

**Final Executive Report
Latin American Consultation on the
CEDAW Committee's General Recommendation on Women Human Rights in
Situations of Conflict and Post-conflict
Guatemala, 29 and 30 May 2012**

The General Recommendation on Women's Human Rights in Conflict and Post-conflict Situations

Bearing in mind the unique and disproportionate impact of conflicts and post-conflicts on women, at its 47th Session held in October 2010, the Committee decided to adopt a General Recommendation on Women's Human Rights in Conflict and Post-conflict Situations.

The primary purpose of the General Recommendation is to provide appropriate and authoritative guidance to States Party to the Convention on the measures to be adopted to ensure full compliance with their obligations to respect, protect and fulfill women's human rights during times of armed conflict and in all peace-building processes, which includes the immediate aftermath of conflict and long term post-conflict reconstruction.

The general recommendation will guide the implementation of the Convention in situations of armed conflict and political crises in the prevention and resolution of conflicts and in various complex peace building and post-conflict reconstruction.

See Annex 1: [Concept Note, General Discussion on the protection of women's human rights in conflict and post-conflict contexts](#)

The Regional Consultations

On July 18, 2011, during its 49^o session, the Committee had a General Discussion Day to start the process of drafting the General Recommendation. During this process, the Committee decided to hold regional consultations in Asia, Latin America, Europe and Central Asia, to enforce the articulation and elaboration of

the General Recommendation on Women, Conflict and Post-conflict, with the support of the governments, society, nongovernmental organizations, human rights activists and other key actors. UN Women and UNHCHR supported these consultations, facilitating the mutual feedback about the gender dimension and the diversity of conflicts, including internal disturbances and other long term problems that result in the violation of women's human rights.

See Annex 2: [Note from the Chairperson of the Working Group on the Preparation of the Regional Consultations relating to the Proposed General Recommendation on the Human Rights of Women in Situations of Conflict and Post-Conflict](#)

The Asia Pacific regional consultation took place on 27 and 28 March 2012 in Bangkok, Thailand, followed by the Africa regional consultation in Addis Ababa, Ethiopia on 12 and 13 April 2012 and the Southeastern Europe and Central Asia consultation which was held in Istanbul, Turkey on 11 May 2012.

The Latin American and the Caribbean Regional Consultation

Completing the round of regional consultations organized by UN Women and OHCHR to provide inputs to the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) for the elaboration of the general recommendation on the protection of women's human rights in conflict and post-conflict



situations, the consultation for Latin America and the Caribbean took place in Guatemala, on the 29th and 30th May 2012, which focused in the experiences of Colombia, Guatemala and Haiti.



Presided by Ms. Pramilla Patten, Chairperson of the Working Group on the Preparation of the Regional Consultations relating to the General Recommendation on the Human Rights of Women in Situations of Conflict and Post-Conflict; Ms. Maria Machicado, Representative for UN Women Guatemala; Mr. Andrés Ramírez, Representative for UNHCHR Guatemala *a.i.*, and Ernesto Sinopoli, UN Resident Coordinator *a.i.*, the opening session included general remarks on the vital role of women in the construction



and maintenance of peace; the need to further strengthen and develop protection mechanisms to guarantee women's human rights and guide the application of the CEDAW Convention in conflict and post-conflict environments through the General Recommendation; the advances and the challenges yet to be address in the Latin American region, and the added value of the global consultations for the construction of the CEDAW

Committee General Recommendation on the Human Rights of Women in Situations of Conflict and Post-Conflict, which will allow the incorporation of the accumulated knowledge and the good practices of the region.

See Annexes 3 and 4: Opening Remarks [UNRC](#) and [UN Women](#)

Whereas the Latin American and the Caribbean region has shown tangible advances in the adoption of laws to advance women's rights, including the *Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women*,¹ *Belem do Pará*, violence against women, particularly sexual violence, continues to be used as an oppression and repression mechanism. The Consultation will take the voices of women, their experiences, their concerns and their proposals to the CEDAW Committee, to redirect and strengthen the women's human rights approach in humanitarian interventions, the construction of peace and the post-conflict recovery.

See Annex 5: [Concept Note, Latin America and Caribbean Regional Consultation for the CEDAW Committee Proposed General Recommendation on Human Rights of Women in Situations of Conflict and Post-conflict](#)



Based on the four key aspects in the application of the CEDAW Convention in conflict and post-conflict situations, the consultation, conducted by Ms. Walda Barrios, was developed in one introductory and four thematic sessions with oral interventions of independent experts, women's human rights defenders and women in public

¹ <http://www.cidh.org/Basicos/English/basic13.Conv%20of%20Belem%20Do%20Para.htm>

office in the judiciary, legislative and executive powers as well as UN officers.

See Annexes 6 and 7: [Methodology for Oral Interventions](#) and [Consultation Agenda](#)

During the introductory session, Ms. Pramila Patten, CEDAW Committee Member and President of the Working Group on CEDAW General Recommendation on Human Rights of Women in Situations of Conflict and Post-conflict, delivered information on the CEDAW Committee, the obligations of the States to respect, protect and fulfill women's human rights and the role of the CEDAW Convention in advancing women's human rights in post-conflict contexts. As the States do not report on the situation of women in conflict settings, there are difficulties to protect their rights in these situations. The CEDAW Committee has expressed concern on the gender impact of conflicts and in its 15th session, the Committee started requesting specific reports on the impact of conflicts in women and monitor the traditional but also the new trends in conflict and post-conflict related violence against women.



Ms. Patten encouraged a participatory approach for the plenary sessions and informed that written contributions could be sent to the CEDAW Committee for their consideration in their deliberations for the construction of the General Recommendation.

Opening intervention: The gender dimension in Latin America and the Caribbean conflicts and post-conflict situations

Dr. Mercedes Oliveira, Independent Expert and academic who stated that her intervention was not and could not be impartial due to her origin of a people's woman who has lived and seen conflicts defending women's rights and demanding compliance of State obligations to respect, protect and ensure those rights.



Whereas the States have ratified several international conventions, and in spite of efforts of the international

community, some civil society organizations and a significant number of women's organizations and movements to eliminate racism, patriarchy, misogyny and colonialism, many women in Latin America continue to face the effects of war. One of the characteristics of the armed conflicts between the States and the Latin American and the Caribbean peoples is the complex succession of its phases, which have generally begun with a total extermination war as shown in El Salvador and Guatemala in the 1980s and in Chiapas in 1994. This is followed by low intensity warfare also called integral war, which manifests itself through a diversity of forms with the purpose of undermining the population, such as the Guatemalan civil defense patrols and the development cells (*polos de desarrollo*), the Chiapas counterinsurgent development policy and the democratic restoration in Honduras. A third phase of the armed conflict sometimes successive and oftentimes coexisting with the previous one as in Colombia, is the war against organized crime which has resulted in the loss of more than 60 thousand innocent civilians in Mexico.



The exclusive dynamics of the four faces of war in a neoliberal, patriarchal, androcentric and heterosexual context deepens the gender, class, race, age, ethnic and nationality inequalities. The first face, structural violence impoverishes women and their families, particularly indigenous, peasant and afro-mixed women which further develops in displacement and migration that result in extortion, rapes, robbery and forced prostitution for women or multiple working journeys and labour and domestic violence against women. The second face, military and paramilitary counterinsurgent violence, transforms the bodies of women in war territories as shown during the genocides and massacres in El Salvador, Guatemala, Honduras and Chiapas. Rapes, disappearances, forced displacements selective killings, domestic and sexual slavery and the forced witnessing of the killings of their daughters and sons or the "opening" of pregnant women's wombs are part of the horrors faced by women. This includes the criminalization of the protest and the police and military repression of indigenous women defending their territories and communities as in Barillas, Guatemala, Oaxaca, México and Bolivia or the persecution of female students in Chile.

The third face of war is the counterinsurgent development which is implemented in post-conflict settings and implies the lack of compliance of the peace accords and the development of projects to dispute the territories and polarize the communities

or set a backlash conquered rights as has happened in Nicaragua with the antiabortion policies. These programmes generally strengthen dependency, the notion of women as caregivers and breeders and counteract the advancement of women's rights. The fourth face of war is the combat of organized crime named as the war against the red industry by the sociologists, of which women are considered collateral damage and are subject of forced prostitution, abduction, trafficking and prosecution, particularly targeting women human rights defenders and journalists.

There is a need to encourage compliance of State's commitments thus women propose a new set of norms to be promoted by CEDAW Committee to eliminate all forms of wars and address their impact on women, who face the challenge of not giving up, not quitting their dreams of peace and equality and not letting hope die. Women ask CEDAW Committee to see them as agents for the construction of a new society of justice, human dignity and peace as women "want to dance the dance of free towns, encompassing the rhythm of a new history, our history"².

See Annex 8: [The gender dimension in Latin America and the Caribbean conflicts and post-conflict situations by Dr. Mercedes Oliveira, Independent Expert](#)

Session One: The continuum of violence against women from conflict to post conflict situations

Five individual and one combined oral interventions emphasized the magnitude of women's human rights violations in the conflict and post conflict situations of Colombia, El Salvador, Guatemala and Honduras, particularly addressing the urgent need for the States to recognize their responsibilities, - either through action, lack of due diligence or omission- especially in relation to sexual violence, which could amount to crimes against humanity depending on each context.



² Claudia Karol at the II Mesoamerican Encounter of Gender and Feminism Studies, Guatemala 2010

The Central American conflicts and the increase of violence against women in the region, particularly in Guatemala, El Salvador and Honduras, demonstrate that



the continuum of violence against women is a result of the structural social injustice and the repression in the area. As the Esquipulas I and II Peace Accords state, “peace in Central America can only be the result of an authentic, pluralist, participatory and democratic process encompassing the promotion of social justice and the respect of human rights”. For more than 20 years, the

region shows the highest pattern of inequalities in the world where 70 percent of unemployed persons are the youth and the participation of women in politics remains under 30 percent. Military dictatorships and grave human rights violations particularly affect the situation of women and girls, including kidnappings, sexual slavery, forced disappearances, torture and displacement. Human rights defense and the claim for the fundamental freedoms are persecuted. There is a need to strengthen public policies to recover the historical memory, the search of lost children, eradicate femicide and other forms of violence against women, and promote the participation of women in public life.

See Annex 9: [Women in conflict and post-conflict by Ms. Gloria Anaya, President of the Women, Children, Youth and Family Commission of the Central American Parliament](#)

Whilst the 1992 Chapultepec Peace Accords formally ended the internal armed conflict, there is no war in **El Salvador**, but there is also no peace. A previous document signed in Geneva in 1990 set four principal objectives for the peace process which included the total respect of human rights, the cease of fire, the democratization of the country and the reunification of the society. However, most of the population continues to be excluded from education and health services.



High levels of delinquency and violence and the precarious, profound and increasing inequality between the wealthy and the poor, the lack of credibility of the political parties and the fragility of public institutions as well as the weight of the economic elites in the political decision increases impunity, corruption and migration to the USA. The State’s incapacity to address these issues directly and negatively impacts the general human rights situation and, in particular, the situation of women. Thus it is recommended that the general assembly seeks

ways to overcome impunity related to crimes against humanity, forced disappearance, systematic torture and genocide that have been inflicted to women and their families. There is an urgent need for El Salvador to ratify the CEDAW optional protocol as well as the Rome Statute on the International Criminal Court.

Honduras' *coupe d'état* is the consequence of the prevailing social, political and economic conditions and a prolongation of the economic power that hamper the democracy. The State should publicly recognize that authorities and state agents committed human rights violations and compensate its victims. the reestablishment of the constitutional order should be accompanied by an international mission as in El Salvador and Guatemala, opening the spaces for women to participate in the reconstruction of the State.

See Annex 10: [Women's human rights before and after the Peace Accords in El Salvador by Dr. Mirna Perla Jimenez, Honorable Magistrate of the Supreme Court of Justice from El Salvador and member of the Honduran Truth Commission](#)

Sexual violence was used as a weapon of war in **Guatemala**. 89 percent of the sexual violence cases were publicly committed against indigenous women with extreme cruelty, including rape against pregnant women, destruction of fetuses, exhibition of mutilated women's bodies, humiliations and forced naked dancing in front of soldiers and sexual slavery. Oftentimes rape was a prelude to death as it became part of the rituals preceding the massacres committed by the army in the highlands of the country.



Selective sexual violence was used to torture and repress women in social or revolutionary organizations which gradually became a generalized practice to generate terror and punish men from the enemy lines. This has had enormous consequences in the lives of the survivors who face stigmatization, ostracism and impunity.

Neither the Commission for Historical Declaration nor the National Reparation Programme have properly address sexual violence and human rights violations against women.

In the post-conflict phase, violence against women has alarmingly increased, particularly femicide, the last stage of the continuum of violence against women, as well as sexual violence, which has level up with the cruelty experience during the internal armed conflict as it usually involves maiming to send messages to the opponent delinquent parties.

Women, their organizations and feminist networks are facing past and present situations and their struggle to break silence on sexual violence and seek justice is oftentimes subject for further repression.

States must comply with the implementation of the UN Security Council Resolutions on women, peace and security

See Annex 11: [The Continuum of Violence against Women in Guatemala by Luz Méndez Gutiérrez](#)



The 60 year armed conflict in **Colombia** involves diverse actors such as guerrillas, paramilitary and post-demobilization armed groups linked to narcotraffick as well as state security forces seeking to reposition their power, all of whom share responsibilities for the violation of women's human rights.

Amongst the consequences of this conflict, 52% of the population suffered displacement, 46 percent of monoparental households are headed by women and a generalized increase of gender-based violence. Some 50 percent of displaced women have reported sexual violence after forced displacement. The pattern of abuse, exploitation and violence against women continues to be reproduced in flee and arrival places and most of the grave human rights violations against women continue to be invisible. Attacks and threats to women in leadership positions are generalized and the normative framework does not properly incorporate a gender and women's rights dimension. The ample dialogue related to the Law on victims and land restitution shows positive advancements.



However, challenges include durable solutions for refugee and displaced populations, personal documentation, economic autonomy and access to justice, and the institutional fatigue creates an

anesthetic effect of all actors to cope with the cruelty of the cases of human rights violations. Each case, each community is assisted with a specific focus and there is no unique formula to address the situation, rejecting anonymity and dignifying the survivors.

The organization processes of women oftentimes favour control practices of armed actors through the use of selective example-setting violence that discourages denunciations of human rights violations. The State does not offer a specialized support, naturalizing, underestimating and diminishing the gender impact of the armed conflict. The challenge of ensuring the truth, reparation and guarantees of non-repetition prevails and impunity weakens the state response and peace building efforts.

See Annexes 12, 13 and 14: *Joined presentation on the Colombian conflict and its impact on women* by [Silvia Arias, UN Women](#), [Sergio CastelBlanco, UNHCR](#), and [Catherine Pedreros, OHCHR](#)

Key inputs for the CEDAW Committee General Recommendation

1. Urge the States to recognize their responsibilities *vis a vis* the violation of women's human rights in conflict and post-conflict situations, especially in relation to sexual violence, which could amount to crimes against humanity depending on each context and adopt policies and programmes to generate transforming reparation and guarantees for the non-repetition.
2. CEDAW Committee should recommend clear minimal standards on how to identify a victim or survivor of conflict and post-conflict related violence as countries apply different methodologies, some of which affect women's rights to access justice and reparation.
3. Violence against women should be address from a holistic and regional perspective, as the similar patterns of women's human rights violations in the region call for regional transitional justice standards.



4. The noticeable trend towards the remilitarization of the states jeopardizes the establishment of the rule of law and increases risks for women, who share serious concerns *vis a vis* the increase in military budgets, the criminalization of social movements, and the complicity between the State and the private sectors to respond with force and violence – especially sexual violence - to the defense of indigenous territories. The CEDAW Committee should consider this situation in the elaboration of the General Recommendation and request an increased UN presence in the countries affected by conflict.
5. Increase the monitoring of women’s human rights in low intensity conflicts.
6. Adopt and highlight the notion of the continuum of violence against women from conflict to post-conflict situations, which has been developed by women in the Latin American and Caribbean region to highlight the systematic and continued use of violence against women, especially sexual violence, easily resorted to by State and non-State actors regardless of the intensity and type of conflicts.
7. The CEDAW Committee must urge the States to take steps towards ending impunity related to conflict and post-conflict violence against women and to ensure women’s access to truth, justice and transformative reparation, as the continuum of violence against women feeds from the widespread impunity around crimes against women, and its tolerance by the community, who often times blames the victims/survivors for the human rights violations committed against them.

See Annex 15: [Rapporteurs’ notes consolidated by Andrea Bolaños Vargas, Ruth del Valle, Glenda García, Yolanda López and Gabriela Tuch](#)

Session Two: Women’s rights to protection and justice

The three individual and one joint oral interventions discussed the protection mechanisms for internally displaced and refugee women, especially those aiming at the prevention of women’s



human rights violations in low intensity conflicts, concluding that violence against women, particularly sexual violence, continues to be used to repress and persecute organized women and women in leadership positions.

After the June 2009 *coupe d'état* in **Honduras** human rights violations, particularly against women, have increased. Femicides scaled from 343 in 2010 to 373 in 2011 and as May 2012 more than 120 have been registered. Women's bodies have become a battle field: more than 400 cases of human rights violations against women were reported during the political crisis. The major aggressions against women include beatings, kicking, toxic gasses attacks and sexual abuse. Both the police and the army hit women on the hips, the breasts, the pelvis and the derriere. From 23 cases monitored by the women's organization Feminist in resistance, seven reported multiple rapes by policemen which involved vaginal introduction of weapons. Military budgets were doubled twice in the last quinquennium, from US\$ 63 million in 2005 to US\$160 in 2010. There is a close link between the increase of femicides, militarization and the increased use of arms as shown by the figures: the use of small fire arms to kill women increased from 51 percent in 2003 to 89 percent in 2011. 60 killings against lesbians have been reported after the conflict. The ratification of the CEDAW optional protocol is pending.



See Annex 16: [The continuum of violence against women in Honduras during and after the *coupe d'état*](#)

In **Colombia** the armed conflict and the public policies and sociocultural organization based on a patriarchal culture coexist, limiting women's access to property and other fundamental rights. Women do not know their rights on land, production and similar assets, which hampers their access to justice and reparation. More than 50 women who participated in land restitution and the construction of peace in 2011 have reported attacks and threats and some have even been murdered. It is indispensable that Article 3 of CEDAW be applied when establishing measures for the socioeconomic recovery and to strengthen the protection of women leaders, human rights defenders and their organizations.



See Annex 17. [Inputs for the CEDAW General Recommendation on the Human Rights of Women in Situations of Conflict and Post-Conflict by Luz Estella Romero Villalba from Asociación Colectivo Mujeres al Derecho-Colombia](#)

When analyzing the situation of women in **Haiti** from a transitional justice perspective, there are three periods to be considered, the 1986 post-dictatorship, the aftermath of the 1991 *coupe d'état* and the reconstruction period after January 2010. This consideration is very important as the first two are political events and the last one is a natural disaster that needs to be addressed from different perspectives.



No Truth Commission was set after the 1991 *coupe d'état* and none of the human rights violations have been brought to justice, on the contrary, an amnesty accord has been signed to protect perpetrators. More than 60 percent of the victims of the 2010 earthquake are women who lost everything.

Rape is a political weapon. CEDAW Committee needs to promote the reparation of rape victims and the support for the recovery of those affected by the natural disaster.

See Annex 18: [Women's rights in situations of conflict and post-conflict: protection and justice in Haiti by Tessy Romulus, Ministry of Women and Dilia Lemaire, MOUFHED association](#)

The **Guatemalan** State and the National Guatemalan Revolutionary Unit subscribed the Accords of the firm and everlasting peace that incorporates eleven peace accords endorsed between 1991 and 1996. Whereas this should have represented an advance in addressing the structural



problems that originated the armed conflict, these are still present in the economic, cultural, political and social spheres. Racism, discrimination and exclusion are in the foundation of the Guatemalan state along centuries. This situation particularly affects indigenous women. The lack of democratic dialogue combined with the prevailing military

repression and the criminalization of social movements have resulted in the lack of confidence on state institutions, particularly the security and justice system.



The continuum of violence against women is manifested in diverse dimensions: the first is the historical and temporal line, a before, during and after the internal armed conflict; the second through the various forms of violation of their rights: sexual violence, domestic violence, killings femicide, psychological, economic and patrimonial violence; the third one in the context of the militarization, the struggle for land and the social and communitarian conflicts, and the last one related to the variety of perpetrators of these violations, including the armed forces, the organized crime, delinquents, private security guards, family members and close relatives, which involves sexual violence committed against women during the armed conflict and the actual post-conflict situation.

Whereas social campaigns promote the denounce of rape, there is no educational programme focused on preventing and dimensioning violence as a human rights abuse that impacts the social and cultural structures. The presence of the State institutions in rural areas is scarce or inexistent and the high levels of impunity have generated re-incidence by the perpetrators with the certainty that they will not face any consequence.



Transitional justice programmes should be designed, implemented and evaluated with the full participation of women survivors and focusing on gender equality and cultural pertinence and they should not substitute the compliance of the State obligations related to the economic, social and cultural rights of women, including the right to personal documentation, personal identity, free expression and access to information, recuperation, investigation and dissemination of the historical memory.

See Annex 19: [Presentation based on the exchange of women survivors and human rights women organizations from Guatemala by Asunción Telón](#)

Key inputs for the CEDAW Committee General Recommendation

1. Strengthen the protection mechanisms for the defenders of women's human rights, "to guarantee their right to defend women's rights" as they confront, along with women affected by conflict, threats and direct attacks due to their actions in search of justice.
2. Ensure compliance with national and international actual standards and normative; and revise the actual standards and normative to better ensure women's rights in conflict and post-conflict situations.
3. In their search for justice, truth and integral reparation, women call for guaranties of non-repetition through the recovery of the historical memory and the work at the national, local and communitarian levels.
4. The general recommendation should clearly indicate the States' responsibility to comply with recommendations of truth commissions on the investigation, dissemination and promotion of the historical memory as a guarantee of the non-repetition.
5. The investigation, prosecution and sanctioning of the conflict-related human rights violations should be defined as one of the key priorities of the justice system, including the provision of the appropriate resources to investigate, prosecute and sanction violence against women.

Session Three: Women building peace

Three individual oral statements and one joint presentation illustrated the contribution of women to the construction of peace, disarmament, the



attainment of the rule of law and the implementation of the UN Security Council resolution on women, peace and security.

The role of women in overcoming conflict has been fundamental for the construction and maintenance of peace, both at the national and regional level. Paradoxically, and in spite of demonstrating the active participation of women as agents of change, they continue to be the most excluded, violated, discriminated and underrepresented social group in all formal, local and regional decision making mechanisms. Data on the representation and participation of women in **Guatemala** confirm their marginalization of the democratic processes of decision making with a higher exclusion rate for indigenous and rural women. Whereas women have advanced concrete proposals to reform the Electoral Law and Political Parties, they are not being considered as a substantial part of this reform. This also applies for the reform of the justice and security system and violence against women continues to rise. The design of a National Action Plan to implement the UN Security Resolution 1325 is thus urgent, not only to increase women's participation in public office, but also to respond to their demands of justice, security truth, reparation and guaranties of the non-repetition, in coherence with the Rome Statute on the International Criminal Court. The State should take responsibility to address these issues. As stated by the Peace Accords integral security should be understood as one of the fundamental functions of the State with the ultimate goal of ensuring the wellbeing of the civil society without gender, ethnic or social discrimination.

See Annex 20: [Implementation of the UN Security Council Resolutions on women, peace and security by Alejandra Cruz Galich, IEPADES](#)

Peace is not only the absence of arms but also economic, social and cultural democracy, access to service and to development. It is a process intrinsically linked to changes and not only the signature of a paper. In **El Salvador**, women have fought against dictatorship and promoted the nomination of a UN special rapporteur. During the 12 years of war, women also involved in the guerrilla developing logistic tasks and in brigades. At that time there was no knowledge on the gender perspective. The procurement of sanitary towels for women and not only cigarettes for men was a conquering and women were affected by violence against them by combatant men, in the expression of sexually during the war there was machismo, androcentrism and territorialism. Women's proposals were also



general, with no gender considerations, mainly centered in ending the conflict and to alleviate the situation of women in prison. There were two women in the peace negotiations but they lacked the gender perspective and concentrated in the fight against the dictatorship and the search for independence.

After the conflict, women participated in the electoral political struggle and the constitutional reforms and have gained consciousness on women's rights to equality. Promoted reforms include the derogation of the law that ruled marriage for women who were raped with the perpetrator and the laws for a life free of violence against women. The government has publicly admitted responsibility for crimes against women and publicly asked for pardon and have installed a Reparation Commission and a Commission to seek lost children.



The implementation of UNSC Resolution 1325 is now being discussed as well as the ratification of the Rome Statute. El Salvador has the highest percentage on participation of women in the parliament but there are not many majors or women in municipal governments. An important advance is that all men running for parliament should prove responsible paternity.

After these experiences, it is expected that each woman who reaches a public position defends the interest and the rights of women. The fight against machism continues to be one of the main challenges and migration is a grave problem. However women continue to build a country where life is worth living. There is no democracy without gender equality, peace and development.

See Annex 21: [Notes on Nidia Diaz intervention, negotiator and signing party of El Salvador Peace Accords](#)



Haiti is classified as a post-conflict country although there has been no war since 1804. There are no armed groups fighting for power but there are organized gangs. A UN peace keeping mission has been established in the country and as there has been no recent war, there is no possibility of signing peace accords as there is no group to negotiate with. However, the prolonged dictatorship was a war against the people and women paid the highest price as the patriarchal

logic considers them as a men property, thus, during times of political pressure, they paid with their own body.

Haitian people waited too long for the government to react after the earthquake. The humanitarian agenda was actually defined by the international community, with the consequent cultural gaps and the use of inappropriate terms to describe the situation in **Haiti**. Social organizations should be aware that where there is crisis there is a concentration of human rights violations, however difficult to measure if more or less than before because there are no previous numbers. One of the most commonly registered violations after the earthquake was physical violence against women but it is not welcome for a country to declare that men are beating women during the crisis following the earthquake. This the projects to assist survivors of violence against women and assert their rights is slowly picking up with the support of the international community.



When there are tensions amongst the communities, people chose to find conflict resolution mechanisms, however no significant efforts have been made to build the rule of law and a democratic State. Women not only want legality, they do want democracy and peace.

See Annex 22: [Notes on the intervention of Danielle Magloire, Coordinator of the National Movement for the Eradication of Violence against Women and Natacha Clerge, Ministry on the Condition and the Rights of Women, Haiti by Ruth del Valle](#)

Guatemalan women's leadership in the peace negotiations was evident through the incorporation of their proposal in the Peace Accords. Whereas the women's movements continue to face limitations, several working agendas to advance women's rights have been developed defining their participation as rural, academic, politic, ethnically diverse, professional, feminist women, amongst others.



During conflict women organize to survive, take care of their families and for their own protection and that of other women. In some cases, women fled seeking for refugee, underwent forced displacement or relocated to urban spaces in search for means of subsistence.

At the political level, women organized themselves,



amongst others, to act against forced military recruitment, to search their detained or disappeared relatives, to demand justice. These experiences resulted in the creation of diverse human rights organizations that continue the struggle for justice, truth and reparation. They also emerged as political

indigenous leaders, organized refugee and returnee women and occupied local and communitarian decision making positions.

Amongst others, women demonstrated and used their resilient and political capacities to build peace for them and the new generations, undertaking actions for the non-repetition of the conflict related human rights violations against them and finding alternative ways to justice and reparation such as the festivals and the recent International court of conscience.

In spite their proposals to advance their economic rights, the quasi feudal and colonial system persists and their working conditions are marked by gender and ethnic discrimination, exploitation and male domination, particularly aggravated by the lack of access to land and productive processes. States should guarantee not only the right to education but the eradication of discrimination patterns and the replication of sexist roles in accordance with CEDAW.



See Annex 23: [Women in the construction of peace and the reestablishment of local economies by Carmelita Chonay, Representative of Organized Women, Guatemala](#)

Key inputs for the CEDAW Committee General Recommendation

1. Incorporate a recommendation for States to maintain an ethic and democratic position, especially in relation to social women's movements and recognize the difference between democracy and legality.
2. Women have played a vital role in the construction of peace, the recovery and preservation of historical memory and the adoption of new legislation. Despite their strong leadership and political participation in the construction of a

democratic state and the establishment or reestablishment of the rule of law, parity in the representation of women and men in decision making positions has not yet been reached. States should undertake legal, educative and justice reforms that promote and regulate parity in political participation.

3. Promote the adoption of 1325 national action plans with a gender and ethnic perspective that include conflict resolutions mechanisms, responds to the needs and proposals of women, and incorporates an information and education strategy to disseminate CEDAW and UN Security council resolutions on women, peace and security. This plan should also develop consultation mechanisms for indigenous towns and the promotion of women's citizen participation.
4. States should recognize sexual violence as a women's human rights violation and address it through action plans as an integral part of the construction and/or reconstruction of the rule of law.
5. Recommendations should include the decentralization of NWMs, to reach and respond to women in communities and municipalities

Session Four: Reestablishing local economies: Women`s economic opportunities in post-conflict situations

There were two oral statements, one individual and one joint intervention, through which contributions to address women's access to land and housing were made and information on the difficulties they face when safeguarding their communal territories was shared. These interventions and the plenary discussions also addressed women's alternatives for their economic recovery after the conflict, including their access to employment or self-employment, to credit and financial or entrepreneurial services as well as education and training.



The reconstruction programs and policies that prevent discrimination and provide equal opportunities to men and women were also discussed. Participants

identified the need to redirect these programmes as oftentimes they are not designed with a right's approach or an empowerment drive.

In Guatemala, there is a need to improve the normative framework to generate more and better opportunities for women. Within that line, the implementation of the National Policy for the Integral Development of Women and its Equal Opportunities Plan is necessary.



The priorities established by the new government under the Cero Hunger Pact are aligned with this policy and have generated the table on peasant economy where there has been established that there is a need to revisit the ancestral economy to guarantee food sovereignty. Programmes for the economic development of women should promote that women manage, control and decide over the resources that have been assigned for their benefit.

Their participation of women in the decision making processes is key, as their economic logic differs from that of men. Whilst women are more interested in social investment, men are more inclined to think about markets.

It is necessary to revise the National Reparation Programme as reparation should be conceived from an integral perspective and not only in the monetary sense. The Presidential Secretariat for Women advocates for the recognition of women's unpaid labour and the creation of childcare centres in accordance to the law. As the international banking is lead by men, credits to women are scarce and at high interests.



There is also a need to address the lack of gender, age and ethnic sensitive statistics as well as the use of the gender marker in municipal and national budgets. The social audit role of the civil society is vital for the advancement of women's rights.

In Haiti the unemployment has increased to 60 percent for women and 45 percent for men and most of the families have no shelter. The reconstruction plans are not gender sensitive and there are no projects to address women's needs. UN Women promotes the demarginalization of women and democracy implies more opportunities for women to participate in politics and to access nontraditional employment.

Women have fought for land since the XIX Century when the first mobilization for land was organized by women. In 1996 – 1997, the government of Haiti started an agrarian reform that benefitted women only if there were heads of monoparental families, excluding married or united women.

See Annex 24: [Notes on the interventions of Ms. Elizabeth Quiroa, Presidential Secretariat for Women, SEPREM, Guatemala; Ms. Tessy Romulous, Ministry on the Condition and the Rights of Women; and Sabine Manigat, UN Women, Haiti.](#)

Key inputs for the CEDAW Committee General Recommendation



States are responsible to guarantee women's economic, social and cultural rights. This obligation should not be confused, mixed or substituted with the implementation of reparation programmes to which women survivors of conflict related violence are entitled.

Whilst some countries do not recognize women's right to land, in others women face difficulties to hold ownership titles due to lack of IDs. Both situations hamper the full exercise of their rights. Thus, recommendations should be made for States to safeguard and comply with women's rights to ownership of land and to a legal ID.

States should protect women from the new forms of dispossession of lands and economic actives based on armed coercion by state or non-state actors. Threats, persecution, killings and sexual violence against women are used by state and non-state actors against communitarians that are protecting their territoriores. Non-state persecution actors include narco-traffickers, private security link to megaprojects, organized crime and human traffickers.



States should undertake IEC campaigns to recognize and make visible women's economic, social, domestic, family and communitarian contribution and eliminate patterns of discrimination and sexism

Participation and audience

65 persons were foreseen to participate to the consultation, of which 8 persons from the OHCHR/UN Women's team and 7 support staff. 54 were confirmed – including the OHCHR/UN Women's team and the support staff and total attendants reached 43 of the confirmed participants, of which four from South America, 19 from Mesoamerica, five from the Caribbean, 8 persons from the OHCHR/UN Women's team and seven support staff. Some 25 additional persons spontaneously participated, amongst which, congresspersons, women in political parties, organized women and people from the media.



Logistical arrangements and coordination aspects

In general, a positive ponderation of all logistical and coordination aspects was made, both by national and regional participants. Local partners specially valued efforts to ensure the participation of women survivors of conflict and post-conflict related sexual violence. Regional partners greatly appreciated the arrangements to expedite the issuance of entry visas and the reception of all parties through protocol.

See Annex 25: [Logistic Note](#)

Public Information

Whilst initially the OHCHR/UN Women's team had planned for a press release and a conference right after the consultation, this possibility was revisited once women survivors of violence during armed conflict confirmed their participation. To safeguard their privacy, several interviews were planned to take place in a different setting. There was a good coverage of the event, which included TV, radio, digital media and the press and one in-depth interview which will be out this month.



Some Lessons learnt

1. Different national contexts and realities, as well as the ethnic, linguistic and cultural diversity of some countries, in contrast with the similarities on the various types of human rights violations faced by women evidence the need for

the CEDAW Committee and the UN to provide guidance and support the clear definition of key concepts related to women, peace and security as well as in determining minimal standards to address conflict and post-conflict related violence against women, not only to States, but also to women, their organizations and their supranational networks.

2. A clear definition of roles, responsibilities and tasks within collaborators at all levels could have smoothed the coordination and the dynamics for the planning of the consultation.
3. The combination of expertises and mandates of the UNHCHR/UN Women team proved to be an asset for the successful implementation of the consultation.

4. Whereas the principal activity for the consultation was the aim of the combined teams, the Latin American and the Caribbean team greatly benefited from the discussions with women organizations, the preparation of national exchanges or the national discussions to prepare oral statements. An enthusiastic response from all partners and parties involved was busted just by the possibility of the Consultation to take place.



5. The participatory process of constructing this important CEDAW GR for women affected by conflict was very well received both by women and State instances.

6. The tangible opportunity to exchange visions, life stories, proposals, concerns, lessons learnt and good practices in the construction of peace was vital for women, their organizations and networks as well as for state institutions, was promising and resulted in excellent opportunities to strengthen knowledge and joint regional efforts.



7. The possibility of returning the information, once the GR is approved, should be considered to provide feedback to all participants on how their inputs were incorporated.
8. The multidisciplinary composition of the support team was an asset for the design and the smooth implementation of the consultation, as well as for the reporting and closing of all related administrative demarches.