



Women in conflict prevention, conflict and post-conflict situations

Recommendations of the CEDAW-Committee

The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is ratified by almost all member States of the United Nations. The implementation of this Convention is monitored by the Committee on the Elimination of Discrimination against Women (the Committee). The States parties that have ratified the Convention are required to report every four years to this Committee about the state of the art of the implementation of the Convention in their countries.

The Committee publishes regularly so called General Recommendations (GR) in order to provide directions for States parties how to interpret the Convention on current issues. Also the Committee provides GR's for issues of concern that emerge from four-yearly reports from States parties.

In this factsheet some highlights of General Recommendation no 30 (2013) on women in armed conflict prevention, conflict and post-conflict situations are summarized.

Since 2000 the Security Council (SC) of the UN has adopted several resolutions on the issue of Women, Peace and Security: SC resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010) and 2106 (2013). By adopting these resolutions the SC recognizes the impact that armed conflicts have on women and girls in particular (f.i. sexual violence) and the necessity of women's equal participation and representation at all decision making levels, including negotiations, on the prevention, management and resolution of armed conflicts and the redevelopment in the post-conflict phase.

GR 30 deals with the application of the Convention to these SC resolutions. It covers several conflict situations, such as international and non-international armed conflicts, situations of (foreign) occupation, internal disturbances, civil and political strife, ethnic and communal violence, war against terrorism and organized crime - that result in serious violations of women's rights.

In several paragraphs of GR30 (i.a. 5, 10, 15, 17) the Committee reiterates that in conflict situations too States parties to the Convention are required to protect all women against violence and violations of their human rights, not only committed by state actors but also by non-state actors (private individuals, terrorists or armed groups).

The Committee emphasizes that women are not only victims or passive bystanders. Often they have a role as combatants, as part of organized civil society, human rights defenders, members of resistance movements and as active agents in peacebuilding and recovery processes.

State parties should be aware of dissimilarities among women when it comes to their status as citizens or “non-citizens”. The latter being refugees, asylum-seekers, internally displaced women and stateless women.

States parties are required to address the human rights and distinct needs of all women and girls, without regard to their status, descent or age.

Also States parties are repeatedly urged to involve non-governmental organizations and representatives of civil society, committed to the human rights of women, in all levels of decision making on the implementation of GR 30 in particular and the Convention and the SC agenda in general.

The Committee calls upon States parties to the Convention to implement the entire Security Council agenda on Women, Peace and Security:

Ensure that national action plans and strategies to implement Security Council resolution 1325 (2000) and subsequent resolutions are compliant with the Convention, and that adequate budgets are allocated for their implementation (GR 30 para 28a)

Moreover, the Committee urges States parties to include sufficient information in their four-yearly reports on the application of the Convention to conflict prevention, conflict and post-conflict situations.

Each recommendation of GR 30 is linked to one or more articles of the Convention, concerning issues like trafficking (art. 6), political and public participation (arts 7-8), nationality and statelessness (arts. 1-3 and 9) and access to justice (arts. 1-3, 5 (a) and 15). Para 65 of GR 30 elaborates on articles 15 and 16 of the Convention – Marriage and Family relations. States parties are thus recommended to:

Prevent, investigate and punish gender-based violations such as forced marriages, pregnancies, abortions or sterilization of women and girls in conflict-affected areas;

Adopt gender-sensitive legislation and policies that recognize the particular disadvantages that women face in claiming their right to inheritance and their land in post-conflict contexts, including the loss or destruction of land, deeds and other documentation owing to conflict.

In this way States parties are given guidance how to accomplish a “merger” of the SC resolutions with the Convention on the Elimination of All Forms of Discrimination against Women.

References

www.ohchr.org/EN/HRBodies/CEDAW/Pages/CEDAWIndex.aspx

www.ohchr.org/EN/HRBodies/CEDAW/Pages/Recommendations.aspx

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