



# Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General  
1 November 2013

Original: English

---

## Committee on the Elimination of Discrimination against Women

### General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations

#### Contents

	<i>Page</i>
I. Introduction . . . . .	2
II. Scope of the general recommendation . . . . .	2
III. Application of the Convention to conflict prevention, conflict and post-conflict situations . . . . .	3
A. Territorial and extraterritorial application of the Convention . . . . .	3
B. Application of the Convention to State and non-State actors . . . . .	4
C. Complementarity of the Convention and international humanitarian, refugee and criminal law . . . . .	6
D. Convention and the Security Council agenda on women, peace and security . . . . .	7
IV. Convention and conflict prevention, conflict and post-conflict situations . . . . .	8
A. Women and conflict prevention . . . . .	8
B. Women in conflict and post-conflict contexts . . . . .	9
V. Conclusion . . . . .	23
A. Monitoring and reporting . . . . .	23
B. Treaty ratification or accession . . . . .	24



## I. Introduction

1. The Committee on the Elimination of Discrimination against Women decided at its forty-seventh session, in 2010, pursuant to article 21 of the Convention on the Elimination of All Forms of Discrimination against Women, to adopt a general recommendation on women in conflict prevention, conflict and post-conflict situations. The primary aim and purpose of the general recommendation is to provide authoritative guidance to States parties on legislative, policy and other appropriate measures to ensure full compliance with their obligations under the Convention to protect, respect and fulfil women's human rights. It also builds upon principles articulated in previously adopted general recommendations.

2. Protecting women's human rights at all times, advancing substantive gender equality before, during and after conflict and ensuring that women's diverse experiences are fully integrated into all peacebuilding, peacemaking and reconstruction processes are important objectives of the Convention. The Committee reiterates that States parties' obligations continue to apply during conflict or states of emergency without discrimination between citizens and non-citizens within their territory or effective control, even if not situated within the territory of the State party. The Committee has repeatedly expressed concern about the gendered impacts of conflict and women's exclusion from conflict prevention efforts, post-conflict transition and reconstruction processes and the fact that reports of States parties do not provide sufficient information on the application of the Convention in such situations.

3. The general recommendation specifically guides States parties on the implementation of their obligation of due diligence in respect of acts of private individuals or entities that impair the rights enshrined in the Convention, and makes suggestions as to how non-State actors can address women's rights in conflict-affected areas.

## II. Scope of the general recommendation

4. The general recommendation covers the application of the Convention to conflict prevention, international and non-international armed conflicts, situations of foreign occupation and other forms of occupation and the post-conflict phase. In addition, the recommendation covers other situations of concern, such as internal disturbances, protracted and low-intensity civil strife, political strife, ethnic and communal violence, states of emergency and suppression of mass uprisings, war against terrorism and organized crime, which may not necessarily be classified as armed conflict under international humanitarian law and which result in serious violations of women's rights and are of particular concern to the Committee. For the purpose of the present general recommendation, the phases of conflict and post-conflict have at times been divided, given that they can encompass different challenges and opportunities with regard to addressing the human rights of women and girls. The Committee notes, however, that the transition from conflict to post-conflict is often not linear and can involve cessations of conflict and then slippages back into conflict, a cycle that can continue for long periods.

5. Such situations are closely linked to crises of internal displacement, statelessness and the struggle of refugee populations with repatriation processes. In

that respect, the Committee reiterates its observation in general recommendation No. 28 that States parties continue to be responsible for all their actions affecting the human rights of citizens and non-citizens, internally displaced persons, refugees, asylum seekers and stateless persons, within their territory or effective control, even if not situated within their territory.

6. Women are not a homogenous group and their experiences of conflict and specific needs in post-conflict contexts are diverse. Women are not passive bystanders or only victims or targets. They have historically had and continue to have a role as combatants, as part of organized civil society, as human rights defenders, as members of resistance movements and as active agents in both formal and informal peacebuilding and recovery processes. States parties must address all aspects of their obligations under the Convention to eliminate discrimination against women.

7. Discrimination against women is also compounded by intersecting forms of discrimination, as noted in general recommendation No. 28. Given that the Convention reflects a life-cycle approach, States parties are also required to address the rights and distinct needs of conflict-affected girls that arise from gender-based discrimination.

### **III. Application of the Convention to conflict prevention, conflict and post-conflict situations**

#### **A. Territorial and extraterritorial application of the Convention**

8. The Committee reiterates general recommendation No. 28 to the effect that the obligations of States parties also apply extraterritorially to persons within their effective control, even if not situated within their territory, and that States parties are responsible for all their actions affecting human rights, regardless of whether the affected persons are in their territory.

9. In conflict and post-conflict situations, States parties are bound to apply the Convention and other international human rights and humanitarian law when they exercise territorial or extraterritorial jurisdiction, whether individually, for example, in unilateral military action, or as members of international or intergovernmental organizations or coalitions, for example, as part of an international peacekeeping force. The Convention applies to a wide range of situations, including wherever a State exercises jurisdiction, such as occupation and other forms of administration of foreign territory, for example, United Nations administration of territory; to national contingents that form part of an international peacekeeping or peace-enforcement operation; to persons detained by agents of a State, such as the military or mercenaries, outside its territory; to lawful or unlawful military actions in another State; to bilateral or multilateral donor assistance for conflict prevention and humanitarian aid, mitigation or post-conflict reconstruction; in involvement as third parties in peace or negotiation processes; and in the formation of trade agreements with conflict-affected countries.

10. The Convention also requires States parties to regulate the activities of domestic non-State actors within their effective control who operate extraterritorially. The Committee reaffirmed in its general recommendation No. 28 the requirement in article 2 (e) of the Convention to eliminate discrimination by any

public or private actor, which extends to acts of national corporations operating extraterritorially. That would include cases in which the activities of national corporations in conflict-affected areas lead to women's rights abuses and cases that call for the establishment of accountability and oversight mechanisms for private security and other contractors operating in conflict zones.

11. There may be cases in which States parties also have extraterritorial obligations of international cooperation, as set out in international law, such as treaty law on women with disabilities (art. 32 of the Convention on the Rights of Persons with Disabilities), girls in armed conflict (art. 24 (4) of the Convention on the Rights of the Child and the first two optional protocols thereto) and the non-discriminatory enjoyment of economic, social and cultural rights (arts. 2 (1), 11 (1), 22 and 23 of the International Covenant on Economic, Social and Cultural Rights). In such cases, the extraterritorial application of the Convention requires States to comply with the Convention in implementing those obligations.

12. The Committee recommends that State parties:

(a) Apply the Convention and other international human rights instruments and humanitarian law comprehensively in the exercise of territorial or extraterritorial jurisdiction, whether acting individually or as members of international or intergovernmental organizations or coalitions;

(b) Regulate the activities of all domestic non-State actors within their effective control who operate extraterritorially, and ensure full respect of the Convention by them;

(c) Respect, protect and fulfil the rights guaranteed by the Convention, which applies extraterritorially, as occupying Power in situations of foreign occupation.

## **B. Application of the Convention to State and non-State actors**

13. Women's rights in conflict prevention, conflict and post-conflict processes are affected by various actors, including States acting individually (for example, as the State within whose borders the conflict arises, neighbouring States involved in the regional dimensions of the conflict or States involved in unilateral cross-border military manoeuvres), States acting as members of international or intergovernmental organizations (for example, by contributing to international peacekeeping forces or as donors giving money through international financial institutions to support peace processes) and coalitions and non-State actors, such as armed groups, paramilitaries, corporations, private military contractors, organized criminal groups and vigilantes. In conflict and post-conflict contexts, State institutions are often weakened or certain government functions may be performed by other Governments, intergovernmental organizations or even non-State groups. The Committee stresses that, in such cases, there may be simultaneous and complementary sets of obligations under the Convention for a range of involved actors.

14. State responsibility under the Convention also arises if a non-State actor's acts or omission may be attributed to the State under international law. When a State party is acting as a member of an international organization in conflict prevention, conflict or post-conflict processes, the State party remains responsible for its obligations under the Convention within its territory and extraterritorially and also

has a responsibility to adopt measures to ensure that the policies and decisions of those organizations conform to its obligations under the Convention.

15. The Committee has also repeatedly stressed that the Convention requires States parties to regulate non-State actors under the duty to protect, such that States must exercise due diligence to prevent, investigate, punish and ensure redress for the acts of private individuals or entities that impair the rights enshrined in the Convention. In its general recommendations Nos. 19 and 28, the Committee has outlined due diligence obligations in protecting women from violence and discrimination, emphasizing that, alongside constitutional and legislative measures, States parties must also provide adequate administrative and financial support for the implementation of the Convention.

16. In addition to requiring States parties to regulate non-State actors, international humanitarian law contains relevant obligations that bind non-State actors, as parties to an armed conflict (for example, insurgents and rebel groups) such as in common article 3 of the Geneva Conventions of 1949 and the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts. Under international human rights law, although non-State actors cannot become parties to the Convention, the Committee notes that, under certain circumstances, in particular where an armed group with an identifiable political structure exercises significant control over territory and population, non-State actors are obliged to respect international human rights. The Committee emphasizes that gross violations of human rights and serious violations of humanitarian law could entail individual criminal responsibility, including for members and leaders of non-State armed groups and private military contractors.

17. The Committee recommends that States parties:

(a) Ensure redress for the acts of private individuals or entities, as part of their due diligence obligation;

(b) Reject all forms of rollbacks in women's rights protections in order to appease non-State actors such as terrorists, private individuals or armed groups;

(c) Engage with non-State actors to prevent human rights abuses relating to their activities in conflict-affected areas, in particular all forms of gender-based violence; adequately assist national corporations in assessing and addressing the heightened risks of abuses of women's rights; and establish an effective accountability mechanism;

(d) Use gender-sensitive practices (for example, use of female police officers) in the investigation of violations during and after conflict to ensure that violations by State and non-State actors are identified and addressed.

18. The Committee also urges non-State actors such as armed groups:

(a) To respect women's rights in conflict and post-conflict situations, in line with the Convention;

(b) To commit themselves to abiding by codes of conduct on human rights and the prohibition of all forms of gender-based violence.

### **C. Complementarity of the Convention and international humanitarian, refugee and criminal law**

19. In all crisis situations, whether non-international or international armed conflict, public emergencies, foreign occupation or other situations of concern such as political strife, women's rights are guaranteed by an international law regime that consists of complementary protections under the Convention and international humanitarian, refugee and criminal law.

20. In situations that meet the threshold definition of non-international or international armed conflict, the Convention and international humanitarian law apply concurrently and their different protections are complementary, not mutually exclusive. Under international humanitarian law, women affected by armed conflicts are entitled to general protections that apply to both women and men and to some limited specific protections, primarily protection against rape, forced prostitution and any other form of indecent assault; priority in the distribution of relief consignments to expectant mothers, maternity cases and nursing mothers in international armed conflict; detention in separate quarters from men and under the immediate supervision of women; and protection from the death penalty for pregnant women or mothers of dependent or young children.

21. International humanitarian law also imposes obligations upon occupying Powers that apply concurrently with the Convention and other international human rights law. International humanitarian law also prohibits a State from transferring part of its own civilian population into the territory that it occupies. Under international humanitarian law, women under occupation are entitled to general protections and the following specific protections: protection against rape, forced prostitution or any other form of indecent assault; free passage of consignments of essential clothing intended for expectant mothers and maternity cases; safety or neutralized zones that may be established to shield the civilian population, including in particular expectant mothers and mothers of children under 7 years of age; and detention in separate quarters from men and under the immediate supervision of women. Women civilian internees must receive sanitary conveniences and be searched by women.

22. The provisions of the Convention prohibiting discrimination against women reinforce and complement the international legal protection regime for refugees and displaced and stateless women and girls in many settings, especially because explicit gender equality provisions are absent from relevant international agreements, notably the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

23. Under the Convention, States parties' obligations to prevent, investigate and punish trafficking and sexual and gender-based violence are reinforced by international criminal law, including jurisprudence of the international and mixed criminal tribunals and the Rome Statute of the International Criminal Court, pursuant to which enslavement in the course of trafficking in women and girls, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization or any other form of sexual violence of comparable gravity may constitute a war crime, a crime against humanity or an act of torture, or constitute an act of genocide. International criminal law, including the definitions of gender-based violence, in particular sexual violence, must also be interpreted consistently with the Convention

and other internationally recognized human rights instruments without adverse distinction as to gender.

24. The Committee recommends that State parties, when implementing their obligations under the Convention, give due consideration to the complementary protections for women and girls stemming from international humanitarian, refugee and criminal law.

#### **D. Convention and the Security Council agenda on women, peace and security**

25. The Committee recognizes that the various thematic resolutions of the Security Council, in particular [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#), [1889 \(2009\)](#), [1960 \(2010\)](#), [2106 \(2013\)](#) and [2122 \(2013\)](#), in addition to resolutions such as [1983 \(2011\)](#), which provides specific guidance on the impact of HIV and AIDS on women in conflict and post-conflict contexts, are crucial political frameworks for advancing advocacy regarding women, peace and security.

26. Given that all the areas of concern addressed in those resolutions find expression in the substantive provisions of the Convention, their implementation must be premised on a model of substantive equality and cover all the rights enshrined in the Convention. The Committee reiterates the need for a concerted and integrated approach that places the implementation of the Security Council agenda on women, peace and security into the broader framework of the implementation of the Convention and its Optional Protocol.

27. The Convention contains a reporting procedure, under article 18, by which States parties are required to report on measures that they have adopted to implement the provisions of the Convention, including in conflict prevention, conflict and post-conflict situations. The inclusion in the reporting procedure of information on the implementation of Security Council commitments can make it possible to consolidate the Convention and the agenda of the Council and therefore broaden, strengthen and operationalize gender equality.

28. The Committee recommends that States parties:

(a) 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;

(b) Ensure that the implementation of Security Council commitments reflects a model of substantive equality and takes into account the impact of conflict and post-conflict contexts on all the rights enshrined in the Convention, in addition to those violations concerning conflict-related gender-based violence, including sexual violence;

(c) Cooperate with all United Nations networks, departments, agencies, funds and programmes in relation to the full spectrum of conflict processes, including conflict prevention, conflict, conflict resolution and post-conflict reconstruction, to give effect to the provisions of the Convention;

(d) Enhance collaboration with civil society and non-governmental organizations working on the implementation of the Security Council agenda on women, peace and security.

## **IV. Convention and conflict prevention, conflict and post-conflict situations**

### **A. Women and conflict prevention**

29. States parties to the Convention are required to focus on the prevention of conflict and all forms of violence. Such conflict prevention includes effective early warning systems to collect and analyse open-source information, preventive diplomacy and mediation, and prevention efforts that tackle the root causes of conflict. It also includes robust and effective regulation of the arms trade, in addition to appropriate control over the circulation of existing and often illicit conventional arms, including small arms, to prevent their use to commit or facilitate serious acts of gender-based violence. There is a correlation between the increased prevalence of gender-based violence and discrimination and the outbreak of conflict. For example, rapid increases in the prevalence of sexual violence can serve as an early warning of conflict. Accordingly, efforts to eliminate gender-based violations also contribute in the long term to preventing conflict, its escalation and the recurrence of violence in the post-conflict phase.

30. The importance of conflict prevention for women's rights notwithstanding, conflict prevention efforts often exclude women's experiences as not relevant for predicting conflict, and women's participation in conflict prevention is low. The Committee has previously noted the low participation of women in institutions working on preventive diplomacy and on global issues such as military expenditure and nuclear disarmament. In addition to falling short of the Convention, such gender-blind conflict prevention measures cannot adequately predict and prevent conflict. It is only by including female stakeholders and using a gendered analysis of conflict that States parties can design appropriate responses.

31. The Convention requires that prevention policies be non-discriminatory and that efforts to prevent or mitigate conflict neither voluntarily or inadvertently harm women nor create or reinforce gender inequality. Interventions by centralized Governments or third-party States in local peace processes should respect rather than undermine women's leadership and peacekeeping roles at the local level.

32. The Committee has previously noted that the proliferation of conventional arms, especially small arms, including diverted arms from the legal trade, can have a direct or indirect effect on women as victims of conflict-related gender-based violence, as victims of domestic violence and also as protesters or actors in resistance movements.

33. The Committee recommends that States parties:

(a) Reinforce and support women's formal and informal conflict prevention efforts;

(b) Ensure women's equal participation in national, regional and international organizations, as well as in informal, local or community-based processes charged with preventive diplomacy;

(c) Establish early warning systems and adopt gender-specific security measures to prevent the escalation of gender-based violence and other violations of women's rights;

(d) Include gender-related indicators and benchmarks in the results management framework of such early warning systems;

(e) Address the gendered impact of international transfers of arms, especially small and illicit arms, including through the ratification and implementation of the Arms Trade Treaty.

## **B. Women in conflict and post-conflict contexts**

### **1. Gender-based violence (arts. 1-3 and 5 (a))**

34. Violence against women and girls is a form of discrimination prohibited by the Convention and is a violation of human rights. Conflicts exacerbate existing gender inequalities, placing women at a heightened risk of various forms of gender-based violence by both State and non-State actors. Conflict-related violence happens everywhere, such as in homes, detention facilities and camps for internally displaced women and refugees; it happens at any time, for instance, while performing daily activities such as collecting water and firewood or going to school or work. There are multiple perpetrators of conflict-related gender-based violence. These may include members of government armed forces, paramilitary groups, non-State armed groups, peacekeeping personnel and civilians. Irrespective of the character of the armed conflict, its duration or the actors involved, women and girls are increasingly deliberately targeted for and subjected to various forms of violence and abuse, ranging from arbitrary killings, torture and mutilation, sexual violence, forced marriage, forced prostitution and forced impregnation to forced termination of pregnancy and sterilization.

35. It is indisputable that, while all civilians are adversely affected by armed conflict, women and girls are primarily and increasingly targeted by the use of sexual violence, “including as a tactic of war to humiliate, dominate, instil fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group”, and that this form of sexual violence persists even after the cessation of hostilities (see Security Council resolution [1820 \(2008\)](#)). For most women in post-conflict environments, the violence does not stop with the official ceasefire or the signing of the peace agreement and often increases in the post-conflict setting. The Committee acknowledges the many reports confirming that, while the forms and sites of violence change, which means that there may no longer be State-sponsored violence, all forms of gender-based violence, in particular sexual violence, escalate in the post-conflict setting. The failure to prevent, investigate and punish all forms of gender-based violence, in addition to other factors such as ineffective disarmament, demobilization and reintegration processes, can also lead to further violence against women in post-conflict periods.

36. During and after conflict, specific groups of women and girls are at particular risk of violence, especially sexual violence, such as internally displaced and refugee women; women’s human rights defenders; women of diverse caste, ethnic, national or religious identities, or other minorities, who are often attacked as symbolic representatives of their community; widows; and women with disabilities. Female combatants and women in the military are also vulnerable to sexual assault and harassment by State and non-State armed groups and resistance movements.

37. Gender-based violence also leads to multiple additional human rights violations, such as State or non-State attacks on women's rights defenders, which undermine women's equal and meaningful participation in political and public life. Conflict-related gender-based violence results in a vast range of physical and psychological consequences for women, such as injuries and disabilities, increased risk of HIV infection and risk of unwanted pregnancy resulting from sexual violence. There is a strong association between gender-based violence and HIV, including the deliberate transmission of HIV, used as a weapon of war, through rape.

38. The Committee recommends that States parties:

(a) Prohibit all forms of gender-based violence by State and non-State actors, including through legislation, policies and protocols;

(b) Prevent, investigate and punish all forms of gender-based violence, in particular sexual violence perpetrated by State and non-State actors, and implement a policy of zero tolerance;

(c) Ensure women's and girls' access to justice; adopt gender-sensitive investigative procedures to address gender-based violence, in particular sexual violence; conduct gender-sensitive training and adopt codes of conduct and protocols for the police and military, including peacekeepers; and build the capacity of the judiciary, including in the context of transitional justice mechanisms, to ensure its independence, impartiality and integrity;

(d) Collect data, and standardize data collection methods, on the incidence and prevalence of gender-based violence, in particular sexual violence, in different settings and with regard to different categories of women;

(e) Allocate adequate resources and adopt effective measures to ensure that victims of gender-based violence, in particular sexual violence, have access to comprehensive medical treatment, mental health care and psychosocial support;

(f) Develop and disseminate standard operating procedures and referral pathways to link security actors with service providers on gender-based violence, including one-stop shops offering medical, legal and psychosocial services for sexual violence survivors, multipurpose community centres that link immediate assistance to economic and social empowerment and reintegration, and mobile clinics;

(g) Invest in technical expertise and allocate resources to address the distinct needs of women and girls subject to violence, including the impact of sexual violence on their reproductive health;

(h) Ensure that national prevention and response measures include specific interventions on gender-based violence and HIV.

## **2. Trafficking (art. 6)**

39. Trafficking in women and girls, which constitutes gender-based discrimination, is exacerbated during and after conflict owing to the breakdown of political, economic and social structures, high levels of violence and increased militarism. Conflict and post-conflict situations can create particular war-related demand structures for women's sexual, economic and military exploitation. Conflict-affected regions can be areas of origin, transit and destination with regard

to trafficking in women and girls, with the forms of trafficking varying by region, specific economic and political context and State and non-State actors involved. Women and girls living in or returning from camps for internally displaced persons, refugees or those searching for livelihoods are particularly at risk of trafficking.

40. Trafficking may also occur when third-party countries seek to restrict migrant influxes out of conflict-affected areas through measures such as interdiction, expulsion or detention. Restrictive, sex-specific or discriminatory migration policies that limit opportunities for women and girls fleeing from conflict zones may heighten their vulnerability to exploitation and trafficking.

41. The Committee recommends that States parties:

(a) Prevent, prosecute and punish trafficking and related human rights violations that occur under their jurisdiction, whether perpetrated by public authorities or private actors, and adopt specific protection measures for women and girls, including those who are internally displaced or refugees;

(b) Adopt a policy of zero tolerance based on international human rights standards on trafficking and sexual exploitation and abuse, which addresses such groups as national troops, peacekeeping forces, border police, immigration officials and humanitarian actors, and provide those groups with gender-sensitive training on how to identify and protect vulnerable women and girls;

(c) Adopt a comprehensive gender-sensitive and rights-based migration policy that ensures that women and girls coming from conflict-affected areas are not subject to trafficking;

(d) Adopt bilateral or regional agreements and other forms of cooperation to protect the rights of trafficked women and girls and to facilitate the prosecution of perpetrators.

### **3. Participation (arts. 7-8)**

42. While women often take on leadership roles during conflict as heads of households, peacemakers, political leaders and combatants, the Committee has repeatedly expressed concern that their voices are silenced and marginalized in post-conflict and transition periods and recovery processes. The Committee reaffirms that the inclusion of a critical mass of women in international negotiations, peacekeeping activities and all levels of preventive diplomacy, mediation, humanitarian assistance, social reconciliation and peace negotiations at the national, regional and international levels, as well as in the criminal justice system, can make a difference. At the national level, women's equal, meaningful and effective participation in the various branches of government, their appointment to leadership positions in government sectors and their ability to participate as active members of civil society are prerequisites for creating a society with lasting democracy, peace and gender equality.

43. The immediate aftermath of conflict can provide a strategic opportunity for States parties to adopt legislative and policy measures to eliminate discrimination against women in the political and public life of the country and to ensure that women have equal opportunities to participate in the new, post-conflict structures of governance. In many cases, however, the promotion of gender equality and women's participation in decision-making processes is not seen as a priority at the official cessation of hostilities and may even be sidelined as incompatible with stabilization

goals. The full participation and involvement of women in formal peacemaking and post-conflict reconstruction and socioeconomic development are often not realized on account of deeply entrenched stereotypes, reflected in the traditionally male leadership of State and non-State groups, which exclude women from all aspects of decision-making, in addition to gender-based violence and other forms of discrimination against women.

44. The fulfilment of States parties' obligations to ensure women's equal representation in political and public life (art. 7) and at the international level (art. 8) requires measures, including temporary special measures under article 4 (1), to address this broader context of gender discrimination and inequality in conflict-affected areas, in addition to the specific and multiple barriers to women's equal participation that are linked to additional conflict-related restrictions on mobility, security, fundraising, campaigning and technical skills.

45. The implementation of these obligations applies in particular to States parties on whose territory hostilities have occurred, in addition to other States parties involved in peacemaking processes that are required to ensure that women are represented in their own institutions and to support local women's participation in peace processes. Their implementation, in conjunction with Security Council resolution [1325 \(2000\)](#) on women, peace and security, guarantees women's meaningful participation in processes relating to the prevention, management and resolution of conflicts.

46. The Committee recommends that States parties:

(a) Ensure that legislative, executive, administrative and other regulatory instruments do not restrict women's participation in the prevention, management and resolution of conflicts;

(b) Ensure women's equal representation at all decision-making levels in national institutions and mechanisms, including in the armed forces, police, justice institutions and the transitional justice mechanisms (judicial and non-judicial) dealing with crimes committed during the conflict;

(c) Ensure that women, civil society organizations focused on women's issues and representatives of civil society are included equally in all peace negotiations and post-conflict rebuilding and reconstruction efforts;

(d) Provide leadership training to women in order to ensure their effective participation in the post-conflict political processes.

47. The Committee recommends that third-party States participating in conflict-resolution processes either individually or as members of international or intergovernmental organizations and coalitions:

(a) Include women in negotiation and mediation activities as delegates, including at senior levels;

(b) Provide technical assistance on conflict-resolution processes to countries emerging from conflict so as to promote women's effective participation.

#### **4. Access to education, employment and health, and rural women (arts. 10-12 and 14)**

48. The total breakdown of State public and service provision infrastructure is one of the major and direct consequences of armed conflict, resulting in the lack of delivery of essential services to the population. In such situations, women and girls are at the front line of suffering, bearing the brunt of the socioeconomic dimensions of the conflict. In conflict-affected areas, schools are closed owing to insecurity, occupied by State and non-State armed groups or destroyed, all of which impede girls' access to school. Other factors preventing girls' access to education include targeted attacks and threats against them and their teachers by non-State actors, in addition to the additional caregiving and household responsibilities that they are obliged to assume.

49. Likewise, women are forced to look for alternative sources of livelihood as family survival comes to depend heavily on them. Even though during conflict women take on roles previously held by men in the formal employment sector, it is not uncommon in post-conflict settings for women to lose formal-sector jobs and return to the household or to the informal sector. In post-conflict settings, the generation of employment is a top priority for building a sustainable post-conflict economy; however, employment-generation initiatives in the formal sector tend to neglect women because they focus on economic opportunities for demobilized men. It is imperative that post-conflict reconstruction programmes value and support women's contributions in the informal and productive areas of the economy where most economic activity occurs.

50. In conflict-affected areas, access to essential services such as health care, including sexual and reproductive health services, is disrupted owing to inadequate infrastructure and a lack of professional medical care workers, basic medicines and health-care supplies. Consequently, women and girls are at a greater risk of unplanned pregnancy, severe sexual and reproductive injuries and contracting sexually transmitted infections, including HIV and AIDS, as a result of conflict-related sexual violence. The breakdown or destruction of health services, combined with restrictions on women's mobility and freedom of movement, further undermines women's equal access to health care, as guaranteed by article 12 (1). Power imbalances and harmful gender norms make girls and women disproportionately more vulnerable to HIV infection and these factors become more pronounced in conflict and post-conflict settings. HIV-related stigma and discrimination is also pervasive and has profound implications for HIV prevention, treatment, care and support, especially when combined with the stigma associated with gender-based violence.

51. Women in rural areas are often disproportionately affected by the lack of adequate health and social services and inequitable access to land and natural resources. Similarly, their situation in conflict settings presents particular challenges with regard to their employment and reintegration, given that it is often exacerbated by the breakdown of services, resulting in food insecurity, inadequate shelter, deprivation of property and lack of access to water. Widows, women with disabilities, older women, single women without family support and female-headed households are especially vulnerable to increased economic hardship owing to their disadvantaged situation, and often lack employment and means and opportunities for economic survival.

52. The Committee recommends that States parties:

(a) Develop programmes for conflict-affected girls who leave school early so that they can be reintegrated into schools or universities as soon as possible; engage in the prompt repair and reconstruction of school infrastructure; take measures to prevent the occurrence of attacks and threats against girls and their teachers; and ensure that perpetrators of such acts of violence are promptly investigated, prosecuted and punished;

(b) Ensure that economic recovery strategies promote gender equality as a necessary precondition for a sustainable post-conflict economy and target women working in both the formal and informal employment sectors; design specific interventions to leverage opportunities for women's economic empowerment, in particular for women in rural areas and other disadvantaged groups of women; ensure that women are involved in the design of those strategies and programmes and in their monitoring; and effectively address all barriers to women's equitable participation in those programmes;

(c) Ensure that sexual and reproductive health care includes access to sexual and reproductive health and rights information; psychosocial support; family planning services, including emergency contraception; maternal health services, including antenatal care, skilled delivery services, prevention of vertical transmission and emergency obstetric care; safe abortion services; post-abortion care; prevention and treatment of HIV/AIDS and other sexually transmitted infections, including post-exposure prophylaxis; and care to treat injuries such as fistula arising from sexual violence, complications of delivery or other reproductive health complications, among others;

(d) Ensure that women and girls, including those who may be particularly vulnerable to HIV, have access to basic health services and information, including HIV prevention, treatment, care and support;

(e) Coordinate all activities with stakeholders from the humanitarian and development communities to ensure a comprehensive approach that does not duplicate efforts in the fields of education, employment and health and reaches disadvantaged populations, including in remote and rural areas.

## **5. Displacement, refugees and asylum seekers (arts. 1-3 and 15)**

53. The Committee has previously noted that the Convention applies at every stage of the displacement cycle and that situations of forced displacement and statelessness often affect women differently from men and include gender-based discrimination and violence. Internal and external displacement have specific gender dimensions that occur at all stages in the displacement cycle; during flight, settlement and return within conflict-affected areas, women and girls are especially vulnerable to forced displacement. In addition, they are often subjected to gross human rights violations during flight and in the displacement phase, as well as within and outside camp settings, including risks relating to sexual violence, trafficking and the recruitment of girls into armed forces and rebel groups.

54. Displaced women live in precarious conditions in conflict and post-conflict environments owing to their unequal access to education, income generation and skills training activities; poor reproductive health care; their exclusion from decision-making processes, which is exacerbated by male-dominated leadership

structures; and poor layout and infrastructure, both in camp and non-camp settings. This situation of dire poverty and inequality can lead them to exchange sexual favours for money, shelter, food or other goods under circumstances that make them vulnerable to exploitation, violence and HIV infection and other sexually transmitted diseases.

55. Refugee women have different and additional needs to men owing to their experiences as refugees. Refugee women face similar assistance and protection concerns to internally displaced women and could therefore benefit from similar gender-sensitive interventions to address their needs. The Committee acknowledges the diversity within these groups, the particular challenges that they may face and the legal, social and other implications of the context of their internal or external displacement, the gaps in the international assistance provided to them and the need for responses targeted to their needs.

56. Searches for durable solutions following conflict-related displacement frequently exclude the perspective of displaced women, either because they rely on decision-making by a family member or community in which women's voices are marginalized or because durable solutions are set as part of post-conflict processes that exclude women. In addition, female asylum seekers from conflict-affected areas can face gendered barriers to asylum, given that their narrative may not fit the traditional patterns of persecution, which have been largely articulated from a male perspective.

57. The Committee recommends that States parties:

(a) Take the preventive measures necessary to ensure protection against forced displacement, in addition to the protection of the human rights of displaced women and girls, including access to basic services, during flight, displacement and in the context of durable solutions;

(b) Address the specific risks and particular needs of different groups of internally displaced and refugee women who are subjected to multiple and intersecting forms of discrimination, including women with disabilities, older women, girls, widows, women who head households, pregnant women, women living with HIV/AIDS, rural women, indigenous women, women belonging to ethnic, national, sexual or religious minorities, and women human rights defenders;

(c) Promote the meaningful inclusion and participation of internally displaced and refugee women in all decision-making processes, including in all aspects relating to the planning and implementation of assistance programmes and camp management, decisions relating to the choice of durable solutions and processes relating to post-conflict processes;

(d) Provide protection and assistance for internally displaced and refugee women and girls, including by safeguarding them from gender-based violence, including forced and child marriage; ensure their equal access to services and health care and full participation in the distribution of supplies, as well as in the development and implementation of assistance programmes that take into account their specific needs; provide protection against the displacement of indigenous, rural and minority women with special dependency on land; and ensure education and income-generation and skills training activities are available;

(e) Adopt practical measures for the protection and prevention of gender-based violence, in addition to mechanisms for accountability, in all displacement settings, whether in camps, settlements or out-of-camp settings;

(f) Investigate and prosecute all instances of gender-based discrimination and violence that occur in all phases of the conflict-related displacement cycle;

(g) Provide internally displaced and refugee women and girl victims of gender-based violence, including sexual violence, with free and immediate access to medical services, legal assistance and a safe environment; provide access to female health-care providers and services, such as reproductive health care and appropriate counselling; and ensure that military and civilian authorities present in displacement contexts have received appropriate training on protection challenges, human rights and the needs of displaced women;

(h) Ensure that immediate humanitarian assistance needs and protection requirements are complemented with long-term strategies in support of internally displaced and refugee women's socioeconomic rights and livelihood opportunities, enhanced leadership and participation in order to empower them to choose the durable solutions that suit their needs;

(i) Ensure that all situations of massive influxes of refugee and displaced populations, including women and girls, are adequately addressed and that protection and assistance needs are not impeded by a lack of clarity in the mandates of international agencies or resource constraints.

## **6. Nationality and statelessness (arts. 1-3 and 9)**

58. In addition to the heightened risks faced by internally displaced persons, refugees and asylum seekers, conflict can also be both a cause and a consequence of statelessness, rendering women and girls particularly vulnerable to various forms of abuse in both the private and public domains. Statelessness can arise when a woman's experience of conflict intersects with discrimination with regard to nationality rights, such as laws that require women to change nationality upon marriage or its dissolution or that deny them the ability to pass on their nationality.

59. Women may be left stateless when they cannot prove nationality because necessary documents such as identity documents and birth registration are either not issued or are lost or destroyed in conflict and are not reissued in their names. Statelessness may also result in situations in which women are denied the ability to pass on nationality to their children by gender-discriminatory nationality laws.

60. Stateless women and girls face heightened risks of abuse in times of conflict because they do not enjoy the protection that flows from citizenship, including consular assistance, and also because many are undocumented and/or belong to ethnic, religious or linguistic minority populations. Statelessness also results in the widespread denial of fundamental human rights and freedoms in post-conflict periods. For example, women may be denied access to health care, employment and other socioeconomic and cultural rights as Governments restrict services to nationals in times of increased resource constraints. Women deprived of a nationality are also often excluded from political processes and from participating in the new government and governance of their country, in violation of articles 7 and 8 of the Convention.

61. The Committee recommends that States parties:

(a) Ensure that measures to prevent statelessness are applied to all women and girls and address populations that are particularly susceptible to being rendered stateless by conflict, such as female internally displaced persons, refugees, asylum seekers and trafficked persons;

(b) Ensure that measures to protect stateless women and girls remain in place before, during and after conflict;

(c) Guarantee conflict-affected women and girls equal rights to obtain documents necessary for the exercise of their legal rights and the right to have such documentation issued in their own names, and ensure the prompt issuance or replacement of documents without imposing unreasonable conditions, such as requiring displaced women and girls to return to their area of original residence to obtain documents;

(d) Ensure individual documentation, including in post-conflict migration flows, of internally displaced women, refugee and asylum-seeking women and separated and unaccompanied girls, and ensure the timely and equal registration of all births, marriages and divorces.

## **7. Marriage and family relations (arts. 15-16)**

62. Inequalities in marriage and family relations affect women's experiences in conflict and post-conflict situations. In such situations, women and girls may be forced into marriage to placate armed groups or because their post-conflict poverty forces them to marry for financial security, affecting their rights to choose a spouse and enter freely into marriage, as guaranteed by article 16 (1)(a) and 16 (1)(b). During conflict, girls are particularly susceptible to forced marriage, a harmful practice that is increasingly used by armed groups. Families also force girls into marriage as a result of poverty and a misconception that it may protect them against rape.

63. Equal access to property, as guaranteed by article 16 (1)(h), is particularly critical in post-conflict situations, given that housing and land are crucial to recovery efforts, in particular for women in female-headed households, the number of whom tends to rise in crisis owing to family separation and widowhood. Women's limited and unequal access to property becomes particularly damaging in post-conflict situations, especially when displaced women who have lost husbands or close male relatives return to their homes to find that they have no legal title to their land and, as a result, no means of earning a livelihood.

64. Forced pregnancies, abortions or sterilization of women in conflict-affected areas violate myriad women's rights, including the right under article 16 (1)(e) to decide freely and responsibly on the number and spacing of their children.

65. The Committee reiterates its general recommendations Nos. 21 and 29 and further recommends that States parties:

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

(b) 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.

**8. Security sector reform and disarmament, demobilization and reintegration (arts. 1-3, 5 (a) and 7)**

66. Disarmament, demobilization and reintegration are part of the broader security sector reform framework and among the first security initiatives put in place in post-conflict and transition periods. This notwithstanding, disarmament, demobilization and reintegration programmes are rarely developed or implemented in coordination with security sector reform initiatives. This lack of coordination often undermines women's rights, such as when amnesties are granted in order to facilitate the reintegration into security sector positions of ex-combatants who have committed gender-based violations. Women are also excluded from positions within newly formed security sector institutions owing to a lack of planning and coordination in security sector reform and disarmament, demobilization and reintegration initiatives. Inadequate vetting processes further impede gender-sensitive security sector reform, which is key to developing non-discriminatory, gender-responsive security sector institutions that address the security needs of women and girls, including disadvantaged groups.

67. At the end of conflict, women face particular challenges as female ex-combatants and women and girls associated with armed groups as messengers, cooks, medics, caregivers, forced labourers and wives. Disarmament, demobilization and reintegration programmes, given the traditionally male structure of armed groups, often do not respond to the distinct needs of women and girls, fail to consult them and also exclude them. It is not uncommon for female ex-combatants to be excluded from disarmament, demobilization and reintegration lists. Such programmes also fail to recognize the status of girls associated with armed groups by characterizing them as dependants rather than abductees, or by excluding those who did not have visible combatant roles. Many female combatants suffer gender-based violence, in particular sexual violence, resulting in children born of rape, high levels of sexually transmitted diseases, rejection or stigmatization by families and other trauma. Disarmament, demobilization and reintegration programmes often fail to address their experiences and the psychological trauma that they have undergone. Consequently, they are unable to reintegrate into family and community life successfully.

68. Even when women and girls are included in disarmament, demobilization and reintegration processes, the support is inadequate, gender stereotyped and limits their economic empowerment by providing skills development only in traditionally female fields. Disarmament, demobilization and reintegration programmes also fail to deal with the psychosocial trauma that women and girls experience in conflict and post-conflict situations. That in turn can cause further rights violations, given that women's social stigma, isolation and economic disempowerment can force some women to remain in exploitative situations (such as with their captors) or force them into new ones if they have to turn to illicit activities to provide for themselves and their dependants.

69. The Committee recommends that States parties:

(a) Develop and implement disarmament, demobilization and reintegration programmes in coordination with and within the framework of security sector reform;

(b) Undertake gender-sensitive and gender-responsive security sector reform that results in representative security sector institutions that address women's different security experiences and priorities; and liaise with women and women's organizations;

(c) Ensure that security sector reform is subject to inclusive oversight and accountability mechanisms with sanctions, including the vetting of ex-combatants; establish specialized protocols and units to investigate gender-based violations; and strengthen gender expertise and the role of women in oversight of the security sector;

(d) Ensure women's equal participation in all stages of disarmament, demobilization and reintegration, from negotiation of peace agreements and establishment of national institutions to the design and implementation of programmes;

(e) Ensure that disarmament, demobilization and reintegration programmes specifically target female combatants and women and girls associated with armed groups as beneficiaries and that barriers to their equitable participation are addressed; and ensure that psychosocial and other support services are provided to them;

(f) Ensure that disarmament, demobilization and reintegration processes specifically address women's distinct needs in order to provide age-specific and gender-specific disarmament, demobilization and reintegration support, including by addressing the specific concerns of young mothers and their children without targeting them excessively and exposing them to further stigma.

## **9. Constitutional and electoral reform (arts. 1-5 (a), 7 and 15)**

70. The post-conflict electoral reform and constitution-building process represents a crucial opportunity to lay the foundations for gender equality in the transition period and beyond. Both the process and substance of these reforms can set a precedent for women's participation in social, economic and political life in the post-conflict period, in addition to providing a legal base from which women's rights advocates can demand other types of gender-responsive reform that unfold in transitional periods. The importance of a gender perspective in post-conflict electoral and constitutional reform is also emphasized in Security Council resolution [1325 \(2000\)](#).

71. During the constitution-drafting process, the equal and meaningful participation of women is fundamental for the inclusion of constitutional guarantees of women's rights. States parties must ensure that the new constitution enshrines the principle of equality between women and men and of non-discrimination, in line with the Convention. For women to enjoy their human rights and fundamental freedoms on an equal basis with men, it is important that they be given an equal start, through the adoption of temporary special measures to accelerate de facto equality.

72. Electoral reform and constitution-drafting processes in post-conflict contexts pose a set of unique challenges to ensuring women's participation and promoting gender equality, given that the designs of electoral systems are not always gender-neutral. The electoral rules and procedures that determine which interest groups are represented on constitution-building bodies and other electoral bodies in the post-conflict era are critical in guaranteeing the role of women in public and political life. Decisions on the choice of electoral systems are important to overcome the traditional gender bias that undermines women's participation. Substantive progress towards the equal participation of women as candidates and voters, in addition to the holding of free and fair elections, will not be possible unless appropriate measures are taken, including the creation of a gender-responsive electoral system and the adoption of temporary special measures to enhance women's participation as candidates and ensure a proper voter's registration system and that women voters and female political candidates are not subject to violence by State or private actors.

73. The Committee recommends that States parties:

(a) Ensure women's equal participation in constitution-drafting processes and adopt gender-sensitive mechanisms for public participation in and input into such processes;

(b) Ensure that constitutional reform and other legislative reforms include women's human rights under the Convention and the prohibition of discrimination against women, which encompasses both direct and indirect discrimination in the public and private spheres, in line with article 1 of the Convention, and also include provisions prohibiting all forms of discrimination against women;

(c) Ensure that new constitutions provide for temporary special measures, apply to citizens and non-citizens, and guarantee that women's human rights are not subject to derogation in states of emergency;

(d) Ensure that electoral reforms incorporate the principle of gender equality, and guarantee women's equal representation through the adoption of temporary special measures such as quotas, including for disadvantaged groups of women; adopt a proportional representation electoral system; regulate political parties; and mandate electoral management bodies to ensure compliance through sanctions;

(e) Ensure the registration and voting of women voters, such as by allowing postal balloting, where appropriate, and removing all barriers, including by ensuring an adequate and accessible number of polling stations;

(f) Adopt a policy of zero tolerance towards all forms of violence that undermine women's participation, including targeted violence by State and non-State groups against women campaigning for public office or women exercising their right to vote.

#### **10. Access to justice (arts. 1-3, 5 (a) and 15)**

74. When conflict comes to an end, society is confronted with the complex task of dealing with the past, which involves the need to hold human rights violators accountable for their actions, putting an end to impunity, restoring the rule of law and addressing all the needs of survivors through the provision of justice accompanied by reparations. Challenges relating to access to justice are especially aggravated and acute in conflict and post-conflict situations because formal justice

systems may no longer exist or function with any level of efficiency or effectiveness. Existing justice systems may often be more likely to violate women's rights than to protect them, which can deter victims from seeking justice. All barriers faced by women in gaining access to justice before the national courts prior to the conflict, such as legal, procedural, institutional, social and practical barriers, in addition to entrenched gender discrimination, are exacerbated during conflict, persist during the post-conflict period and operate alongside the breakdown of the police and judicial structures to deny or hinder women's access to justice.

75. In the aftermath of conflict, transitional justice mechanisms are established with the aim of addressing the legacy of human rights abuses, dealing with the root causes of the conflict, facilitating the transition from conflict to democratic governance, institutionalizing the State machinery designed to protect and advance fundamental human rights and freedoms, delivering justice and ensuring accountability for all violations of human rights and humanitarian law and ensuring their non-repetition. To achieve these multiple objectives, temporary judicial and/or non-judicial mechanisms, including truth commissions and hybrid courts, are often instituted either to replace dysfunctional national judicial systems or to supplement them.

76. The most egregious and pervasive violations that occur during conflict often remain unpunished by transitional justice mechanisms and are normalized in the post-conflict environment. Efforts to strengthen and/or complement domestic justice systems notwithstanding, transitional justice mechanisms have failed and continue to fail women by not adequately delivering justice and reparations for all harms suffered, thereby entrenching the impunity enjoyed by perpetrators of women's human rights violations. Transitional justice mechanisms have not succeeded in fully addressing the gendered impact of conflict and in taking into account the interdependence and interrelatedness of all human rights violations that occur during conflict. For most women, post-conflict justice priorities should not be limited to ending violations of civil and political rights, but should include violations of all rights, including economic, social and cultural rights.

77. States parties' obligations under the Convention require them to address all violations of women's rights, in addition to the underlying structural sex and gender-based discrimination that underpinned such violations. Besides providing redress to women for gender-based violations suffered during conflict, transitional justice mechanisms have the potential to secure a transformative change in women's lives. Given their important role in laying the foundation for the new society, such mechanisms represent a unique opportunity for State parties to lay the ground towards the achievement of substantive gender equality by addressing pre-existing and entrenched sex and gender-based discrimination that had impeded women's enjoyment of their rights under the Convention.

78. Although international tribunals have contributed to recognizing and prosecuting gender-based crimes, a number of challenges remain to ensuring women's access to justice and many procedural, institutional and social barriers continue to prevent them from participating in international justice processes. Passive acquiescence of past violence reinforces the culture of silence and stigmatization. Reconciliation processes such as truth and reconciliation commissions often provide women survivors with an opportunity to deal with their past in a safe setting and constitute official historical records. They should,

however, never be used as a substitute for investigations into and prosecutions of perpetrators for human rights violations committed against women and girls.

79. The Committee reiterates that State parties' obligations also require them to ensure women's right to a remedy, which encompasses the right to adequate and effective reparations for violations of their rights under the Convention. An assessment of the gender dimension of the harm suffered is essential to ensure that women are provided with adequate, effective and prompt reparations for violations suffered during conflict, regardless of whether remedies are ordered by national or international courts or by administrative reparation programmes. Rather than re-establishing the situation that existed before the violations of women's rights, reparation measures should seek to transform the structural inequalities that led to the violations of women's rights, respond to women's specific needs and prevent their reoccurrence.

80. In many countries emerging from conflict, existing informal justice mechanisms represent the only form of justice available for women and can be a valuable tool in the aftermath of conflict. Given that the processes and decisions of these mechanisms may discriminate against women, however, it is critical to carefully consider their role in facilitating access to justice for women, such as defining the type of violations that they will be addressing and the possibility of challenging their decisions in the formal justice system.

81. The Committee recommends that States parties:

(a) Ensure a comprehensive approach to transitional justice mechanisms that incorporates both judicial and non-judicial mechanisms, including truth commissions and reparations, which are gender sensitive and promote women's rights;

(b) Ensure that substantive aspects of transitional justice mechanisms guarantee women's access to justice, by mandating bodies to address all gender-based violations, by rejecting amnesties for gender-based violations and by ensuring compliance with the recommendations and/or decisions issued by transitional justice mechanisms;

(c) Ensure that support for reconciliation processes does not result in blanket amnesties for any human rights violations, especially sexual violence against women and girls, and that such processes reinforce efforts to combat impunity for such crimes;

(d) Ensure that all forms of discrimination against women are prohibited when re-establishing the rule of law during legal reform, establish criminal, civil and disciplinary sanctions where appropriate and include specific measures aimed at protecting women against any act of discrimination;

(e) Ensure that women are involved in the design, operation and monitoring of transitional justice mechanisms at all levels so as to guarantee that their experience of the conflict is included, their particular needs and priorities are met and all violations suffered are addressed, and ensure their participation in the design of all reparations programmes;

(f) Adopt the appropriate mechanisms to facilitate and encourage women's full collaboration and involvement in transitional justice mechanisms, including by

ensuring that their identity is protected during public hearings and their testimony is taken by female professionals;

(g) Provide effective and timely remedies that respond to the various types of violations experienced by women and ensure the provision of adequate and comprehensive reparations, and address all gender-based violations, including sexual and reproductive rights violations, domestic and sexual enslavement, forced marriage and forced displacement, sexual violence and violations of economic, social and cultural rights;

(h) Adopt gender-sensitive procedures in order to avoid revictimization and stigmatization, establish special protection units and gender desks in police stations, undertake investigations confidentially and sensitively and ensure that, during investigations and trials, equal weight is given to the testimony of women and girls as to that of men;

(i) Combat impunity for violations of women's rights and ensure that all human rights violations are properly investigated, prosecuted and punished by bringing the perpetrators to justice;

(j) Enhance criminal accountability, including by ensuring the independence, impartiality and integrity of the judicial system, by strengthening the capacity of security, medical and judicial personnel to collect and preserve forensic evidence relating to sexual violence in conflict and post-conflict contexts, and by enhancing collaboration with other justice systems, including the International Criminal Court;

(k) Enhance women's access to justice, including through the provision of legal aid and the establishment of specialized courts, such as domestic violence and family courts, providing mobile courts for camps and settlement settings and for remote areas, and ensure adequate protection measures for victims and witnesses, including non-disclosure of identity and the provision of shelters;

(l) Engage directly with informal justice mechanisms and encourage appropriate reforms, where necessary, in order to bring such processes into line with human rights and gender equality standards, and to ensure that women are not discriminated against.

## **V. Conclusion**

82. In addition to those made above, the Committee makes the recommendations to States parties set out below.

### **A. Monitoring and reporting**

83. States parties should report on the legal framework, policies and programmes that they have implemented to ensure the human rights of women in conflict prevention, conflict and post-conflict situations. States parties should collect, analyse and make available sex-disaggregated statistics, in addition to trends over time, concerning women, peace and security. States parties' reports should address actions inside and outside their territory in areas under their jurisdiction, in addition to their actions taken individually and as members of international or intergovernmental

organizations and coalitions insofar as they concern women and conflict prevention, conflict and post-conflict situations.

84. States parties are to provide information on the implementation of the Security Council agenda on women, peace and security, in particular resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#), [1889 \(2009\)](#), [1960 \(2010\)](#), [2106 \(2013\)](#) and [2122 \(2013\)](#), including by specifically reporting on compliance with any agreed United Nations benchmarks or indicators developed as part of that agenda.

85. The Committee also welcomes submissions from relevant United Nations missions involved in the administration of foreign territories on the situation of women's rights in territories under administration insofar as they pertain to conflict prevention, conflict and post-conflict settings.

86. Pursuant to article 22 of the Convention, the Committee invites specialized agencies to submit reports on the implementation of the Convention in conflict prevention, conflict and post-conflict settings.

## **B. Treaty ratification or accession**

87. States parties are encouraged to ratify all international instruments relevant to the protection of women's rights in conflict prevention, conflict and post-conflict, including:

(a) Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (1999);

(b) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (2000);

(c) Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (1977); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts (1977);

(d) Convention relating to the Status of Refugees (1951) and its Protocol (1967);

(e) Convention relating to the Status of Stateless Persons (1954) and Convention on the Reduction of Statelessness (1961);

(f) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000);

(g) Rome Statute of the International Criminal Court (1998);

(h) Arms Trade Treaty (2013).

---