

# International Legal Framework Statement



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## Introduction

Since the end of World War II states have been committed to the creation of a comprehensive international legal framework that governs relations between states and between states and individuals. International law grants extensive protection to women and girls under various treaties, UN Resolutions and understandings in an ever-evolving and improving legal framework on women's rights. However, due to lack of enforcement and lack of serious commitment by states, implementation of international women's rights is lagging behind in practice.

The treatment of women in many countries today is still shaped by religious, social and traditional customs and not by constitutional and human rights. In some countries it is, for example, traditionally uncommon for women to be actively involved in politics; however, international human rights law grants women this right. Gender Concerns implements programmes to enable women to benefit from this right in practice. Socio-ethnic structures in many countries also foster discrimination of minority women, even though they have equal rights under international law. Through its projects Gender Concerns tackles this discrepancy between the legal standard and the lack of implementation in practice. Another area Gender Concerns is engaged in is the promotion of gender-sensitive support to women in extreme situations such as disasters and armed conflict, which is a standard that has been recognised internationally but still widely lacks implementation. The international legal framework is an important tool for fighting these inequalities: it constitutes a tool for enforcement of rights, lobbying with governments, and provides a framework for international organisations, like Gender Concerns to work towards achieving gender equality in practice.

This statement discusses the international legal norms and standards pertaining to the four main themes of Gender Concerns:

- Gender and Democracy,
- Gender and Minorities,
- Gender and Disaster Management,
- Gender Justice in Conflict and Peace.

Gender Concerns works on implementing women's rights values in relation to these themes in eight target countries: Afghanistan, Egypt, Libya, Morocco, Myanmar, Pakistan, Sierra Leone and Tunisia.



People lining up to vote during an the national election 2015 in Myanmar observed by Gender Concerns International

## Gender and Democracy

Women's participation in politics is a right contained in multiple international treaties. The first time this right was codified at the international level was in the **Universal Declaration of Human Rights** which recognised the right to equal participation in politics in Article 21 as one of the most fundamental human rights values.<sup>i</sup> Another treaty recognising that everyone has the right to political participation is the **International Covenant on Civil and Political Rights (ICCPR)**.<sup>ii</sup> The first treaty specifically mentioning the right

of women to take part in politics is the **Convention on Political Rights of Women** from 1953<sup>iii</sup>; this treaty, however, never gained much force due to the low number of ratification. The most important treaty on female political participation is thus the **Convention on the Elimination of all Forms of Discrimination against Women** (CEDAW), which grants detailed participation rights under Articles 7-8.<sup>iv</sup> These articles oblige state parties to eliminate obstacles to female participation in the political arena in regard to participation in elections and holding a public office. Moreover, the CEDAW Committee adopted **General Recommendation No. 23**<sup>v</sup> in which it recognises that cultural and societal norms often bar women from participation in the public life. A regional treaty relevant for the work in some of Gender Concerns' target countries is the **African Charter on Democracy, Elections and Governance**<sup>vi</sup>, which stipulates among other things that election monitoring shall take place and that women shall be included in decision-making processes; it does not, however, make explicit reference to women's participation in democracy.

In addition to the abovementioned treaty norms, there are other international legal standards that provide for more specific guidelines on the participation of women, such as **UN Resolutions**. The most important Resolution in that regard is UN General Assembly Resolution A/RES/66/130.<sup>vii</sup> This Resolution calls on all UN Member States to review their electoral systems in order to assess and eliminate any obstacles to women's participation and representation. Moreover, the Resolution urges states to encourage women's participation through various measures: promotion of the benefits of gender-inclusive democracies, conduction of investigation of harassment of politically active women and encouragement of participation of minority women. In another Resolution (A/RES/58/142)<sup>viii</sup>, the UN General Assembly emphasised the importance of developing mechanisms and training programs that

promote the participation of women. Another document that states the collective aims of the international community is the **UN Millennium Declaration**, which declares "more inclusive political processes" to be a priority.<sup>ix</sup> Moreover, the **Beijing Platform for Action** proposes a quota of at least 30% of women in decision-making positions.<sup>x</sup>

The right to political participation of women has also been affirmed by international human rights courts, such as the **European Court of Human Rights** in *Staatkundig Gereformeerde Partij v. the Netherlands*.<sup>xi</sup>

Apart from sources directly stipulating the right to female political participation, there are other international legal standards that are relevant



Woman voting during an election in Tunisia monitored by Gender Concerns International

in order to ensure female participation in politics. One of those is the right to nationality contained in the Universal Declaration of Human Rights<sup>xii</sup> and the CEDAW<sup>xiii</sup>, since voting and holding a public office is usually impossible for stateless persons.

## The right to vote and participate in elections is at the core of Gender Concerns' work on the theme of Gender and Democracy.

The right to vote and participate in elections is at the core of Gender Concerns' work on the theme of Gender and Democracy. Even though all focus countries of Gender Concerns are

parties to the most important treaty on female political participation, CEDAW, the right to female political participation is far from being fully implemented. In Myanmar for example, many women belonging to ethnic minorities do not have citizenship and thus cannot vote.<sup>xiv</sup> In Tunisia and other many countries, active political engagement of women is not common and not encouraged; there thus are not many female political leaders in these countries yet.<sup>xv</sup> Gender Concerns promotes the women's right to political participation for example through lobbying and election monitoring. Subsequently to the monitoring, Gender Concerns writes reports and makes recommendations aimed at the elimination of obstacles to female participation. Other Gender Concerns programmes include the promotion of female participation in the public life of Afghanistan, for example through radio broadcasts and trainings of local women leaders, and the inclusion of women in the drafting process of the new Libyan Constitution. The structure and aim of these programmes shows that they put into practice what the international rights and standards stipulate, such as the abovementioned UN Resolutions. Implementing the programmes of Gender Concerns helps women to enjoy the rights and standards countries agreed upon at the international level.

## Gender and Minorities

Women belonging to a minority often constitute a disadvantaged group within an already disadvantaged group, making their comprehensive protection especially important.

There are multiple international treaties recognising the right to equal treatment of minorities. The **Universal Declaration of Human Rights** generally protects from discrimination on any kind of status, such as race, sex and national/social origin.<sup>xvi</sup> The main document on

minority rights is the UN General Assembly's **Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities**<sup>xvii</sup>, which calls on states to respect minorities. Moreover, the **ICCPR** grants minorities the right to enjoy their own culture, religion and languages.<sup>xviii</sup> Additionally, there are multiple treaties relating to specific minorities, such as racial minorities, migrant workers, indigenous people, children and persons with disabilities. These treaties apply also to women, albeit not exclusively. There are currently no international treaties relating specifically to the protection of minority women. Generally, international courts apply



Women participating in the Dastoor programme working for a gender-inclusive new Libyan constitution

women's rights (CEDAW) also to minority women when reaching judgements on violations rather than using specific minority rights.<sup>xix</sup> Moreover, **CEDAW** calls on state parties to take into account the particular problems of women living in rural areas<sup>xx</sup>; considering that many minority women live in rural areas, this article is important for their enhanced protection.

Women belonging to a minority often constitute a disadvantaged group within an already disadvantaged group, making their comprehensive protection especially important. This is why many norms that are not explicitly addressed at minorities, but at vulnerable people in general, are relevant as well. Since women in a vulnerable position, such as female minority members suffering from

discrimination, they are more likely to be victims of organised crime, like human trafficking. The prohibition of human trafficking is covered by the **Convention on Transnational Organised Crime**<sup>xxi</sup> and the Protocol to that Convention (**Palermo Protocol**)<sup>xxii</sup> which recognises the special risk for women to become victims of trafficking. A regional African treaty that includes the prohibition of human trafficking is the **Maputo Protocol** (art 14). Furthermore, poverty and exclusion from the political process are often connected to minorities since they are sometimes deprived from citizenship, which makes the right of all women to nationality relevant.<sup>xxiii</sup>

The international framework on minority protection and particularly on the protection of minority women is rather weak. Minorities are still disadvantaged and excluded from democratic processes and decision-making in many countries.<sup>xxiv</sup> Especially in ethnically diverse countries, such as Gender Concerns' target country Myanmar, the inclusion of ethnic and religious minorities is important since the exclusion of these groups perpetuates the disadvantaged position of members of that minority, which is a key contributor to political and civil conflict instability.<sup>xxv</sup> Especially women often end up in a vulnerable position, at risk of exploitation, violence or crime.<sup>xxvi</sup> As long as ethnic minorities have no means of participating in the public discourse, they have no means to change their fate. Gender Concerns thus believes in strengthening the presence of minority women in the political structures in order to enhance integration and equality.

**Gender Concerns believes in strengthening the presence of minority women in politics**

## **Gender and Disaster Management**

Men and women are affected differently by disasters, such as floods, landslides or

droughts.<sup>xxvii</sup> Socio-economic structures and cultural traditions in many countries force women to stay at home or inside make-shift shelters, due to cultures requiring the company of a man when leaving the house or due to childcare responsibilities.<sup>xxviii</sup> This is problematic, because it may prevent women from seeking refuge or from receiving information such as early warnings. In societies where the sexes are segregated due to cultural or other reasons, aid programmes need to have female staff in order to be able to help affected women. Moreover, the roles within the family often change during times of disaster; enabling women to change back into their normal role after the disaster ends is important for their rehabilitation and re-integration. In addition, violence against women, such as sexual assault, often increases during times of disaster, for example due to unsafe emergency shelters.

**Women have specific needs in disaster management. This has been recognised at the international level.**

Women have specific needs in disaster management. This has been recognised at the international level. There is no distinct treaty dealing with the treatment and rights of women during disaster, but the **Humanitarian Charter and Minimum Standards in Humanitarian Response**<sup>xxix</sup> contains internationally accepted guidelines on effective humanitarian action, including norms on aid provided to women. **CEDAW** forms the basis for the obligation to take into account women's interests in all aspects of life, including disasters.<sup>xxx</sup> In **General Recommendation No. 28** of the CEDAW Committee, it emphasises that the obligation to ensure equality does not cease during times of emergency.<sup>xxxi</sup> CEDAW is thus important for establishing gender-mainstreamed humanitarian action, but it is also important for prevention of future losses during disasters: natural disasters kill more women than men and this is often due to the role women have in society. Many women are limited in their

mobility and access to information due to cultural practices. Modifying such practices would achieve gender equality and can prevent disproportionately high losses of female lives during catastrophes.

Moreover, the **UN Economic and Social Council** adopted multiple Resolutions (E/RES/2012/3, E/RES/2013/6 and E/RES/2014/2) that stipulate that effective humanitarian aid must be tailored to the needs of women during disasters.<sup>xxxii</sup> In addition, the **Commission on the Status of Women** adopted Resolution 56/2 which aims at promoting gender equality in humanitarian response.<sup>xxxiii</sup> Furthermore, the **Beijing Platform for Action** specifically draws attention to the increased risk of sexual assault after disasters.<sup>xxxiv</sup>



Women involved in a discussion during the Bayan II programme in Afghanistan

Apart from legal norms directly relating to women in disaster contexts, other standards relating to vulnerable women in general may be relevant as well. Natural disasters often mean the loss of shelter, livelihood and injury. These financial burdens leave victims of disasters in vulnerable positions, prone to exploitation.<sup>xxxv</sup> Persons suffering from poverty after disasters are at risk of becoming victims of bonded labour and sexual exploitation, such as human trafficking. In that regard, the **Convention on Transnational Organised Crime**<sup>xxxvi</sup> and multiple **ILO Conventions** (No. 29 and No. 105) on bonded labour are relevant.

Women are still more adversely affected by natural disasters. Catering humanitarian relief to the needs of women during disasters is the key aim of Gender Concerns' theme Gender and Disaster Management. Under this theme, Gender Concerns has organised programmes in Pakistan providing flood victims with basic necessities. Implementing such gender-sensitive programmes helps to put into practice the norms stipulated at the international level.

## Gender Justice in Conflict and Peace

The law regulating conflict and post-conflict scenarios is dispersed and regulates multiple different stages of armed conflicts and post-conflict scenarios.

The prevention of armed conflict is governed by the notion of the **Responsibility to Protect (R2P)**<sup>xxxvii</sup> which is a norm according to which the international community is responsible for the prevention of violent conflict and violent post-conflict reconciliation. Under R2P, the international community has a moral obligation to intervene when gross violations of international humanitarian law are due to be committed. Gross violations are generally understood to be genocide, crimes against humanity and war crimes. Thus there is a common international understanding that justice in times of conflict and post-conflict has to be ensured by outside actors if the state itself is unable to do so. Moreover, UN Security Council **Resolution 2106**<sup>xxxviii</sup> calls on states and civil society to take measures to prevent sexual violence during conflicts, for example through training course of militaries and improved legislation and litigation on the matter.

Apart from prevention, a core aspect of the law relating to justice in conflict and peace relates to the conduct of hostilities. There are many treaties pertaining to the treatment of individuals during armed conflict. Two of note are the **Geneva Conventions**<sup>xxxix</sup> and the Statutes of the international criminal tribunals,

such as the **Statute of the International Criminal Court** (ICC Statute).<sup>xi</sup> Both the Geneva Conventions and the ICC Statute criminalise sexual crimes committed during conflict. In addition, the ICC Statute criminalises a number of sexual and gender-based crimes committed in peacetime (crimes against humanity). Moreover, the International Criminal Tribunal for Rwanda recognised in the *Akayesu* judgement that rape and other forms of gender-based violence, such as forced abortions, can amount to genocide when committed against a protected group.<sup>xii</sup> In all international criminal tribunals since World War II, sexual and gender-based crimes constituted a major part of the crimes committed. Sexual crimes are used as a weapon of war that often is of exceptional cruelty; this has also been recognised by the **UN Security Council in Resolution 1820**.<sup>xiii</sup> The community of states has condoned violence against women in **UN General Assembly Resolution A/RES/48/104**, which recognises gender-based violence as a historically-rooted problem that often prevents women from benefitting from other rights, such as the right to political participation.<sup>xiii</sup> Moreover, **CEDAW** applies since the CEDAW Committee stated in **General Recommendation No. 28** that the obligation to ensure equality does not cease during times of armed conflict.<sup>xiv</sup> **General Recommendation No. 30** gives guidance on the respect of women's rights during conflict and post-conflict.<sup>xv</sup>

Concerning the post-war period, the effects of war are often especially grave for victims of sexual crimes. The ICC is engaged in post-conflict rehabilitation through the Trust Fund for Victims, which rehabilitates victims, including victims of sexual crimes who often end up traumatised and stigmatised by their communities.<sup>xvi</sup> However, there are no international standards or rights that especially protect survivors of armed conflict. The **UN Security Council Resolution 2122**<sup>xvii</sup> and the **Beijing Platform for Action** for Equality, Development and Peace adopted multiple objectives concerning women in conflict, such

as the inclusion of women in conflict resolution.<sup>xlviii</sup> A landmark framework in that regard is also **UN Security Council Resolution 1325**<sup>xlix</sup> which establishes that post-conflict reconciliation must respect the different needs of women and that women should be included in the decision-making process during conflict resolution. The Dutch **National Action Plan**<sup>l</sup> to implement Resolution 1325 recognises that conflicts impact men and women differently: women are often placed in the role of the breadwinner of the family, but they often earn lower salaries during conflict times, which increases their vulnerable position. Moreover, it recognises that women are the main target of sexual violence during conflict.

### Gender Concerns has recognised the need for special protection of women during conflict and post-conflict peace and the importance of including women in peace processes

Gender Concerns has recognised the need for special protection of women during conflict and post-conflict peace and the importance of including women in peace processes.<sup>li</sup> One of Gender Concerns' target countries – Sierra Leone – saw one of the cruellest civil wars and another Gender Concerns country – Myanmar – is troubled by century-long ethnic violence and persecution. Both these conflicts saw many crimes committed against women as a method of war. Programmes ensuring the security of women after conflicts are crucial for their safety, inclusion and rehabilitation. One security-enhancing measure tailored to the needs and interests of women in conflict/post-conflict is Gender Concerns' program on inclusive governance and improved security in Afghanistan. Another programme involved panel discussions in Tunisia exploring the options for more female participation as envisioned under UN Resolution 1325. Yet another programme promoted holding men accountable for their crimes committed during

the war in Pakistan. Protecting women from these crimes through needs-oriented and sustainable projects, as Gender Concerns does, is indispensable for lasting peace and reconciliation. As such, these programmes implement in practice what the abovementioned laws stipulate.

## Conclusion

All main fields of international law – human rights, criminal law and humanitarian law – recognise women’s rights. Together they form a comprehensive set of rules aimed at achieving gender equality in a broad range of contexts, varying from everyday life to disaster and conflict scenarios.

The most important women’s rights treaty that provides the general basis for equal treatment is the CEDAW. All of Gender Concerns’ eight focus countries have ratified the CEDAW. However, only two of them (Libya and Tunisia) ratified the Optional Protocol which indicates a lack of commitment to the enforceability of the norms contained in the treaty. Moreover, many of Gender Concerns’ focus countries have not ratified other major treaties, such as the ICCPR.

According to the UN Statistics Division<sup>lii</sup>, there is a persisting gender imbalance in decision-making and government posts: on average only 17% of parliamentary seats worldwide are occupied by women. Minority women are even less represented in governments. Natural disasters kill more women than men; in some disasters, female victims made up to 77% of the total number of victims. In Myanmar 68% of the victims of cyclone Nargis were female. During conflicts and after conflicts, women are regularly victims of sexual assault and most of them have no means of seeking legal remedies.

The states’ lack of commitment to the implementation of internationally recognised women’s rights makes the work of civil society organisations like Gender Concerns International very important for the advancement of women’s position in society.



Successful workshop on female leadership in Morocco

Fostering women’s rights will help individual women, communities, and eventually the state itself, since sustainable development is only possible in a gender-inclusive society.



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<sup>i</sup> Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A(III) (UDHR), art 21.

<sup>ii</sup> International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), art 25.

<sup>iii</sup> Convention on the Political Rights of Women (adopted 31 March 1953, entered into force 7 July 1954) UNGA Res 640 (VII).

<sup>iv</sup> Convention on the Elimination of all forms of Discrimination Against Women (adopted 19 December 1979, entered into force 3 September 1981) UNGA Res 34/180, arts 7-8.

<sup>v</sup> UN Committee for the Elimination of All Forms of Discrimination against Women, 'General Recommendation No 23: Political and Public Life' (1997) UN Doc A/52/38.

<sup>vi</sup> African Charter on Democracy, Elections and Governance (adopted 30 January 2007, entered into force 16 February 2015) Adopted by the eighth ordinary session of the Assembly, held in Addis Ababa, art 17, art 29(2).

<sup>vii</sup> UNGA Res 66/130 (19 December 2011) GAOR 66<sup>th</sup> session.

<sup>viii</sup> UNGA Res 58/142 (10 February 2004) GAOR 58<sup>th</sup> session.

<sup>ix</sup> UN Millennium Declaration (adopted by UNGA Res 55/2, 8 September 2000), see <http://www.un.org/millennium/declaration/ares552e.htm> (last accessed 13 July 2016).

<sup>x</sup> UN Women, Beijing Platform for Action (1995) 'Women and the Environment', see <http://www.un.org/womenwatch/daw/beijing/platform/decision.htm#object1> (last accessed 13 July 2016).

<sup>xi</sup> *Staatkundig Gereformeerde Partij v. the Netherlands* (Application No. 58369/10) European Court for Human Rights (2012).

<sup>xii</sup> Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A(III) (UDHR), art 15.

<sup>xiii</sup> Convention on the Elimination of all forms of Discrimination Against Women (adopted 19 December 1979, entered into force 3 September 1981) UNGA Res 34/180, art 9.

<sup>xiv</sup> Poppy McPerson, 'No vote, no candidates: Myanmar's Muslims barred from their own elections' (The Guardian, 3 November 2015), see <https://www.theguardian.com/world/2015/nov/03/no-vote-no-candidates-myanmars-muslims-barred-from-their-own-election> (last accessed 13 July 2016).

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<sup>xv</sup> Sibonokuhle Ndlovu et al, 'Emerging Trends in Women's Participation in Politics in Africa' 3 American International Journal for Contemporary Research 11, 72 (November 2013), see <http://www.ku.ac.ke/actil/wp-content/uploads/2015/07/Emerging-Trends-in-WomenS-Participation-in-Politics-in-Africa.pdf> (last accessed 13 July 2016).

<sup>xvi</sup> Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A(III) (UDHR), art 2.

<sup>xvii</sup> Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (adopted by UNGA Res 47/135, 18 December 1992).

<sup>xviii</sup> International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), art 27.

<sup>xix</sup> See e.g., *A.S. v Hungary*, Communication No 4/2004, CEDAW C/36/D/4/2004 (26 August 2006).

<sup>xx</sup> Convention on the Elimination of all forms of Discrimination Against Women (adopted 19 December 1979, entered into force 3 September 1981) UNGA Res 34/180, arts 14.

<sup>xxi</sup> Convention on Transnational Organised Crime (adopted 8 January 2001) UNGA Res A/Res/55/25.

<sup>xxii</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention on Transnational Organised Crime (adopted 15 November 2000) UNGA.

<sup>xxiii</sup> *Contained in* Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A(III) (UDHR), art 15; Convention on the Elimination of all forms of Discrimination Against Women (adopted 19 December 1979, entered into force 3 September 1981) UNGA Res 34/180, arts 9.

<sup>xxiv</sup> Karen Bird, 'The Political Representation of Women and Ethnic Minorities in Established Democracies: A Framework for Comparative Research' (11 November 2003) 2, see <https://www.hks.harvard.edu/fs/pnorris/Acrobat/stm103%20articles/Karen%20Bird%20amidpaper.pdf> (last accessed 13 July 2016).

<sup>xxv</sup> Oussematou Dameni et al, *Journeys from Exclusion to Inclusion* (International IDEA Institute, 2013), 11.

<sup>xxvi</sup> Human trafficking is one example of the vulnerability of minority women, see Heidi Box, 'Human Trafficking and Minorities: Vulnerability Compounded by Discrimination' (Topical Research

Digest: Minority Rights) 28, see <http://www.du.edu/korbel/hrhw/researchdigest/minority/Trafficking.pdf> (last accessed 13 July 2016).

<sup>xxvii</sup> WHO, 'Gender and Health in disasters', see [http://apps.who.int/gender/other\\_health/disasters/en/](http://apps.who.int/gender/other_health/disasters/en/) (last accessed 13 July 2016).

<sup>xxviii</sup> Elizabeth Ferris, 'When disaster strikes: women's particular vulnerabilities and amazing strengths' (Brookings Institute) 3, see <http://www.refworld.org/pdfid/4d0771202.pdf> (last accessed 13 July 2016).

<sup>xxix</sup> Humanitarian Charter and Minimum Standards in Humanitarian Response (published 1998; current version 2004) Sphere Project, see <http://www.ifrc.org/Docs/idrl/1283EN.pdf> (last accessed 13 July 2016).

<sup>xxx</sup> Convention on the Elimination of all forms of Discrimination Against Women (adopted 19 December 1979, entered into force 3 September 1981) UNGA Res 34/180.

<sup>xxxi</sup> UN Committee for the Elimination of All Forms of Discrimination against Women, 'General Recommendation No 28' (2010) CEDAW C/2010/47/GC.2.

<sup>xxxii</sup> UN Economic and Social Council, Documentation, see <http://www.un.org/en/ecosoc/docs/docs.shtml> (last accessed 13 July 2016).

<sup>xxxiii</sup> UN Commission on the Status of Women (2012) GAOR 2012, Supp. No. 7, UN Doc E/CN.6/2012/16, see

[http://www.un.org/ga/search/view\\_doc.asp?symbol=E/2012/27&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=E/2012/27&Lang=E) (last accessed 13 July 2016).

<sup>xxxiv</sup> UN Women, Beijing Platform for Action (1995) 'Women and the Environment', see <http://www.un.org/womenwatch/daw/beijing/platform/armed.htm> (last accessed 13 July 2016).

<sup>xxxv</sup> Elizabeth Ferris, 'When disaster strikes: women's particular vulnerabilities and amazing strengths' (Brookings Institute) 3, see <http://www.refworld.org/pdfid/4d0771202.pdf> (last accessed 13 July 2016).

<sup>xxxvi</sup> Convention on Transnational Organised Crime (adopted 8 January 2001) UNGA Res A/Res/55/25.

<sup>xxxvii</sup> ICRTOP, 'An Introduction to the Responsibility to Protect', see <http://www.responsibilitytoprotect.org/index.php/about-rtop/learn-about-rtop> (13 July 2013).

<sup>xxxviii</sup> UNSC Res 2106 (24 June 2013) UN Doc S/RES/2106 (2013).

<sup>xxxix</sup> Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), 12 August 1949, 75 UNTS 287.

<sup>xl</sup> Rome Statute of the International Criminal Court (last amended 2010), adopted 17 July 1998, entered into force July 2002.

<sup>xli</sup> *Prosecutor v Jean-Paul Akayesu* (Appeal Judgment), ICTR-96-4-A, International Criminal Tribunal for Rwanda (ICTR), 1 June 2001.

<sup>xlii</sup> UNSC Res 1820 (19 June 2008) UN Doc S/RES/1820 (2008).

<sup>xliii</sup> UNGA Res A/RES/48/104 (20 December 1993).

<sup>xliv</sup> UN Committee for the Elimination of All Forms of Discrimination against Women, 'General Recommendation No 28' (2010) CEDAW C/2010/47/GC.2.

<sup>xlv</sup> UN Committee for the Elimination of All Forms of Discrimination against Women, 'General Recommendation No 30' (2013) CEDAW C/GC/2013.

<sup>xlvi</sup> The Trust Fund For Victims, see <http://www.trustfundforvictims.org/> (last accessed 13 July 2016).

<sup>xlvii</sup> UNSC Res 2122 (13 October 2013) UN Doc S/RES/2122.

<sup>xlviii</sup> UN Women, Beijing Platform for Action (1995) 'Women and Armed Conflict, see <http://www.un.org/womenwatch/daw/beijing/platform/armed.htm> (last accessed 13 July 2016).

<sup>xlix</sup> UN Res 1325 (31 October 2000) UN Doc S/RES/1324.

<sup>i</sup> The Netherlands National Action Plan on Women, Security and Peace 2016-2019, see <http://www.women.nl/wp-content/uploads/2016/05/FINAL-NAP-2016-2019.pdf> (last accessed 13 July 2016).

<sup>ii</sup> Women are usually not widely included in decision-making related to peace processes. Between 1992 and 2011, only 4% of the persons involved in signing major peace deals were women, Alliance for Gender Inclusion in the Peace Process, 'Women, Peace and Security Policymaking in Myanmar' (December 2015) 8, see <https://www.inclusivesecurity.org/wp-content/uploads/2016/04/AGIPP-Policy-brief-1-Eng.pdf> (last accessed 13 July 2016).

<sup>iii</sup> UN Department of Economic and Social Affairs, 'The World's Women 2010', see [http://unstats.un.org/unsd/demographic/products/worldswomen/WW\\_full%20report\\_color.pdf](http://unstats.un.org/unsd/demographic/products/worldswomen/WW_full%20report_color.pdf) (last accessed 13 July 2016).