



## **CEDAW AND SECURITY COUNCIL RESOLUTION 1325: A Quick Guide**

# **WomenPeace&Security**

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UNIFEM is the women's fund at the United Nations. It provides financial and technical assistance to innovative programmes and strategies that promote women's human rights, political participation and economic security. Within the UN system, UNIFEM promotes gender equality and links women's issues and concerns to national, regional and global agendas by fostering collaboration and providing technical expertise on gender mainstreaming and women's empowerment strategies.

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The work of United Nations Development Fund for Women (UNIFEM) is grounded in the commitment to advancing women's human rights that is found in the Convention on the Elimination of all forms of Discrimination Against Women. It has also dedicated itself to supporting implementation of the path-breaking Security Council resolution 1325 on women, peace and security. It seeks to build synergies across all of its work and in this particular document, it explores the ways in which resolution 1325 can expand the reach of CEDAW, and conversely, the ways that CEDAW can deepen the impact and effectiveness of 1325. In this venture UNIFEM acknowledges the work of women's rights activists and peace-builders the world over who have inspired this particular publication both by expressing the need for it, and by demonstrating the areas in which CEDAW standards and 1325 provisions can strengthen each other. UNIFEM also thanks the work of staff and consultants who contributed to this report, notably Shelly Inglis, Maha Muna, Aina Iiyambo, Vina Nadjibulla, Lee Waldorf and Anne Marie Goetz.

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# INTRODUCTION

Established international norms and standards promote the protection of women during armed conflict and their participation in peace and security decision-making. Two sets of standards, Security Council resolution 1325 (Women, Peace and Security, 2000), and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), are critical tools for moving the gender equality agenda forward in conflict and post-conflict situations.

While both CEDAW and SC Resolution 1325 are important in their own right, there is also a synergy between the two sets of standards that can be used greatly to enhance their implementation and impact. SC resolution 1325 helps to broaden the scope of CEDAW's application by clarifying its relevance to all parties in conflict and in peace. CEDAW, in turn, provides concrete strategic guidance for actions to be taken on the broad commitments outlined in SC resolution 1325. Drawing on these instruments together will enable advocates to maximize the impact of norms and standards for gender equality in all conflict and post-conflict interventions.

This brief overview provides a basic introduction to each set of standards, as well as the context within which they were developed. It reviews the commonalities and potential strategic uses of SCR 1325 and CEDAW. It begins with a description of their shared gender equality agenda and includes a discussion of:

- the ways that each set of standards can expand the reach of the other;
- the application of the standards to the situation of women in the various stages of conflict and post-conflict reconstruction;
- the significance and legal authority embodied in each set of standards; and
- monitoring processes connected to SC resolution 1325 and CEDAW.

This guide aims to support gender equality advocates in bringing the greatest possible political and legal authority to bear on efforts to advance gender equality in the context of peace and security.

# CHAPTER 1

## Connecting SC Resolution 1325 and CEDAW

Security Council (SC) resolution 1325 (Women, Peace and Security) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) can be used together to broaden, strengthen and operationalize gender equality in the context of conflict, peace-building and post-conflict reconstruction.

CEDAW and 1325 are powerful frameworks for asserting women's human rights and demanding that governments and international institutions ensure these rights are realized, by setting up adequate responses to women's needs and protection against violations of their rights. Each has an important relationship to major decision-making bodies: CEDAW is a global human rights treaty that should be incorporated into national law as an apex standard for women's rights, and it requires governments to set in place the mechanisms and measures needed to fully realize women's rights. Resolution 1325 is a Security Council tool that mandates member states to engage women in all aspects of peace-building. CEDAW enriches resolution 1325 by providing substantive normative

guidance on 1325-related interventions. 1325 can broaden the scope of CEDAW's application, by clarifying the relevance of women's human rights standards even in states in conflict that are not parties to CEDAW, or in relation to non-state actors and international organizations.

### *What is Security Council Resolution 1325?*

SC resolution 1325 indicates that the Security Council has recognized the relevance of women's experiences of conflict to its peace and security mandate, and it engages the Security Council in advancing women's rights in conflict resolution and peace processes. The resolution contains 18 provisions to support women's participation in peace negotiation and consolidation, and these range from calls to increase the representation of women at all levels of decision-making in institutions promoting security, calls to all parties in conflict and peace-building to respond to women's needs in post-conflict justice and governance institutions, calls to address women's needs in disarmament, demobilization and reintegration efforts, to protect women and girls from sexual violence, and to end impunity for crimes against humanity affecting women. These and many other provisions will be examined in detail in the chapters that follow.

Although in some resolutions States may be given the obligation

to report on implementation, SC resolution 1325 instead requested the Secretary-General (SG) to conduct a study on the impact of armed conflict on women and girls, the role of women in peace-building and the gender dimensions of peace processes and conflict resolution, and to submit a report, which was produced in 2002. Since then, Presidential Statements (declarations made by the rotating Presidency of the Security Council on the anniversary of SC resolution 1325) called on the SG to submit a follow-up report in 2004. Some states provided national reports on SC resolution 1325 implementation to the SG for his October 2004 report. In October 2004, the President of the Security Council issued another statement calling on all actors to develop action plans to implement 1325 by October 2005. Also in 2004, the SC asked the UN system to develop a system-wide action plan on 1325. Since 2000, there have been five Open Sessions of the Security Council on Women, Peace and Security in which all member states, not merely the 15 Council members, have an opportunity to make statements related to gender equality in the context of peace and security.

### ***What is CEDAW?***

CEDAW, often described as the international bill of rights for women, is the human rights treaty devoted exclusively to gender equality.

CEDAW establishes legal standards for the achievement of gender equality through the elimination of discrimination against women. It aims for the equality for women in all aspects of political, social, economic and cultural life. The provisions of CEDAW require governments to take measures to realize equality for women in law and in fact, as well as to confront the underlying social and political inequalities that perpetuate asymmetrical power relations based on gender.

CEDAW is a binding source of international law for those states that have become parties. It details the measures that a state should undertake within its jurisdiction to achieve gender equality. To date, 183 countries have ratified or acceded to CEDAW, which means that they are legally bound to implement its provisions. In particular, States parties to CEDAW are required to:

- incorporate the principle of gender equality and non-discrimination in their legal systems, and abolish discriminatory laws;
- establish institutional protections against discrimination;
- take positive measures to advance gender equality;
- eliminate discrimination against women by private persons and organizations.

The articles of CEDAW identify steps needed to achieve gender equality in a wide range of areas, including relating to trafficking and



prostitution, political participation, nationality, education, employment, healthcare, economic, social and cultural life, rural life, and family relations. In addition, guidance on critical and emerging issues, such as violence against women and HIV/AIDS, is provided through the CEDAW Committee's general recommendations. Country specific guidance is also provided to each State party through the Committee's concluding comments.

In addition to implementing the provisions of CEDAW, States parties are obligated to submit reports to the Committee, at least every four years, detailing progress and obstacles in their efforts to achieve gender equality.

### ***Peace and security and women's human rights: sharing the gender equality agenda***

SC resolution 1325 and CEDAW share a common gender equality agenda. They both demand women's full participation in decision-making at national, regional and international levels as a critical component in the achievement of gender equality. The invidious and pervasive nature of violence against women, which impedes the advancement of women and maintains their subordinate status, is repudiated by both SC resolution 1325 and CEDAW. Both documents call for legal equality of men and

**UNIFEM** works intensively to support implementation of these standards through its human rights and peace and security related programming. The Women, Peace and Security Programme provides strategic and catalytic support to mainstream gender and to support women's participation in all efforts to build peace and resolve conflict. This work is guided by international humanitarian and human rights standards, particularly those of **CEDAW**.

women and for the protection of women and girl children through the rule of law. Each places an emphasis on security and requires that security forces and systems protect women from gender-based violence. A recognition of the distinct experiences and burdens of women and girls that stem from systemic discrimination lies at the core of both standards. Both SC resolution 1325 and CEDAW seek to ensure that women's experiences, needs and perspectives are incorporated into the political, legal and social decisions that determine whether durable peace, reconciliation and development are achieved.

With these commonalities, SC resolution 1325 and CEDAW together fortify demands that commitments



to gender equality and women's human rights in conflict and post-conflict environments be transformed into concrete reality. They give gender equality advocates a choice of strategic tools, as well as the opportunity to insist that working for gender equality is the obligation of all players in conflict settings.

### ***Using 1325 to extend the application of CEDAW***

The broad reach of SC resolution 1325 provides a valuable means for expanding the application of

CEDAW. As a human rights convention, CEDAW is legally binding on states, and more specifically on those states that have become parties to this treaty. However, states engaged in conflict have sometimes not ratified CEDAW, and non-state actors, such as paramilitary and armed insurgent groups, are often directly responsible for the violations of women's human rights. SC resolution 1325 demands that all actors engaged in every stage of conflict, peace negotiations and post-conflict reconstruction protect and respect women's human rights

The Beijing Platform for Action is another tool for gender equality advocates to promote a common agenda in the context of peace and security. It specifically addresses the situation of women in armed conflict and the important role they can play in the peace process, and sets out a number of strategic objectives:

- Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation.
- Reduce excessive military expenditures and control the availability of armaments.
- Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations.
- Promote women's contribution to fostering a culture of peace.
- Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women.
- Provide assistance to the women of the colonies and non-self-governing territories.

SC resolution 1325 highlights the commitments of the Beijing Declaration and Platform for Action in its preamble. The CEDAW Committee guidelines to states for their CEDAW reports require reference to the status of implementation of the Beijing Platform for Action.

and are accountable to the international law applicable to the rights of women and girls.

Through SC resolution 1325, CEDAW becomes clearly relevant to states that are not parties, such as the United States and Sudan (at the time of this writing), and to territories in conflict, such as the Occupied Palestinian Territories. Moreover, it reaches beyond governance bodies to all groups participating in the conflict, such as independent armed groups, militias and paramilitaries, like Las Fuerzas Armadas Revolucionarias de Colombia (FARC), Las Autodefensas Unidas de Colombia (AUC) and El Ejército de Liberación Nacional (ELN) in Colombia. SC resolution 1325 also specifically addresses the peace-keeping context and the role of the United Nations and the international community within this. By doing so, 1325 mandates a very broad application of international women's human rights standards, and makes them central to maintaining peace and security.

### ***Using CEDAW to enrich the interpretation and implementation of 1325***

While SC resolution 1325 provides a political framework and outlines goals for making women's participation and a gender perspective

relevant to all aspects of conflict prevention, management and resolution, it does not provide detailed normative or operational guidance

***Protection for women and girl children is provided for by international law***, including humanitarian, human rights and refugee law. States, as well as organized armed groups in conflict, are obligated under humanitarian law to ensure protection of civilians and to prosecute violators. The Security Council has passed numerous resolutions demanding compliance with the law and highlighting that systemic, flagrant and widespread violations of human rights and humanitarian law concerning protected persons in armed conflict can constitute a threat to international peace and security. In such cases of threat, the Security Council can take action and authorize forms of intervention, including sanctions under Art. 41 of the UN Charter. The Security Council resolutions on children and armed conflict and protection of civilians can be found at:

***[http://www.un.org/Docs/sc/unsc\\_resolutions](http://www.un.org/Docs/sc/unsc_resolutions)***

about how these goals should be met. CEDAW can offer entry points, specific steps and guidance to meet these obligations.

CEDAW explains what discrimination against women is and how to eliminate it. It defines the ways in which discrimination works to disadvantage women in all aspects of life, including within the peace and security context. It addresses the consequences of discrimination, such as violence against women that perpetuate their vulnerability. CEDAW challenges discriminatory perceptions of the value, roles and responsibilities attributed to men and women in society and the unequal exercise of power based on these relationships.

Most importantly, specific measures that should be taken to achieve gender equality have been set out in CEDAW's articles, and in its general recommendations and concluding comments. For example, while SC resolution 1325 demands women's increased participation, it is CEDAW that has set out concrete measures that should be taken regarding women's role in the formulation of policy, and their represen-

tation at national and international levels of decision-making, voting, eligibility for election, quotas and other temporary special measures. For this reason, CEDAW can be an invaluable resource for identifying measures that need to be taken to achieve the goals outlined in SC resolution 1325.

\* \* \*

SC resolution 1325 and CEDAW can have an impact when they are brought together that neither standard could have alone. For each of the stages involved in conflict management, resolution and transition, there is a direct link with the standards laid out in SC resolution 1325 and CEDAW as well as advice on ways to meet the standards, indicated by CEDAW and its Committee's General Recommendations. In the chapters that follow, the combined application of CEDAW and SC resolution 1325 is explored in relation to critical issues such as conflict prevention, protection, organizing for peace, rehabilitation, reintegration, and reconstruction.

## CHAPTER 2

### Information on women and conflict, and mechanisms for conflict prevention and enhanced protection

Information and documentation on violence against women is critical for a number of reasons. Increased levels of such violence, including sexual violence and forced labor, may serve as indicators for conflict early warning systems. International humanitarian law (the Geneva Conventions and Protocols), which applies in times of international and internal armed conflict, legally binds states and armed groups to provide protection to women and girl children civilians. International human rights law, such as CEDAW, is also applicable during conflict (with some very narrow exceptions) and makes states responsible for the protection and promotion of individuals' human rights. The International Criminal Court has been established to try persons for genocide, crimes against humanity and war crimes, including those related to violence against women. Documentation of gender-based

violence is necessary for ensuring accountability for violations of the humanitarian laws and gross violations of human rights, as well as for formulating effective protection and response measures.

Women, children and the elderly make up the majority of populations fleeing from violence, ending up in displaced persons' camps that can harbor more dangers for women. Conflict has impact on access to basic survival services, and with men often more likely to be engaging in war, women are often left with increased burdens of ensuring their own survival and that of their children and the elderly. The need to travel great distances for food, fuel and water often has

#### ***Early warning and conflict prevention: understanding the impact of armed conflict on women***

UNIFEM provides policy support, information and gender analysis of the political, humanitarian and human rights dimensions of conflict. key aspects of this work include collecting and disseminating information, disaggregating data, assessing lessons learned and fostering cross-regional and inter-agency collaboration and learning.

For more information see:  
***[www.womenwarpeace.org](http://www.womenwarpeace.org)***

a significant impact on women's health and exposes them to further violence. While an unequal division of domestic labor is not unique to wartime, inequalities in the control and distribution of resources and aid can leave women and girls desperate to meet their needs and can thereby expose them to sexual exploitation and abuse in order to secure resources. Settlements and camps may lack security to protect women and girls from armed forces and exploitation by law enforcement or other authorities in host countries. Health services for displaced persons are often inadequate to address women's and girls' particular needs, such as during pregnancy and breastfeeding, or treatment for wounds, injuries and psychological damage resulting from their experiences of violence in war.

### ***Applying the standards***

SC resolution 1325 demands that all parties to conflict fully respect international law applicable to the rights and protection of women and girls and that they take special measures to ensure women's and girls' protection from all forms of gender-based violence. Understood in its broadest sense, gender-based violence includes physical, sexual, psychological, economic or socio-cultural harm that is a result of gendered power inequities between men and women. CEDAW outlines ways to meet the commitments to protection and response to violence

in SC resolution 1325. It provides insight into the types of measures needed to protect against and address violence against women, including trafficking and sexual exploitation. In order to be able to effectively combat and protect against violence, CEDAW mandates the documentation of the incidence of all kinds of violence against women.

### ***SC resolution 1325 calls upon all parties to armed conflict to:***

- Fully respect international law applicable to the rights and protection of women and girls and bear in mind the relevant provisions of the Rome Statute of the International Criminal Court (Para. 9).
- Take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict (Para.10).

### ***CEDAW requires States parties to:***

- Collect data on the extent, causes and effects of violence, and the effectiveness of measures to prevent and deal with violence (Gen. Rec. 19).
- Take all legal and other measures that are necessary to provide effective protection of women against gender-based violence, including legislation which

- incorporates penal sanctions, practical protective measures, such as shelters and counseling, and preventive measures (Gen. Rec.19).
- Suppress all forms of traffic in women and exploitation of prostitution (Art. 6). (Wars, armed conflicts and the occupation of territories often lead to increased prostitution, trafficking in women and sexual assault of women, which require specific protective and punitive measures.)
- Conduct public awareness campaigns on attitudes, stereotypes and prejudices that perpetuate violence against women (Gen. Rec. 19).

### ***Displacement***

With regard to displacement, SC resolution 1325 stresses the protection of settlements and camps and consideration of the special needs of women and girls during displacement. CEDAW details the special needs of women in armed conflict and displacement with regard to their health and well-being and requires the provision of adequate services particular to women, including in connection to HIV/AIDS.

### ***SC resolution 1325 calls upon all parties to armed conflict to:***

- Respect the civilian and humanitarian character of refugee camps

and settlements (Para. 10).

- Take into account the special needs of women and girls in refugee camps and settlements, including in their design (Para. 10).

### ***CEDAW requires States parties to:***

- Give special attention to the health needs and rights of women belonging to vulnerable and disadvantaged groups, such as refugee and internally displaced women, the girl child and older women, women in prostitution and women with physical and mental disabilities (Gen. Rec. 24).
- Provide adequate protection and

### ***Improving protection and assistance for women***

Women and girls are often neglected in the delivery of protection and assistance during conflict and in post-conflict reconstruction. UNIFEM helps mobilize protection, humanitarian, psycho-social and economic assistance for women. Special focus is given to preventing gender-based violence and sexual exploitation, and improving the monitoring and reporting of gender-based violations.

***For more information see:***  
***[www.womenwarpeace.org](http://www.womenwarpeace.org)***

health services, including trauma treatment and counseling, for women trapped in situations of armed conflict and women refugees (Gen. Rec. 24).

- Ensure appropriate services in connection with pregnancy, confinement and the post-natal period (Art. 12 (2)/Gen. Rec. 24).
- Ensure adequate nutrition during pregnancy and lactation (Art. 12 (2)/Gen. Rec. 24).
- Provide sexual health information, education and services to women and girls, including those

who have been trafficked (Gen. Rec. 24).

- Pay special attention to the rights and needs of women and children, and to the factors relating to the reproductive role of women and their subordinate position in societies which make them especially vulnerable to HIV infection (Gen. Rec. 15).
- Disseminate information to increase awareness of the risk of HIV/AIDS, especially in women and children, and the effects on them (Gen. Rec. 15).



## CHAPTER 3

### Organizing for peace

Organizing for peace can be a long, complex and difficult process. Women are often engaged in peace-building activities at the grassroots and community levels, reaching across ethnic and political divides to build mutual understanding and reconciliation and form shared goals for peace. Women often have particular insight into the consequences of conflict on families and communities, and knowledge about the steps needed to reconstruct these societal structures. They are, however, rarely involved in formal peace negotiations despite the burdens they carry during conflict and their personal interest in ensuring peace.

Seats at the formal negotiating table are usually reserved for armed factions and governments, and even where women are members of these groups, they are underrepresented in negotiations. Even at the international level, women remain underrepresented in peace negotiation delegations, including as UN envoys and facilitators. Ensuring enough seats for women to make an impact in the peace process has proven challenging as a result of gender discrimination and its consequences. The media often perpetuates negative stereotypes

and traditional conceptions about women's capacities, highlighting their victimization rather than their capacity for unique contributions to bring about positive change.

Peace negotiations are not merely about ending hostilities and disarmament; they also involve elements of planning for post-conflict reconstruction. As such, they present unique opportunities to effect the transformation of society and ensure that it is undertaken in a way that promotes women's

#### ***Women Waging Peace***

has initiated a three-year project to address the lack of scholarship on women's work as peace builders by filling gaps in research and policy literature. They conduct case studies of women's peace efforts in countries around the globe in order to make policy recommendations for intervention and highlight practical models and strategies for the inclusion of women in peace-building efforts worldwide. The project has compiled case studies on women's contributions to peace in Colombia, Cambodia, Sierra Leone, El Salvador, Rwanda and South Africa. Information on the organization and the project is available at: ***<http://www.womenwagingpeace.net>***

equality and empowerment. In order for women to fully participate in organizing for peace, they require support for early mobilization, skills and resources, space to coordinate and develop their agendas and access to decision-makers.

### ***Applying the standards***

SC resolution 1325 calls for increased representation of women in decision-making in the institutions and mechanisms involved in resolution of conflict and the inclusion of measures that support local women's peace initiatives and indigenous processes. It commits the Security Council to consult with women's groups in conflict and post-conflict states. These recommendations are reinforced by obligations set out in CEDAW. Moreover, CEDAW details the specific measures that should be taken to reach these goals, in particular to ensure women's full involvement in political processes, such as peace negotiations, and in the formulation and implementation of policy, including during the resolution of conflict. CEDAW further addresses the underlying causes of women's disadvantage in accessing and effectively participating in peace processes and provides concrete strategies for overcoming obstacles to women's participation.

### ***SC resolution 1325 includes provisions that:***

- Call on States to increase repre-

### ***Making women and gender perspectives central to peace processes***

From the grassroots level to the negotiating table, UNIFEM supports women's participation in peace-building, and helps to leverage the political, financial and technical support needed for these efforts to have an impact on peace efforts nationally, regionally and internationally. UNIFEM fosters strategic partnerships with regional and intergovernmental bodies and brings its operational experience into mainstreaming gender in peace support operations involving women in their design and implementation.

***For more information see:  
[www.womenwarpeace.org](http://www.womenwarpeace.org)***

sentation of women in decision-making in the institutions and mechanisms involved in the resolution of conflict (Para. 1).

- Call on all actors involved to integrate measures that support local women's peace initiatives and indigenous processes for conflict resolution into peace negotiations (Para. 8(b)).
- Urge the Secretary-General to implement the strategic plan of action of the Secretary-General to increase the participation of women in decision-making

and appoint more women as special representatives and envoys to pursue good offices (Para. 2/3).

- Express the Security Council's willingness to ensure that its missions consult with local and international women's groups on their perspectives on gender considerations and women's human rights in their areas (Para.15).

### ***CEDAW requires that States party:***

- Use special measures, such as quotas and reserved seats, to ensure at least a critical mass of 30-35% of women in political processes at national and international levels (Art. 7, 8/ Gen Rec. 23).
- Use measures, such as enhancing resources, special trainings and education, and other steps necessary to compensate for past discrimination and accelerate women's equality in practice (Art. 3,4(1), Gen. Rec. 5).
- Take measures to eliminate social and cultural patterns of conduct that disadvantage women (Art. 5(a)/Gen. Rec. 3).
- Initiate public education and information campaigns, including by mass media, targeted at stereotypes and prejudices that discourage women's involvement in politics and public life (Gen. Rec. 23/3).
- Consult with women groups on the development and implementation of all policy and programming (Art. 7(c)/ Gen. Rec. 23).

## CHAPTER 4

# Rehabilitation, reintegration and reconstruction

As they emerge from conflict and large-scale destruction, societies face considerable challenges in laying the groundwork for transformation to peace time. Return and resettlement of displaced populations and the demobilization and reintegration of combatants are processes that have particular consequences for women. They often face complex forms of discrimination, based on gender as well as ethnicity, or blame for sexual violence and forced pregnancies. Such discrimination leaves them marginalized by resettlement and related processes, such as land reallocation and resource distribution, and disarmament, demobilization and reintegration (DDR) processes.

Successful DDR of former combatants, including collecting weapons, disbanding groups, ensuring services to fighters and assisting them in pursuing alternative livelihoods, is a critical aspect of consolidating peace. DDR processes often ignore women's roles within armed groups as combatants, supporters and dependents, be they involuntary or voluntary. The different experiences of women in conflict, as well as women's and men's different opportunities and capacities

within post-conflict society, result in women and men having distinct needs in DDR processes. Where DDR fails sufficiently to address the psychosocial needs of male ex-combatants, demobilization can have severe consequences for women, including an increase in domestic violence and gender-based violence as traumatized and violent ex-combatants return to communi-

***The Independent Experts' Assessment on "Women, War and Peace"*** Commissioned by **UNIFEM** and published in 2002 provides an authoritative analysis of the differential impact of war and its aftermath on women and their significant contributions to peace and survival. It covers in depth the themes of violence against women, displacement, health, peace organizing, HIV/AIDS, justice, media, prevention and reconstruction, and traces the experiences, perspectives and priorities of women affected by conflict throughout the globe. The report includes a number of critical recommendations intended to move implementation of 1325 forward and particularly calls for accountability for gross violations of women's human rights and their meaningful protection. The report can be found at: **[www.unifem.org](http://www.unifem.org)**

ties. Women often have particular insights into the needs of families and communities during reintegration and they require recognition of and support to their DDR-related activities, such as care for injured, traumatized, HIV-infected or under-age combatants.

Upon return or in reintegration, communities face a lack of services, fees for services, destroyed infrastructure and depleted natural resources. Under these circumstances, women's domestic, care giving, subsistence and agricultural work burdens multiply, as they shoulder the responsibility for tilling land, water and fuel collection, cooking, making clothing and more. This increases their vulnerability to ill health and compromises their reproductive well-being, indicated by the high maternal mortality rates in these environments. In addition, provision of food, fuel and water often makes women more vulnerable to attack as they leave settlements and camps to procure basic services. Although all women are affected by lack of health and education services, water, electricity and transportation, certain groups of women, such as female-headed households, ex-combatants, returnees and IDPs, minorities and women with disabilities, are hit hardest. These factors also expose women subsistence providers to dangers of antipersonnel mines and violence and the consequences of lack of treatment and care. However, the restoration of basic services, particularly to rural

and isolated communities, often takes a back seat to other types of socio-economic reconstruction priorities.

### ***Applying the standards***

SC resolution 1325 calls for the incorporation of a gender perspective, including consideration of the special needs of women and girls, during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction. In particular, it emphasizes this in the planning for DDR programmes and calls for women's participation in mechanisms developed as a part of peace agreements. The special needs of women in these contexts are described by CEDAW, which provides guidance on measures needed to meet the special needs of women and girls in reconstruction, particularly for rural women, in the areas of education, health and access to basic services and resources, and mandates women's participation in political processes used to address these.

### ***SC resolution 1325 includes the following recommendations:***

- All actors involved should take into account the special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction (para. 8(a)).
- All those involved should con

sider the different needs of female and male ex-combatants and take into account the needs of their dependents in the planning of DDR programmes (Para. 13).

- All actors involved should ensure women's participation in the implementation of the mechanisms of peace agreements (Para. 8(b)).
- Member States should increase women's participation in decision-making in the institutions and mechanisms of conflict resolution at the international, regional and national level (Para. 1).
- The Security Council should ensure Security Council missions consult with local and international women's groups on their perspectives on gender considerations and women's human rights in their areas (Para.15).

### ***CEDAW requires States parties to:***

- Take into account the particular problems faced by rural women, including the significant roles which they play in the economic survival of their families (Art. 14 (1)).
- Eliminate discrimination against women to ensure equal rights between women and men in education (Art. 10) and in particular for rural women to obtain all types of training and education, formal and non-formal,

including that relating to functional literacy (Art. 14).

- Ensure rural women enjoy adequate living conditions, especially in relation to housing, sanitation, electricity and water supply, and transport and communications (Art. 14(2)(h)).
- Ensure rural women are treated equally in land and agrarian reform as well as in land resettlement schemes (Art.14(2)(g)).
- Provide rural women equal access to agricultural credit and loans, marketing facilities and technology (Art. 14(2)(g)).
- Eliminate discrimination against women in the field of health care, to ensure equal access to health care services, including those related to family planning and safe motherhood and emergency obstetrics (Art. 12).
- Ensure that rural women have access to adequate health care facilities, including information, counseling and services in family planning (Art. 14(2)(b)).
- Implement special measures to ensure that women with disabilities have equal access to health services (Gen. Rec. 18) and that services are sensitive to the needs of women with disabilities and are respectful of their human rights and dignity (Gen. Rec. 24).
- Incorporate a gender perspective in health care policy and engage in broad consultation with women's groups (Gen. Rec. 24).
- Ensure rural women's right to

participate in the elaboration and implementation of development planning at all levels and in community activities (Art. 14(2)(a)(f)).

- Ensure women's right to participate in the formulation of government policy and its implementation (Art. 7(b)).



## CHAPTER 5

# Post-conflict political participation

One of the common features of post-conflict reconstruction is the implementation of new political processes, such as elections, the establishment of new or reconfigured governance structures and the strengthening of civil society participation in public life. Elections can provide women with the chance to test newly developed political leverage. Alternatively they or can pose a risk to advances made by women during conflict and its aftermath. There are considerable obstacles to women's exercise of political expression in post-conflict environments, stemming from restricted mobility, less access to information and education, limited time due to work burdens, cultural norms dictating men's control over women's decisions and/or coercion and intimidation of family members and communities.

During conflict, women often gain valuable and relevant leadership and organizing skills, which can be translated into policy-making roles in the post-conflict period. Women's cooperation during conflict usually results in the proliferation of women's civil society organizations after conflict. However, women and men have differential access to resour-

es, education, formal political parties (often based on armed groups from the conflict) and the media. As a result, women candidates face particular challenges when running for elected office. They may even

***The Millennium Development Goals***, which stem from the UN Millennium Declaration (2000), make gender equality and women's empowerment a core value of development. Goal 3 "Promote gender equality and empower women" is not only a goal in and of itself, but also integral to the achievement of the other seven goals:

- Eradicate extreme poverty and hunger;
- Achieve universal primary Education;
- Reduce child mortality;
- Improve maternal health;
- Combat HIV/AIDS, malaria and other diseases;
- Ensure environmental sustainability;
- Develop a global partnership for development.

Ensuring women's political participation is viewed as an essential aspect of reaching Goal 3.

For more information, see:  
***[www.undg.org](http://www.undg.org)***

face reprisals for stepping out of traditional gender roles, regardless of whether non-traditional behavior had become the norm during wartime. It is critical that electoral commissions, institutions, laws, observation missions and complaints mechanisms involve women as active participants in their formulation and implementation as well as take into account the special needs of women as constituents and candidates in the political process.

Post-conflict elections and the formation of new governments provide citizens with the opportunity to choose the leaders who will make critical financial and policy decisions that will determine their prospects for peace, security and development. Decisions by newly formed governments concerning the allocation of resources, development planning and legal and social policy-making have a substantial impact on the situation of women and can have a disproportionate and negative effect on them if their needs, perspectives, experiences and disadvantages are not properly taken into account. In post-conflict environments, surmounting barriers to women's full participation in political processes and their direct involvement in all aspects of decision-making are of vital importance to ensuring the foundations for meaningful democracy and the just and effective development of society.

## *Applying the Standards*

SC resolution 1325 calls for increasing women's participation in decision-making at the national level and the incorporation of a gender perspective, including measures for the protection of and respect for women's human rights concerning the electoral process in the implementation of peace agreements. These commitments have far-reaching implications, which are addressed in CEDAW. CEDAW also details the numerous steps that are needed in the area of women's equal participation in political and public life in order to ensure their enjoyment of these rights in practice. It further specifies the mechanisms needed to ensure the incorporation of a gender perspective in all aspects of government policy and programming.

## *SC resolution 1325*

- Incorporate a gender perspective, including measures for the protection of and respect for women's human rights concerning the electoral system in the implementation of peace agreements (Para. 8 (c)).
- Increase women's participation in decision-making in the institutions and mechanisms of conflict resolution at the national level (Para. 1).

## ***CEDAW***

- Guarantee women the right to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies (Art. 7(a)).
- Use temporary special measures (setting numeric goals or quotas and providing financial assistance, special recruitment schemes and training women candidates) to ensure an increase to critical mass in women's participation (Gen. Rec. 23).
- Ensure women's right to participate in non-governmental organizations and associations concerned with public life, including through incentives to political parties to ensure women's participation in their structures (Art. 7(c)/Gen. Rec. 23).
- Ensure women's right to participate in the formulation of government policy and its implementation and to hold all forms of public office (Art. 7(b)), including through appointment of women, where in government control, to senior positions, including in traditionally male-dominated fields (Gen. Rec. 23).
- Establish or strengthen a national women's machinery, including institutions and procedures, to provide advice on the impact on women of government policies, monitor the situation of women and formulate policies and strategies to eliminate discrimination (Gen. Rec. 6).
- Place women's machinery at a high level of government and provide with adequate resources, commitment and authority (Gen. Rec. 6).
- Support gender mainstreaming throughout government departments (Gen. Rec. 6).

## CHAPTER 6

### Justice and legislating equality

Ensuring that those responsible for serious crimes during conflict are brought to justice and reestablishing the rule of law are critical to the success of societal transformation to peace. The development of a constitutional framework, accountability mechanisms for past violations and legal and justice reforms are key aspects of peace agreements, or are mandated by post-conflict reconstruction needs.

Without security, reconstruction efforts can be severely hampered and women limited in their ability to participate in public life. Women often experience a rise in gender-based violence, particularly in the area of domestic and sexual violence. A post-conflict vacuum in the rule of law provides an opportunity for criminal networks to flourish, placing women at increased risk of sexual exploitation and trafficking because of high levels of vulnerability and poverty.

Impunity for violations against women committed during conflict has an impact on the security of women in the post-conflict environment. Mechanisms established to ensure accountability, such as special courts, truth commissions, vetting

processes and reparations mechanisms, need equally to target violations committed against women and develop procedures and special measures to ensure women's effective participation not only as victims and witnesses but also as judges, commissioners and policy-makers in the justice system.

Impunity for gender-related crimes that continues after conflict is often the result of a failure of the applicable law to include crimes that constitute violence against women, failure of the legal system to investigate, prosecute and punish criminal conduct against women due to gender bias, and underreporting by women due to barriers in their access to justice. Without health services, shelters and support mechanisms, women risk retribution for reporting on gender-based

#### ***Gender justice in post-conflict peace-building***

During the transition to peace, a unique window of opportunity exists to put in place a gender-responsive framework for a country's reconstruction. as a central element of peace-building, UNIFEM seeks to strengthen a gender focus in electoral, constitutional, legal, judicial and policy reform.

For more information see:  
***[www.womenwarpeace.org](http://www.womenwarpeace.org)***

violence, particularly in rural areas or isolated communities.

The impact of legal inequality and discrimination against women reaches beyond security to have a negative impact on women's ability to ensure their own and their families' well-being in post-conflict environments. With higher mortality rates among young men during conflict, women can be solely responsible for subsistence activities and for agricultural production in addition to their considerable domestic and care-giving tasks. Restrictions on women's ownership of land, as well as legal capacity to enter contracts, severely limit their productivity and ability to leverage economic resources, such as credit and loans. In urban environments, women working in the formal sector typically receive less pay and fewer benefits than men in the formal workforce, while those in the informal sector work without labor protections. Enhanced work burdens combined with unequal gender distribution of household labor limit women's opportunities to engage in other activities that would promote empowerment, such as education and political participation.

### ***Applying the standards***

SC resolution 1325 calls for the implementation of measures that ensure protection of and respect for women's human rights as they relate to the constitution, the police

and the judiciary. It reaffirms accountability for gross violations of women's human rights and calls on states to end impunity. The measures required by SC resolution 1325 as they relate to the constitution, judiciary and police are indicated by CEDAW. Measures that protect women, particularly as they relate to gender-based violence, as well as the multiple ways in which women must be afforded equality in the law, enforcement of non-discrimination and access to justice, are specifically tackled by CEDAW. In fact, CEDAW addresses the legal status of women in all areas, including nationality, family, education and health. Consequently, in the drafting of legislation in any area, CEDAW should be referred to and the measures required by its Articles should be incorporated.

### ***SC resolution 1325***

- Implement measures that ensure protection of and respect for women's human rights as they relate to the constitution, the police and the judiciary (Para. 8(c)).
- Ensure women's involvement in mechanisms developed as a part of peace agreements (Para. 8(b)).
- End impunity and prosecute those responsible for genocide, crimes against humanity and war crimes, including sexual and other violence against women and girls (Para. 11).

**CEDAW**

- Embody the principle of the equality of men and women in national constitutions or other appropriate legislation (Art. 2 (a)).
- Ensure that protections against discrimination are effective and realized in practice through mechanisms that provide redress, including the ability to make complaints and receive remedies (Art. 2(c)).
- Enact laws, including penal sanctions, civil remedies and compensatory provisions, to protect women from all forms of violence (Gen. Rec. 19).
- Provide protective measures, such as refuges, specially trained health workers and rehabilitation and counseling for victims of violence and those at risk, including making services accessible for women in rural areas and isolated communities (Gen. Rec. 19).
- Take specific preventative and punitive measures to overcome trafficking and sexual exploitation (Gen. Rec. 19).
- Implement gender-sensitive training on violence against women for judicial and law enforcement officers and public officials (Gen. Rec. 19).
- Legislate women's equality with men before the law, including equal rights and capacities to conclude contracts and to administer property (Art. 15).
- Ensure equality between women and men in marriage and family life, in particular regarding ownership, acquisition, management, administration, enjoyment and distribution of property (Art. 16(1)(h)).
- Ensure women and men equality in all areas of economic and social life, including the same rights to bank loans and all forms of financial credit (Art. 13).
- Eliminate discrimination against women in the area of employment and provide the same opportunities, free choice of profession, benefits and conditions of service, vocational training and equal pay for work of equal value (Art. 11).
- Ensure equal access to justice, including the abolition of any restrictions on women's ability to pursue all available remedies (Art. 15, Gen. Rec. 21).

## **CHAPTER 7**

### **Peacekeeping and peace support operations**

The international community has a responsibility to ensure peace and security and to respond to conflicts. The international response to conflict can take a range of forms, including the introduction of peacekeepers, engagement in peace negotiations, humanitarian assistance and the establishment of post-conflict reconstruction missions intended to assist the local community in consolidating the peace. The United Nations and member states decide on policies and approaches to these responses as well as the amount and allocation of precious financial, personnel and technical resources needed to respond. In all these functions, the international response has a significant impact on women, their security and their future well-being.

Women are noticeably underrepresented in the diplomatic and foreign services of most governments and within the top-ranking positions of the United Nations. Where represented, they tend not to be in positions pertaining to peace and security, including ministries of defense and foreign affairs of member states, or in relevant departments

within the UN. In field operations, women form one percent of the troops and five percent of civilian police deployed to keep the peace. An increase in sexual exploitation and trafficking, as well as HIV/AIDS, has been associated with some security and peacekeeping forces in missions. The troops, police and civilians sent to assist in consolidating peace often lack knowledge and understanding of the way in which women are differently affected by conflict, the significance of their contribution to peace and their human rights.

Peacekeeping missions are headed by a Special Representative of the UN Secretary-General. Currently only one is a woman. The civilian components can be deeply engaged in assisting with all aspects of reconstruction and transition, including political, legal and socio-economic development. However, such missions have only recently included components such as gender units, specifically targeted at women and the ways that gender inequality affects them in post-conflict societies and reconstruction. These units remain under-ranked, understaffed and under-resourced to meet the complex and significant tasks of ensuring gender mainstreaming in all the mission policies and activities and complementing this with approaches targeting women's empowerment. Meaningful integration of gender equality principles into international responses to conflict requires substantial resources, and



particular skills and expertise.

### ***Applying the standards***

SC resolution 1325 touches on all the critical aspects of the international response and sets out a number of commitments to enhance women's participation at the international level and within UN missions, to incorporate a gender perspective in field operations and to train UN staff and others on women's human rights, including awareness of HIV/AIDS. While SC resolution 1325 has a strong range of commitments in this area, CEDAW can be used generally to reinforce these goals with its obligations on women's equal participation in the international arena, as well as the measures needed to achieve this.

### ***SC resolution 1325***

- Increase representation of women at all decision-making levels in international institutions and mechanisms for the prevention, management and resolution of conflict (Para. 1).
- Implement the strategic plan of action of the SG to increase the participation of women in decision-making and appoint more women as special representatives and envoys to pursue good offices (Para. 2/3).
- Member states to provide women candidates to the SG (Para. 3).
- Expand the role and contribu-

tion of women, especially among military observers, civilian police, human rights and humanitarian personnel in field-based peacekeeping operations (Para. 4).

- Incorporate a gender perspective into peacekeeping operations and, where appropriate, include a gender component (Para. 5).
- Develop training materials and guidelines on women's human rights and gender mainstreaming, as well as HIV/AIDS awareness, for military and police personnel, and civilian personnel of peace keeping operations (Para. 6).
- Increase financial and other resources to gender-sensitive training efforts through member states (Para. 7).

### ***CEDAW***

- Ensure the presence of a critical mass of women at all levels and in all areas of international affairs, including in economic and military matters, in both multilateral and bilateral diplomacy and in official delegations to international and regional conferences (Art. 8/Gen. Rec. 23).
- Use legal and other measures, including special temporary measures (adoption of preference rules, quotas for public office positions, consultation with women's groups on qualified women and maintenance of registers of women for appointment) to achieve this (Gen. Rec. 23).

- Take specific measures designed to ensure a better gender balance in membership of all United Nations bodies (Gen. Rec. 23).
- Collect data on the percentage of women in the Foreign Service or engaged in international

representation, including membership in government delegations to international conferences and nominations for peace keeping or conflict resolution roles and seniority in the relevant sector (Gen. Rec. 23).

## CHAPTER 8

### Monitoring Processes

SC resolution 1325 and CEDAW are accompanied by monitoring processes aimed at assessing the implementation and realization of the instruments' provisions. These processes provide gender equality advocates with avenues to enhance the gender equality agenda shared by SC resolution 1325 and CEDAW and to seek increased and more effective implementation of the standards.

#### *SC resolution 1325 implementation*

At this time, the implementation of SC resolution 1325 is being monitored through the Secretary General in his reports to the Security Council as well as through open debates of the Security Council. In 2002, the Secretary-General released his study, "Women, Peace and Security" (2002), which comprehensively covers all areas addressed by SC resolution 1325 and makes numerous recommendations for action. This, along with the Independent Experts' Assessment, "Women, War and Peace," commissioned by UNIFEM, provides numerous recommendations for implementation of SC resolution 1325. To date, however, the Security Council has not followed up on most of these recommendations, either by assess-

ing them itself or by establishing an expert-level Security Council working group to monitor implementation. A follow-up SG report was submitted in October 2004 and a number of Member States and UN agencies have been encouraged to report to the SG on their implementation of SC resolution 1325 to inform that report.

The content of these reports and, in particular, their recommendations, provide advocates with a platform from which to advance gender equality agendas in conflict and post-conflict environments. They may advocate for implementation of the recommendations, or use the authority of these reports to highlight to governments that their agendas have the support of the SG and the United Nations, through specific recommendations. As a result of the broad scope and comprehensive nature of the SG and the Independent Experts' recommendations, direct links to most aspects of the gender equality agenda in the area of peace and security can be made.

Open sessions of the Security Council on women, peace and security provide all member states with the opportunity to address the goals of SC resolution 1325 and their implementation. "Arria formula" meetings (named for the Chilean Ambassador who conceived the mechanism) provide a forum for women's civil society organizations to address Security Council members. In these meetings,

national and international women's groups disseminate information on women in conflict and present policy and other measures needed to address and improve implementation of SC resolution 1325.

Generating awareness, through trainings and media, of how the agenda of gender equality is supported by the commitments in SC resolution 1325 may be an initial starting point for advocates. Monitoring and disseminating results on gender equality and peace and security is an urgent need recognized by the Security Council in SC resolution 1325. Monitoring is essential for advancing implementation of the goals set out in the resolution. Gender equality advocates should monitor and publish their findings concerning all aspects of gender equality in conflict and post-conflict environments. These include violations of women's rights in conflict and post-conflict contexts, monitoring of peace negotiations' inclusion of gender perspectives in policies, ways in which the international response and national governments are addressing disarmament, demobilization and reintegration (DDR) and the situation of refugees and internally displaced persons (IDPs). This information can be provided to governments, UN agencies and international women's groups for dissemination in international fora, such as Open Session and Arria formula meetings.

Meetings between Security Council missions and women's groups in conflict and post-conflict environments, such as in Afghanistan, Sudan, and Kosovo, are becoming a more regular occurrence. These meetings provide gender equality advocates on the ground with critical access to high-level decision-makers and an opportunity to raise and push their agendas, whether it be for more women in government, better legislation and constitutional protections for equality, allocating more resources to reconstruction efforts that target women's empowerment, access of women's groups to peace negotiations, or greater accountability of UN peace-keeping missions.

An important aspect of SC resolution 1325 is the recognition of the need for training on human rights for military, police, judges and other personnel that may be a part of UN peace operations. Gender equality advocates may consider formulating training material based on women's human rights in their region for such persons, either within their countries or for those who may be sent as UN personnel to other countries. They might also develop relationships with relevant security and rule of law institutions and create forums for discussion and information exchange on these issues. In Bosnia-Herzegovina, for example, the European Network of Policewomen and European Union Police Mission (EUPM) organized a

conference on gender mainstreaming that included women's groups.

Gender advocates and national machineries can conduct advocacy with their own governments, UN presences (Dept. of Peacekeeping Operations – DPKO) and agencies (such as the UN High Commission for Refugees), to allocate funds for gender equality in peace and security issues. These issues may include humanitarian aid and reconstruction, and women's representation in decision-making processes at the international and UN level. In some member states, such as Canada and Fiji, national machineries, women's groups and ministries of defense and foreign affairs are developing mechanisms for cooperation and consultation to review national policy and resource allocation in this way. Such advocacy can be strengthened by networking on the regional or international level to identify shared women's human rights concerns in conflict and post-conflict environments.

### ***Monitoring and reporting on CEDAW***

To fulfill their reporting requirements under CEDAW, governments in conflict, engaged in negotiating peace, or in post-conflict reconstruction are responsible to collect and produce information on the specific situation of women and the impact of their policies and programmes on eliminating discrimination against women. For example,

#### ***Shadow Reporting***

International Women's Rights Action Watch Asia Pacific (IWRAP-AP) has developed resources for NGOs to assist them in formulating Shadow Reports.

This information can be found at: ***[http://www.iwraw-ap.org/using\\_cedaw/ngos.htm](http://www.iwraw-ap.org/using_cedaw/ngos.htm)***

they should include data on the number of women participating in decision-making at the national and international level, the prevalence and consequences of violence against women, the impact of socio-economic reforms on women's work burdens and poverty and the specific measures taken to meet the needs of refugees and IDPs. More importantly, they are obligated to detail the specific measures they have taken to address these issues.

In formulating their reports, governments should engage their national women's machineries, along with other relevant departments of the government concerning peace and security, such as defense, finance, interior and justice. This process should provide another opportunity for national machineries to make an impact on national policies in the area of peace and security.

Governments are also advised to consult with women's civil society organizations and incorporate

**For more information on the CEDAW Country Reports and the Committee's Concluding Comments, see the Division on the Advancement of Women website at: <http://www.un.org/womenwatch/daw/cedaw/>**

their information and perspectives, including on what measures need to be taken to improve the situation of women in the context of peace and security. Women's organizations may also provide their views directly to the Committee, including by drafting alternative, or "shadow", reports. The shadow report can be used to highlight their perspectives and insights, including information on peace and security issues, such as violations of women's rights in conflict and post conflict, monitoring the inclusion of gender perspectives in peace negotiations', the particular impact of policies and programmes on refugees and IDPs. Moreover, the report gives women's groups an opportunity to identify the specific actions that they believe their government needs to take in the area of peace and security.

The CEDAW Committee has responded to reports from countries in conflict or post-conflict situations. The Committee has urged governments in conflict to ensure women are involved in peace negotiations (Georgia), and that gender equality

is addressed in the implementation of peace agreements (Burundi), and to implement special measures, such as quotas to ensure women's participation in decision-making (Burundi, Sri Lanka, Armenia, Colombia). The Committee has highlighted the situation of refugee and IDP women and recommended increased assistance to meet the needs of these women (Burundi, Georgia, Azerbaijan). It has also recognized the high incidence of violence against women in conflict and urged monitoring of security and police forces to ensure that perpetrators are brought to justice (Sri Lanka). The Committee has condemned the rise in trafficking and prostitution in these environments and instructed governments to take appropriate action (Colombia, et al). It has further noted the impact of HIV/AIDS in conflict, the links to sexual exploitation and prostitution and the need for health and psycho-educational services for women and girls (DRC, Burundi).

CEDAW Committee concluding comments provide critical instructions to governments, including national machineries, on where to focus their efforts, and the actions needed to advance women's equality. Progress on these specific issues should form the basis of the country's next CEDAW report. Governments should translate and distribute their reports and the Committee's concluding comments. Women's groups may also want to

translate the concluding comments, publicize them, using the media, press conferences and other outlets, and generate awareness of the government's obligations. With concluding comments in hand, gender

equality advocates have a specific roadmap by which to monitor governments' implementation and a tool for advocacy to pursue their agenda with governments in conflict or post-conflict environments.



# ANNEX I. SECURITY COUNCIL

## Resolution 1325

### The Security Council,

**Recalling** its resolutions 1261 (1999) of 25 August 1999, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000 and 1314 (2000) of 11 August 2000, as well as relevant statements of its President and recalling also the statement of its President, to the press on the occasion of the United Nations Day for Women's Rights and International Peace of 8 March 2000 (SC/6816),

**Recalling** also the commitments of the Beijing Declaration and Platform for Action (A/52/231) as well as those contained in the outcome document of the twenty-third Special Session of the United Nations General Assembly entitled "Women 2000: Gender Equality, Development and Peace for the twenty-first century" (A/S-23/10/Rev.1), in particular those concerning women and armed conflict,

**Bearing** in mind the purposes and principles of the Charter of the United Nations and the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security,

**Expressing** concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons, and increasingly are targeted by combatants and armed elements, and recognizing the consequent impact this has on durable peace and reconciliation,

**Reaffirming** the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution,

**Reaffirming** also the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts,

**Emphasizing** the need for all parties to ensure that mine clearance

and mine awareness programmes take into account the special needs of women and girls,

**Recognizing** the urgent need to mainstream a gender perspective into peacekeeping operations, and in this regard noting the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations (S/2000/693),

**Recognizing** also the importance of the recommendation contained in the statement of its President to the press of 8 March 2000 for specialized training for all peacekeeping personnel on the protection, special needs and human rights of women and children in conflict situations,

**Recognizing** that an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security,

**Noting** the need to consolidate data on the impact of armed conflict on women and girls,

1. **Urges** Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;
2. **Encourages** the Secretary-General to implement his strategic plan of action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes;
3. **Urges** the Secretary-General to appoint more women as special representatives and envoys to pursue good offices on his behalf, and in this regard calls on Member States to provide candidates to the Secretary-General, for inclusion in a regularly updated centralized roster;
4. **Further** urges the Secretary-General to seek to expand the role and contribution of women in United Nations field-based operations, and especially among military observers, civilian police, human rights and humanitarian personnel;
5. **Expresses** its willingness to incorporate a gender perspective into peacekeeping operations and urges the Secretary-General to ensure that, where appropriate, field operations include a gender component;

6. **Requests** the Secretary-General to provide to Member States training guidelines and materials on the protection, rights and the particular needs of women, as well as on the importance of involving women in all peacekeeping and peace-building measures, invites Member States to incorporate these elements as well as HIV/AIDS awareness training into their national training programmes for military and civilian police personnel in preparation for deployment and further requests the Secretary-General to ensure that civilian personnel of peacekeeping operations receive similar training;

7. **Urges** Member States to increase their voluntary financial, technical and logistical support for gender-sensitive training efforts, including those undertaken by relevant funds and programmes, inter alia, the United Nations Fund for Women and United Nations Children's Fund, and by the United Nations High Commissioner for Refugees and other relevant bodies;

8. **Calls** on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia: (a) The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction; (b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements; (c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary;

9. **Calls** upon all parties to armed conflict to respect fully international law applicable to the rights and protection of women and girls as civilians, in particular the obligations applicable to them under the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977, the Refugee Convention of 1951 and the Protocol thereto of 1967, the Convention Security Council - 5 - Press Release SC/6942 4213th Meeting (PM) 31 October 2000 on the Elimination of All Forms of Discrimination against Women of 1979 and the Optional Protocol thereto of 1999 and the United Nations Convention on the Rights of the Child of 1989 and the two Optional Protocols thereto of 25 May 2000, and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court;

10. **Calls** on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and

other forms of sexual abuse, and all other forms of violence in situations of armed conflict;

11. **Emphasizes** the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes including those relating to sexual violence against women and girls, and in this regard, stresses the need to exclude these crimes, where feasible from amnesty provisions;

12. **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, including in their design, and recalls its resolution 1208 (1998) of 19 November 1998;

13. **Encourages** all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants;

14. **Reaffirms** its readiness, whenever measures are adopted under Article 41 of the Charter of the United Nations, to give consideration to their potential impact on the civilian population, bearing in mind the special needs of women and girls, in order to consider appropriate humanitarian exemptions;

15. **Expresses** its willingness to ensure that Security Council missions take into account gender considerations and the rights of women, including through consultation with local and international women's groups;

16. **Invites** the Secretary-General to carry out a study on the impact of armed conflict on women and girls, the role of women in peace-building and the gender dimensions of peace processes and conflict resolution, and further invites him to submit a report to the Security Council on the results of this study and to make this available to all Member States of the United Nations;

17. **Requests** the Secretary-General, where appropriate, to include in his reporting to the Security Council, progress on gender mainstreaming throughout peacekeeping missions and all other aspects relating to women and girls;

18. **Decides** to remain actively seized of the matter."

## **Annex II. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**

### **CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN**

#### **The States Parties to the present Convention,**

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal rights of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,  
Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full devel-

opment of the potentialities of women in the service of their countries and of humanity,

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs,

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, the relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems, general and complete disarmament, in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole,

Aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women,

Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations,

Have agreed on the following:

## **PART I**

### ***Article 1***

For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

### ***Article 2***

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;



(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women.

### **Article 3**

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

### **Article 4**

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

### **Article 5**

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

## ***Article 6***

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

# **PART II**

## ***Article 7***

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

## ***Article 8***

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

## ***Article 9***

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.
2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

# **PART III**

## ***Article 10***

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in

the field of education and in particular to ensure, on a basis of equality of men and women:

- (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
- (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
- (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;
- (d) The same opportunities to benefit from scholarships and other study grants;
- (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
- (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
- (g) The same Opportunities to participate actively in sports and physical education;
- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

## Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;
- (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;
- (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
- (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
- (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
- (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge

and shall be revised, repealed or extended as necessary.

### **Article 12**

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

### **Article 13**

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to family benefits;
- (b) The right to bank loans, mortgages and other forms of financial credit;
- (c) The right to participate in recreational activities, sports and all aspects of cultural life.

### **Article 14**

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

- (a) To participate in the elaboration and implementation of development planning at all levels;

- (b) To have access to adequate health care facilities, including information, counseling and services in family planning;
- (c) To benefit directly from social security programmes;
- (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
- (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;
- (f) To participate in all community activities;
- (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
- (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

## **PART IV**

### ***Article 15***

1. States Parties shall accord to women equality with men before the law.
2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

## Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
- (c) The same rights and responsibilities during marriage and at its dissolution;
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
- (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;
- (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

## PART V

## Article 17

1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on



the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.

7. For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

8. The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

### ***Article 18***

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:

- (a) Within one year after the entry into force for the State concerned;
  - (b) Thereafter at least every four years and further whenever the Committee so requests.
2. Reports may indicate factors and difficulties affecting the degree of fulfillment of obligations under the present Convention.

### ***Article 19***

- 1. The Committee shall adopt its own rules of procedure.
- 2. The Committee shall elect its officers for a term of two years.

### ***Article 20***

- 1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.
- 2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

### ***Article 21***

1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

2. The Secretary-General of the United Nations shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

### ***Article 22***

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

## **PART VI**

### ***Article 23***

Nothing in the present Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:

(a) In the legislation of a State Party; or

(b) In any other international convention, treaty or agreement in force for that State.

### ***Article 24***

States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

### ***Article 25***

1. The present Convention shall be open for signature by all States.

2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.
3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.
4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

### ***Article 26***

1. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.
2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

### ***Article 27***

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

### ***Article 28***

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

## ***Article 29***

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

## ***Article 30***

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.

**IN WITNESS WHEREOF** the undersigned, duly authorized, have signed the present Convention.

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