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30th September 2014

A Chara,

Relatives for Justice welcome this opportunity to contribute to the consultation on the Irish Government's second Action Plan on UNSCR 1325.

Relatives for Justice is a victim support NGO working with persons bereaved and injured as a result of the recent conflict in Ireland. We work with persons affected by violations by all actors to the conflict and from all backgrounds in our community.

Relatives for Justice provide a wide range of support interventions including advocacy and advice provision and therapeutic programmes.

At this critical time of debate on dealing with the past it is of upmost importance that the Irish Government is actively engaged in these matters and that the interests of women affected by conflict are promoted.

Please find attached general commentary and recommendations.

If your committee would find it useful to meet to discuss these issues we would be very happy to facilitate such a meeting.

Is Mise le Meas

Andrée Murphy
Deputy Director



An tAontas Eorpach
Ciste Forbraíochta
Réigiúnaí na hEorpa
Ag infheistiú i do dhán

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And a Company Limited by Guarantee NI44611

Relatives for Justice
Submission to Irish government consultation on
UNSCR1325
2nd National Action Plan

September 2014

RFJ Mission Statement

To provide appropriate therapeutic and developmental based support for the bereaved and injured of the conflict within a safe environment.

To examine and develop transitional justice and truth recovery mechanisms assisting with individual healing, contributing to positive societal change, ensuring the effective promotion and protection of human rights, social justice, and reconciliation in the context of an emerging participative democracy post conflict.

Relatives for Justice provide services which categorise under these 5 titles:

- Family Advice
- Family Support
- Legal and Advocacy Work
- Complimentary Therapy
- Transitional Legacies

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Information can be found on <http://www.relativesforjustice.com>

Relatives for Justice believe UNSCR1325 should be fully implemented in the north of Ireland. Although Resolution 1325 was not adopted under Chapter 7 of the UN Charter, we believe Irelands National Action Plan should be action oriented in providing policy to ensure women are provided with the opportunity to participate in developing a long-standing, secure peace process in the north.

Pillar 4; Relief, recovery and rehabilitation of Irelands NAP is slowly developing. Relatives for Justice believe the National Action Plan should consider prioritising women victims and survivors of the conflict and incorporate a gender based approach to dealing with the past.

“Narratives by and about women are essential to understanding the impact of war on women and for developing tools to address the consequences of war. Attending to women’s narratives is essential if policy makers want to ensure effective implementation of 1325.”¹

Relatives for Justice believe a key strategic objective for the second National Action Plan is to engage with civil society organisations that assist victims and survivors of our conflict. It is women themselves who can effectively articulate the needs of women affected by trauma and stress and those women who can recount the priorities that enable the full implementation of 1325.

Women in the north are still experiencing a range of emotions related to the conflict; degradation, powerlessness, resentment, anger,

¹ Alice McIntyre, “Gendered Violence within the Context of Violence and War, (2014) 12.

disappointment, pessimism, anxiety and rage. This needs to be addressed within a gender framework and women need to be at the fore of a process that examines such matters.

Poverty of Victims and Survivors

A recent poverty study in the north of Ireland shows for those who had a close relative injured the deprivation rate is 38 per cent, if someone witnessed an assault, the deprivation rate is 43 per cent or if a close relative had spent time in prison, the deprivation rate is 45 per cent.

Professor Tomlinson said: "Experience of violent events in the past increased the chances of suffering from 'multiple deprivation' in the present. Research in many parts of the world has shown that violent conflicts can result in long term problems of poverty and deprivation. This is what has happened in Northern Ireland. The evidence is clear.

'Dealing with the past' needs to include tackling the deprivation of those whose lives are most blighted by the years of conflict."² This report did not examine the economic impact of violent conflict related bereavement. Relatives for Justice submit that the anecdotal evidence points to disproportionate dependency on benefits and bereavement pensions that this is multi-generational and that economic disadvantage of those violently bereaved by conflict has never been repaired.³

²Mike Tomlinson, "Poverty and Social Exclusion in N.Ireland, Legacies of Conflict", 2014, 28 Aug.2014 <http://www.qub.ac.uk/home/ceao/News/Title,458964,en.html>.

³ See Andrée Murphy 'Living with Poverty' <http://eamonnmallie.com/2014/09/living-poverty-andree-murphy/>

Within family units women hold multiple roles as carers and as wage earners, Relatives for Justice believe Ireland's National Action Plan should take into consideration women's economic security in the context of austerity measures and welfare cuts.

Women as "Victims and Survivors"

There is a belief amongst the women we deal with that they have become categorized; many do not like to be labelled a victim, with the inferred loss of agency and power that accompanies the term. However survivor equally infers that there are less support needs or that they have been met, which is often far from the case.

Within Relatives for Justice, the breakdown evidences women are key actors in the struggle for truth and justice. With 91% of those killed in our conflict being male the natural corollary is that women survived and were witness to violations. Whether through engagement with justice agencies, inquest systems, Historical Enquiries Team or the Police Ombudsman Office, women are required to be active participants in processes to which they have little influence while also managing their own and their family's trauma.

If Pillar 4 of 1325 is to mean anything in the lived lives of women who are bereaved and/or injured as a result of conflict it needs to be implemented in an holistic way. Relief, recovery and rehabilitation are crucial to the women's progression so they can participate in transitional justice or any mechanism that might be agreed to deal with the past.

To date no transitional justice mechanism either in place or proposed⁴ has applied any real form of gender lens to the matters under consideration.

Article 2 of the ECHR has taken centre stage, and the question of how to investigate conflict deaths is the primary focus of all talks. While this has happened for many understandable reasons, the harms and violations that women experienced during the conflict have not been examined and considered. It is well established that women experience conflict differently and that a different approach is required to ensure that women's experience of conflict is considered and redressed.

This is a significant gap in dealing with the past for our society and is also a disappointing approach from the parties and the governments in light of UNSCR 1325 and CEDAW Gen Rec 30.

The experience of women during our conflict, the violations they suffered and their needs post conflict can only be recovered by any process applying a gender lens to investigations and any framework that is built.

Equally individualised investigations into deaths will miss trends, and systemic patterns of violations.

⁴ Report of the Consultative Group on the Past January 2009
Proposed Agreement *'An Agreement Among The Parties Of The Northern Ireland Executive On Parades, Select Commemorations, And Related Protests; Flags And Emblems; And Contending With The Past'* 31 December 2013

A model of truth commission or thematic investigation is best placed to identify systemic violation of the kinds that women experienced during the conflict.⁵

Recommendation

Relatives for Justice urges the Irish Government Action Plan recommend that any proposals to deal with the past or on reparation for victims and survivors of conflict include cognisance of UNSCR1325 and CEDAW Gen Rec 30, and a robust gender framework, which includes thematic investigation, to ensure that violations against women are identified and their needs post conflict are met and that women are empowered and supported to participate in any process.

The recommendations of the Panel of Parties as published by Dr Richard Haass and Professor Megan O'Sullivan could be developed to ensure that thematic investigation and gender lens be applied to may investigative mechanism of the Historic Investigations Unit and the Legacy Unit.

⁵ Campbell and Connolly *'The Sharp End: Armed Opposition Movements, Transitional Truth Processes and the Rechtsstaat'* International Journal of Transitional Justice 2012 6:1

Process Is Key to Reparation

Providing a safe, non-judgemental environment is essential in tending to women's needs. Trust is a major factor due to the harms experienced by women in our conflict. These women need to be provided with a place of safety which begins with understanding the needs of all victims and survivors.

Due to gendered impact of the conflict, women need help both physically and emotionally. Trauma reacts in many ways and many of these women suffer from depression, panic attacks and nightmares, poor concentration and emotional outbursts; all conflict related problems.

Many victims of conflict use complementary therapies as treatment to work towards physical and emotional well-being. It relieves anxiety and insomnia and alleviates depression. Many women go on to participating in classes as the therapies can help improve self-confidence and self-awareness and create a space for a person to enjoy some much needed time out.

Throughout the conflict, there were no counselling services for these women. They feel whenever bad experiences happened there was no one there to say what path to take, who to talk to, where to go, what they could do. These women are still bereaved, they are still trying to cope. They feel if there was support for them throughout the conflict, they may not be as raw and would have begun the healing process a

long time ago. Due to these circumstances, counselling is a necessity for women.

There are still families that cannot deal with the experience of loss and trauma. Family support, they believe, should be for all families across the board *'because as a unit, we can listen to siblings and learn to teach our children and our grandchildren about our feelings and how to address them. For large families, there are people born after the conflict and yet they are living with others who did live through it so how to deal with that, we need help with that.'*

Gender budgeting within the government is essential to address such issues. Relatives for Justice believe the Irish government should meet the UN target of a minimum of 15 per cent of post conflict spending addressing women's recovery needs and empowerment. It is only when Pillar 4 is fully implemented, women become aware of it can they then be supported by it in transition.

Within Relatives for Justice, 67 per cent of its members are female. A recent study into the schemes in which our female members applied for via the memorial fund⁶ showed the largest applications were to avail of education/training, financial aid and back to school aid. Within this 15 per cent spending, priorities should include funding civil society organisations to empower women to avail of education and training,

⁶ Memorial Fund was an independent charity that operated eight schemes to support those who have suffered as a result of the conflict in the North of Ireland.

address the needs of women affected by conflict in terms of the mental health and well-being and provide therapeutic and developmental based support in a safe environment.

In April 2013 the Memorial Fund was replaced by the Victims and Survivors Service. The Service has been charged with funding victims and survivors groups as well as delivering individual packages of support. This Service has been marked by significant issues regarding its policy and operative practice.⁷ In particular the practice of individual therapeutic assessment for victims and survivors has found significant criticism.

From our experience of the Victims and Survivors Service, there is a demonstrable reduction in participation by women accessing individual support programmes. Assessments carried out by the Service are not gender sensitive and have resulted in women relying on group support and avoiding individual support packages as delivered by the Victims and Survivors Service.

The promotion of individualised therapy over community models of recovery also acted to ignore many women's chosen model of recovery which is community based, process driven and recovery focussed.⁸

Recommendation

Any reparations programme – whether statutory or community based - requires a gender sensitive approach to ensure equal participation of

⁷ See report by the Commission for Victims and Survivors at <[http://www.cvsni.org/images/policy-research/Quarterly%20Reports/VSS%20Review%20Report%20\(April-September%202013\).pdf](http://www.cvsni.org/images/policy-research/Quarterly%20Reports/VSS%20Review%20Report%20(April-September%202013).pdf)>

⁸ Judith Herman 'Trauma and Recovery' Basic Books 1992

women. An holistic approach, which values safety, trust and process, is needed to guarantee the needs of women are met.

Therapeutic programmes must be based on need, and reflect a community experience of trauma. Models of best international practice of post conflict trauma response should be promoted and resourced to ensure equal access to therapeutic programmes and effective recovery from conflict related trauma.

British Government 'Blindside' to the North of Ireland

It is of course a source of disappointment and frustration that the British Government continue to blindside their obligations to women post conflict in the North of Ireland as a result of their definition of the 30 years of conflict. This should not mean that women are left without representation or voice under the Resolution.

Recommendation

Relatives for Justice urges the Irish Government to articulate the needs of women who have survived the conflict in the North of Ireland and for a joint UNSCR1325 action plan to reflect the co-guarantor status of both governments to the peace agreement

In order to build the platform and demonstrate the value of such a co-operative approach it would be advantageous to develop the capacity of civil society organisations to develop a 'shadow' action plan. This would enhance women's access to the strategic thinking and operative management of action planning.

“When making women a priority, we make families and communities a priority also.”⁹

⁹ Alice McIntyre, “Gendered Violence within the Context of Violence and War, (2014) 16.