

RESEARCH BRIEF

WOMEN, PEACE & SECURITY:
STRENGTHENING ACCOUNTABILITY
THROUGH THE UNIVERSAL PERIODIC
REVIEW



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INTRODUCTION

‘Women, peace and security’ (WPS) is a human rights-based peace and security agenda, with gender equality and women’s empowerment at its core. The WPS agenda acknowledges the gender-specific impacts of conflict, advocates for women’s right to participate in all peace and security processes, and emphasizes the crucial role of women in building and achieving sustainable peace. Historically, human rights treaty bodies and special procedures, including the Committee on the Elimination of Discrimination against Women (CEDAW), have engaged with the WPS agenda and its relationship to human rights. Alongside the processes of other human rights mechanisms, the UN Secretary-General has recently encouraged use of the Universal Periodic Review process in the Human Rights Council to enhance WPS accountability.¹

The call to utilize the UPR process to review commitments to WPS is consistent with the recognition of the links between development, peace and security and human rights – the founding pillars of the United Nations (UN) and indivisible tenets of sustaining peace.² It also represents the next steps towards actioning the recommendations included in the 2015 peace and security reviews³ and the 2015 Global Study on the Implementation of resolution 1325 (the 2015 Global Study), which specifically recommended that Member States report on WPS obligations through the UPR.⁴ The full implementation of the WPS agenda is also a prerequisite for fulfilment of the Sustainable Development Goals (SDG) and the commitment to leave no one behind.⁵

This research brief focuses on the UPR and shows the potential for a powerful relationship between this process and WPS. It provides recommendations to improve reflection, action and progress on WPS commitments within the UPR. This includes how the WPS agenda can be used as a framework to enhance the quality of gender and conflict analysis in the UPR. In addition, through improved integration of WPS within the UPR, Member States can demonstrate their commitment to gender mainstreaming, sustainable peace and development, and the proactive realization of women’s rights, including through reflection of their own progress on WPS commitments. In this regard, UN Women stands ready to support Member States and civil society organizations to advance women’s rights, peace and security through the UPR.

¹ Report of the Secretary-General on Women, Peace and Security, S/2017/861 (2017), 20.

² For example, see UN Security Council resolution 2282 (2016) and UN General Assembly resolution 70/262 (2016).

³ See “The challenge of sustaining peace: Report of the advisory group of experts for the 2015 review of the United Nations peacebuilding architecture,” A/69/968–S/2015/490 (2015) and “Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people,” A/70/95–S/2015/446 (2015).

⁴ Radhika Coomaraswamy, “Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of UNSC resolution 1325” (UN Women, 2015), 364.

⁵ See Report of the Secretary-General on Women, Peace and Security, S/2017/861 (2017), 29. In particular, the WPS agenda is key to SDG Goals 5 and 16. SDG Goal 5 is to achieve gender equality and empower all women and girls. SDG Goal 16 is to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

BACKGROUND: WPS & UPR

Established by UN Security Council resolution 1325 in the year 2000, the WPS agenda calls for the increased participation of women in decision-making and peacebuilding, the protection of women and girls in conflict, the prevention of sexual and gender-based violence (SGBV), and relief and recovery measures that address the specific needs of women and girls. Several subsequent Security Council resolutions have further developed the WPS agenda.⁶ The CEDAW Committee's General Recommendation No. 30⁷ and concluding observations on States Parties reports, and the 2015 Global Study, have further highlighted the interdependence of women's human rights, peace and security.

The implementation of WPS commitments of Member States are largely monitored through State reporting to the UN Secretary-General,⁸ the United Nations Security Council annual open debate on women and peace and security and reviews by human rights mechanisms, including the treaty bodies such as CEDAW. At the national level, legislation and National Action Plans are adopted to ensure implementation. However, in practice, implementation of the WPS agenda continues to fall short. The Security Council's use of sanctions to address conflict-related sexual violence has been limited.⁹ While a growing number of Member States have adopted NAPs, ongoing challenges remain including inadequate funding, insufficient gender-disaggregated data and political will.

The UPR is a state-led, peer-to-peer, intergovernmental process of the Human Rights Council

under which the human rights records of all 193 Member States are reviewed. Each State is reviewed every four and a half years. The UPR reviews the extent of State compliance with international human rights law,¹⁰ including the obligation to protect, respect and fulfil women's rights in conflict and post-conflict settings.¹¹ Through Member State reporting, the UPR works to assess human rights compliance, identify challenges, enhance capacity and share best practices.¹² The participation of civil society organizations (CSOs), national human rights institutions and UN entities is encouraged. As the UPR forms one part of one human rights system, it is essential to take a holistic approach whereby UPR recommendations are complementary to and used together with recommendations by human rights treaty bodies, such as the CEDAW Committee, and by other human rights mechanisms.

⁶ See UN Security Council resolution 1325 (2000), resolution 1820 (2008), resolution 1888 (2009), resolution 1889 (2009), resolution 1960 (2010), resolution 2106 (2013), resolution 2122 (2013) resolution 2242 (2015), resolution 2467 (2019) and resolution 2493 (2019)

⁷ CEDAW Committee General Recommendation No. 30 (2013).

⁸ For the Secretary-General's annual reports to the Security Council on WPS.

⁹ According to one study, five sanctions regimes explicitly include sexual and gender-based violence as designation criteria (CAR, DRC, Mali, Somalia, and South Sudan): Sophie Huve, "The Use of UN-Sanctions to Address Conflict-Related Sexual Violence (Georgetown Institute for Women, Peace and Security, 2018).

¹⁰ In accordance with paragraph 1 of Human Rights Council Resolution 5/1 (2007), the UPR reviews compliances with the UN Charter, Universal Declaration of Human Rights, human rights treaties to which States are a party (such as the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR) and CEDAW) as well as international humanitarian law.

¹¹ This obligation applies both territorially and extra-territorially. See for example, CEDAW Committee General Recommendation No. 28 (2010) discussing the extraterritorial application of the CEDAW. See also CEDAW Committee General Recommendation No. 35 (2017) [22].

¹² Paragraph 4, Annex to Human Rights Council Resolution 5/1 (2007).

The WPS agenda, underpinned by and mutually reinforcing of human rights obligations, recognizes that the realization of women’s rights is fundamental to peace and security.¹³ Its integrated approach understands violations of women’s rights as both a root cause and outcome of conflict, and seeks to address both dimensions. For example, dismantling gender stereotypes can support greater participation of women in decision-making. In turn, this can disrupt unequal pre-conflict power structures, to enhance women’s security and promote sustainable peace. In this way, the WPS agenda is not only integral to all three UN pillars — development, peace and security and human rights — but also deepens their interlinkages.

For example, the WPS resolutions capture programmatic and political aspects of UN activity, building a bridge between women’s rights and peace and security.¹⁴ Thus, meaningful advancement of WPS must be in line with its driving purpose that is to respond to peace and security challenges within a broader framework of women’s rights framework.¹⁵

This research brief shows that the UPR is a key, but under-utilized forum to enhance WPS and human rights synergies. Used in concert with other human rights mechanisms,¹⁶ the UPR could provide an invaluable platform to address accountability gaps and strengthen the indivisibility of women’s rights, peace and security and sustainable development.

¹³ See discussion of the linkages between human rights mechanisms and WPS in the 2015 Global Study, 346-219. The WPS agenda also recognizes the functional interdependence of women’s civil and political rights with their social, cultural and economic rights. For example, even where opportunities exist for girls to access education, this may not be feasible where there is no safe passage to a classroom in a conflict zone.

¹⁴ One of the founding principles of the UPR is the full integration of a gender perspective; see paragraph 2(k) and paragraph 4 of Human Rights Council Resolution 5/1 (2007). See also the discussion of

improving synergies between the work of the CEDAW Committee and Security Council in: Catherine O’Rourke and Aisling Swaine, “CEDAW and the Security Council: Enhancing Women’s Rights” in Conflict 67 *ICLQ* (2018) 167.

¹⁵ *Ibid.*

¹⁶ As stated in paragraph 3(f) of Human Rights Council Resolution 5/1 (2007): the Universal Periodic Review should complement and not duplicate other human rights mechanisms, thus representing an added value.

FIGURE A: HOW THE WPS AGENDA INTERSECT WITH HUMAN RIGHTS

WPS Theme	Key Relevant Human Rights	Example State Obligation
Conflict prevention	Right to life, right to liberty and security, right to equality and non-discrimination	Remove discriminatory barriers, including legal and de facto barriers, to the involvement of women in peacebuilding
Gender-based violence	Right to life, right to liberty and security, freedom from torture, cruel, inhuman or degrading treatment or punishment, right to health, right to liberty of movement, right to equality and non-discrimination	Prohibit, prevent and punish conflict-related SGBV
Trafficking	Right to liberty and security, freedom from torture, cruel, inhuman or degrading treatment or punishment, freedom from forced or compulsory labor, right to liberty of movement, right to equality and non-discrimination, the obligation to suppress all forms of traffic in women and the exploitation and prostitution of women	Prohibit, prevent and punish conflict-related trafficking of women and girls
Participation	Right to participate in the conduct of public affairs including the right to vote, be elected, right to equality and non-discrimination	Remove discriminatory legal and de facto barriers to the representation of women in public office in post-conflict state-building
Education, employment, health & rural women	Right to work, freedom from forced or compulsory labor, right to health, right to an adequate standard of living, right to education, right to equality and non-discrimination	Ensure the safety and security of girls in schools in conflict settings
Displacement, refugees & asylum seekers	Right to liberty and security, right to liberty of movement, protection of aliens from unlawful expulsion, right to seek and enjoy asylum, right to an adequate standard of living, freedom from arbitrary detention, freedom from torture, cruel, inhuman or degrading treatment or punishment, right to be treated with humanity and with respect for the inherent dignity of the human person when deprived of liberty, right to a fair and public hearing by a competent, independent and impartial tribunal established by law, right to equality and non-discrimination	Ensure the safety and security of women displaced from their homes as a result of conflict
SSR and DDR	Right to liberty and security, freedom from torture, cruel, inhuman or degrading treatment or punishment, right to equality and non-discrimination	Prevent SGBV against women and girls perpetrated by the military
Constitutional and electoral reform	Right to freedom of thought, conscience and religion, right to freedom of expression, right to peaceful assembly, right to freedom of association, right to participate in the conduct of public affairs including the right to vote, be elected and, right to a fair and public hearing by a competent, independent and impartial tribunal established by law, right to equality and non-discrimination	Ensure that women can freely and effectively exercise their right to vote in post-conflict elections, electoral and constitutional reform processes
Access to justice	Right to an effective remedy, right to a fair and public hearing by a com-	Ensure access to effective reme-

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