**OHCHR- 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)**

**Submission of Ireland**

**April 2021**

1. How does the work of the Human Rights Council and its mechanisms mainstream gender equality and the human rights of women and girls in displacement, conflict and post conflict situations? Please provide information concerning:
	1. Legal and normative frameworks, policies and programmes to ensure the respect of human rights in conflict prevention, conflict and post conflict, including participation in decision-making, the right to education, health, and to live free from violence and discrimination. Please provide information on the implementation of the UN Security Council agenda on women, peace and security (1325 and others)?

The Human Rights Council (HRC) works with many mechanisms and frameworks that are created throughout the United Nations bodies and mainstreams these into its work. It does this through continuous integration of gender perspectives into areas relating to disarmament and demobilisation as well as reintegration and rehabilitation programmes.

The HRC contributes to peacebuilding and peacekeeping mandates by ensuring that human rights officers are deployed and are appropriately trained to mainstream human rights throughout all aspects of their mandates. Integrating human rights officers especially allows a gender perspective to be taken and to ensure that women and girls are included in participating in decision-making processes and that human rights violations are accurately reported.

To ensure the respect of human rights for women and girls in conflict prevention, conflict and post conflict, including participation in decision-making, the UN must work to maintain a coherency between its institutions that are working on the ground. That is to say, that there is a synergy in the work being carried out by all UN bodies, such as UN Women and UNICEF, so that all human rights are respected and promoted in an equal fashion and that a gender perspective is taken in all peace and security efforts both at an institutional level and through offices located regionally.

* 1. Role of women’s groups, women human rights defenders, women humanitarian, women peacebuilders and girls; and, their meaningful participation in the prevention and resolution of conflicts in peace building, confidence building, and economic recovery?

Ireland believes that more must be done to recognise, support and capture the work being undertaken by women human rights defenders and peacebuilders at a local and grassroots level. There must be avenues for partnership and interlinking local, national, regional and international women’s peacebuilding efforts.

Viewing women primarily as victims can be harmful and limiting. Instead, Ireland recognises women as agents of change and believes that barriers to women’s empowerment can be removed by having a strategic focus on political participation, supporting women’s leadership, expanding women’s choices and continued access to education and training. Ireland promotes this empowerment so that women can take their place as leaders and full and equal participants in peacebuilding and conflict prevention and resolution.

Ireland committed in its Third National Action Plan[[1]](#footnote-1) on Women, Peace and Security to focusing attention on the participation of women in grassroots peacebuilding on the island of Ireland. Women who have lived and experienced conflict can provide knowledge and experience in understanding conflict prevention and are key sources of knowledge in dealing with fragile states.

Ireland understands that our own experience in peacebuilding and peacekeeping on the island of Ireland affords us a unique opportunity to share lessons learned with others to promote and protect peace and stability in our international work.

* 1. Prevention measures in place, guided by lessons learned to alert on crises, which might have a negative impact on the rights of women and girls?

The OHCHR has previously taken measures to hear directly from victims of sexual violence to discuss with them their perception of just reparations. This has been done through for example, a High Level Panel to hear directly from victims and survivors of sexual violence in the Democratic Republic of Congo in 2010, as well as supporting efforts to collect and collate data through field research in the Greater North of Uganda between 2007 and 2011. Efforts such as these allow for victims and survivors to speak directly of their experiences of sexual violence through a full, equal and meaningful participation of women in efforts to seek justice as well as gaining a further understanding of their needs in terms of prevention measures. However, the OHCHR must remain cautious over the risk of reprisals against women and girls who speak out in such circumstances and for their involvement with UN bodies.

Ireland acted as the EU burden sharer for resolution 74/146[[2]](#footnote-2), adopted at the 74th session of the UN General Assembly. This resolution condemned all acts of intimidation and reprisal, both online and offline, by State and non-State actors against individuals, groups and organs of society, including against human rights defenders and their legal representatives. Despite this resolution and continued international condemnation, along with the work of the Assistant Secretary General for Human Rights’ work to end acts of reprisal, they unfortunately continue, and Ireland remains deeply concerned over the possibility of such reprisals against women and girls acting in cooperation with the UN to seek justice for violations committed against them.

* 1. Measures of accountability implemented or planned to protect and provide remedies to women and girls victims and survivors of human rights violations, including gender-based violence, during and after conflicts by State and non-state actors?

The Office of the High Commissioner for Human Rights (OHCHR) develops human rights methodology, training and guidance and works to mainstream human rights throughout policies, including the maintenance of international peace and security. In doing this, the OHCHR has an opportunity to include provisions that allow for women and girls victims and survivors of human rights violations, including gender-based violence, during and after conflicts by State and non-state actors.

Such opportunities arise in the inclusion of applying the atrocity lens through the HRC’s investigative mechanisms such as Fact Finding Missions (FFM) and Commissions of Inquiry (COI). This requires such mechanisms to include within their scope the investigation of gender-based violence as part of their mandate so that perpetrators can be held accountable. For example, the Commission on Human Rights in South Sudan (the Commission) was tasked with not only collecting and preserving evidence of human rights violations as part of its transitional justice mandate but it also included gender or sexual-based violence as well as ethnic-based violence within its remit.

Not only was the Commission mandated to examine past violations but it was also tasked with attempting to prevent future violations and in doing so has permitted the Commission to consider the use of sanctions to prevent violations and can examine hate crimes and hate speech as well. These measures to look for ways in which human rights violations can be prevented have also allowed the Commission to be a good example of a measure of accountability to allow women and girls victims and survivors a means to seek justice and to end impunity for violators of sexual and gender-based violence in conflict and post-conflict settings.

The establishment of National Human Rights Institutes is a key step in allowing victims to seek justice through local and national resources as they can play a crucial role in promoting and monitoring the implementation of international human rights standards at national levels. Therefore, measures by the UN Human Rights Council’s to empower these institutes (including through supporting the interaction of NHRIs with international human rights systems such as treaty bodies and special procedures) are important to protect and promote human rights and ensure accountability.

It is also important that all participating parties to the peacebuilding and peacekeeping process are appropriately trained in human rights, gender equality and preventing sexual violence in conflict. This allows all parties to understand the intricacies of ensuring access to justice for victims and survivors of sexual or gender-based violence and the intersectionality of the discrimination and violations of human rights experienced by women and girls, as well as ending impunity for perpetrators of such violations.

e. Remedies and lifesaving services available to victims of conflict-related violence, measures taken to ensure accessibility to those remedies and services by all women and girls?

Through the creation of One Stop Centres, remedies and lifesaving services are available to victims of conflict-related violence. They allow for easy access to facilities, which offer psychosocial and legal support as well as health services. Ireland provided specific support to such centres in Monrovia through its involvement in the peace process in Liberia. Ireland will continue to work with international and national partners to research and pilot community-based approaches to prevent gender-based violence and include men and boys as key agents of this change.

2. What are the promising practices, achievements, and challenges in ensuring the promotion and protection of women and girls in conflict and post-conflict settings that have been highlighted in the work of the Human Rights Council in its mechanisms (resolutions, UPR, Special procedures, investigative bodies)

**Inclusion of Women Peace and Security (WPS) cross-cutting issues in Special Procedure mechanisms**

All reports of thematic and country special procedures should incorporate explicit references to UNSCR 1325 and its subsequent resolutions to ensure the inclusion of WPS perspectives. This could offer practical entry points for identifying intersections between health, education development, right to food, water and sanitation and the specific needs and risks of women in conflict and post-conflict contexts.

**Gendered perspectives in the Human Rights components of UN peace operations.**

The creation of human rights components in UN Peace operations, overseen by the OCHCR is another opportunity for integrating WPS perspectives. The Human Rights Division of MINUSCA (HRD) is a good example of the inclusion of a human rights based approach to WPS. Its main area of work include, amongst others: conflict related sexual violence; women’s protection; transitional justice; foundational and institutional capacity building. Such capacity building should however be informed by a gendered analysis and have monitoring mechanisms to ensure its processes are survivor centred. Ireland also wishes to highlight the work of UNMISS which has published reports on a range of WPS-related issues, including access to health for survivors of conflict-related sexual violence.

**Human Rights Council timely investigation of widespread violations against women’s rights.**

HRC joint investigations, such as that recently announced in relation to Ethiopia, are vital for ensuring accountability for violations against women’s rights. Ireland also notes the findings of the 2020 UNSG report on WPS where the Secretary General highlighted the mechanisms created by the General Assembly and the Human Rights Council to investigate the most serious international crimes committed in Myanmar and the Syrian Arab Republic as an important avenue to justice for women. Similarly, we also recognise the positive precedent set by the extensive use of international commissions of inquiry and fact finding missions in recording atrocities against women and girls in paving the way for prosecution when it becomes possible. It is positive for instance to see the mandate of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela include a duty to “Investigate gross violations of human rights, including […] those involving sexual and gender-based violence, committed since 2014” or that it is the Commission on Human Rights in South Sudan’s mandate to “clarify responsibility for alleged gross violations and abuses of human rights and related crimes, including sexual and gender-based violence”.

**Universal Periodic Reviews and WPS**

The Universal Periodic Reviews is an important but under-utilised mechanism for examining the implementation of the WPS Agenda by Member States. In 2014 Ireland submitted a recommendation to the Democratic Republic of the Congo that it ensure full implementation of UNSCR 1325 (2000) and 2122 (2013), including by increasing women’s participation in peacebuilding. In the past year, Ireland also specifically raised the WPS agenda in recommendations made to Panama to adopt a national action plan for the implementation to the Security Council resolution 1325 (2000).

3. What measures would you recommend to help ensure sustainable, comprehensive, and consistent attention to gender equality and the human rights of women 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?

**WPS capacity building in Special Procedures**

Ireland believes that systematic support should be provided to mandated experts to encourage the integration of a gendered analysis in their work. This could include training and lesson-sharing, but would also necessitate adequate resourcing.

**Better synergies for increased protection and accountability**

The Human Rights Council should seek to enhance synergies between its work and that of the different UN entities to accelerate the implementation of the WPS Agenda through accountability for violation of women’s rights in conflict and post-conflict settings. The February 2021 UNSCR 2564 on sanctions in Yemen condemned “human rights abuses, including those involving conflict-related sexual violence” referring to the findings of the report of the Yemen Panel of Experts and condemned an individual for “his prominent role in a policy of intimidation and use of systematic arrest, detention, torture, sexual violence and rape against politically active women”. There was however no reference to the work or findings of OHCHR’s Group of Eminent Experts on Yemen. Synergies between UN bodies, sanction committees and the HRC’s mechanisms could ensure more systematic sanctions for recorded conflict related sexual violence.

**The Advisory Committee and WPS.**

The Advisory Committee can be an important driving force in highlighting current areas of concerns, normative developments and gaps in the mainstreaming of the WPS Agenda in the work of the Human Rights Council and its mechanisms. It can provide innovative solutions for the implementation of the WPS Agenda with a Human Rights approach and advocate for a holistic understanding of UNSCR 1325. It could ensure that principles of gender integration, mainstreaming and intersectionality are sufficiently understood at the Human Rights Council and its mechanisms and examine whether these are taken into account in negotiations.

1. <https://www.dfa.ie/media/dfa/ourrolepolicies/womenpeaceandsecurity/Third-National-Action-Plan.pdf> [↑](#footnote-ref-1)
2. <https://undocs.org/en/A/RES/74/146> [↑](#footnote-ref-2)