

Security Council Open Debate on
WOMEN, PEACE AND SECURITY
“DISPLACED WOMEN AND GIRLS: LEADERS AND SURVIVORS”

28 October 2014

Concept paper

1. Introduction

The Security Council laid the foundation of the women, peace and security agenda in the landmark resolution 1325 (2000), and subsequent resolutions 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013), calling for the special protection and the full and equal participation of women in all conflict prevention, resolution and post-conflict peacebuilding efforts. In its resolution 2122 (2013), the Council committed to *“increase its attention to women, peace and security issues in all relevant thematic areas of work on its agenda, including in particular Protection of civilians in armed conflict, Post-conflict peacebuilding, The promotion and strengthening of the rule of law in the maintenance of international peace and security, Peace and Security in Africa, Threats to international peace and security caused by terrorist acts, and Maintenance of international peace and security.”*

Fourteen years since the adoption of resolution 1325, there has been a sea change in terms of normative developments and global, regional and national commitments in support of the implementation of the different aspects of the women, peace and security agenda. There is now a broad consensus that a peace process that does not include women is a faulty process; there is wide spread outrage about the heinous crimes committed against women and girls in conflict-affected settings and strong determination to eliminate sexual violence and secure justice for all human rights violations experienced by women and girls. There is also growing recognition that women’s economic, cultural, political and social autonomy is a linchpin for a life free of violence and that women’s empowerment is a key ingredient for democracy, stability and lasting peace.

Yet, there are many miles to go to affect real and sustained change with regard to outcomes and results on the ground. The past year has been marked by increased violence, mass displacement flows and related humanitarian catastrophes. Women and children, particularly girls have been affected by newly emerging violence and conflicts associated with the proliferation of militias and armed groups, in some cases linked to violent extremism, while many protracted conflicts remain unresolved. All of these developments have had a detrimental impact on progress and results achieved on peace, security, reconciliation and stability overall.

The tragic human cost of current conflicts is starkly visible in the situation of refugees, asylum seekers and Internally Displaced Persons (IDPs). There were 51.2 million forcibly displaced by the end of 2013, the highest number in the post-World War II era. While in 2011, every single day, some 14,000 people worldwide were forced from their homes by violent conflicts, in 2013 this number escalated to 32,000 newly displaced persons daily. Three-quarters of the refugee and IDP population are women and children, and women

and girls comprise about half of any refugee, internally displaced or stateless population.¹ Even though each refugee and IDP situation is unique, displacement and statelessness exacerbate existing gender inequalities, amplifying the discrimination and hardship faced by women and girls. Through a combination of factors, including gender-based discrimination in access to resources, education and employment, poor reproductive health care and exclusion from decision-making processes, refugee and IDP women constitute one of the most vulnerable groups in the world. In this context, the ability of the women, peace and security agenda to promote their human rights and empowerment is emblematic of how far we have come and how far we still have to go.

The Open Debate convened by Argentina will provide, on the occasion of the 14th anniversary of resolution 1325 (2000), an opportunity to address persistent as well as emerging gaps and challenges to the implementation of the women, peace and security agenda and to share good practices that have delivered results. The debate will allow for a closer examination and follow-up on specific commitments made in relation to the situation of refugee, IDP and stateless women and girls across various normative frameworks, including the seven resolutions adopted by the Security Council on women, peace and security. In particular, it will focus on women's role as leaders in displacement and refugee settings, both in terms of decision making and the provision of humanitarian assistance and protection, as well as in the broader context of their roles in addressing the root causes of the conflicts that resulted in the displacement.

2. Background

The protection, fundamental freedoms and human rights and participation of women and girls refugees and IDPs and their access to humanitarian assistance have been a concern of the Security Council since the adoption of resolution 1325 (2000). The resolution, inter alia, calls upon all parties to armed conflict to respect the civilian and humanitarian character of refugee camps and settlements, and to take into account the particular needs of women and girls.

In Resolution 1820 (2008), the Council encourages the Secretary-General, in consultation with women and women-led organizations, to develop effective mechanisms to protect women and girls in, and around, refugee and IDP camps - particularly from sexual and other forms of gender-based violence (SGBV).

In Resolution 1889 (2009), the Council recognizes that an understanding of the impact of situations of armed conflict on women and girls, including refugees and IDPs, adequate and rapid response to their particular needs, and effective institutional arrangements to guarantee their protection and full participation in the peace process, particularly at early stages of post-conflict peacebuilding, can significantly contribute to the maintenance and promotion of international peace and security. In the same resolution, the Council calls upon all parties to armed conflicts to ensure the protection of all civilians in refugee camps and settlements, in particular women and girls, from all forms of violence, including rape and other sexual violence, and to ensure full, unimpeded and secure humanitarian access to them.

¹ See e.g. UNCHR (2014) *Global Trends 2013: War's Human Cost*. Geneva.

In resolution 2122 (2013), the Council expressed concern at women's exacerbated vulnerability in armed conflict and post-conflict situations particularly in relation to forced displacement, as a result of unequal citizenship rights, gender-biased application of asylum laws, and obstacles to registering and accessing identity documents which occur in many situations.

Important steps have also been taken over the past decades by a range of actors to improve international, regional and national responses to the diverse assistance, protection and durable solution challenges faced by displaced women and girls at different stages of displacement.

In all crisis and conflict situations women's human rights are guaranteed by a robust international legal regime, including protection under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and international human rights, refugee and humanitarian law. Additionally, the Guiding Principles on Internal Displacement include important provisions on the protection of women and girls and the United Nations High Commissioner for Refugees (UNHCR) has adopted international protection guidelines and guidance tools on refugee and displaced women.² These international norms and policies are complemented by various regional instruments, such as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.

While there is a comprehensive legal and normative framework in place, women and girls continue to face countless risks and challenges both prior and during the displacement process as well as in the context of repatriation, local integration or resettlement. Existing patterns of gender-based discrimination are often exacerbated in such situations and risks and challenges may be further aggravated by the intersection of gender with other factors such as age, group affiliation (e.g. membership in minority groups), disability or civil and socio-economic status. Pregnant women and adolescent and/or unaccompanied girls face particular dangers. Specific threats may also arise in emergencies, protracted displacement situations, camp settings or urban settlements.

Gross abuses, including sexual and gender-based violence, sexual exploitation, trafficking in persons, forced recruitment and abduction of women and girls are all particularly serious concerns. Other major human rights violations relate to restricted access to resources, housing, land and property; inequitable access to services such as education and health, specifically comprehensive sexual and reproductive health services; as well as access to training and livelihoods initiatives – all of which have serious security and safety implications and may contribute to negative coping strategies such as early and forced marriage. While attempts have been made to provide women and girls with services, more often than not these are offered without regard to their differing needs. Women and girl headed households, young mothers, and women and girls with disabilities are most likely to encounter major barriers to accessing services or participating in community life and decision making.

² UNHCR *Handbook for the Protection of Women and Girls*, 2008, <http://www.refworld.org/docid/47cfc2962.html> ; UNHCR *Guidelines on International Protection No. 1: Gender-Related Persecution Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, 7 May 2002, HCR/GIP/02/01, <http://www.refworld.org/docid/3d36f1c64.html>

Other gaps exist in ensuring the inclusion of refugee and IDP women in decision-making at all levels. While there is growing evidence of significant progress in many operations, both within camps and other displacement contexts, men are overwhelmingly assigned the role of “leaders” in distribution systems of food, medicine, clothing and other items and in consultations with the international community, thereby increasing the dependence of women on men. In some places, the distribution centers are located far from the camp, forcing women to exchange or sell their rations to pay someone to help them collect assistance, including water or fuel. In order to achieve more stable and secure communities, refugee and IDP women should be supported in taking on leadership roles, as well as provided with opportunities to become self-reliant and engage in livelihood programs. It is also important to recognize that more than half of refugees and IDPs are not living in camps. Therefore the debate will also address women’s leadership roles in non-camp settings where reaching IDPs and refugees as well as providing services pose additional challenges.

Gender inequality is also reflected in the educational level of displaced and refugee women. Their access to schools may have been hampered by cultural norms of their community of origin. In displacement settings, this inequality is sharpened as a result of unsafe corridors for girls to travel to school, unsafe learning environments, and lack of teachers, inadequate infrastructure and latrines – all of which hinder girls’ access to education. Other barriers to girls’ education are inadequate access to sanitary materials, the absence of safe places for girls to interact with other girls and mentors, child care for young mothers, and disability inclusive education. Refugee and IDP girls should be guaranteed access to education, the opportunity to build their livelihood skills and earn income, and support to enable them to take on roles that will give them greater control over their lives.

Due to discrimination in law and practice, female-headed households face particular challenges in providing for and protecting themselves and their families. Additionally, statelessness can arise when a women’s experience of the conflict intersects with discriminatory nationality laws. Women may be left stateless when they cannot prove nationality because necessary documents such as identity documents and birth registration are either not issued or are lost or destroyed in conflict and are not reissued in their names. Statelessness may also arise in situations in which discriminatory laws deny women the ability to pass on their nationality to their children. Moreover, many challenges persist in processing gender-based asylum claims, and severe constraints and restrictions may be imposed on humanitarian access to people in dire need of essential services and assistance.

Responding effectively to the problems refugee and IDP women face requires a holistic approach that combines preventive strategies, responses and solutions.³ It demands the integration of a gender perspective in policies across all sectors related to refugees and IDPs⁴ in accordance with international law governing the treatment of refugees and IDPs, including international refugee law, international humanitarian law and international human rights law. Such policies must address all four pillars of the women, peace and security agenda (participation, conflict prevention, protection and relief and recovery) ensuring refugee and IDP women are included in all protection, prevention, participation, and relief and recovery efforts.

³ UNCHR Executive Committee, Conclusion N°105 (LVII), 2006, women and girls at risk, para.(g).

⁴ Equal access to protection and services that address specific protection needs.

UNHCR, the Special Rapporteur on internally displaced persons and others have put forward a range of policy recommendations and practical guidance to States, United Nations entities, and other international actors. These include, among others, measures such as: the collection and analysis of sex and age disaggregated data to inform policy making; planning and emergency responses; the development and use of gender-sensitive early warning indicators to strengthen preventive and protective environments; ensuring consultation, participation and representation of refugee and IDP women in the development, implementation, monitoring and evaluation of laws, policies, programmes and activities that affect their lives; increasing strategic support for education, training and safe and sustainable livelihoods for women at all stages of displacement; and increasing investments in rule of law and governance in displacement-affected communities to strengthen resilience and facilitate return.

This entails addressing the root causes of conflict and forced displacement and strengthening national infrastructures for peace. It also requires that all parties to conflict uphold international law and ensure accountability for crimes committed against displaced women and girls. In particular, increased support for women's leadership and participation and their political, social, legal and economic empowerment are key to durable solutions and effective conflict prevention, peacebuilding and justice and recovery at large. Women's participation must be meaningful and not just nominal or numerical. In many settings, women refugees and IDPs take on new roles and opportunities for positive change must be more effectively capitalized on and supported. Furthermore, because conflict often results in changes to traditional gender roles, many of which are subject to reversal after conflict, the specific needs and rights of women and girls in voluntary repatriation or return must be addressed and considered.⁵ This shift in gender roles should also be seen as an opportunity to work towards more gender equitable relations between men and women.

Women are not just survivors, but also committed leaders, advocates and allies.

How can effective implementation of the women, peace and security agenda improve protection, service delivery and building peace to prevent new outbreaks of violent conflict forcing people to flee?

3. Focus and objectives of the debate:

Building on the report of the Secretary-General, S/2014/693, and in response to the unprecedented increase in the scale of refugee and displacement flows, and its related impact on women and girls, Argentina will convene an Open Debate on 28 October 2014, which will focus on the situation of refugee, IDP and stateless women and girls. By assessing progress across the women, peace and security agenda through this particular lens, the debate will contribute to the 2015 High-level Review of the implementation of Security Council resolution 1325 (2000).

The principal objectives of the debate are to:

⁵ UNHCR *Handbook for the Protection of Women and Girls*, January 2008, *available at* <http://www.unhcr.org/47cfa9fc2.html>.

- Review progress and outcomes, and address gaps and challenges with regard to the implementation of commitments on women, peace and security, including the most recent commitments in resolution 2122 (2013), with a particular focus on the situation of refugee, IDP, and stateless women and girls.
- Highlight the significance of the women, peace and security agenda to tackle the discrimination, human rights abuses and obstacles to protection and justice refugee, IDP and stateless women and girls face at all stages of the displacement cycle.
- Consider how the unprecedented number of violent crises is impacting displacement and women's and girls' rights and protection, noting in particular how the ongoing threat from violent extremism is contributing to displacement and to the gross abuses suffered by women and girls.
- Reiterate the importance of the women, peace and security agenda in ensuring women's participation in all efforts to prevent, respond to and resolve conflict, displacement, and the effects of violent extremism
- Examine how more effective implementation of the women, peace and security agenda can contribute to improved security for all and to build durable peace.
- Highlight good practices in addressing the specific risks and responding to the needs, capacities and priorities of refugee, IDP and stateless women and girls in flight, during displacement and upon return, including the particular needs of different groups of women and girls who are subjected to multiple and intersecting forms of discrimination, in consultation with local civil society organizations and women and girls themselves.
- Examine refuge and displaced women's initiatives as leaders within their communities and the efforts that must be pursued to contribute to their political, economic and social empowerment.
- Build momentum for and accelerate action in preparation for the 2015 High-Level Review of resolution 1325 (2000).

4. Format

Like previous years, the meeting will be held in an Open Debate format in order to allow Member States to share their views on matters pertaining to the agenda item under consideration. The Open Debate will take place on Tuesday 28 October 2014 at 10am.

5. Briefers

The Secretary-General's message will be delivered as opening remarks. Briefers will include:

1. The Under-Secretary-General and Executive Director of UN Women, Phumzile Mlambo-Ngcuka
2. The UN High Commissioner for Refugees, António Guterres (TBC)
3. A civil society representative
4. A refugee woman leader

6. Expected outcome

The intention of the Presidency is that the Council will adopt a Presidential Statement.