

Statement submitted to
CEDAW on the occasion of the
General Discussion on Women in Conflict and Post-conflict Situations
July 18, United Nations, New York, NY

Submitted by

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We congratulate the CEDAW committee for this historic initiative and an excellent concept paper. You have our enduring and enthusiastic support for this General Recommendation (GR).

Introduction

We urge the committee to consider prevention as a high priority. The framework used in discussion of prevention is often narrowly defined and restricts operational recommendations and indicators to a limited number of actions. A broader reference is needed to draw attention to early stages of social disintegration and problems women face before conflict and during interim conflict periods. Such a conceptual reference could include:

Peace at home and peace in society are interlinked (Articles 2, 7 and 8)

We believe that peace in the home and peace in society are interlinked.¹ A culture of militarism intimidates women from asserting their collective and individual rights,² including the right to vote and participate in political decision-making. Families with ex-combatants often experience increased levels of violence. An enduring peace that touches girls and women of all ages in both private and public spheres is the context in which we understand Articles 2, 7 and 8 and the General Recommendation on protection for women in conflict and post-conflict situations.

We believe that this GR can help to set high standards for a culture of peace with gender equality and women's empowerment. Legally binding instruments such as CEDAW, UN Security Council Resolutions (1325, 1820, 1888, 1889), international human rights law, and international humanitarian law help hold the UN, non-states parties, the private sector, as well as governments accountable. But these tools are equally important as measures for personal security because they define social norms for personal conduct and rules for good governance even if rule of law, legal structures and social services break down.³

Prevention should be a priority (Articles 6, 7, and 8)

¹ The theme of the "16 days of activism against gender violence campaign" for 2011 makes this important linkage that is also reflected in the Beijing Platform for Action's call for a "culture of peace."

² The International Indigenous Women's Forum established the importance of collective as well as individual rights. See: FIMI, Mairin Iwanka Raya, "Indigenous women stand against violence," FIMI publication, 2006.

³ Women have called for accountability related to non-state parties such as multinational corporations that are not armed but who may abuse their power and authority in period of reconstruction. See "Report of the global consultation on the application of women's human rights framework on the issues of women affected by conflict," Colombo, Sri Lanka, October 15-17, 2010.

As in the case of HIV/AIDS, prevention of conflict costs less in human, social and monetary resources than treatment afterwards. As a preventive measure, more attention must be paid to the regulation of possession, sale, trade and criminal use of legal and illicit small arms and light weapons. Their proliferation increases the threat of violence against women in the home as well as forced marriage, kidnapping and links to organized crime including human and narcotic trafficking in conflict and post-conflict situations.

Best practices to contain widespread harm to girls and women during conflict require further study and financial support. These include engendering early warning systems that serve as a platform for data collection, analysis, reporting and actions at global to national levels. ⁴For example, as has been proposed for the Security Council of the African Union, women's networks can serve as sources of information concerning conflicts. Such prevention activities combined with proactive responses can help warn women of danger and save lives. Also, partnerships with telephone companies to provide mobile phones and faster Internet communications for women should be promoted so that data collection and reporting is more comprehensive.

Another important preventive guideline is to "do no harm." For example, among some matrilineal tribal peoples in India and in Papua New Guinea, women may have a traditional role as peacemakers between warring villages and tribes. However, UN or government negotiators with little understanding of local culture can undermine women's leadership roles. ⁵

Investment in education matters (Articles 4, 10 and 11)

Investments in girls' and women's education are one of the most strategic measures to ensure personal security. For refugees and internally displaced women, previous combatants and victims of sexual violence, a good education may be the only wealth they can carry with them across borders and when resettling back home. Special temporary measures can include education programs for these groups to recover lost educational opportunities imposed by conflict. Research indicates that improving girls' education boosts self-esteem as well as providing a safeguard against poverty. Education also affords women the opportunity to build a knowledge base that can be used to further their participation in political processes and decision-making. More attention needs to be paid to how gender inequality and discrimination in girls' and women's education has a long-term detrimental impact on sustaining democracy and a speedy economic recovery.

Information, Communications, Media and Stereotypes (Article 5)

Stereotypes are entrenched in employment laws, health services, and law enforcement as well as in military culture. Furthermore, indigenous and rural women, older women, women with disabilities, sex workers, and ethnic minorities face multiple discriminations. If these women are to become leaders rather than victims, they must be empowered to believe in themselves and resist internalizing stereotypes. More attention needs to be paid to training men and women who help shape mass culture working in mass media and Internet companies, newspapers and movie businesses so they will work in support of CEDAW and this General Recommendation.

Monitoring and Evaluation

A holistic approach requires implementation of the UN Security Council resolutions on women, peace and security that calls for coordination of gender initiatives between different security sector institutions, welfare agencies, healthcare providers and NGO service providers. Special attention should be given to

⁴ FAS, WIPSEN-Africa, and WANEP, "Position Paper: UNSCR 1325 and Prevention: a hybrid for utilizing human rights and early warning frameworks in the campaign to end violence against women," FAS, 2011.

⁵ Centre for Humanitarian Dialogue, "Peacemaking in Asia and the Pacific: women's participation, perspectives and priorities," HD, 2011

further development and application of indicators, including those on Prevention (indicators 13 – 20, S/2010/173)⁶.

In addition to this submission, I draw your attention to a forthcoming paper from an NGO Expert working group on the CEDAW General Recommendation. NGO experts in international and human rights law as well as activist and peace builder organizations considered the Concept paper and provided commentaries on scope, framework, issues and methodological approaches. Important points include the following: 1) Conflict and abuses of women's rights may often involve many states, as well as non-state actors. The Committee can use its multiple capacities and on-going dialogue with many states parties. 2) CEDAW can constructively engage with states parties using both human right and humanitarian law obligations, as well as the UN Security Council processes. The paper stresses that power-shifts are always gendered, and that early engagement by CEDAW with affected States Parties is key to equitable transfers of power. 3) As the Concept paper notes, girls and women of all ages may play differing role in conflict such as ex-combatants, refugees, non-nationals, with varying experiences of expansion of their liberties and abuse. Access to justice is important but seldom sufficient, and application of CEDAW in prevention as well as long-term economic and political development policies is critical. 4) Gender stereotyped roles are used by different actors in the conflict. CEDAW's attention to culture and tradition, its support of the full range of expression, information, political participation, and sexual and reproductive health rights would be key to women's mental and physical well-being.

⁶ United Nations, Report of the Secretary-General, Women and peace and security, Security Council 6 April 2010, S/2010/173.