

## **The General Recommendation No. 30 on Women in conflict prevention, conflict and post-conflict situations.**

In 2010, the [Committee on the Elimination of Discrimination against Women](#) decided to adopt a general recommendation on women in conflict prevention, conflict and post-conflict situations. The recommendation aims to be an authoritative guidance to States parties on legislative, policy and other appropriate measures to ensure the full compliance with their obligations with the [Convention on the Elimination of All forms of Discrimination against Women](#), which ensures the protection, fulfillment and respect of women's human rights. Then, in November 2013, with the recommendation No. 30 ([PDF](#)), the Committee reiterated the obligations of the Convention, detailing: (i) all kinds of violence and discrimination women suffer from before, during and after conflicts; (ii) indicating to States parties how to implement their obligations; and (iii) underlying the complementary nature of the recommendation with international humanitarian, refugees and criminal law.

The general recommendation can be an essential tool in order to support the implementation of the Resolution on Women, Peace and Security. Not only does it contain explicit reference to UNSCR 1325, but it also contributes, thanks to its very comprehensive character, to further reveal the operational need of gender promotion and protection of women from any discrimination in order to progress towards a sustainable peace and development.

Indeed, the document guides the States parties in fulfilling their obligations with the Convention encompassing all possible contexts and forms of violence and discrimination against women, committed by any entity, and against any victims, considering all vulnerable situations that women, and girls, can face before, during and after a conflict or crisis situation.

Firstly, the general recommendation details all possible situations that can be harmful to women and girls. Such situations include international and non-international armed conflicts, situations of occupation, pre and post-conflict phases, internal disturbances, states of emergency, and terrorist or organised crimes acts. Moreover, the recommendation recognised that transitional periods from conflict to post-conflict situations often are not linear. Rather, they involve slippages into conflicts, and most of the time violence and discriminations against women do not stop with the cessation of hostility. They often silently continue after peace agreement, and frequently involve new forms of violence. In this sense, the recommendation highlights the primary importance of adopting a gendered approach in all kinds of processes of conflict prevention, and post-conflict reconstruction: from justice system, to disarmament, demobilisation and reintegration (which need to jointly act with the security sector reform), health assistance, political and electoral involvement, socio-economic reintegration including education and constitutional changes, protection of women's rights and gender equality.

Secondly, the recommendation reiterates the territorial and extraterritorial application of State parties' obligation to protect and promote women's rights wherever States exercise their jurisdiction, including the national contingents parts of international or United Nations peace operations, lawful or unlawful military actions in another State, donors assistance in humanitarian or reconstruction aid, and even trade agreements with conflict-affected countries. Furthermore, the recommendation involves non-State actors such as armed groups, urging them to respect women's rights in conflict and post-conflict situations, and commit themselves to avoid any form of gender-based and sexual violence. In this sense, the recommendation expresses the total complementarity, and non mutual exclusivity, with international humanitarian, refugees and criminal law.

Thirdly, the recommendation recognises that women are not a homogeneous group and their experiences of conflict and specific needs in post-conflict settings are diverse. Women do not suffer from the same violations during the different phases of a conflict or crisis situation. As

such, it is vital for States to take into account each woman's distinct needs and the vulnerability specific situations trigger to fulfill with the Convention. Following this idea, the recommendation spells out the various statuses women can have: internally displaced, refugee, asylum seeker, stateless, married when underage etc. Common factors to such statuses are the overall discrimination women suffer from: whether in relation to access to property and land, inheritance laws, policies that are not gender-sensitive for socio-economic integration, educational opportunities, health services and justice. In such conditions women are denied participation to prevention, mediation and reconstruction processes.

The recommendation also indicates the monitoring mechanisms States need to apply in order to report on the challenges and progresses in the implementation of the Convention. It also states the duty of each State to allocate financial and technical resources for the effective fulfillment of the promotion and protection of women's rights.

The recommendation has the power to be extremely practical, showing several detailed examples of obstacles faced by women in conflict and post-conflict situations, but also indicating the evident failure of any prevention or reconstruction effort if States continue to deny gender perspectives and women's human rights. However, being a recommendation the document does not have a binding value. Its power lies in encouraging States parties to ratify all international instruments relevant to the protection of women's rights in conflict prevention, conflict and post-conflict, including the most recent ones, such as the Arms Trade Treaty of 2013.