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**Submission to OHCHR relating to the “Report on promoting and protecting the human rights of women and girls in conflict and post-conflict situations on the occasion of the twentieth anniversary of Security Council resolution 1325 (2000)”**

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# I. Introduction

WILPF positively notes the Human Rights Council’s (the “HRC”) attention to the implementation of the Women, Peace and Security (WPS) agenda. As the Global Study on the Implementation of United Nations Security Council resolution 1325[[1]](#footnote-1) reminded, the resolution was “conceived of and lobbied for as a human rights resolution that would promote the rights of women in conflict situations. Any policy or programme on women, peace and security must be conducted with this in mind.” The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) is the backbone of the WPS agenda. The CEDAW Committee’s General Recommendation 30 on women in conflict prevention, conflict and post-conflict situations, which provides detailed guidance on issues related to women, peace and security and the criteria for accountability, makes clear that implementing UNSCR 1325 is the responsibility of every State party to the Convention. While the adoption of National Actions Plans on UNSCR 1325 is important, it is not enough. States must live up to their obligations under CEDAW. This is crucial at a time where we observe various regressive measures on women’s and girls’ rights. The full implementation of the WPS agenda requires cooperation across the entire UN system to successfully advance peace and defend the full scope of women’s and girls’ human rights. WILPF recalls that protecting and promoting the human rights of women and girls does not end with making war safer for them; it requires ending war.

This WILPF submission builds upon our understanding of how the mutually reinforcing systems of capitalism, patriarchy, and militarism contribute to conflict and violations of women’s and girls’ human rights. It draws attention to the necessity of addressing human rights through conflict prevention strategies and women’s meaningful participation in peacebuilding process. In preparing this submission, we have drawn from WILPF’s resources such as ‘COVID-19: Making our Recovery Green and Feminist’ (December 2020), ‘The Giant Quadruplets of Militarism, Capitalism, Racism, and Patriarchy’ (April 2016), WILPF’s Submission to the High Commissioner’s call for inputs on ‘Civil society space in multilateral institutions’ (October 2017), and the MenEngage Alliance’s “Submission to the Report of the Office of the High Commissioner for Human Rights on engaging men and boys in preventing and responding to violence against all women and girls, pursuant to Human Rights Council resolution 35/10 of the Human Rights Council”, which WILPF was involved in drafting in its capacity as a board member of the MenEngage Alliance.

Violent conflict exacerbates existing inequalities, specifically gender inequality, and differentially impacts women and girls and men and boys. Men’s identities are further militarised, increasing the extent to which men equate manhood with aggression, the use of force and dominance over women. Women and girls from Indigenous and displaced communities, older women, women and girls with disabilities, and others facing multiple forms of discrimination, are especially impacted. Violations of economic, social, cultural rights (ESCRs) of women in conflict including structural pre-existing root causes of such violations are often ignored by duty-bearers in the negotiations of peace agreements, and subsequent implementation, as well as in transitional justice efforts. Unresolved and unaddressed harms related to violations of ESCRs become a push into renewed cycles of violence.[[2]](#footnote-2) The realisation of ESCRs is more urgent than ever in the context of the COVID19 pandemic with deepening inequalities, which can threaten peace and contribute to conflict. States’ responses must tackle the root causes of grievances and invest in the protection of ESCRs to recover from the crisis and prevent conflict. Women face persistent structural barriers to decent work and economic independence. The COVID-19 pandemic threatens their livelihoods even more, particularly for women with disabilities, women in the global South, and in countries affected by armed conflict. Analysing violations of ESCRs is vital to realise the “comprehensive approach to sustaining peace” particularly through “activities aimed at preventing the outbreak, escalation, continuation and recurrence of conflict, addressing root causes, assisting parties to conflict to end hostilities, ensuring national reconciliation, and moving towards recovery, reconstruction and development” that is to guide the UN peacebuilding efforts. It is also essential to understand the links between ESCRs, conflict and gender to fully realise the potential of the WPS agenda.

Human rights are often sidelined by state structures and institutions, and this process repeats itself in post-conflict situations where power sharing rather than peace is the priority. Realising ESCRs in conflict and post-conflict settings requires actors to address structural injustices including corrupt, neoliberal and militarised economic systems and institutions. Duty-bearers must strengthen public services and live up to their obligations to respect, protect and promote human rights, including the rights to water, sanitation, food, housing and health, ensuring that all economic models and policies are gender-responsive, based on human rights and environmental protection.

Rights-holders in conflict affected communities look to multilateral institutions, like the HRC, to be a stronger voice in speaking out against conflict, militarism, inequalities; against weapons that continue to stifle efforts at peace and deepen human suffering in countries of every region; against the ever-increasing public spending in militarization that continues to divert much-needed resources away from public services; against militarised masculinities that generate multiple forms of violence and trauma. In practical terms this means, for example, addressing these concerns in country-specific resolutions and other outcomes of the HRC. WILPF calls on the HRC, its members and observer States to pursue explicit measures to stop the global arms trade, particularly to conflict-affected countries/regions, as well as to counter militarised masculinities and mobilise men for feminist peace, in line with HRC resolution 35/10 onengaging men and boys in preventing and responding to violence against all women and girls.

Women’s and girls’ human rights must be upheld at every stage of political debate and discussion, however without their participation this is often unlikely. WILPF advocates for strengthening the role of women in all conflict and post-conflict situations so that their participation is full, equal and meaningful. The input of a diverse group of women and girls is imperative, as with various intersecting markers of identity come different perspectives and needs. This means for example, ensuring full and meaningful participation of women and girls with disabilities and considering their specific experiences and needs. Including the multiplicity of women’s and girls’ voices and perspectives to conflict and post-conflict situations ensures that the human rights of those in the most vulnerable situations are protected. For this to happen, men in positions of political leadership must act on their commitments and support women’s full political participation and they must be held accountable for their commitments in this regard.

Additionally, threats to women’s participation need to be robustly addressed. WILPF has worked in various contexts where women human rights defenders, women-led CSOs, and women activists are threatened, intimidated, or even murdered for their participation in peace processes and negotiations or for addressing UN meetings, such as those of the Security Council. Women’s human rights must be protected including when they participate in peace and political processes.

Protecting women’s and girls’ human rights means observing how capitalism and patriarchy, in all their collaborative iterations, devalues them. Therefore, pursuing concerted disarmament policies, advancing gender-responsive economic models and policies based on human rights and environmental protection, and applying sustained pressure to multilateral post-conflict peacebuilding systems to include women is imperative.

# II. Recommendations

* States are urged to ensure increased representation and participation of women at all decision-making levels in mechanisms for the prevention of conflict. This includes HRC. Options should be made available for women leaders and human rights defenders from the countries concerned to address the Council in a space dedicated to that (e.g. in the high-level interactive dialogues on country situations). The HRC must recognise women's agency and expertise beyond normative ‘women’s issues’ such as sexual and gender-based violence; it must listen to women’s differentiated experiences and/or roles when tackling specific issues e.g. detainees, reconstruction, in order to ‘mainstream’ the WPS four pillars (i.e. Participation, Protection, Prevention, Relief and Recovery) in its response. When it comes to HRC country-specific resolutions, it is important to reference women's participation across different tracks and throughout different paragraphs in resolutions, not only in relation to the political process.
* Centre women peacemakers and activists and women-led civil society organisations by opening new spaces for discussion and exchanges with the women peace community through States’ embassies, UN entities and programmes, such as OHCHR field presences. Men within OHCHR, the HRC and member states must advocate for women’s full and equal participation in OHCHR and HRC processes, and should refuse to participate in events in which women are not full and equal participants.
* It is essential to understand pre-existing gender norms and discrimination to analyse the differentiated impacts of conflict on women and girls, men and boys and resulting human rights violations and abuses. This means, *inter alia,* the need to ensure systematic monitoring, reporting and response to the gender dimension that exists in all conflicts and crises; there is no situation in which gender equality and women and girls’ rights are not relevant. Respect, protection and promotion of human rights is the linchpin to addressing and preventing conflict and human constructed crises. There needs to be systematic incorporation of WPS standards and priorities in all country-specific and relevant thematic resolutions, initiatives and other outcomes of the HRC.
* Address more comprehensively the Conflict Prevention pillar of WPS agenda. The 2015 Global Study reminded that “prevention of conflict must be the priority, not the use of force” and reminded of the importance of, *inter alia,*
* Addressing root causes and structural inequalities and discrimination;
* Explicit referring to the realization of economic, social and cultural rights, which are essential for conflict prevention and for enabling space for participation;
* Implementing States’ extraterritorial human rights obligations. This includes the prevention of arms transfers and regulation of business activities abroad, including of arms producers, which can fuel conflict and human rights abuses and violations.
* Ensure that specific references to threats against targeting civil society, including women human rights defenders and peace activists, are included in all country-specific and other relevant resolutions. Tackling violence, threats, intimidation, harassment, and other forms of violations against women rights defenders, and the stigmatisation of peace activists, is an essential element of promoting women’s participation in national and international processes.
* Address the impact of arms proliferation, militarisation of society and austerity measures. These are among the factors that create obstacles to the participation of women peacebuilders and other women civil society actors in decision-making and multilateral processes and institutions. Addressing these factors is, thus, an essential element of what should constitute a more comprehensive definition of a ‘safe and enabling environment’, as WILPF argued in our submission to OHCHR for its report on ‘Civil society space in multilateral institutions (2017). The HRC, its members and observer States should pursue explicit measures to stop the global arms trade, particularly to conflict-affected countries/regions, as well as to counter militarised masculinities and mobilise men for feminist peace, in line with HRC resolution 35/10. In particular, country resolutions and investigative mechanisms established by the HRC should consistently address the impacts of arms transfers on human rights and the responsibility of States and arms companies in violations of international human rights law and international humanitarian law.
* HRC and its tools should be used as a strong reinforcement of mechanisms and accountability. WILPF recommends that, among other things,
* In the context of the Universal Periodic Review (UPR), States undergoing review should report and be asked questions, e.g. written questions, about their implementation of WPS and women’s rights obligations.
* The matrices of recommendations developed by the OHCHR for each UPR country review could include a specific section on WPS.
* UPR recommendations to establish national mechanisms for reporting and follow-up of recommendations emanating from the UPR and other human rights mechanisms could be further elaborated. These national mechanisms should have a section specifically on WPS and should ensure that civil society is fully and meaningfully included.
* HRC investigative mechanisms, such as Commissions of Inquiry, and Special Procedures country-specific mandates should include WPS in their analysis.
* HRC activities and outcomes such as high-level interactive dialogues to assess human rights situations should place a special emphasis on the participation of civil society, especially women’s organizations and representatives of victims, in conflict resolution initiatives and peace and reconciliation processes, while also encouraging that WPS in the HRC space goes beyond the participation pillar.
* UN country teams, including OHCHR field presences, should also make the linkages between CEDAW, women's rights more broadly and WPS. These linkages should be consistently reflected in the High Commissioner’s country reports.

Additional recommendations are available in the submissions and publications listed below.

# III. Some relevant WILPF submissions and publications

**N.B.** WILPF also recommends that the OHCHR report “Review of promising practices and lessons learned, existing strategies and United Nations and other initiatives to engage men and boys in promoting and achieving gender equality, in the context of eliminating violence against women” (A/HRC/38/24, 19 April 2018) is used as part of the reference documents for the drafting of the Report on promoting and protecting the human rights of women and girls in conflict and post-conflict situations on the occasion of the twentieth anniversary of UNSCR1325.

* **“Where the words”.** A report by WILPF and the LSE Centre for Women, Peace and Security that examines the disappearance of language about the Women, Peace and Security (WPS) Agenda in country-specific and WPS resolutions by the UN Security Council. (May 2020), <https://www.wilpf.org/portfolio-items/where-are-the-words-the-disappearance-of-the-women-peace-and-security-agenda-in-the-language-of-country-specific-un-security-council-resolutions/>
* **Policy brief series: Women, Peace and Security and the Generation Equality action coalitions**

These are six briefs connecting the Action Coalitions and the Compact with women, peace, and security concerns, which are meant to inform and guide the work of the Action Coalitions and the Compact for Women, Peace and Security and Humanitarian Action from a feminist peace perspective.

<https://www.peacewomen.org/action-coalitions-wps-policy-briefs>

* **‘COVID-19: Making our Recovery Green and Feminist’** (December 2020)

<https://www.wilpf.org/covid-19-making-our-recovery-green-and-feminist/>

* **‘The Giant Quadruplets of Militarism, Capitalism, Racism, and Patriarchy’** (April 2016)

<https://www.wilpf.org/the-giant-quadruplets-of-militarism-capitalism-racism-and-patriarchy/>

* **WILPF’s submission to OHCHR for its report on ‘Civil society space in multilateral institutions.’**(October 2017)

The submission addresses restrictions faced at specifically the national level or the international level, and restrictions arising at both the national and international level. A major restriction at all levels is the lack of recognition of women’s expertise. Restrictions at the national level addressed in this submission are: the lack of recognition of women’s expertise; the distinct and threats faced by women human rights defenders, including in the context of corporate abuse; the lack of sustained and flexible core funding to women civil society actors; militarisation; the impact of austerity measures on women; and the stigmatisation of peace activists. At the international level, we have identified restrictions for women civil society actors to be physically present in multilateral fora, and restrictions to access information.

<https://wilpf.org/wp-content/uploads/2018/03/Final_WILPF_submission_OHCHR_CSO-31-Oct-2017.pdf>

* **WILPF’s Submission to the UN Working Group on Business and Human Rights’ Project on Business, Human Rights and Conflict-Affected Contexts** (2020)

The submission highlights the importance to address the arms industry’s responsibility, illustrates why companies’ enhanced human rights due diligence should be gender and conflict-sensitive, and challenges neoliberal assumptions on what makes sustainable peace.

<https://www.wilpf.org/wilpf_statements/submission-to-the-un-working-group-on-business-and-human-rights-project-on-business-human-rights-and-conflict-affected-contexts/>

* **Examples of WILPF’s statements on the OHCHR reports on arms transfers and on firearms.** These also include links to WILPF submissions to OHCHR relating to these reports:
* HRC45: Written Statement on the Gendered Impact of Arms <https://www.wilpf.org/wilpf_statements/hrc45-written-statement-on-the-gendered-impact-of-arms/>
* New OHCHR Report on Arms Transfers Highlights Need to Address Gendered Root Causes of Violence (2020) <https://www.wilpf.org/new-ohchr-report-on-arms-transfers-highlights-need-to-address-gendered-root-causes-of-violence/>
* The United Nations Reminds Governments that Human Rights Matter in the Arms Trade (2017) <https://www.wilpf.org/the-united-nations-reminds-governments-that-human-rights-matter-in-the-arms-trade/>
* - WILPF statement to the HRC on the OHCHR Report on Firearms (2019) <https://www.wilpf.org/wilpf_statements/hrc42-statement-on-the-ohchr-report-on-firearms/>

1. <https://wps.unwomen.org/pdf/en/GlobalStudy_EN_Web.pdf> [↑](#footnote-ref-1)
2. "Lip service is paid to human rights in peace agreements. Indeed, human rights are often a central part of the text and core to internal constitutional arrangements. But this rarely extends to the incorporation of economic and social rights into the agreements. Arrangements for economic development are left to international financial institutions, donors' conferences, and foreign investors. These arrangements are pursued according to current neo-liberal assumptions (such as privatization and austerity) and not as an integral part of the peace package." <https://wilpf.org/wp-content/uploads/2015/05/NYU_JILP_48_4_Rees_Chinkin.pdf> [↑](#footnote-ref-2)