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**Council of Europe contribution to the Analytical report on a comprehensive approach to promoting, protecting and respecting women's and girls' full enjoyment of human rights in humanitarian situations, including good practices, challenges and lessons learned at the national, regional and international levels**

We would like to draw attention to the [Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence](#) (the "Istanbul Convention"), which pursuant to its Article 2, paragraph 3, applies of the Istanbul Convention, shall apply in times of peace and in situations of armed conflict.

The basic principles of international humanitarian law and the Rome Statute of the International Criminal Court, which are referred to in the Preamble to the Convention, affirm individual criminal responsibility under international law for violence that occurs primarily (but not exclusively) during armed conflict. Article 7 of the Rome Statute (crimes against humanity committed as part of a widespread or systematic attack directed against any civilian population) and Article 8 (war crimes) include crimes of violence committed largely against women such as rape and sexual violence. However, the forms of violence covered by the Istanbul Convention do not cease during armed conflict or periods of occupation. Article 2 Paragraph 3 of the Istanbul Convention therefore provides for the continued applicability of the Convention during armed conflict as complementary to the principles of international humanitarian law and international criminal law.

The Council of Europe contribution to the Women, Peace and Security agenda in terms of legal standards also comprises two Recommendations of the Committee of Ministers to member states: the 2010 Recommendation **on the role of women and men in conflict prevention and resolution and in peace building** [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cea74](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cea74) and, more generally, the 2003 Recommendation **on balanced participation of women and men in political and public decision making** [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805e0848](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805e0848)

Recognising the importance of the role of women in the peace building and reconciliation process, the post-conflict programme of the CoE has consistently tried to involve them in its activities and rely on them to reach out to a wider public.

This recognition stems from the two following basic facts:

- Women are victims of violence both during the conflict, notably sexual violence, and after the conflict as domestic violence is known to increase and are witnesses of violence.
- Women are generally left in charge of the needs of the family during the conflict and also shoulder the responsibility of reconstructing its basic survival after the conflict.

These compelling needs to reconstruct themselves as persons and their family unit constitute a powerful and sound motivation basis for their involvement in peace building and reconciliation.

However, as conflict transformation sets in, the inclusion of women in the reconstruction of the political and economic life of the country often proves difficult as they come up against numerous and often insurmountable obstacles set by society. Special attention should be paid in the reconstruction after a conflict of the legal framework and its implementation, to the need to ensure that not only electoral laws but also legislation in the social and economic spheres are not geared to a purely male public and thus result in the exclusion of women from the political life of the country.

Women are numerous and extremely active in civil society, education, medical and social professions. The CoE thus has addressed these professional groups as a priority in its Confidence Building Measures programme (i.e. in Abkhazia and Transnistrian regions). As examples: the training of psychologists and psychiatrists to address traumas of child victims or witnesses of violence, training and support to the hot lines in Abkhazia for social workers, prevention and treatment of drugs and illicit substances, training of teachers from these two regions. In Bosnia and Herzegovina, the post-conflict programme successfully supported women mayors and in general the involvement of women at local level and promoted cooperation across the internal boundaries.