norms and the progress of another series of broad-based TIPS resolutions: those regarding children and armed conflict.

B. *A Case Study: Children and Armed Conflict*

In 1999, even before the Council consumed the women's rights norms reflected in Resolution 1325, it addressed the need for and consumed norms regarding the rights of children in TIPS Resolution 1261.²⁰⁰ This section addresses the question of how children's rights become the subject of not just one but a series of TIPS resolutions.

1. *Background*

Advocates and diplomats hailed the adoption of the first resolution on children and armed conflict, Resolution 1261, as a groundbreaking victory.²⁰¹ Since adopting 1261 in 1999, the Council has adopted six additional CAAC TIPS resolutions. These CAAC resolutions address a wide array of issues including, inter alia, the minimization of recruitment of child soldiers and access of humanitarian workers to children dur-

199. FOUR YEARS ON, *supra* note 189, at 83.

200. S.C. Res. 1261, *supra* note 81; S.C. Res. 1314, *supra* note 93; S.C. Res. 1379, *supra* note 107; S.C. Res. 1460, *supra* note 107; S.C. Res. 1539, *supra* note 107; S.C. Res. 1612, ¶ 8(a)-(b), U.N. Doc. S/RES/1612 (July 26, 2005).

201. *See, e.g.*, The Children and Armed Conflict Unit, Placing Children on the World's Peace and Security Agenda, http://www.essex.ac.uk/armedcon/story_id/000079.doc.

ing conflict.²⁰² Over the course of the adoption of this series of resolutions, the provisions have progressed from addressing children's protection needs to urging member states and civil society to actively involve children in programs of peace consolidation and peace-building.²⁰³ In Resolution 1612, adopted in 2005, the Council established a subsidiary organ to monitor compliance with the resolutions.²⁰⁴

Like Resolution 1325, many of the CAAC provisions blur the line between application during times of peace, conflict, and post-conflict.²⁰⁵ The fact that child *soldiers* are the subject of these resolutions, however, makes them more closely related to the traditional military interests of states than are most of the issues addressed in Resolution 1325.

2. *The Path to Adoption*

Examining the path to the Council's adoption of this series of CAAC TIPS resolutions provides further insight into the sources of the human security norms that the Security Council has consumed and the process by which it has consumed them. In this case, in addition to state support, a number of factors played a role in the Security Council's decision to adopt Resolution 1261, including pressure from other IO organs, knowledge developed by epistemic communities, and persuasion efforts by transnational advocacy groups. Existing legal instruments on children's rights contributed to the Security Council's understanding about the effects of conflict on children. These instruments drew upon existing knowledge within epistemic communities with expertise about children's rights issues; they also formed the basis for further research and exploration by such communities.²⁰⁶ In 1993, pursuant to

202. S.C. Res. 1261, *supra* note 81; S.C. Res. 1314, *supra* note 93; S.C. Res. 1379, *supra* note 107; S.C. Res. 1460, *supra* note 107; S.C. 1539, *supra* note 107; S.C. Res. 1612, *supra* note 200.

203. S.C. Res. 1314, *supra* note 93. An analysis of the development of the language of this line of resolutions on children and armed conflict could offer an interesting narrow case study of the evolution of norms within the Security Council's work program. However, such an analysis is beyond the scope of this Article.

204. See S.C. Res. 1612, *supra* note 200, ¶ 8.

205. See, e.g., *id.* ¶¶ 15-17.

206. Graça Machel was appointed an independent expert in 1993 and submitted her report on the Impact of Armed Conflict on Children to the Gen-

a recommendation by the Committee on the Rights of the Child, the General Assembly adopted Resolution 48/157 requesting that the Secretary-General commission an expert study on the impact of conflict on children.²⁰⁷ The General Assembly, Secretary-General, UNICEF, and UNHCR all supported the development of this expert report, which led the General Assembly to adopt a resolution in 1997 recommending that the Secretary-General appoint a Special Representative for Children and Armed Conflict.²⁰⁸ This position still exists today, and the Special Representatives have had significant influence on the development and promotion of human rights norms.²⁰⁹

Transnational advocacy networks worked to leverage the information gathered by epistemic communities on children and armed conflict and the existing norms within IOs.²¹⁰ In May 1998, fifteen months prior to the adoption of Resolution 1261 in August 1999, the Coalition to Stop the Use of Child

eral Assembly at its fifty-first session. The Secretary-General, *Promotion and Protection of the Rights of Children: Impact of Armed Conflict on Children, delivered to the General Assembly*, U.N. Doc. A/51/306 (Aug. 26, 1996) (containing the expert report of Graça Machel); The Secretary-General, *Promotion and Protection of the Rights of Children: Impact of Armed Conflict on Children, Addendum, delivered to the General Assembly*, U.N. Doc. A/51/306/Add.1 (Sept. 9, 1996). Further progress in adopting and building frameworks for the norms has also been made at the regional level since the adoption of the resolutions. *See infra* tbl. 11.

207. Office of the Special Representative of the Secretary-General for Children and Armed Conflict, Mandate of the Special Representative for Children and Armed Conflict, <http://www.un.org/children/conflict/english/mandate.html> (last visited Aug. 27, 2007). The Special Representative's mandate is to act as an advocate about issues affecting children and armed conflict. *See id.*

208. G.A. Res. 51/77, ¶ 45, U.N. Doc. A/RES/51/77 (Feb. 20, 1997).

209. HENRY J. STEINER & PHILIP ALSTON, *INTERNATIONAL HUMAN RIGHTS IN CONTEXT* 711 (2d ed. 2000).

210. *See* Human Rights Watch, World Report 1999: Special Programs and Campaigns, Child Soldiers, <http://www.hrw.org/worldreport99/special/child.html> (last visited Aug. 27, 2007) (discussing a push for a "straight-eighteen" position on child soldiers); Watchlist.org, On the Record, <http://www.watchlist.org/news/articles/ontherecordforchildren.php> (last visited Aug. 27, 2007) (discussing the U.N.'s new initiative to protect the security and rights of children in armed conflicts); *see also* From Words to Actions—Statement of NGOs to UN-SC Res 1261, http://www.essex.ac.uk/armedcon/story_id/000374.html (last visited Aug. 27, 2007) (pushing for the "effective implementation of Resolution 1261").

Soldiers was formed.²¹¹ This coalition transcended national boundaries and united around the issues of the protection of children in conflict and the end of child soldier recruiting practices.²¹² As in the case of the NGO Working Group on Women, Peace and Security and Resolution 1325, this transnational advocacy network targeted the Security Council as a potential venue to leverage for the issue of child soldiers. Building the issue of child protection onto a pre-existing foundation of legal mechanisms and UN initiatives following the wide ratification of the Convention on the Rights of the Child, this transnational advocacy network found support from Security Council members.²¹³ Since the initial adoption of Resolution 1261 in 1999 and the creation of the Special Representative, the Security Council has adopted a follow-up, non-coercive TIPS resolution on children in armed conflict in every year save 2002.²¹⁴

3. *Impact at the International Level*

“For the first time, the United Nations is establishing a formal, structured and detailed compliance regime [for a human security TIPS resolution]. . . .”

211. The Coalition, <http://www.child-soldiers.org/coalition/> (last visited Aug. 27, 2007). Every three years, the Coalition collects and publishes a report on child soldier practices globally. See The Coalition, What We Do, <http://www.child-soldiers.org/coalition/what-we-do> (last visited Oct. 10, 2007).

212. A number of other NGOs have supported and enhanced the work of this transnational advocacy group, including the Watchlist on Children and Armed Conflict, which monitors compliance with the Security Council resolutions and international legal frameworks and shares information. See Watchlist on Children and Armed Conflict, <http://www.watchlist.org/about/> (last visited Aug. 27, 2007).

213. More countries have ratified the Convention than any other human rights treaty in history—192 countries had become State Parties to the Convention as of November 2005. See Convention on the Rights of the Child, http://www.unicef.org/crc/index_30229.html (last visited Aug. 27, 2007); see also Child Rights Information Network, <http://www.crin.org/resources/treaties/CRC.asp?catName=International+Treaties&flag=legal&ID=6> (stating that only the United States and Somalia have failed to ratify the CRC).

214. See Thalif Deen, *U.N. Skirts Sanctions for Child Soldier Recruiters*, INTER-PRESS SERV. (July 26, 2005), available at www.watchlist.org/news/articles/ips.20050726.pdf.

Olara Otunnu, UN Special Representative for
Children and Armed Conflict²¹⁵

As noted above, Resolution 1261 has been followed by the adoption of six additional Security Council resolutions concerning CAAC, each of which has incorporated progressively stronger enforcement mechanisms. In 2001, the Security Council requested that the Secretary-General name parties implicated in the recruitment or use of child soldiers in his report.²¹⁶ Starting in 2003 with Resolution 1460, these TIPS resolutions on children in armed conflict began to “name and shame” parties and governments who were known to have recruited child soldiers by incorporating the Secretary-General’s Reports listing names of offenders.²¹⁷ In 2004, the Security Council requested that the Secretary-General report back on the level of compliance among the parties named in the 2003 Report.²¹⁸ The Secretary-General has provided the Council the names of fifty-four parties found by his Special Representative for Children and Armed Conflict to have engaged in the recruitment or use of children as soldiers. These “naming and shaming” Reports have been referenced in subsequent Security Council resolutions.²¹⁹ Resolution 1612, adopted in July 2005, established a Working Group on children and armed conflict and a comprehensive “monitoring and reporting mechanism” within the Security Council aimed at curtailing use of child soldiers, attacks against schools and hospitals, denial of humanitarian access to children, and abduction of children.²²⁰ The adoption of Resolution 1612 signaled a new era

215. Olara Otunnu commenting on the passage of Resolution 1612. See *id.*; S.C. Res. 1612, *supra* note 200, ¶ 8(a)-(b).

216. S.C. Res. 1379, *supra* note 107, ¶ 16 (asking the Secretary-General to “attach to his report a list of parties to armed conflict that recruit or use children in violation of the international obligations applicable to them”).

217. See *infra* tbl. 11.

218. S.C. Res. 1539, *supra* note 107, ¶ 15.

219. See *id.* Rule 1, 6(c) (referencing The Secretary-General, *Report of the Secretary-General on Children and Armed Conflict, delivered to the Security Council and the General Assembly*, U.N. Doc. S/2003/1053, A/58/546 (Nov. 10, 2003)); S.C. Res. 1612, *supra* note 200, ¶ 3 (referencing The Secretary-General, *Report of the Secretary-General on Children and Armed Conflict, delivered to the Security Council and the General Assembly*, U.N. Doc. S/2005/72, A/59/695 (Feb. 9, 2005)).

220. S.C. Res. 1612, *supra* note 200, ¶ 8(a)-(b); Deen, *supra* note 214 (explaining that the Council failed to implement the measures it discussed dur-

of “application” of this broad-based human security resolution.²²¹ All fifteen members of the Council serve on the Working Group, and in Resolution 1698, adopted in July 2006, the Council recently broadened the basis for sanctions against the Democratic Republic of Congo (DRC) to include the use of child soldiers by individuals and political and military leaders.²²² Under Resolution 1698, individuals engaging in such activities may be listed as subject to targeted sanctions by the DRC Sanctions Committee.

The Security Council has sponsored annual Open Debates on the CAAC resolutions that have attracted wide member state participation and support.²²³ Arria Formula meetings have also been held, and each resolution has resulted in strong reaffirmation of Resolution 1261, including progressively stronger language and progressively stronger monitoring mechanisms.²²⁴ At the national level, disarmament, demobilization and rehabilitation programs have targeted children in particular.²²⁵

It remains to be seen, however, whether and how aggressively the Security Council will use its monitoring committee to hold countries accountable for the use and recruitment of child soldiers. Information from and interaction with the Coalition Against Child Soldiers and other norm entrepreneurs will likely play a significant role in ensuring the Security Council’s continued follow-up and implementation. At least one source reports that there is still resistance among some Coun-

ing the Open Debate in February of 2005, including arms embargoes, restrictions on financial resources and bans on military assistance).

221. Deen, *supra* note 214 (quoting Olara Otunnu, U.N. Special Representative for Children and Armed Conflict).

222. S.C. Res. 1698, ¶ 13, U.N. Doc. S/RES/1698 (July 31, 2006).

223. *See, e.g.*, U.N. SCOR, 57th Sess., 4528th mtg., U.N. Doc. S/PV.4528 (May 7, 2002); U.N. SCOR, 60th Sess., 5129th mtg., U.N. Doc. S/PV.5129 (Feb. 23, 2005).

224. *See infra* tbl. 11 (listing provisions of the resolutions).

225. Office of the Special Representative of the Secretary-General for Children and Armed Conflict, Incorporation of Best Practices in Disarmament, Demobilization and Reintegration Programmes for Children, ¶ 1, <http://www.un.org/children/conflict/english/ddrforchildren86.html> (last visited Aug. 27, 2007).

cil members about whether the Council is “the best venue for a thematic issue like children and armed conflict.”²²⁶

Finally, the progressive implementation of the CAAC TIPS resolutions indicates that, in addition to diffusing norms, human security TIPS resolutions can also prompt the Council to establish formal monitoring mechanisms.²²⁷

V. NOT JUST CHEAP TALK: DIFFUSION AND IMPACT ABSENT CHAPTER VII COERCION

In this Part, I answer the question: “Why should we care about the Council’s non-binding TIPS resolutions—and the resulting ‘cheap talk’ about these resolutions?” After all, member states are not legally bound to implement the Security Council’s non-Chapter VII human security TIPS resolutions as a matter of Charter law, and it is clear that the Council has not thoroughly implemented the resolutions in its own work.

The TIPS case studies demonstrate that, even without invoking Chapter VII coercive power, the Council’s human security resolutions have diffused human security norms and precipitated action. The Council itself has implemented these non-binding TIPS resolutions to varying degrees,²²⁸ as have

226. Security Council Report, Update Report No. 2: Children and Armed Conflict 3 (Sept. 13, 2006), http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Update%20Report%2013%20Sep%202006_CAC.pdf (last visited Aug. 27, 2007).

227. This Article does not explore the reasons for the relative differences in progress between the CAAC TIPS resolutions and Resolution 1325, but this would be an interesting area for further research.

228. Since October 2000, the Security Council’s resolutions and mandates have increasingly focused on women’s specific needs and potential contributions in conflict operations. See *infra* tbls. 5-7. Security Council staff members have participated in gender awareness training. See generally 2007 WPS Report, *supra* note 164; 2006 WPS Report, *supra* note 160. The Council has demanded that the Secretary-General report annually on a UN system-wide action plan for incorporating a gender focus into peace and security operations and the Council has hosted women’s advocates from NGOs and other UN organs in Open Debates and meetings which focus on violence against women and other women’s rights issues. See 2005 WPS Report, *supra* note 112, ¶¶ 1-3, 21. In addition, the General Assembly has reaffirmed Resolution 1325 in many of its resolutions, and many UN Member States have developed or are developing their own national level Resolution 1325 action plans—some linking donor aid with the goals of the Resolution—and grass roots advocates have used the Resolution to train women’s advocates about their rights in post-conflict areas and to make demands on or lobby their

other bodies in the UN system, including the Department of Peacekeeping Operations, the Office for Coordination of Humanitarian Affairs, and the Department for Disarmament Affairs.²²⁹

Implementation of the resolutions has also occurred, to varying degrees, at the national and grassroots levels. Member states have adopted national action plans for implementation. NGOs have led training sessions about how to implement these resolutions at national and international levels, diffusing these new norms among members of civil society, IOs, and member states alike.

Conventional rational choice-based theoretical accounts might argue that the Security Council chose not to back these TIPS resolutions with coercive power because Council members did not intend (1) for the resolutions to have any real impact, (2) to be held accountable for the content of the resolutions, or (3) to enforce the resolutions against other states.²³⁰ Further, rational choice-based theorists would stress that any incidental impact which may have been realized by the resolutions' adoption will simply cease when Council members no longer view the resolutions as beneficial to their particular interests.²³¹ But the effects documented in the case studies suggest that whether or not these characterizations of

governments. See generally FROM LOCAL TO GLOBAL, *supra* note 170; Hill, Columbia Address, *supra* note 138.

229. See United Nations International Research and Training Institute for the Advancement of Women [INSTRAW], Security Equality, Engendering Peace: A Guide to Policy and Planning on Women, Peace and Security, UN-System Women, Peace and Security Action Plans, <http://www.un-instraw.org/en/index.php?option=content&task=blogcategory&id=186&Itemid=246> (last visited Oct. 22, 2007) (indicating that the Office for Coordination of Humanitarian Affairs and the Department for Disarmament Affairs have created their own Action Plans); Security Council Open Debate on the Implementation of Resolution 1325 (2000) on Women, Peace and Security, Statement by Under-Secretary-General for Peacekeeping Operations Jean-Marie Guéhenno (Oct. 27, 2005), <http://www.un.org/Depts/dpko/dpko/articles/article271005.htm>.

230. See generally GOLDSMITH & POSNER, *supra* note 24, at 90.

231. See *id.* at 104 (disputing Harold Koh's view that international standards and law become part of the state's "internal value set" even when they are against a state's rational, power-based interests). Goldstone and Posner further claim that "international legal rhetoric is used to mask or rationalize behavior driven by self-interested factors that have nothing to do with international law." *Id.* at 226.

the Council's initial intentions are accurate (and some evidence suggests that they are not²³²), such explanations do not meaningfully reflect the practical and institutional impacts of the TIPS resolutions. What follows is an analysis of those effects as documented in the case studies.

A. *The Council as a Non-Coercive Norm Consumer and Promoter*

In this Part, I contend that after the Council has consumed human rights-based security norms, TIPS resolutions establish non-coercive dialectic frameworks which in turn shape and guide the Council's participation in the promotion of these norms. The frameworks provide opportunities for socialization processes between and among the relevant actors at the international level.²³³

Human security TIPS resolutions have, at a minimum, changed much of the Council's discourse.²³⁴ The case studies show that the Council has promoted the TIPS norms and implemented them in its own work. The TIPS resolutions are also changing the procedures and content of the Security Council's work program.²³⁵

The Security Council's presidential statements and resolutions recalling and reaffirming these norms encourage further inculcation of human rights norms in peacekeeping missions. Gender Advisors and specialists on child soldiers' demobilization are, under the auspices of these TIPS resolutions, able to conduct trainings of peacekeepers and police in host countries.²³⁶ The Security Council essentially becomes a promoter of these norms when it makes efforts to "convince a 'critical

232. For example, the vocal and active support of some states for the resolutions early in the process implies that these states were persuaded by the norms.

233. For more on socialization, see *supra* Part II.B.

234. For example, by encouraging inclusion of women and children's concerns in country-specific resolutions and peacekeeping mission mandates. See *infra* tbls. 5-8.

235. As demonstrated in the attached tables, the Security Council has increased its consideration of women and of children noticeably since 1998. For further discussion of constitutive norms, see generally Ruggie, *supra* note 16; ALEXANDER WENDT, *SOCIAL THEORY OF INTERNATIONAL POLITICS* (1999).

236. See, e.g., Cross-Sector Collaborations, *supra* note 191 (listing organizations involved with the implementation of Resolution 1325 and their activities).

mass' of states to embrace new norms"²³⁷ through the Open Debates it sponsors and through the establishment of other fora.

The case studies demonstrate that the human security resolutions have created formal opportunities for dialogue about these norms. Absent these resolutions, and given past Council practice, it is plausible to assume there otherwise would not have been dialogue at the Council level about women's and children's rights. But deliberation at Council-sponsored Open Debates on the TIPS resolutions and information-sharing at Arria Formula meetings have provided Security Council members with the opportunity to explore new standards and policies regarding women's and children's issues with representatives from civil society and member states. These opportunities for exchange and debate have also enabled the Security Council to test the boundaries of General Assembly members' support for Council involvement with these norms.

In addition, the human security TIPS resolutions have provided opportunities for the Council to hear experts' and other IOs' suggestions for incorporating human rights norms into the Council's work program. Council members report gaining a better understanding of how to implement these resolutions' norms in their work program during roundtable meetings hosted by the NGO Working Group on Women, Peace and Security and Canada.²³⁸ During these roundtables, representatives from IOs and civil society learn about the obstacles that the Council faces in implementing the resolutions in question and new areas of Council work in which the resolutions' norms might be incorporated.²³⁹ In this way, the TIPS resolutions have created a dialectic framework for norm promotion through which Security Council members and non-state actors further develop the norms.

237. Finnemore & Sikkink, *supra* note 16, at 895.

238. Security Council members reported to the NGO Working Group that suggestions generated at the roundtable meetings have helped them to see the different possible ways in which the Resolutions might be implemented. Remarks by H.E. Ambassador Lauro L. Baja, Jr., Permanent Mission of the Republic of the Philippines to the U.N., *in* Peace Support Operations, *supra* note 165, at annex 2.

239. "Learning" is used here to indicate a process for changing the understanding of various actors. I do not use learning to indicate progress toward an objective truth or normatively "correct" answers.

The non-binding TIPS resolutions discussed here have provided a formal platform for advocates worldwide to leverage various human rights and human security norms against UN entities and peacekeeping missions as well as against nation-states.²⁴⁰ Once a TIPS norm such as women's equal participation in political affairs has been consumed by the Council, transnational advocacy networks become active in encouraging Security Council accountability for follow-up on the resolution through training, lobbying, and tracking Security Council practice. Transnational advocacy networks like the WGWPS and the Coalition to Stop the Use of Child Soldiers have used their connections with grassroots organizations to share information and to press for national level implementation of TIPS resolutions. For example, when the WGWPS learns that the Security Council is planning a mission to a particular country, it may contact one of its grassroots partners or member organizations. The WGWPS can then communicate the priority issues from the grassroots advocates to the Security Council.²⁴¹ Using Resolution 1325 as a platform, WGWPS advocates have added leverage in lobbying the Security Council to include the concerns on its agenda.²⁴² These transnational advocacy networks have potential value for the Council in part because they have broader access to individuals affected by Council peacekeeping policies. Through their grassroots contacts, these networks may also provide a valuable outside perspective on the implementation and effects of Council peacekeeping and peacebuilding missions.

B. *Enforcement and the Oft-Limited Utility of Coercion*

I argue here that these two case studies have shown that, contrary to many IR/IL scholars' and advocates' predictions, non-coercive "soft law" can be invaluable in articulating and diffusing norms. It follows, then, that coercive force and material rewards are not the sole mechanisms that may be used to effectively diffuse norms. First, the evidence offered in these case studies suggests that the utility of coercive influence may be limited when, for example, it is applied to more controver-

240. For examples of such advocacy using TIPS Resolution 1325, see Cross-Sector Collaborations, *supra* note 191.

241. *See id.*

242. *Id.*

sial norms.²⁴³ Assuming it is true that some state actors might perceive human rights norms as threats to their sovereignty and that non-coercive TIPS resolutions have had material results, some human rights advocates' and scholars' emphases on securing coercive mechanisms to diffuse human rights norms and promote compliance with human rights standards demand reconsideration.²⁴⁴

These studies suggest that non-coercive soft law provides norm entrepreneurs an opportunity to encourage a non-conforming organ to consume a norm it might have refused had it been accompanied by a coercive enforcement or accountability mechanism.²⁴⁵ Soft law allows relevant parties the flexibility and time they may require to undertake new responsibilities and to acclimate to the norm.²⁴⁶ For example, transnational advocacy networks might experience little success arguing for

243. For example, many human rights standards, particularly those relating to women's equality, have not been accepted, remain contested, or were subject to reservations and limitations by states. See generally DAW, Convention on the Elimination of All Forms of Discrimination Against Women, <http://www.un.org/womenwatch/daw/cedaw/> (last visited Oct. 20, 2007).

244. Kenneth Roth, *Defending Economic and Social Rights: Practical Issues Faced by an International Human Rights Organization*, 26 HUM. RTS. Q. 63 (2004) (arguing that human rights advocates ought to focus on enforceable civil and political rights because a critical mechanism is naming and shaming); see also Catharine Mackinnon, *Women's September 11: Rethinking the Law of International Conflict*, 47 HARV. INT'L L.J. 1 (2006) (criticizing the Council's hypocrisy and sexism as evidenced by its being willing to authorize enforcement action against non-state "terrorist" actors in Afghanistan, but not against non-state actors committing violence against women). But see Laurence R. Helfer, *Overlegalizing Human Rights: International Relations Theory and the Commonwealth Caribbean Backlash Against Human Rights Regimes*, 102 COLUM. L. REV. 1832, 1851-58 (2002) (contending that human rights agreements can be "overlegalized," thereby creating domestic opposition against a state's international obligations).

245. From a legitimacy and enforceability perspective, when the Council adopts a norm for the first time, it may be reasonable for it to proceed cautiously to ensure that member states will accept the Council's new assumption of this particular responsibility. It must be noted that, in 2001, the Council made a bold move by importing Chapter VII into a broad-based TIPS resolution on terrorism. However, unlike the human security resolutions, terrorism had already been the subject of Council resolutions for the preceding 40 years. S.C. Res. 1373, *supra* note 87.

246. *Id.* See generally Kal Raustiala, *Form and Substance in International Agreements*, 99 AM. J. INT'L L. 581 (2005); FRIEDRICH V. KRATOCHWIL, RULES, NORMS, AND DECISIONS ON THE CONDITIONS OF PRACTICAL AND LEGAL REASONING IN INTERNATIONAL RELATIONS AND DOMESTIC AFFAIRS (1989).

the adoption of a Chapter VII TIPS resolution to make different human rights norms immediately and universally enforceable. The lack of coercive power accompanying the proposed norms might help persuade actors to adopt these norms, and once the norm has been adopted, it forms a framework for its own promotion. Therefore, non-coercive socialization microprocesses, such as what Professors Goodman and Jinks call acculturation, pursuant to which actors might adopt norms animated purely by a non-material desire to conform and to seek approval from other actors, might in some cases produce desired outcomes where coercive processes would not.²⁴⁷ This Article has demonstrated not only that transnational advocacy networks have been successful in encouraging the Council to adopt non-coercive resolutions, but also that such resolutions may gradually become more binding over time.

The Council has invoked TIPS resolutions in binding Chapter VII situation-specific resolutions.²⁴⁸ In addition, in many cases, human rights norms have been incorporated into enforceable peacekeeping mandates.²⁴⁹ This means that although TIPS may be non-binding on member states, the norms articulated in TIPS resolutions can be given direct effect through UN peacekeeping missions. In addition, TIPS resolutions have been relied upon by UN departments as mandates. For example, the DPKO states that Resolution 1325 sets forth its mandate to gender mainstream and conduct gender training in peacekeeping missions.²⁵⁰ Likewise, Resolution 1325 requires the Secretary-General's Secretariat to generate reports and collect data on the relevant subjects and to implement the resolutions in various ways within the Secretariat.²⁵¹ In the case of the CAAC resolutions, the Council has even established a subsidiary monitoring organ and determined that the use of child soldiers may result in sanctions administered by this organ.²⁵²

247. See generally Goodman and Jinks, *supra* note 35.

248. See *infra* tbls. 5, 7.

249. See *infra* tbls. 2, 7.

250. See DKPO GENDER RESOURCE PACKAGE, *supra* note 125, at 10.

251. See S.C. Res. 1325, *supra* note 81.

252. S.C. Res. 1612, *supra* note 81, ¶¶ 2-3 (establishing monitoring).

These case studies indicate that the Council's non-Chapter VII TIPS resolutions create frameworks for norm promotion and informal accountability mechanisms and thus call into question neorealist predictions that non-coercive resolutions will have no real effects.²⁵³ This diffusion process involves interaction between and among states, the Council, and non-state actors and might lead to greater norm internalization, as distinct from mere consumption.²⁵⁴ The progressive implementation of the CAAC resolutions shows that formal monitoring of previously non-coercive norms may also follow non-binding norm consumption. Through its gradual implementation of the norms it consumes, the Council becomes a part of the process of mostly non-coercive diffusion and may even eventually coercively enforce the norms as it internalizes them itself.²⁵⁵

VI. THE SECURITY COUNCIL AND NORM CONSUMPTION

What accounts for the Council's consumption of these human security TIPS resolutions? The case studies of the Council's adoption of TIPS resolutions regarding women's and children's rights in conflict form the basis for my three phase outline of the Council's norm consumption process, which follows here.

A. *The Process of Norm Consumption*

Norm consumption, which was briefly summarized in Part I, is the process by which an IO formally accepts an existing norm as part of its work program in response to different actors and microprocesses of socialization, including (a) persuasion by norm entrepreneurs or other norm suppliers; and (b) socialization fueled by adoption of markers of consensus among other actors and IO organs within the system. Under this preliminary outline, norm consumption by an IO or entity represents a narrower, distinct process of norm adoption

253. See *supra* notes 23-25.

254. See *infra* Part VI.B.

255. I stipulate "mostly" non-coercive because, as I have shown, Resolution 1325 was invoked in Chapter VII situation-specific resolutions and UN DPKO considers 1325 to provide its mandate for peacekeeping missions that can have direct impacts on local populations. See *supra* note 250 and accompanying text; *infra* tbl. 7.

within the larger process of norm diffusion throughout the international system as described by Finnemore and Sikkink.²⁵⁶ After consuming a norm, the consuming entity will interpret the norm to make it as consistent as possible with the consumer's mandate. An entity may also "consume" a norm without fully internalizing it or without having been fully persuaded by its substance. Rather, the IO may seek to conform within a community in which the norm has already been widely adopted.

In the first stage of norm consumption, various actors refine and reinterpret an existing norm to explore its suitability to a new context. For example, advocates, experts, and perhaps even supportive states might seek to refine an existing norm such as women's equal rights. The epistemic community, united by a commitment to the norm of women's equality, seeks to identify unexplored areas in which to apply the norm (for example in situations of armed conflict).²⁵⁷ If feasible, policy experts, advocates, and scholars generate research and specialized information articulating arguments for and policies in support of the previously unexplored, more refined application of the norm. For example, as demonstrated in the case study on Resolution 1325, women's equality advocates were able to articulate how specific women's rights concerns were triggered in conflict settings. If these experts or advocates are not able to substantiate the application of this norm in the particular context, the process will not move on to the second phase and norm consumption by IOs will not occur.

However, if research and policy support the application of the norm in the novel context proposed, norm entrepreneurs in the second phase will target organs or bodies with mandates or programs closely related to this more specific, applied norm. In this phase of norm consumption, various IO bodies, organs, or other multilateral entities adopt the newly reframed and reasoned norm and the norm gradually acquires markers

256. See generally Finnemore & Sikkink, *supra* note 16, at 895 (arguing "that norms evolve in a three-stage 'life cycle' of emergence, 'norm cascades,' and internalization, and that each stage is governed by different motives, mechanisms, and behavioral logics").

257. According to my characterization, then, the distinction between epistemic communities and transnational advocacy networks is the centrality of "knowledge-based expertise" in the former and the broad adherence to a norm, without particular need for expertise, in the latter.

of consensus from these and other members of the international community as well as greater state support. According to my outline, IOs or IO organs with mandates relating to the norm will be among the first to adopt it.

Assuming the norm diffuses widely and achieves wide acceptance in the second phase, the norm consumption process will then move to the third phase and culminate in actual consumption. In this phase, norm entrepreneurs, including transnational advocacy networks, supportive states, and other IOs or organs, target “non-conforming” hold-out IO organs such as the Council to persuade these organs to consume the norm. Without the involvement of norm entrepreneurs in the third phase and the presence of markers of consensus in the second phase, I posit that it is unlikely that the hold-out IO or non-conforming organ will consume the norm.

The case studies described *supra* fit this outline. In the first phase of norm consumption, epistemic communities and other IO entities identified potential refinements or applications of the norms of women’s and children’s rights. These actors developed research and policy positions to explicate the ways in which these particular norms might be applied to difficult aspects of conflict situations. Development of the concept of human security helped support norm entrepreneurs’ attempts to advance women’s and children’s rights. Epistemic communities, advocates, and states that supported the norms worked to identify, research, and develop unique understandings of ways in which conflict and women’s and children’s rights were linked.

In phase two, the newly framed and articulated norms linking these rights with security were actively promoted by norm entrepreneurs to the Secretary-General and to other IO organs and bodies. For example, in the case of women and armed conflict, the United Nations Development Fund for Women, the Office for the Special Adviser on Gender Issues and Advancement of Women (OSAGI), the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW), the Division for the Advancement of Women, and other women’s specialized departments and entities were among the first to adopt and promote the norm within the UN system. In the resulting process of diffusion, more states were exposed to and many adopted these norms at the international and even the national level. Corre-

spondingly, the norms in question acquired markers of consensus within the international system and the Council even incorporated some applications of the norms into its situation-specific resolutions.²⁵⁸

In the third phase of norm consumption, transnational advocacy networks acted as norm entrepreneurs and targeted the Council to encourage it to formally adopt broad-based norms on women's and children's rights. At this stage in the process, the Council was one of the few remaining UN organs or IOs that had not formally adopted these norms or announced its growing support for them. The norm entrepreneurs' persuasion, bolstered by the support of some Council members, may have increased Council members' understanding of the issues involved and of the ways in which the Council might link the norms to its work. The fact that the norms could be adopted in a low-cost manner as well as the fact that other UN organs had already adopted gender mainstreaming and child rights constructs also likely played a role in persuading some otherwise opposed Council members to adopt human security norms. At the end of this third stage, the Council consumed the norms in non-binding resolutions.

Once the Council had chosen to consume the norms, it gradually began to promote them. While the Council was essentially targeted or "acted upon" during the norm consumption phase, it has in the diffusion phase been actively engaged in a dialectic process of norm interpretation and application with other actors.

B. *The Distinction Between Norm Consumption and Internalization*

The fact that the Council has consumed and promoted these norms does not necessitate the conclusion that all Council members have internalized or been fully persuaded by these norms.²⁵⁹ Acculturation by other IOs and member states might lead the Council to consume a norm not because of its inherent value or for material rewards but out of a desire to

258. *See infra* tbl. 3.

259. This point will not be lost on neorealists who might deride the worth of the TIPS resolutions and advocates who might lament the inconsistency of the Council's implementation of these norms to date.

conform with a particular community or group.²⁶⁰ The evidence in my case studies establishes that the Council has been inconsistent in implementing these resolutions, which suggests that not all Council members have been fully persuaded by the TIPS human security norms. This in turn suggests that the Council has not fully internalized the norms and that they are not yet a constitutive part of its work program. Had it internalized the norms, one would expect to see the Council automatically invoking the norms in every applicable situation.

That the Council as an aggregate has not yet fully internalized or “been persuaded by” these norms, as evidenced by gaps in its practice, does not indicate that it will not do so in the future. Based on the case studies, it would appear that, on future occasions when the Council fails to adequately incorporate the rights of women and children, transnational advocacy networks and other IO entities will be prepared to use the TIPS resolutions to hold the Security Council and peacekeeping operations accountable to the norms they have consumed. As transnational advocacy networks continue to press the Council for further implementation of the resolutions, the Council may gradually internalize human security norms. Action Plans, Shadow Reports, and Arria Formula meetings all provide mechanisms for advocates to continue to engage with the Council and to hold it accountable for these norms.²⁶¹

Rational choice-based theorists might reasonably argue that Council members’ perception that these are low-cost resolutions contributes to members’ willingness to adopt them. After all, because the resolutions are non-binding, implementa-

260. See Goodman & Jinks, *supra* note 35 (pertaining to the macrolevel); see also Johnston, *supra* note 9 (pertaining to the microlevel).

261. The NGO advocates in the WGWPS continue to monitor Council developments and use Resolution 1325 as a tool to hold Council members to their commitments through their Shadow Reports. OSAGI also publishes an annual report about Council progress on Resolution 1325. See *2004 WPS Report*, *supra* note 180, ¶ 56; Open Democracy, When Women and Power Meet, http://www.opendemocracy.net/democracy-resolution_1325/power_2952.jsp (discussing shadow reports). Thomas Risse emphasizes the importance of persuasion and the potential for what he calls “self-entrapment,” in which “[b]oth sides accept each other as valid interlocutors, try to establish some common definition of the human rights situation, and agree on the norms guiding the situation . . . [a]rgumentative rationality has taken over.” Risse, *supra* note 17, at 32.

tion will not be strictly required.²⁶² The member state's "rational" calculation, however, is at least in part a response to pressure from norm entrepreneurs and, perhaps, to the plausibility of the norm entrepreneurs' policy rationales. Certainly it is unclear whether the state would have even considered consuming the norm without interaction with these actors. Moreover, the case studies indicate that a state might also respond in less clearly benefit-maximizing and "rational" ways to the markers of consensus and collective support that the norms generate in the second phase of consumption. Taken together, the varying actors and mechanisms of social influence can operate to override an individual member state's misgivings about norm consumption and ultimately lead to the Council's unanimous group consumption of the norm.

Regardless of Council members' thinking when it consumes the norms, the case studies suggest that, after consumption, it becomes increasingly difficult for the Council to reject the value of implementing these norms in its work program. According to the evidence adduced here, despite members' initial perceptions about the validity or enforceability of human security TIPS resolutions, the Council often gradually implements these norms.

VII. THEORETICAL IMPLICATIONS OF COUNCIL NORM CONSUMPTION

Disaggregating the Council from other IO organs helps to answer the specific question of why the Security Council would consume broad-based TIPS norms and hints at possible answers to the broader question of what factors might encourage other IOs to consume norms. In this Part, I elucidate some of the implications of my model of norm consumption.

A. *More than State Influence: Diverse Actors and Mechanisms in the Process of Norm Consumption*

The norm consumption outline described in this Article provides a causally complex picture of how select human rights norms were developed and diffused through the IO system and finally consumed by the Council. In each of the three

262. See generally Oona Hathaway, *Do Human Rights Treaties Make a Difference?*, 111 *YALE L.J.* 1935, 1951-52 (2002).

phases of my account of norm consumption, the influence of norm entrepreneurs, including transnational advocacy networks and epistemic communities, was vital to the ultimate framing and the Council's adoption of the norms. For example, without epistemic communities' research into how to progressively articulate different contexts for application of women's rights and transnational advocacy networks' efforts to persuade the Council to adopt Resolution 1325, it is entirely plausible that the Council would not have adopted a broad-based TIPS resolution focused on women's equality.

My model implies that non-state norm entrepreneurs affect IO and state preferences. These TIPS case studies show that by uniting around target issues, norm entrepreneurs may be able to alter otherwise entrenched patterns of Security Council or other IO action and encourage norm consumption. Even when norm entrepreneurs frame issues in a manner consistent with the mandate of the Council, a particular norm still may not coincide with individual states' policies. However, norm entrepreneurs' framing of the norm in a mandate-consistent manner increases the likelihood that individual members of IOs will have difficulty denying its appropriateness to the IO as a whole. And as described *supra*, an IO's understanding of its own mandates can expand beyond conventional parameters not just as a result of state interest and power in promoting norms, but also because of a growing consensus about these norms within the community of IOs and norm entrepreneurs' advocacy.

The model also implies that coercion and persuasion are not likely the sole mechanisms driving Council adoption of human rights norms. Without the markers of consensus spread during the second phase of norm consumption, it is unlikely that the Council and its members individually would have consumed and promoted these human rights norms in broad-based TIPS resolutions. Following the wide diffusion of a norm throughout the IO system, even a lean organ such as the Council may wish to conform to new low-cost, system-wide standards such as gender mainstreaming.

B. *Institutionalization and Norm Consumption*

According to my norm consumption outline, institutionalization also affects the calculus of state decisionmaking even in

a relatively loose and non-bureaucratic organ like the Council. Contrary to conventional rational choice-based neorealist accounts, powerful states within IOs may gradually be bound in ways not intended or initially anticipated by the state.

There are two related implications to explore here. The first is that individual states may act differently at the international level than they do at the domestic level as a result of their membership in an IO.²⁶³ By virtue of their membership in the Council, for example, state members with no independent interest in or even opposed to a particular norm may be targeted by norm entrepreneurs. For example, there is little evidence that permanent Council members Russia and China have prioritized issues of human security in national policies.²⁶⁴ When acting as part of an IO organ with a specific mandate, however, these permanent members did not veto or abstain from the votes on the TIPS resolutions discussed in this Article.

Second, the Council's institutional status as a powerful organ with a security mandate and its interaction with other organs and entities in the UN system create an evolving identity which no single member can immediately anticipate or dominate. The Council's actions and work program are likewise influenced by more than the sum of its individual members' desires and may frequently be beyond the control of any single state, even powerful veto-wielding states. Bureaucratization and institutionalization thus create conditions for expanding IO mandates.²⁶⁵

C. *Limitations and Objections*

I argue *supra* that norm entrepreneurs have played critical roles in persuading and influencing Security Council members to consume these TIPS resolutions. However, there are some

263. See Goodman & Jinks, *supra* note 35 (describing the phenomenon of decoupling between international and national levels).

264. See, e.g., HUMAN RIGHTS WATCH, WORLD REPORT 2007, at 258-69, 405-11 (2007); Security Council Report WPS Nov. 2005, *supra* note 15. Likewise, for different domestic political reasons, the United States still has not adopted the CEDAW or the Convention on the Rights of the Child. See CEDAW, *supra* note 120; Convention on the Rights of the Child, *supra* note 213.

265. BARNETT & FINNEMORE, *supra* note 4, at 3. This observation tracks contractual institutional theory.

limitations to this study. My outline of the process of norm consumption by the Security Council and the Council's non-binding promotion of human rights norms is preliminary and further empirical study is recommended. Moreover, these case studies are not intended to be comprehensive surveys of the impact of resolutions and are, in fact, under-inclusive of the effects. The case studies seek to establish correlation between different influences and the Council's consumption of the norms discussed but do not establish causation. My outline is also not a predictive, quantitative model, and it does not isolate the relative influence of different variables. Future studies might helpfully contrast occasions on which norm entrepreneurs have tried in vain to promote consumption of norms to the Council.

In the next Part, I set forth some possible objections to this Article's account of the impact of norm consumption and the process through which it occurs.

1. *Impact*

Critical readers might argue that while there has been ad hoc implementation of the human security resolutions discussed in this Article, systematic and consistent implementation at the national level, where many scholars contend that it matters most, has been lacking.²⁶⁶ In other words, they might claim that the resolutions have not been effective.²⁶⁷ Likewise, some readers may claim that even if IO, state, and civil society actors' behavior changed as a result of a human security TIPS resolution, the effects listed here represent shallow changes in behavior—mere diplomatic discourse and unenforceable commitments.²⁶⁸ Nonetheless, it is clear that the impact of these TIPS resolutions within the UN system and in peacekeeping operations have promoted the implementation of the norms at the grassroots and national levels. In some cases, the applications of these norms have transcended the UN system.²⁶⁹ However, this Article does not include an analysis of the effec-

266. See generally HATHAWAY, *supra* note 262.

267. *Id.*

268. See generally George W. Downs, David M. Rocke & Peter N. Barsoom, *Is the Good News About Compliance Good News About Cooperation?*, 50 INT'L ORG. 379 (1996); CHAYES & CHAYES, *supra* note 21.

269. See, e.g., Part IV.A.3.

tiveness of the policies promoted by the resolutions, and further empirical studies are certainly recommended.

Second, readers may object that the observed effects were not *caused* by these TIPS resolutions. In other words, the human security TIPS resolutions merely tracked pre-existing state preferences and the effects were in fact caused by other, pre-existing instruments such as CEDAW. While I do not argue for comprehensive causation here, causation is frequently clear in the case studies. Examples of clear causation include the Council's explicit incorporation of the language of certain TIPS resolutions into its subsequent resolutions, as well as its reaffirmation of the TIPS resolutions themselves.²⁷⁰ It is also clear from the evidence that, even to the extent that these TIPS resolutions tracked already existing human rights norms in the international system, they have, since the Council's consumption, facilitated specific Council-centered effects and created stronger presumptions of inclusion.²⁷¹

Some might also dispute this Article's suggestion that TIPS resolutions are gradually changing the institutional culture of the Council. After all, these critics would claim, there is no guarantee that the resolutions will continue to have any effect or that they will be implemented. However, as we have seen, monitoring mechanisms with increasing levels of commitment have been established in connection with the non-coercive CAAC resolutions. In addition, the Council and General Assembly recently established a Peacebuilding Commission to provide further attention to human rights-related aspects of peacebuilding.²⁷² With such mechanisms in place, and assuming the continued influence and commitment of other IOs and transnational advocacy networks and contributions from epistemic communities, the Security Council will most likely continue to be monitored for any failure to fully implement its resolutions. Given the Council's receptiveness to these actors in adopting these human security norms, it is plausible that the Security Council will, to some extent, be responsive to future monitoring efforts of these groups.

270. See *infra* tbl. 7.

271. *Id.*

272. S.C. Res. 1645, *supra* note 173; S.C. Res. 1646, U.N. Doc. S/Res/1646 (Dec. 20, 2005).

2. *The Process*

It is not sufficient, according to my account of the consumption process, to attribute the consumption of norms to states' interests only. Rather, my outline posits that multiple actors interact and suggests that the consumption of norms turns not only on the persuasion and strategy of norm entrepreneurs but also on the Council's desire to meet a widely held standard within the international system. Readers eager for a linear causal account will undoubtedly be impatient with the overlapping levels of interaction by various groups in the phases of my outline.

Some readers might insist that intervening causal mechanisms other than or in addition to those I describe have contributed to the Security Council's changing interpretation of its mandate. For example, a functionalist theorist might claim that the Council adopted broad-based human security TIPS resolutions because of the increased incidence of intrastate conflicts in the post-Cold War era and the unforeseen and unprecedented need for the Security Council to intervene in such conflicts. To be sure, the Council's involvement in what have traditionally been considered domestic concerns under the purview of sovereign states as well as the Council's enhanced capacity to reach agreement in the post-Cold War era has been essential to the increased adoption of resolutions.²⁷³ My account of the norm consumption process does not categorically deny the influence of these factors, however. For example, such factors play a critical role in norm entrepreneurs' choices about how to leverage, frame, and select certain norms for greater attention. By necessity, my outline is simplified, and does not document every influence and interaction leading to the consumption of the norms.

Likewise, some might argue that NGOs and UN agencies often claim more credit for influencing state preferences than they actually deserve. It is difficult to recreate past negotiating and diplomatic activities of the Council through documentary evidence, but, in these case studies, public statements made by member state representatives about transnational advocacy networks' influential role corroborate the activity of the advo-

273. STEINER & ALSTON, *supra* note 209, at 651; *see generally* HAWKINS, *supra* note 43; MERTUS, *supra* note 61; SCHWEIGMAN, *supra* note 58; and BROWNLIE, *supra* note 43.

cacy networks and epistemic communities in instigating and encouraging the adoption of the relevant TIPS resolutions. Similarly, my case studies support the claim that norm entrepreneurs' monitoring activities and advocacy encourages implementation.

Finally, rational choice-based neorealist theorists might maintain that the case studies documented here cannot prove that the Council did not adopt the TIPS resolutions simply to promote the most powerful states' interests. Under this account, Council members adopt TIPS resolutions to expand the potential reach and power of the Security Council into other member states' internal affairs and to justify future Council interference in otherwise sovereign affairs.

However, at the very least, it is clear that no state was willing to take a dramatic position against Council consumption of women's and children's rights. If Council members had been seriously opposed to the norms or concerned about the possible application of the norms against them, they might have abstained or voted against the resolutions. Moreover, I have already acknowledged the possibility that the Council has not fully internalized the norms delineated in human security resolutions and that member states may have been responding to forces other than their own commitment to the substance of the norms. Regardless of Council members' initial motivations, finally, the norms articulated in these human security TIPS resolutions have been subsequently used by General Assembly member states, transnational advocacy networks, and norm entrepreneurs to assess and monitor Council practice. Even if Council members adopted the resolutions as a cloak for advancing individual state interests and intervening in other states,²⁷⁴ through resolutions like these the Council is

274. In fact, only the permanent members would have this incentive to intervene. The ten elected members of the Council do not share similar incentives, as they are far more likely to become subject to interventions in the future. Yet recall that non-permanent members like Namibia and Jamaica were among the most instrumental state lobbyists for Resolution 1325's adoption, despite the possibility that they might one day be targets of Council intervention. This observation might suggest that, for these states, either state sovereignty interests are not the only factor encouraging consumption of the norms, they value being seen to conform to the emerging norms at the international level, or they are persuaded by the value of the norm.

building an institutional culture that appears to be less within member states'—even the powerful permanent member states'—control.

D. *Normative Implications*

The Council's consumption and promotion of human rights norms through non-coercive human security TIPS resolutions addressing all member states has undeniably spread "normative ripples"²⁷⁵ throughout the UN system, global community, and states.

Of course, many questions regarding Council action persist: How ought the Council to define the parameters of international peace and security? How should Council membership or work processes be adapted, if at all, to ensure that Council conceptions of peace and security meet basic standards of legitimacy and legality? How will Council accountability deficits be addressed?

This study also raises unique and more specific questions. As a matter of institutional design, what effect, if any, should the increasing development of an institutional, bureaucratic culture be permitted to have on the Council's jurisdiction? Given the Security Council's limited expertise in interpreting human rights norms, should the Council be required to consult with organs or bodies with human rights mandates, such as the General Assembly or ECOSOC, if it chooses to consume and promote these norms? Should member states be provided formal mechanisms for contesting Security Council interpretations of what constitutes an "international peace and security issue"? How, if at all, should interaction between transnational advocacy networks and other representatives of civil society and the Security Council or other UN organs be structured to ensure optimal representation and transparency?

My focus on IO norm *consumption* within the broader norm diffusion process also opens future inquiry into how norm diffusion operates. For example, which norms succeed and which fail to be consumed by IOs remains unspecified.

275. See ALVAREZ, INTERNATIONAL ORGANIZATIONS, *supra* note 4, at 191.

VIII. CONCLUSION

This Article has sought to fill a gap in our understanding of how IOs consume norms that they later diffuse by closely examining the Security Council's process of norm consumption. The primary goals of this Article have been first to provide an outline of the Security Council's human rights norm consumption process and second to examine the impact of the Council's non-coercive human security TIPS resolutions both within the UN system and elsewhere.

By disaggregating the Council from the rest of the UN system and examining how it consumes norms, this Article contributes to existing constructivist accounts of IOs as diffusers and promoters of norms. My study thus illuminates the many different mechanisms and actors that have played roles in encouraging the Council to reinterpret its mandate. State interests (however they may be defined at the domestic level) play a necessary but not sufficient role in determining whether IOs or their organs will reinterpret their mandates to consume existing human rights norms. Epistemic communities and norm entrepreneurs are thus vital to encouraging consumption of these norms.

Based on the Council's trend of human security TIPS resolution adoption and the case studies outlined here, I have shown that the Council consumes human security norms at least in part in response to persuasion and socialization by both norm entrepreneurs and the wider IO community. This account of human rights norm consumption by the Council has also suggested that IO mandates may be reinterpreted due to factors and interactions beyond the control of any individual member state. Indeed, institutionalization prompts unique and unintended dynamics within international organs. Accordingly, in my account, enforcement mechanisms are not essential and may even be counterproductive to the consumption of human rights norms by powerful IO organs like the Council.

At the same time, by demonstrating the impact of non-coercive TIPS resolutions, I call into question some rational-choice and constructivist assumptions regarding the superiority of coercion as a mode of social influence. These case studies demonstrate that, even absent enforcement power, TIPS resolutions have promoted human rights norms inside as well

as out of the Security Council. The Council's TIPS resolutions have facilitated a dialectic process of human rights norm diffusion, creating a framework that provides new possibilities for norm entrepreneurs and the Council to interpret and implement these norms.

TABLE I

TIPS (Thematic Issues of Peace and Security) Security Council Resolutions, 1946-1998			
<i>Finding: Just 13 TIPS resolutions were adopted over the first 53 years of Security Council practice.</i>			
Res. No.	Year	Subject	Chapter VII Invoked?
18	1947	Armaments (non-proliferation/disarmament)	no
52*	1948	Armaments (non-proliferation/disarmament)	no
68*	1949	Reduction of Armaments (non-proliferation/disarmament)	no
74*	1949	Atomic Energy (non-proliferation/disarmament)	no
77*	1949	Reduction of Armaments (non-proliferation/disarmament)	no
78*	1949	Reduction of Armaments (non-proliferation/disarmament)	no
255	1968	Nuclear Weapons (non-proliferation/disarmament)	no
286	1970	Hijacking of Commercial Aircraft (terrorism)	no
579	1985	Hostage Taking (terrorism)	no
618	1988	Hostage Taking (terrorism; deplore act)	no
635	1989	Marking of Explosives (terrorism)	no
638	1989	Hostage Taking (terrorism)	no
984	1995	Reduction of Armaments (non-proliferation/disarmament)	no

Total number TIPS resolutions: 13

* Administrative disarmament resolutions addressing the flow of information between the Commission for Conventional Armaments, the Atomic Energy Committee, and the General Assembly.

TABLE 2

TIPS Security Council Resolutions, Jan. 1999-Oct. 2007			
<i>Finding:</i> A total of 41 TIPS resolutions were adopted in the period 1999-2007, compared to just 13 in the preceding 53 years.			
<i>Finding:</i> The TIPS resolutions adopted 1999-2007 included a number of new human security issues, such as the rights of children in armed conflict, in contrast to TIPS' earlier focus on terrorism or disarmament/non-proliferations.			
<i>Finding:</i> Of the 41 TIPS resolutions adopted 1999-2007, 20 focused on terrorism, 3 on non-proliferation, and 17 addressed human security concerns.			
<i>Finding:</i> 10 TIPS resolutions invoked Chapter VII and 17 invoked other Chapter VII resolutions.			
Res. No.	Date	Subject	Chapter VII Invoked?
1261*	Aug. 25, 1999	Children (human security)	No
1265*	Sept. 17, 1999	Civilians (human security)	No
1269*	Oct. 19, 1999	Terrorism	No
1296	Apr. 19, 2000	Civilians and Armed Conflict (human security)	No
1308	July 17, 2000	Peacekeeping Operations and AIDS (human security)	No
1314	Aug. 11, 2000	Children and Armed Conflict (human security)	No
1325	Oct. 31, 2000	Women, Peace, and Security (human security)	No
1327	Nov. 13, 2000	Implementation of Report on Peace Operations Panel (includes consideration of human security)	No
1366	Aug. 30, 2001	Role of the Security Council in the Prevention of Armed Conflicts	No
1368	Sept. 12, 2001	Terrorism	No
1373	Sept. 28, 2001	Terrorism	Yes
1377	Nov. 12, 2001	Terrorism	No
1379	Nov. 20, 2001	Children and Armed Conflict (human security)	No
1438**	Oct. 14, 2002	Terrorism	No
1440**	Oct. 24, 2002	Terrorism (deplorable act)	No
1450**	Dec. 13, 2002	Terrorism (deplorable act)	No
1452	Dec. 20, 2002	Terrorism	Yes
1455	Jan. 17, 2003	Terrorism	Yes
1456	Jan. 20, 2003	Terrorism	No
1460	Jan. 30, 2003	Children and Armed Conflict (human security)	No

Res. No.	Date	Subject	Chapter VII Invoked?
1465**	Feb. 13, 2003	Terrorism (deplorable act)	No
1502	Aug. 26, 2003	Protection of Personnel (human security)	No
1516**	Nov. 20, 2003	Terrorism (deplorable act)	No
1526	Jan. 30, 2004	Terrorism	Yes
1530**	Mar. 11, 2004	Terrorism (deplorable act)	No
1535	Mar. 26, 2004	Terrorism (revitalizing the Counter-Terrorism Committee)	No
1539	Apr. 22, 2004	Children and Armed Conflict (human security)	No
1540	Apr. 28, 2004	Non-Proliferation	Yes
1566	Oct. 8, 2004	Terrorism	Yes
1611**	July 7, 2005	Terrorism (deplorable act)	No
1612	July 26, 2005	Children and Armed Conflict (human security)	No
1617	July 29, 2005	Terrorism	Yes
1618**	Aug. 4, 2005	Terrorism (deplorable act)	No
1625	Sept. 14, 2005	Prevention of Conflict, SC Summit on International Peace and Security (human security)	No
1631	Oct. 17, 2005	SC and Regional Organizations, Prevention of Conflict (human security)	No
1646	Dec. 20, 2005	Establishing Peacebuilding Commission; Concurrent Action with General Assembly (human security)	No
1673	Apr. 27, 2006	Non-Proliferation	Yes
1674	Apr. 28, 2006	Protection of Civilians in Armed Conflict (human security)	No
1735	Dec. 22, 2006	Terrorism	Yes
1738	Dec. 23, 2006	Protection of Civilians in Armed Conflict (human security)	No
1747	Mar. 24, 2007	Non-Proliferation	Yes

Total Number of TIPS resolutions 1999-2007: 41

* Drawn from VIRGIL HAWKINS, *THE SILENCE OF THE SECURITY COUNCIL* (2004).

** These resolutions on terrorism include mention of specific incidents and, in most cases, deplore the general practice of terrorism.

TABLE 3

Select International-Level Developments in Women's Rights and Security Council Practice Leading Up to the Adoption of Security Council Resolution 1325 on October 31, 2000	
Year	Event
1945	The Preamble of the UN Charter enshrines the principle of equality between men and women.
1946	The Commission on the Status of Women (CSW) is created as a functional commission of ECOSOC. CSW is dedicated to ensuring women's equality and promoting women's rights,
1947	CSW holds its first session.
1948	The Universal Declaration of Human Rights is adopted. Articles 2 and 7 set forth principles of equality, equal protection, and non-discrimination.
1954	The Convention on the Political Rights of Women enters into force on July 7.
1974	The General Assembly adopts G.A. Res 3318 (XXIX), the Declaration on the Protection of Women and Children in Emergency and Armed Conflict.
1975	The First World Conference on Women is held in Mexico and a global plan of action for intended to improve situation of women is adopted. As a result of the Mexico Conference, the UN announces a Decade for Women from 1976-1985.
1976	The International Covenant on Civil and Political Rights enters into force. Articles 3 and 26 set forth principles of equality, equal protection, and non-discrimination.
1976	The International Convention on Economic, Social and Cultural Rights enters into force. Articles 2 and 3 set forth principles of equality and non-discrimination.
1979	The General Assembly adopts CEDAW, which was drafted under the auspices of the CSW.
1980	The Second World Conference on Women is held in Copenhagen and issues a Programme for Action.
1981	CEDAW enters into force. CEDAW addresses issues related to women's participation in political and public life, including the right to represent government at the international level (articles 7 and 8). However, except for two general references to peace in its Preamble, CEDAW does not address issues relating to violence against women or women in armed conflict. In article 1, the Convention defines discrimination against women as ". . . any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

Year	Event
1985	The Third World Conference on Women is held in Nairobi. The Nairobi Conference considers women's participation in peacemaking efforts and peacebuilding education efforts and adopts a 15-year program.
1988	<i>The General Assembly adopts G.A. Res. 43/51, the Declaration on the Prevention and Removal of Disputes.</i>
1990	The UN Department for Economic and Social Affairs publishes its first statistical report with gender disaggregated data, "The World's Women 1970-1990," and says that it will continue to do so at regular five-year intervals.
1990	CSW recommends a target of 30% women in decisionmaking positions at the national level.
1992	<i>Venezuelan Ambassador Arria develops the Arria Formula to enable the Security Council to consult with NGOs and experts.</i>
1992	The CEDAW Committee adopts General Comment 19 on Violence Against Women.
1993	The Vienna Program for Action calls for increased participation of women in political decision-making.
1993	The General Assembly adopts G.A. Res. 48/104, the Declaration on the Elimination of Violence Against Women.
1994	The UN Commission on Human Rights adopts Resolution 1994/45 appointing a Special Rapporteur on Violence Against Women.
1994	The International Conference on Population and Development in Cairo issues Principle 4 stating that "advancing gender equality and equity and the empowerment of women, and the elimination of all kinds of violence against women, and ensuring women's ability to control their own fertility, are cornerstones of population and development-based programmes."
1994	DAW, the Secretariat for the Fourth World Conference on Women, and the Department for Policy Coordination and Sustainable Development publish the Report of the Expert Group Meeting on Gender and the Agenda for Peace.
1995	The UN Educational Scientific and Cultural Organization's Consultative Committee on Women publishes its "Report of the Expert Group Meeting on Women's Contribution to a Culture of Peace."
1995	The UN Development Programme's Human Development Report for 1995 focuses on Gender and Development.
1995	<i>The NGO Working Group on Security Council is formed.</i>
1995	The Fourth World Conference on Women in Beijing results in the Beijing Declaration. Platform for Action Section E, entitled, "Women and Armed Conflict," contains related recommendations for member states. Section G addresses the subject of women in decision-making.
1996	The Human Rights Committee issues a General Comment on Women in Decision-making on August 27.

Year	Event
1996	The Council of the European Union adopts 96/694/EC, a Recommendation on Balanced Participation of Women and Men in the Decision-making Process.
1996	The European Commission publishes "How to Create a Gender Balance in Political Decision-making" in March.
1997	The UN Committee on CEDAW adopts General Recommendation No. 23 on CEDAW art. 7 (Political and Public Life) at its 16th session.
1997	The 41st Session of CSW results in the ECOSOC Agreed Conclusions 1997/2 on mainstreaming a gender perspective into all policies and programs in the United Nations system.
1998	The Special Representative on Internally Displaced Persons composes "Guiding Principles on Internal Displacement," which includes guidelines addressing the specific needs of women.
1998	The UN Inter-Agency Standing Committee (the primary mechanism for coordinating humanitarian assistance between UN agencies) issues a policy statement for "integration of a gender perspective in humanitarian assistance."
1998	CSW adopts "Agreed Conclusions on Women and Armed Conflict."
1998	The Rome Statute mandates a gender balance in judges and prosecutors at the International Criminal Court and maintains the norms of the International Criminal Tribunal of the Former Yugoslavia and the International Criminal Tribunal of Rwanda establishing rape as a grave breach of international humanitarian law.
1999	UNESCO and DAW publish "Towards a Women's Agenda for a Culture of Peace."
1999	<i>The Secretary-General publishes a report on Sept. 8 focusing on the effects of conflict on civilians.</i>
1999	<i>The Security Council holds an open debate on civilians in armed conflict.</i>
1999	<i>The Security Council adopts S.C. Res. 1265 on civilians and armed conflict and adopts resolutions on subjects of Children and Protection of Civilians in Armed Conflict.</i>
2000	Security Council President Chowdhury of Bangladesh issues a press statement on the United Nations Day for Women's Rights and International Peace (International Women's Day) acknowledging that women play a central role in peacebuilding.
2000	The five-year review of the Beijing Declaration and Platform for Action identifies persistent challenges to achieving the twelve outcome areas defined in the Declaration and Platform. The 23rd Special Session of the General Assembly Outcome Document, "Women 2000: Gender Equality, Development and Peace for the 21st Century," reaffirms the Beijing Declaration and Platform for Action and stresses the need for full participation of women.
2000	<i>The Security Council adopts S.C. Res. 1296 regarding the Protection of Civilians in Armed Conflict.</i>

Year	Event
2000	The Department of Peacekeeping Operations and the UN Office of the Special Adviser on Gender Issues and Advancement of Women facilitate the drafting of the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming Gender Perspective in Multidimensional Peace Support Operations.
2000	The Brahimi Report on UN Peace Operations, which discusses the impact of armed conflict on women and children and calls for proportional gender representation in the leadership of peacekeeping missions, is published.
2000	The Panel on Mainstreaming Gender convenes at the General Assembly.
2000	The NGO Working Group on Women, Peace and Security is formed. The WGWS includes Amnesty International, the Hague Appeal for Peace, International Alert, Women's International League for Peace and Freedom, and the Women's Commission for Refugee Women and Children.
2000	The WGWS works with the United Nations Development Fund for Women, the UN Mission for Namibia, and DAW to table an open debate on women, peace and security.
2000	Ambassador Patricia Durrant, Permanent Representative of Jamaica, sponsors and chairs an Arria Formula meeting on Women, Peace, and Security with members of the WGWS. The speakers include representatives from the OAU African Women's Committee on Peace and Democratization and Federation of Africa Women's Peace Movements, the NGO Coalition/International Alert, NGO Coalition/Women's International League for Peace and Freedom, the National Union of Guatemalan Women, the Africa Office of Equality Now, Women's Commission for Refugee Women and Children, Amnesty International, the International Peace Research Association, and the Hague Appeal for Peace.
2000	The Security Council holds its first open debate on women, peace, and security.
2000	The Security Council unanimously adopts S.C. Res. 1325.
<i>Italicized text indicates developments related to Security Council changes, reform, or transparency.</i>	

TABLE 4

Preamble of Security Council Resolution 1325	
Operative Word	Subject
Recalling	S.C. Res. 1261, Res. 1265, Res. 1296 (2000), relevant PRSTs, and the Press Statement on International Women's Day (SC/6816)
Recalling	Commitments of the Beijing Declaration and Platform for Action (A/52/231) and the Outcome Document of the 23rd Special Session of the General Assembly (A/S-23/10/Rev.1)—particularly those provisions on women and armed conflict
Bearing in mind	Purposes and principles of the UN Charter and the Security Council's primary responsibility for maintenance of international peace and security
Expressing concern	That women and children account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons (IDPs) and that they are increasingly targeted by combatants and armed elements
Recognizing	Impact that this has on "durable peace and reconciliation"
Reaffirming	Important role of women in the prevention and resolution of conflicts and peace-building
Stressing	Importance of women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and the need to increase their role in decisionmaking with regard to conflict prevention and resolution
Reaffirming	Need to implement international humanitarian and human rights law that protects women's and girls' rights in and after conflict
Emphasizing	Need for all parties to ensure that mine clearance and mine awareness take into account the "special needs" of women and girls
Recognizing	Urgent need to "mainstream a gender perspective" into peacekeeping operations
Noting	Windhoek Declaration (S/2000/693)
Recognizing	Importance of the Security Council President's recommendation "for specialized training for all peacekeeping personnel on the protection, special needs and human rights of women and children in conflict situations" in the March statement to the press
Recognizing	Maintenance and promotion of international peace and security is contributed to by an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in peace processes
Noting	Need for consolidated data on the impact of armed conflict on women and girls

TABLE 4
Text of Security Council Resolution 1325

¶ No.	Subject	Operative Word	Actor	Action Called For
1	Representation in Decisionmaking	Urges	Member States	Ensure increased representation of women at (1) all levels of decisionmaking in national, regional, and international institutions, and (2) mechanisms for prevention, management, and resolution of conflict
2	Participation in Conflict Resolution and Peace Processes	Encourages	Secretary-General	Implement action plan (A/49/587) for increased participation of women in conflict resolution and peace processes
3	Representation in UN Decisionmaking	Urges	Secretary-General	Appoint more women as special representatives and envoys
	Representation in UN Decisionmaking	Calls on	Member States	Provide candidates to the Secretary-General for inclusion in regularly updated centralized roster
4	Participation in UN Peace Processes	Urges	Secretary-General	Expand role and contribution of women in United Nations field-based operations and in military observers, civilian police, human rights, and humanitarian personnel
5	UN Gender Mainstreaming	Expresses	Security Council	Willingness to incorporate a gender perspective into peacekeeping operations
	UN Gender Mainstreaming	Urges	Secretary-General	Ensure that field operations include gender component
6	UN Gender Mainstreaming	Requests	Secretary-General	Provide Member States training guidelines and materials on the protection, rights, and particular needs of women, as well as on the importance of involving women in all peacekeeping and peacebuilding measures
	Gender Mainstreaming—National Peacekeeping	Invites	Member States	Incorporate the elements above and HIV/AIDS awareness training into their national training programs for military and civilian police personnel in preparation for deployment
	UN Gender Mainstreaming	Requests	Secretary-General	Ensure that civilian personnel of peacekeeping operations receive similar training
7	Funding Gender Mainstreaming	Urges	Member States	Increase voluntary financial, technical and logistical support for gender-sensitive training efforts
8	Participation in Peace Negotiations and Processes and Human Rights Protections	Calls on	Negotiators of Peace Agreements	Adopt a gender perspective, including: (a) special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration, and post-conflict reconstruction;

¶ No.	Subject	Operative Word	Actor	Action Called For
				(b) measures that support local women's peace initiatives and indigenous processes for conflict resolution and that involve women in all of the implementation mechanisms of the peace agreements; (c) measures that ensure protection of and respect for human rights of women and girls, particularly in terms of the electoral system, police, and judiciary
9	Protection of Human Rights	Calls upon	Parties to Armed Conflict	Respect international law applicable to women and girls, including the Geneva Conventions and Protocols thereto, the Refugee Conventions, CEDAW, and the Convention on the Rights of the Child and bear in mind relevant provisions of Rome Statute of International Criminal Court
10	Protection from Sexual Violence	Calls on	Parties to Armed Conflict	Parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse and all other forms of violence in situations of armed conflict
11	Prosecution for War Crimes	Emphasizes	All States	Prosecute those responsible for genocide, crimes against humanity, and war crimes, including those relating to sexual and violence against women and girls
	Prosecution for War Crimes	Stresses	All States	Exclude crimes "where feasible" from amnesty provisions
12	Protection of Refugees	Calls upon	Parties to Armed Conflict	Respect civilian and humanitarian character of refugee camps and settlements and take into account needs of women and girls in designing camps, recalling S.C. Res. 1208 and 1296
13	Gender Mainstreaming	Encourages	DDR Planners	Consider different needs of female and male ex-combatants and take into account the needs of their dependents
14	Protection of Women	Reaffirms	Security Council	Readiness to give consideration to potential impact on civilian population of measures under Article 41 (sanctions)
15	Participation/Gender Mainstreaming	Expresses	Security Council	Willingness to ensure that Security Council missions take gender considerations into account, including through consultation with local and international women's groups
16	Protection, Prevention, Participation	Invites	Secretary-General	Conduct study on impact of armed conflict on women and girls, role of women in peacebuilding, and gender dimensions of peace processes and conflict resolution for submission to Security Council
17	Gender Mainstreaming	Requests	Secretary-General	Report on peacekeeping missions, include "where appropriate" information on "progress" in gender mainstreaming and "other aspects" relating to women and girls
18	Ongoing Attention	Decides	Security Council	Remain actively seized of the matter

TABLE 5

Select Examples of Security Council Implementation of Security Council Resolution 1325*		
Source	Date	Action
Recalling or Reaffirming S.C. Res. 1325 in Resolutions		
Report ¶¶ 14, 9 Table 7	Nov. 2000/June 2006	Since the adoption of S.C. Res. 1325, 55 of 211, or 26.07%, of country-specific Council resolutions include language on women or gender (as of June 30, 2006).
Meetings with Women's Organizations During Mission Visits		
Report ¶¶ 7, 15	2000-2002	Four out of ten Security Council missions included consultations with women's groups.
Report ¶¶ 7, 15	2003-2004	All Security Council missions included consultations with women's groups, including DRC, Great Lakes Region, and Afghanistan.
Inclusion of Gender Concerns in Peacekeeping Mission Mandates**		
ONUB, S.C. Res. 1545*	May 21, 2004	Calls on the UN Operation in Burundi (ONUB) to promote human rights with particular attention to women, children, and vulnerable persons, carry out Disarmament, Demobilization, and Reintegration (DDR) with attention to needs of women and children, and ensure that ONUB personnel give special attention to issues related to gender equality.
UNOCI, S.C. Res. 1528*	Jan. 20, 2004	Establishes the UN Operation in Côte d'Ivoire (UNOCI) and calls on UNOCI to carry out DDR with specific attention to needs of women and children, coordinate the voluntary repatriation and resettlement program for foreign ex-combatants with special attention to the specific needs of women and children, and contribute to the promotion and protection of human rights in Côte d'Ivoire with special attention to violence committed against women and girls.
Open Debates**		
S/PV.4208	Oct. 2000	40 States directly participated on behalf of 71 Member States.
S/PV.4641	Oct. 2002	36 States directly participated on behalf of 73 Member States.
S/PV.4852	Oct. 2003	36 States directly participated on behalf of 68 Member States.
S/PV.5066	Oct. 2004	43 States directly participated on behalf of 107 Member States.
S/PV.5294	Oct. 2005	41 States directly participated on behalf of 108 Member States.
S/PV.5556	Oct. 2006	44 States directly participated on behalf of 82 Member States.

Source	Date	Action
S/PV.5766	Oct. 2007	51 States directly participated on behalf of 76 Member States.
Select Presidential Statements**		
S/PRST/2001/31	Oct. 31, 2001	Requests Secretary-General to prepare a follow-up report on full implementation of Resolution 1325, calls for gender-disaggregated data in Secretary-General reports, welcomes success in securing women's political participation in Timor, Burundi, and Somalia, and calls for the Secretary-General to appoint more females as Special Envoys and Special Representatives.
S/PRST/2002/32	Oct. 31, 2002	Undertakes to integrate gender into mandates and incorporate gender into terms of reference for Security Council mission visits, calls on member states to develop action plans with goals and timetables, and requests Secretary-General to prepare a follow-up report on full implementation of Resolution 1325.
	2003	The U.N. Security Council President, Ambassador John D. Negroponte of the United States, issues a press statement in favor of Resolution 1325 and the U.S.-sponsored General Assembly Resolution on Women and Political Participation.
S/PRST/2005/52	Oct. 27, 2005	Requests the Secretary-General to report to the Security Council on an annual basis about implementation of S.C. Res. 1325, recalls past presidential statements affirming commitments, the 2005 World Summit Outcome, and the Beijing Declaration and Platform for Action, calls for national action plans, and welcomes the upcoming contribution of S.C. Res. 1325 to peacebuilding commission.
S/PRST/2006/42	Oct. 26, 2006	Welcomes the progress made in increasing participation of women in decisionmaking in several countries emerging from conflict and requests that the Secretary-General collect and compile data on good practices and lessons learned, identify remaining gaps and challenges, and ensure that disarmament, demobilization, and reintegration programs take specific account of the situation of women ex-combatants and women associated with combatants. Reiterates the Security Council's utmost condemnation of all forms of violence against women in armed conflict and calls upon all parties to armed conflict to ensure full and effective protection of women and end impunity of those responsible for gender-based violence. Reiterates condemnation of all acts of sexual misconduct by personnel in UN Peacekeeping Missions, urges the Secretary-General and troop-contributing countries to ensure full implementation of the recommendations of the Special Committee on Peacekeeping Operations, expresses support for further efforts by the UN to implement a zero-tolerance policy, and requests that the Secretary-General include in reporting to the Security Council information on progress in gender mainstreaming throughout UN peacekeeping missions. Reiterates its call to Member States to continue developing and implementing national action plans or other national level strategies, encourages Member States to continue to collaborate with civil society, in particular with local women's networks and organizations, and requests the Secretary-General to continue to update, monitor, and review the implementation and integration of the Action Plan and report to the Security Council as stipulated in S/PRST/2005/52.

Source	Date	Action
S/PRST/2007/40 etc.	Oct. 23, 2007	Calls on member states to develop national-level action plans for implementation of S.C. Res. 1325, on parties to armed conflict to respect international law applicable to rights and protection of women and girls, and on the Secretary-General to increase representation of women in UN offices, ensure the inclusion of information about the impact of armed conflict on girls and women in all country-specific reports, and to review and evaluate the implementation of S.C. Res. 1325 through the UN System-wide Action Plan again in 2008. The Security Council also notes its "deep concern" about the constant under-representation of women in formal peace processes.
Arria Formula Meetings on Women, Peace, and Security**		
Peacewomen.org. etc.	2000-2007	Since the adoption of Resolution 1325 in 2000, the Security Council has convened an Arria Formula Meeting every year.
Other Select Actions		
Roundtables hosted by the Permanent Missions of Canada, Chile, the United Kingdom of Great Britain, and Northern Ireland in coordination with the NGO Working Group on Women, Peace and Security.		
Report ¶ 8	Jan. 2004	
Report ¶ 8	July 2006	Resulted in draft checklist for integrating attention to the needs, priorities and contributions of women into the work of the Council.

* Table data drawn from the 2006 Report of the Secretary-General on Women, Peace and Security (U.N. Doc. S/2006/770) (the "Report").

** Includes data from sources other than the Report as noted in individual chart.

276. See WILPF, United Nations Security Council Resolution 1325: History and Analysis, <http://www.peacewomen.org/un/UN1325/1325index.html> (last visited Nov. 11, 2007); *Sixth Anniversary of Resolution 1325*, PEACEWOMEN E-NEWS (WILPF, New York, N.Y.), Oct. 17, 2006, at 4, <http://www.peacewomen.org/news/1325News/Issue82.pdf>; Security Council Report, Women, Peace, and Security (Oct. 2007), http://www.securitycouncilreport.org/site/c.gKWLcMTIsG/b.3454351/k.9F73/October_2007bWomen_Peace_and_Security.htm (last visited Nov. 11, 2007); Security Council Report, Women, Peace, and Security (Oct. 2006), http://www.securitycouncilreport.org/site/c.gKWLcMTIsG/b.2087359/k.A18D/October_2006BRWomen_Peace_and_Security.htm (last visited Nov. 11, 2007); Global Policy Forum, Arria Meetings, *supra* note 70.

TABLE 6

Security Council Resolutions Citing Women, Girls, or Gender, Jan. 1994-Oct. 30, 2000								
<p><i>Finding:</i> Prior to the adoption of S.C. Res. 1325 on October 31, 2000, the Security Council explicitly considered women, girls, or gender in just about 4% of the resolutions it adopted over a six year period. By contrast, according to the Secretary-General's 2006 Report on Women, Peace and Security, 26.07% of country-specific resolutions adopted since the adoption of S.C. Res. 1325 contain language on women or gender. In the five years from 1994-1998, the contrast is even starker. Women, girls, or gender were only mentioned in around 2% of the resolutions.</p>								
	1994	1995	1996	1997	1998	1999	2000 (through Oct. 30)	Total
Total adopted	76	65	56	53	72	64	40	426
Employing language on gender (number)	2	0	1	0	3	8	3	17
Employing language on gender (percentage)	2.63%	0%	1.79%	0%	4.17%	12.50%	7.5%	3.99%

TABLE 7

Security Council Resolutions Citing S.C. Res. 1325				
<i>Finding: 26 Chapter VII resolutions invoke S.C. Res. 1325.</i>				
<i>Finding: 44 resolutions invoke S.C. Res. 1325.</i>				
Res. No.	Subject	Date	Chap. VII Invoked?	1325 Invoked in Body or Preamble?
1325 (TIPS)	Women, Peace, and Security	Oct. 31, 2000	No	N/A
1327 (TIPS)	Peace Operations	Nov. 13, 2000	No	Body
1366 (TIPS)	Prevention of Armed Conflict	Aug. 30, 2001	No	Preamble
1379 (TIPS)	Children	Nov. 20, 2001	No	Preamble
1460 (TIPS)	Children	Jan. 30, 2003	No	Preamble
1461	Lebanon	Jan. 30, 2003	No	Preamble
1479	Côte d'Ivoire	May 13, 2003	No	Body
1483	Iraq	May 22, 2003	Yes	Preamble
1493	D.R.C.	July 28, 2003	Yes	Body
1496	Lebanon	July 31, 2003	No	Preamble
1509	Liberia	Sept. 19, 2003	Yes	Body
1525	Lebanon/Middle East	Jan. 30, 2004	No	Preamble
1528	Côte d'Ivoire	Feb. 27, 2004	Yes	Preamble
1539 (TIPS)	Children	Apr. 22, 2004	No	Preamble
1542	Haiti	Apr. 30, 2004	Yes	Preamble
1545	Burundi	May 31, 2004	Yes	Preamble
1553	Lebanon	July 29, 2004	No	Preamble
1556	Sudan	July 30, 2004	Yes	Preamble
1565	DRC	Oct. 1, 2004	Yes	Preamble
1583	Lebanon	Jan. 28, 2005	No	Preamble
1590	Report of the S-G on Sudan	Mar. 24, 2005	No	Preamble and Body
1591	Report of the S-G on Sudan	Mar. 29, 2005	Yes	Preamble
1603	Côte d'Ivoire	June 3, 2005	Yes	Preamble
1608	Haiti	June 22, 2005	Yes	Preamble
1614	Lebanon	July 29, 2005	No	Preamble
1655	Middle East	Jan. 31, 2006	No	Preamble
1679	Report of the S-G on Sudan	May 16, 2006	Yes	Preamble
1702	Haiti	Aug. 15, 2006	Yes	Preamble
1704	Timor-Leste	Aug. 25, 2006	No	Preamble
1706	Report of the S-G on Sudan	Aug. 31, 2006	Yes	Preamble
1719	Burundi	Oct. 25, 2006	No	Body
1721	Côte d'Ivoire	Nov. 1, 2006	Yes	Body
1734	Sierra Leone	Dec. 22, 2006	No	Body
1739	Côte d'Ivoire	Jan. 10, 2007	Yes	Body

Res. No.	Subject	Date	Chap. VII Invoked?	1325 Invoked in Body or Preamble?
1743	Haiti	Feb. 15, 2007	Yes	Body
1745	Timor-Leste	Feb. 22, 2007	No	Preamble and Body
1746	Afghanistan	Mar. 23, 2007	No	Preamble
1755	Report of the S-G on Sudan	Apr. 30, 2007	No	Preamble
1756	D.R.C.	Nov. 1, 2006	Yes	Body
1765	Côte d'Ivoire	July 16, 2007	Yes	Preamble
1769	Report of the S-G on Sudan	July 31, 2007	Yes	Preamble
1772	Somalia	Aug. 20, 2007	Yes	Body
1776	Afghanistan	Sept. 19, 2007	Yes	Preamble
1778	Chad	Sept. 25, 2007	Yes	Preamble
1780	Haiti	Oct. 15, 2007	Yes	Body
1782	Côte d'Ivoire	Oct. 29, 2007	Yes	Preamble

TABLE 8

Security Council Resolutions Mentioning Women, Girls, or Gender but not 1325, Jan. 2004-Feb. 2006			
Res. No.	Subject	Date	Language Regarding Women
1536	Afghanistan	Mar. 26, 2004	"including women in electoral process . . . women's human rights"
1546	Iraq	June 8, 2004	"rights of women"
1547	Sudan (S-G's Report)	June 11, 2004	"consequences of conflict for women"
1574	Sudan (S-G's Report)	Nov. 19, 2004	"role of women in reconciliation and peacebuilding"
1589	Afghanistan	Mar. 24, 2005	"women . . . human rights"
1592*	D.R.C.	Mar. 30, 2005	"security of vulnerable civilians especially women"
1602	Burundi	May 31, 2005	"participation"
1609*	Côte D'Ivoire	June 24, 2005	"needs of women"
1620*	Sierra Leone	Aug. 31, 2005	"protection, well-being of women, youth . . ."
1625	Security Summit (Heads of State)	Sept. 14, 2005	"gender equality . . . women in conflict prevention . . . women's groups"
1645	Post-Conflict Peacebuilding	Dec. 20, 2005	"women and decision making"
1653	Great Lakes Reg.	Jan. 27, 2006	"respect for women's rights"
1662	Afghanistan	Mar. 23, 2006	"their human rights"
1740	Letter on Nepal	Jan. 23, 2007	"needs of women . . . in the peace process"
1750	Liberia	Mar. 30, 2007	"rights of women . . . combat sexual exploitation and abuse"
1777	Liberia	Sept. 20, 2007	"rights of women . . . combat gender-based violence, sexual exploitation and abuse"

* Resolution reflects view of women as recipients of protection, but not as active participants in processes of conflict resolution or prevention.

TABLE 9

Women's Political Participation By Country Women in Government at Ministerial Level (% of total) ²⁷⁷					
	1996	1999	2000	2005	% net gain or loss 1996-2005
Permanent Security Council Members					
China	6.1	5.1	5.1	6.3	0.2
France	14.7	37.9	37.9	17.6	2.9
United Kingdom	8.3	33.3	33.3	28.6	20.3
United States	14.3	31.8	31.8	14.3	0.0
Russian Federation	2.4	...	...	0.0	-2.4
SC Members Upon Adoption in 2000					
Canada	18.5	24.3	24.3	23.1	4.6
Malaysia	6.1	...	...	9.1	3.0
Namibia	8.7	16.3	16.3	19.0	10.3
SC Member for part of 2000-2005 period					
Colombia	12.5	47.4	47.4	35.7	23.2
Mexico	15.8	11.1	11.1	9.4	-6.4
Syrian Arab Republic	6.8	11.1	11.1	6.3	-0.5
GA Member only, not SC 2000-2005					
Egypt	3.1	6.1	6.1	5.9	2.8
Ghana	10.3	8.6	8.6	11.8	1.5
Pakistan	4.0	...	...	5.6	1.6
Sierra Leone	3.8	8.1	8.1	13.0	9.2
Vietnam	7.0		...	11.5	4.5
Average percentage change (all countries) from 1996-2005:					4.7

277. UNDP, HUMAN DEVELOPMENT REPORT 1998: CONSUMPTION FOR HUMAN DEVELOPMENT 238-41 (1998), available at http://78.136.31.142/en/media/hdr_1998_back2.pdf; UNDP, HUMAN DEVELOPMENT REPORT 2001: MAKING NEW TECHNOLOGIES WORK FOR HUMAN DEVELOPMENT 226-29 (2001), available at <http://78.136.31.142/en/media/back.pdf> [hereinafter HUMAN DEVELOPMENT REPORT 2001]; UNDP, HUMAN DEVELOPMENT REPORT 2002: DEEPENING DEMOCRACY IN A FRAGMENTED WORLD 239-42 (2002), available at <http://78.136.31.142/en/media/complete.pdf>; UNDP, HUMAN DEVELOPMENT REPORT 2005: INTERNATIONAL COOPERATION AT A CROSSROADS 316-19 (2005), available at http://78.136.31.142/en/media/hdr05_hdi1.pdf [hereinafter HUMAN DEVELOPMENT REPORT 2005].

TABLE 10

Women's Political Participation By Country			
Seats in Parliament Held by Women—Lower House or Single House (% of total)²⁷⁸			
Permanent Security Council Members	1990	2005	Total Change
China	21	20	-1
France	7	12	5
United Kingdom	6	18	12
United States	7	15	8
Russian Federation	...	10	10
Subtotal			7
SC Members Upon Adoption in 2000			
Canada	13	21	8
Malaysia	5	9	4
Namibia	7	25	18
Subtotal			10
SC Member for part of 2000-2005			
Colombia	5	12	7
Mexico	12	24	12
Syrian Arab Republic	9	12	3
Subtotal			7
GA Member only, not SC 2000-2005			
Egypt	4	3	-1
Ghana	...	11	11
Pakistan	10	21	11
Sierra Leone	...	15	15
Vietnam	18	27	9
Subtotal			9
Total			9

278. HUMAN DEVELOPMENT REPORT 2005, *supra* note 277, at 316-19.

TABLE 10 (CONT'D)

Women's Political Participation By Country				
Seats in Parliament Held by Women—Upper House or Senate (% of total)²⁷⁹				
Permanent Security Council Members	2001	2004	2005	% Increase Over Time
China	...	...	...
France	6	11	17	
United Kingdom	16	17	18	
United States	13	13	14	
Russian Federation	1	3	3	
Subtotal	9		13	4
SC Members at 1325 Adoption in 2000				
Canada	32	32	37	
Malaysia	26	37	26	
Namibia	8	8	27	
Subtotal	22		30	8
SC Member for Part of 2000-2005				
Colombia	13	9	9	
Mexico	16	16	22	
Syrian Arab Republic	...	...	...
Subtotal	14		15	1
GA Member Only, Not SC 2000-2005				
Egypt	...	6	7	
Ghana	...	...	...
Pakistan	...	18	18	
Sierra Leone	...	...	...
Vietnam	...	...	...
Subtotal	...		...	...
Total (for applicable groups)	15		18	3

279. HUMAN DEVELOPMENT REPORT 2001, *supra* note 277, at 226-29; UNDP, HUMAN DEVELOPMENT REPORT 2004: CULTURAL LIBERTY IN TODAY'S DIVERSE WORLD 234-37 (2004), available at http://78.136.31.142/en/media/hdr04_hdi1.pdf; HUMAN DEVELOPMENT REPORT 2005, *supra* note 277, at 316-19.

TABLE 11
Select Developments Related to the Security Council's Adoption of the Children in Armed Conflict TIPS Resolutions

Date	Development
1989	The Convention on the Rights of the Child affirms that children have rights and that states are obligated to protect those rights. Under Article 38 of the CRC, states are required to take all "feasible measures to ensure protection and care of children who are affected by an armed conflict."
1990	The African Charter on Rights and Welfare of the Child requires states to take all measures to ensure that no child under the age of 18 shall take direct part in hostilities.
1993	The General Assembly adopts resolution calling for the appointment of an Independent Expert on Children in Armed Conflict.
1995	The Independent Expert on Children in Armed Conflict publishes her report on Children in Armed Conflict.
1996	The Organization for African Unity adopts a resolution on the Plight of African Children in the Situation of Armed Conflicts.
1997	Special Representative of the Secretary-General for Children and Armed Conflict appointed pursuant to GA Res. 51/77.
1997	The Cape Town Principles and Best Practice on the Prevention of Recruitment of Children into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa are adopted under the auspices of UNICEF and the NGO Working Group on the Convention on the Rights of the Child. The Cape Town Principles recommend actions for affected governments and communities to help eradicate child soldier practices.
1998	The European Parliament adopts a Resolution on Child Soldiers.
1998	The Rome Statute of the International Criminal Court criminalizes recruitment or use of child soldiers under fifteen to participate actively in hostilities.
1998	Security Council presidential statement S/PRST/1998/18 condemns the targeting of children in armed conflict and expresses the Security Council's intention to pay serious attention to the issue of children affected by armed conflict.
1999	Security Council issues presidential statement S/PRST/1999/6 regarding the protection of civilians in armed conflict, which includes specific attention to the needs of children and child soldiers in armed conflict.
1999	Security Council issues presidential statement S/PRST/1999/21 regarding the maintenance of peace and security and post-conflict peacebuilding, which includes specific attention to the needs of children and child soldiers in armed conflict.
1999	The Nordic Foreign Ministers issue a Declaration Against the Use of Child Soldiers.
1999	The Berlin Declaration on the Use of Children as Soldiers is adopted.
1999	The Montevideo Declaration on the Use of Children as Soldiers is adopted.
1999	The Maputo Declaration on the Use of Children as Soldiers is adopted.
1999	<i>Security Council adopts S.C. Res. 1261 on children in armed conflict.</i>
1999	The International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour is issued.
2000	The Organization of American States adopts a Resolution on Children and Armed Conflict.
2000	The Optional Protocol to the CRC is adopted by the General Assembly. Article 4 of the Optional Protocol requires state parties to criminalize recruitment of children under 18 into non-state armed forces.

Select Developments Related to the Security Council's Adoption of the Children in Armed Conflict TIPS Resolutions	
2000	<i>Security Council adopts S.C. Res. 1314 on children in armed conflict.</i>
2001	The Amman Declaration on the Use of Children as Soldiers is adopted.
2001	<i>Security Council adopts S.C. Res. 1379 on children in armed conflict.</i>
2002	Statute for the Special Court for Sierra Leone criminalizes the recruitment of child soldiers under fifteen.
2002	Secretary-General submits report Nov. 26 (S/2002/1299) listing names of parties using child soldiers and calling for follow-up action.
2003	Security Council adopts S.C. Res. 1460 on children in armed conflict.
2003	The Secretary-General's Report on Children in Armed Conflict for 2003 (S/2003/1053) contains two lists of groups employing child soldiers, the first naming 32 parties in 6 different situations and the second naming 22 parties in 9 different situations.
2004	S.C. Res. 1539 on children in armed conflict calls for systematic monitoring of the use of child soldiers, calls upon parties named in Secretary-General's report to prepare action plans to halt recruitment and use of children, considers the Secretary-General's report of Nov. 10, 2003, and "strongly condemns" behavior of specified parties. The Security Council requests a follow-up report by Secretary-General.
2004	The General Assembly adopts the Resolution on the Rights of the Child, A/Res/59/261.
2005	<i>Security Council adopts S.C. Res. 1612 on children in armed conflict</i> after considering the Secretary-General's February 2005 report. The Council stresses that the resolution does not intend to make "any legal determination as to whether situations which are referred to in the Secretary-General's report are or are not armed conflicts;" "strongly condemns" recruitment of child soldiers; establishes monitoring and reporting mechanism as in ¶ 2 of S.C. Res. 1539; and establishes a Working Group on Children and Armed Conflict on the Security Council consisting of all members of the Council to review the reports of the mechanism. The Council indicates that the mechanism must operate with cooperation of all national governments and relevant UN and civil society actors; calls on the Secretary-General to implement without delay and "within existing resources" an independent review on implementation of mechanism; "expresses serious concern" about lack of progress of action plans from S.C. Res. 1539; considers imposing ban on export and supply of small arms; welcomes recent regional initiatives; and requests information on compliance by parties in ending recruitment or use of children in armed conflict in violation of applicable international law and on other violations committed against children affected by armed conflict.
2005	S/PRST/2005/8 addresses the monitoring and reporting mechanism and indicates that the Council is working on another resolution.
2005	The 2005 World Summit Outcome Document reaffirms respect for children's rights.
2006	S.C. Res. 1698 <i>renews and extends sanctions to the political and military leaders responsible for the recruitment both of children and of individuals who use children in armed conflict in D.R.C.</i>
2006	S/PRST2006/33 reiterates the Council's commitment to children and armed conflict issues.
2006	S/PRST2006/48 welcomes the progress of the Working Group on Children and Armed Conflict.
2006	The Chair of the Working Group on Children and Armed Conflict submits a letter (S/2006/724) transmitting its recommendations on the D.R.C. to the Security Council.
2007	The Working Group on Children and Armed Conflict issues its conclusions on children and armed conflict in Nepal (S/AC.51/2007/8).
2007	The Working Group on Children and Armed Conflict issues its conclusions on children and armed conflict in Sri Lanka (S/AC.51/2007/9).

* *Italics indicate Security Council Resolutions on Children in Armed Conflict.*

