**Submission from Save the Children:** “*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)[[1]](#footnote-1)”,* pursuant to resolution 45/28 of the Human Rights Council.

**Question: What measures would you recommend to help ensure sustainable, comprehensive, and consistent attention to gender equality and the human rights of girls in conflict and post conflict settings in the work of the Human Rights Council and its mechanisms, such as resolutions, UPR recommendations, Special procedures country visit reports, and the work of investigative bodies?**

1. **Background**

Globally, **426 million children live in conflict zones today**.[[2]](#footnote-2) These children experience massive human rights violations, particularly their right to be protected, educated, and live to the highest standard of health.

Significantly, children are not a homogenous group, and neither are women. Age, gender, and disability, and other factors of diversity, including socio-economic and cultural factors, play a significant role in both the violations experienced by people living in conflict contexts, as well as their impact.

The way girls experience conflict is inextricably tied to their standing in society and their frequently subordinate role and relative lack of power in comparison with men, women and boys within the overarching patriarchy.[[3]](#footnote-3) Girls are more likely to be economically dependent, with less social and political agency. Girls may face increased controls on their movements influencing their exposure to or experience of violations. Under such restrictions, girls may become more susceptible to particular violations of their rights such as child marriage (with correspondingly higher exposure to intimate partner violence), domestic violence, sexual violence and/or limited access to protective services such as educational, economic or medical services.[[4]](#footnote-4)

Gender-Based Violence Prevention and Response

Recent research from the Lancet highlighted that adolescent girls face increased risks of gender-based violence in humanitarian settings, including conflict settings, because of the intersectionality of age and gender, and the additional and exacerbated risk factors that arise in emergencies.[[5]](#footnote-5) The forms of gender-based violence (GBV) girls may experience include sexual violence, sexual exploitation and abuse, intimate partner violence, child marriage, and denial of other essential needs due to their age and gender, including access to essential health and education services and adequate food and nutrition. Notably, in conflict settings, girls may experience GBV perpetrated by armed forces and groups, as well as by community members, and even humanitarian response actors or civilian peace and security actors.

Recently research from Save the Children estimates that a staggering **72 million children, or one in six, live 50 kilometres or closer to conflicts where armed groups or forces have perpetrated sexual violence against children during the last year.[[6]](#footnote-6)** This analysis shows that the number of children at risk of sexual violence committed by conflict actors specifically is almost ten times higher today than in 1990. While noting that the majority of sexual violence cases, including those perpetrated against boys, go unreported, according to Children and Armed Conflict (CAAC) data for 2019, **98% of verified cases of rape and other forms of sexual violence were committed against girls**.[[7]](#footnote-7)

Sexual violence frequently causes serious physical injuries and the consequences might be particularly severe for children, as their bodies are not fully developed. Girls may suffer uterine prolapses, fistula and other injuries to the reproductive system and face complications and even death due to pregnancy at too early an age, as well as risks associated with unsafe abortions and the long-term impacts of unwanted pregnancy. All children face risks of urological and anal damage and exposure to sexually transmitted diseases that, if left untreated, can cause lasting harm and even death.[[8]](#footnote-8)

The psychological consequences for child survivors of sexual violence include post-traumatic stress disorder, somatic disorders, intense feelings of rage and shame, depression, self-blame and memory loss. In many post-conflict areas, the social impacts of sexual violence cannot be overstated. Survivors can face stigma that forces them out of their families, isolates them from their communities and leaves them to deal with their physical and psychological trauma alone. Survivors often live with stigma and distress for many years, if not the rest of their lives. Boys who suffer sexual violence may feel emasculated; girls may perceive themselves, or be perceived to be, dishonoured and impure.

Sexual violence can also affect children’s social development by depriving them of the environment and the means to fully develop their potential. They may normalise the use of violence within relationships, exposing them to the risk of re-victimisation. Sexual violence also has long-term ramifications for the economic futures of girl survivors. In areas where gender norms and limited economic opportunities may make marriage the most accessible route to social acceptance and financial security, abandonment and the loss of their marriage prospects can result in a lifetime of poverty.[[9]](#footnote-9)

**Nine of the ten countries with the highest prevalence rate of child, early and forced marriage are classified as fragile or conflict-affected**.[[10]](#footnote-10) In some contexts, despite the harm to girls as a result of child, early and forced marriage, girls may be married as a perceived protective and pre-emptive measure, due to fears associated with armed actors and the sexual violence they perpetrate. Yet, there remain significant data gaps when it comes to prevalence of child marriage and an urgent need for more research on why it happens and which measures can prevent it.[[11]](#footnote-11)

The rise in child marriages associated with a conflict setting means that sexual violence could slip under the radar when an intimate partner perpetrates it.[[12]](#footnote-12) Whether a child marriage perpetrated by an armed actor is framed and reported on as a marriage or sexual slavery is rarely clear or consistent and is entirely context specific.[[13]](#footnote-13) This blurs the lines on whether data is collected at all in the case of sexual violence perpetrated by an armed actor who claims to have married his victim.[[14]](#footnote-14)

Increased risks of child marriage, and adolescent pregnancy- bring increased risks for health complications as girls’ bodies are often neither physically nor emotionally mature enough for childbirth. The absence of obstetric services, critical equipment and supplies, and skilled health workers in displacement and protracted crisis settings mean that pregnancy and childbirth are often life threatening. These factors lead to increased risks of infection, miscarriage, premature delivery, stillbirths, and severe long-term health issues such as obstetric fistula.[[15]](#footnote-15) Around three-fifths of all maternal deaths take place in humanitarian and fragile contexts.[[16]](#footnote-16) An OCHA report in 2016 found that every day, 507 women and adolescent girls die from pregnancy and childbirth complications in emergency settings.[[17]](#footnote-17)

Access to Education

The United Nations verified 927 attacks on schools and hospitals in 2019. In multiple contexts, there is evidence pointing to the specific targeting of girls’ education. For example, in Afghanistan, the number of attacks on schools has increased dramatically, with girls’ schools repeatedly targeted.[[18]](#footnote-18) Attacks on girls’ schools are often a direct attack on girls who step outside of restrictive gender norms and expectations. In some cases, violent extremist groups have clearly stated their rationale for attacking girls’ schools – for example, to warn girls not to go to school, demand that teachers and parents close girls’ schools, or to try to restrict mobility and dress codes for women teachers and girls attending schools.[[19]](#footnote-19) Some of these attacks have been driven by entrenched and regressive norms around gender and girls’ roles and value. In such settings, a common perception may be that girls’ value derives solely from their marital and reproductive capacities or care-taking roles, and that their behaviour and presence should be confined to the private sphere.[[20]](#footnote-20)

Girls overall are 2.5 times more likely to be out of school in conflict settings than boys. And when girls are not in school, they are more likely to be married as children, experience life-threatening adolescent pregnancy, and face life-long gender-based violence and health issues.[[21]](#footnote-21)

1. **Recommendations:**

The Human Rights Council and its mechanisms should urgently address and prioritize the promotion and protection of the human rights of girls living in conflict and post-conflict settings, through:

* **Systematic inclusion, consultation, and partnering with adolescent girls and girl-led groups and networks, to leverage their agency, innovative solutions, and ensure their safe and meaningful participation in all decisions and accountability processes affecting them.** Support girls to raise complaints of violations of their rights directly to HRC processes and mechanisms and provide them with dedicated spaces and more systematic opportunities to engage with these mechanisms on all matters that concern or affect them. Adolescent girls, and girl-led groups and networks, require child-friendly and gender-sensitive information and tools, as well as increased technical and financial support for their knowledge and skills building, so that they may safely and meaningfully engage in human rights and peace processes. Adolescent girls also require safe spaces and platforms for peer-to-peer interactions and consultations.
* **Ensure that legal and policy frameworks and all accountability mechanisms recognize and incorporate an age and gender lens**. While the unique needs of children affected by conflict merit a standalone mandate with dedicated political space and resources, consistent application of common definitions, and normative language that is age and gender-sensitive would facilitate complementarity and synergies across efforts. This includes within the:
  + Mandates of all future investigations and inquiriesconducted on behalf of Commissions of Inquiry, Fact-Finding Missions and other accountability mechanisms;
  + Human Rights Council Resolutions;
  + Reports and briefings by UN Special Mandate Holders; and,
  + Recommendations to UN Member States under the Universal Periodic Review.
* **Comprehensively collect, analyze, and use data disaggregated by sex, age, and disability.** Those undertaking identification, documentation, investigation and/or verification of rights violations must ensure ethical, safe and responsible practices. All data collection must safeguard children’s safety and protection, and adhere to established data collection safety and ethics standards. Policies and practices must be child-friendly, gender-sensitive and inclusive. Security and safety considerations, as well as the psychological well-being of survivors and others, must outweigh any attempt to establish prevalence or incidence data.
* **Prioritize adequate human resources and expertise.** Ensure consistent inclusion of specialist experts on both gender and children within investigatory teams and other human rights accountability mechanisms and processes, as well as adequate training and tools.
* **Address financial capacity constraints.** New strategies and innovative solutions must be implemented to urgently increase investments to the full range of actors conducting monitoring, reporting and investigations towards accountability for crimes and violations against children, ensuring both gender and child sensitive approaches to monitoring, recording, and investigation. Recognizing that child protection and gender-based violence are both severely under-funded sectors within wider humanitarian response, resource allocation is a major barrier to ensuring qualified personnel on the ground – who within local, national and international civil society organisations, UN agencies and UN missions, are often among those who either collect relevant data themselves or provide support to investigations.

Human Rights Council supported and mandated investigatory teams must further seek to:

* **Consistently include local expertise to ensure full understanding of the prevailing context** (including any pre-conflict gender-based and age-based norms, power dynamics, perceptions, and practices and understanding how conflict has impacted on these norms);
* **Push for and participate in training on how to monitor, investigate and document grave violations against children of different genders and ages**, ensuring sensitization to the contextually-specific connections between gender-based violence and children’s rights violations; and
* **Recognize and collaborate with local children and women’s rights organizations and other relevant local and national partners**, including human rights defenders, for the important role they play, working to highlight and address gaps in resourcing and capacity.

1. Although established as separate streams, the WPS agenda intersects significantly with other protection agendas of the Council’s work, including the Children and Armed Conflict (CAAC) and Protection of Civilians (POC) agendas. Notably, the WPS agenda calls for the mainstreaming of a gender analysis across all of the Security’s Council work, as well as protection for women and girls in conflict and post-conflict settings, and an end to impunity for conflict-related gender-based violence. [↑](#footnote-ref-1)
2. Save the Children, Weapon of War- <https://resourcecentre.savethechildren.net/node/18763/pdf/weapon-of-war-report_final.pdf> [↑](#footnote-ref-2)
3. Save the Children, Gender, Age and Conflict: Addressing the different needs of children affected by conflict- <https://www.savethechildren.ca/wp-content/uploads/2020/04/SC-Gender-Age-and-Conflict-report-final.pdf> [↑](#footnote-ref-3)
4. Importantly, boys, can also be targeted and instrumentalized owing to gender-driven expectations, resulting, for example, in increased risk of killing and maiming, or recruitment and use in armed forces and armed groups. Please see Save the Children’s research- [↑](#footnote-ref-4)
5. <https://www.thelancet.com/pdfs/journals/lanchi/PIIS2352-4642(20)30245-5.pdf> [↑](#footnote-ref-5)
6. Save the Children, Weapon of War- <https://resourcecentre.savethechildren.net/node/18763/pdf/weapon-of-war-report_final.pdf> [↑](#footnote-ref-6)
7. In 2018 CAAC data, 87% of sexual violence cases concern girls and 1.5% boys, the rest is not disaggregated. In 2019 CAAC data, 98% of cases concern girls and 2% boys. Disaggregation in previous years is weaker [↑](#footnote-ref-7)
8. Save the Children, Weapon of War- <https://resourcecentre.savethechildren.net/node/18763/pdf/weapon-of-war-report_final.pdf> [↑](#footnote-ref-8)
9. Save the Children, Weapon of War- <https://resourcecentre.savethechildren.net/node/18763/pdf/weapon-of-war-report_final.pdf> [↑](#footnote-ref-9)
10. Girls Not Brides, Child Marriage in Humanitarian Settings Brief- <https://www.ohchr.org/Documents/Issues/Children/HumanitarianSituations/GirlsNotBrides.pdf> [↑](#footnote-ref-10)
11. Save the Children, Addressing Data Gaps on Child, Early, and Forced Marriage in Humanitarian Settings- <https://resourcecentre.savethechildren.net/library/addressing-data-gaps-child-early-and-forced-marriage-humanitarian-settings> [↑](#footnote-ref-11)
12. UNFPA, 2020, Preventing and responding to child marriage in humanitarian settings: the global programme approach, https://www.unfpa.org/sites/ default/files/resource-pdf/GP-2020-Child-Marriage-inHumanitarian-Settings-FactSheet.pdf [↑](#footnote-ref-12)
13. See for example, See for example: K Carlson and D Mazurana, 2008, Forced Marriage within the Lord’s Resistance Army, Uganda, Feinstein International Center, https://fic. tufts.edu/publication-item/forced-marriage-withthe-lords-resistance-army-uganda/; B A Toy-Cronin, 2010, ‘What is Forced Marriage? Towards a Definition of Forced Marriage as a Crime Against Humanity’, Columbia Journal of Gender and Law, Vol. 19 No. 2 https://journals.library.columbia.edu/index. php/cjgl/article/view/2592; Human Rights Watch, 2003, We’ll Kill You If You Cry: Sexual Violence in the Sierra Leone Conflict, www.hrw.org/reports/2003/ sierraleone/sierleon0103.pdf. [↑](#footnote-ref-13)
14. Save the Children, Weapon of War- <https://resourcecentre.savethechildren.net/node/18763/pdf/weapon-of-war-report_final.pdf> [↑](#footnote-ref-14)
15. UNFPA, *Adolescent Girls in Disaster and Conflict: Interventions for Improving Access to Sexual and Reproductive Health* Services, p.8, 2016 [↑](#footnote-ref-15)
16. UNFPA, *State of the world population*, *Shelter from the Storm*, 2015; [↑](#footnote-ref-16)
17. OCHA, *World Humanitarian Data and Trends*, p. 39, 2016 [↑](#footnote-ref-17)
18. Save the Children, Stop the War on Children: Gender Matters- <https://resourcecentre.savethechildren.net/node/16784/pdf/ch1413553.pdf> [↑](#footnote-ref-18)
19. Global Coalition to Protect Education from Attack (22 November 2019) ‘Girls targeted when schools attacked, impacting lives, education’, http://www. protectingeducation.org/news/girls-targeted-whenschools-attacked-impacting-lives-education [↑](#footnote-ref-19)
20. Global Coalition to Protect Education from Attack (22 November 2019) ‘Girls targeted when schools attacked, impacting lives, education’, http://www. protectingeducation.org/news/girls-targeted-whenschools-attacked-impacting-lives-education [↑](#footnote-ref-20)
21. J Freccero and A Whiting (2018) Toward an End to Child Marriage: Lessons from research and practice in development and humanitarian sectors, Save the Children, https://resourcecentre.savethechildren.net/ library/toward-end-child-marriage-lessons-researchand-practice-development-and-humanitarian-sectors; D Mazurana and A Marshak (2019) Addressing Data Gaps an Child, Early And Forced Marriage in Humanitarian Settings, discussion draft, Save the Children, https://blog.savethechildren.org/wp-content/ uploads/2019/12/F\_STC\_union\_online\_dec19.pdf [↑](#footnote-ref-21)