

RESEARCH BRIEF

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



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Jennifer Lim

BA/LL.B (Hons), University of Melbourne
LL.M, NYU School of Law



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INTRODUCTION

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

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

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

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

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

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

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

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

BACKGROUND: WPS & UPR

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

¹⁵ *Ibid.*

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

FIGURE A: HOW THE WPS AGENDA INTERSECT WITH HUMAN RIGHTS

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

METHODOLOGY

This policy brief is based on an analysis of first and second cycle UPR documentation of eleven countries — Afghanistan, Bosnia and Herzegovina, Colombia, Haiti, the Democratic People’s Republic of Korea, the Democratic Republic of the Congo, Solomon Islands, South Sudan, Sri Lanka, the Syrian Arab Republic and Yemen — to assess the extent of engagement with the WPS agenda.¹⁷ These eleven countries were selected as a geographically diverse sample of the states and territories classified as ‘conflict-affected’ in the annual report of the Secretary-General on Women, Peace and Security, S/2017/861 (2017).¹⁸ A review was undertaken of the National Report, Compilation of UN Information, Summary of Stakeholders' Information, Questions Submitted in Advance, Report of the Working Group including addendums and Voluntary National Commitments to identify references to WPS commitments. Data from the UPR Info database was also used to analyze numbers of UPR recommendations.¹⁹

A recommendation was classified as a “WPS recommendation” if it explicitly cited the WPS agenda or fitted within one of the 11 WPS themes.²⁰ Relevance to a WPS theme was counted

where a recommendation clearly considered the gendered dimensions of conflict, fragility or state security. Recommendations about conflict that did not explicitly reference women or girls were not counted. Similarly, recommendations about women’s rights that did not clearly relate to conflict were not counted. For example, a recommendation to ensure accountability for sexual violence, that did not consider conflict, was not counted as a WPS recommendation. However, in recognition that such recommendations do advance the WPS agenda, Figure C also counts the total number of women’s rights recommendations.

This brief identifies key trends, positive developments, challenges and relevant considerations for stakeholders wishing to advance WPS. While the data set is restricted to a small number of conflict-affected countries, the recommendations made may help better integrate WPS into all UPR reporting. Further research that considers how to strengthen national implementation of WPS recommendations would be a valuable future area of study.

¹⁷ The first UPR cycle was conducted between 2008 and 2011 and the second cycle between 2012 to 2016. The third UPR cycle is currently underway and will conclude in 2021.

¹⁸ These 11 States were considered conflict or post-conflict affected countries in the Report of the Secretary-General on Women, Peace and Security, S/2017/861 (2017), as well as the following countries and territories: Burundi, Central African Republic, Côte d’Ivoire, Cyprus, Guatemala, Guinea, Guinea-Bissau, Iraq, Kosovo (under UN Security Council resolution 1244), Kyrgyzstan, Lebanon, Liberia, Libya, Mali, Myanmar, the State of Palestine, Somalia, Sudan, Ukraine and Western Sahara. Countries and territories on this list include those in which a political, peacebuilding or peacekeeping mission operated during 2016, those of which the Security Council was seized and had

considered at a formal meeting during the period from 1 January to 31 December 2016, or those that had received programmatic funds from the Peacebuilding Fund in 2016.

¹⁹ UPR Info, *Database of UPR recommendations and voluntary pledges*, available at <https://www.upr-info.org/database> (accessed between July-August 2018).

²⁰ WPS recommendations were classified under one theme only. If a recommendation spanned numerous themes, the dominant theme was chosen. This qualitative-style research was conducted using a limited data set. The findings might not be generalizable beyond the 11 countries assessed. All findings are indicative and subject to typical methodological shortcomings including consistency and subjectivity.

SNAPSHOT

The analysis conducted shows that the potential of engagement between WPS and the UPR, both in terms of frequency and comprehensiveness of analysis, can be further explored.

Overall, there were 189 WPS recommendations from the total 3,747 recommendations across the two UPR cycles for the eleven selected countries. Of the 189 WPS recommendations, 14 directly referenced the WPS agenda. While 713 recommendations broadly addressed gender equality and the realization of women’s rights, they did not specifically recognize the symbiotic relationship with conflict.

Where the WPS agenda was engaged, the most-frequently referenced theme was SGBV. Out of a total of 189 WPS recommendations, 79 of those recommendations concerned SGBV. However, there was a higher number of non-conflict related recommendations regarding SGBV.

Out of the total 189 WPS recommendations, there was a moderate focus on the WPS themes of trafficking (28 recommendations), access to justice (18), SSR and DDR (19), participation (16) and constitutional and electoral reform (14). There was less consideration of the WPS themes of displacement, refugees and asylum seekers (9 recommendations) and access to education, employment, health and rural women (5).

There was limited consideration of other WPS themes, and a

striking gap in discussion of the role of women in conflict prevention, with no recommendations made. There were also limited WPS recommendations relating to nationality and statelessness (no recommendations) and marriage and family relations (1 recommendation).

There was generally good support of WPS recommendations by States under Review. An increase in WPS recommendations was discernible between the first and second cycle of the UPR, noting that the quantity of recommendations tended to increase as a whole. However, a moderate decline in support of WPS recommendations was also apparent between the first and second cycle.

FIGURE B: HIGHEST CONSIDERATION OF WPS THEMES IN RECOMMENDATIONS²¹

Country	Most Common WPS Theme
Afghanistan	Participation (10)
Bosnia & Herzegovina	Access to justice (8)
Colombia	Gender-based violence (8)
Haiti	Gender-based violence (13)
DPRK	Gender-based violence (3); trafficking (3); SSR and DDR (3)
DRC	Gender-based violence (21)
Solomon Islands	Gender-based violence (7)
South Sudan	Gender-based violence (13)
Sri Lanka	Gender-based violence (1); participation (1); SSR and DDR (1); constitutional and electoral reform (1)
Syria	Gender-based violence (4)
Yemen	Constitutional and electoral reform (3)

²¹ These findings are based on the highest numbers of WPS recommendations, counted across UPR cycles 1 and 2.

In some instances, recommendations directly referring to the WPS-agenda were noted rather than accepted by the State under Review. Civil society also voiced concerns about failed or ineffective implementation of accepted recommendations.

Recognition of the direct interrelationship between conflict prevention, resolution,

peacebuilding and women’s rights was more likely to appear in “stakeholder documents,” which compile submissions from civil society organizations and national human rights institutions. Stakeholders also tended to consider a larger diversity of WPS themes than those covered by Member States.

FIGURE C: SNAPSHOT OF WPS RECOMMENDATIONS IN THE UPR

Country	UPR Cycle	Direct references to WPS in recommendations	WPS-related recommendations	Women’s rights recommendations	Total number of recommendations	% of total recommendations related to WPS
Afghanistan	1 st (2009)	0	4	38	147	3%
	2 nd (2014)	7	23	91	224	10%
Bosnia & Herzegovina	1 st (2010)	0	8	21	126	6%
	2 nd (2014)	0	15	35	167	9%
Colombia	1 st (2008)	1	5	6	112	4%
	2 nd (2013)	2	13	28	167	8%
Haiti	1 st (2011)	0	13	22	136	10%
	2 nd (2016)	0	6	40	217	3%
DPRK	1 st (2009)	0	2	18	167	1%
	2 nd (2014)	0	7	29	269	3%
DRC	1 st (2009)	1	18	42	166	11%
	2 nd (2014)	1	17	65	229	7%
Solomon Islands	1 st (2011)	0	4	36	115	3%
	2 nd (2016)	0	10	46	161	6%
South Sudan	1 st (2011)	0	1	4	33	3%
	2 nd (2016)	0	17	43	243	7%
Sri Lanka	1 st (2008)	0	0	1	95	0%
	2 nd (2012)	0	4	12	208	2%
Syria	1 st (2011)	0	4	16	182	2%
	2 nd (2016)	1	10	26	239	4%
Yemen	1 st (2009)	0	3	45	153	2%
	2 nd (2014)	1	5	49	191	3%

KEY FINDINGS: POSITIVE DEVELOPMENTS

FOCUS ON SGBV ISSUES BY MEMBER STATES

The WPS theme of SGBV received significant attention in the UPR, comprising 79 out of the 189 WPS recommendations. Some SGBV recommendations addressed sexual violence risks faced by women because of displacement, or the use of SGBV as a tactic of conflict. However, the majority of SGBV recommendations did not refer to the impacts of conflict on women and girls. Rather, they tended to focus on family violence and combatting negative gender stereotypes in society without mention of the conflict context.

Proposals to eliminate SGBV frequently intersected with issues of access to justice, including combatting the impunity of law enforcement officials and ensuring victims' access to effective remedies. For example, in Haiti's second UPR cycle a recommendation was made by Argentina to fight against impunity for acts of gendered violence and sexual abuse, particularly of women and girls living in IDP camps.²² There were further linkages with the theme of SSR, for example recommendations made to train police to better support victims of SGBV. However, the majority of recommendations in this category did not appear to clearly consider how the realities or legacy of conflict affected SGBV.

SUPPORT FOR WPS RECOMMENDATIONS

There was generally a high level of support for WPS recommendations, and women's rights recommendations more broadly, with most States under Review accepting all or the majority of these recommendations. This suggests a strong State commitment to WPS and advancing women's rights, when these issues are identified.

For example, in its first cycle the Democratic Republic of the Congo accepted all 18 WPS recommendations. In its second UPR cycle, the Democratic Republic of the Congo accepted all but one of the 17 WPS recommendations.²³ In its first UPR cycle Haiti accepted all 13 WPS recommendations. In its second UPR cycle, Haiti accepted all 6 WPS recommendations.

INCREASED ATTENTION PAID BY STATES TO WPS IN 2ND CYCLE

The number of WPS recommendations generally increased from the first to second UPR cycle, suggesting growing linkages being made by Member States between women's rights, peace and security. For example, recommendations were made that referenced or implicitly recognized the impacts of armed conflict on women, such as those that sought to address SGBV perpetrated by the military, by inter alia asking for legal instructions to the military; punishment of perpetrators of SGBV, inclusion of women in peace negotiations

²² See Recommendation 115.93, which was accepted by Haiti.

and addressing sexual violence throughout peace processes

In some instances, the WPS agenda was also more frequently considered in second cycle national reports. For example, Afghanistan's first UPR national report did not reference the WPS agenda. However, its second UPR national report confirmed the development of a NAP pursuant to Resolution 1325. Several recommendations made in Afghanistan's second cycle also referenced the WPS agenda.²⁴

CIVIL SOCIETY KEEPING WPS ON THE AGENDA

The submissions of civil society and other stakeholders were more likely to recognize the particular impacts of conflict on women and make links between the realization of women's rights and sustainable peace.

For example, in Sri Lanka's first UPR cycle, CSOs raised concerns about the women being specific targets of violence during the war, and the early marriage of girls in IDP camps driven by fears of sexual violence.²⁵ In Colombia's second UPR cycle, a CSO coalition noted that women recruited by illegal armed group were vulnerable to sexual violence, inadequate and harmful contraceptive methods, and forced abortion.²⁶

Civil society and stakeholders were also more likely to consider a greater diversity of WPS

themes. For example, in DPRK's second UPR cycle, CSOs raised concerns about the trafficking, sexual abuse and exploitation of women.²⁷

VOLUNTARY COMMITMENTS MADE ON WOMEN'S RIGHTS

Several Member States adopted voluntary commitments on women's rights in conflict-affected or peacebuilding contexts. For example, in Yemen's first UPR cycle, 4 voluntary commitments related to women's rights including to raise levels of women's access to health care and economic resources.²⁸ In Colombia's first and second UPR cycle, 12 voluntary commitments were made to address gender-based violence, trafficking, access to education, health and employment, displacement, SSR and DDR, and access to justice. For example, Colombia voluntarily committed to improving the investigation of crimes committed by demobilized individuals against women and children.²⁹ In Sri Lanka's first and second UPR cycle, 6 voluntary commitments related to the rights of women and girls.³⁰

However, the majority of voluntary commitments often supported human rights without engaging in gendered analysis. Other voluntary commitments promoted women's rights without drawing on evident intersections with the WPS agenda. Some commitments also phrased as challenges to be overcome rather than specific action items.

²⁴ See Recommendation 136.71 by France; 136.72 by Estonia, 136.73 by Ireland; 136.74 by Belgium; 136.99 by Finland; 136.131 by Lithuania and 136.156 by Australia.

²⁵ See submissions made by the Asian Centre for Human Rights (AHRC) and the Women and Media Collective (WMC) in the Summary of Stakeholders' Information.

²⁶ See submission of JS8 in the Summary of Stakeholders' Information.

²⁷ See for example submissions made by the People for Successful COrean REunification, Human Rights Watch, JS1, and JC in the Summary of Stakeholders' Information.

²⁸ UPR National Report submitted by Yemen (2009), 12.

²⁹ Addendum to the UPR Working Group Report (2009), 7.

³⁰ UPR National Report submitted by Sri Lanka (2008), 21; UPR National Report submitted by Sri Lanka (2012), 23-24.

A view of the Human Rights Council at its 19th regular session in March 2012. UN
Photo/Jean-Marc Ferré



KEY FINDINGS: CHALLENGES

ENGAGEMENT WITH THE WPS AGENDA IN RECOMMENDATIONS

Although the WPS agenda was relevant to many of the recommendations made by Member States, there was a low number of specific references to the WPS agenda (14 recommendations in total), as well as recommendations that clearly drew links between women's rights and peace and security. Where WPS recommendations were made, references to the gendered impacts of conflict were often high-level. Few recommendations addressed how conflict and violence affect women's rights, or how gender equality can support sustainable peace.

While there will be understandable differences in the visibility of the WPS agenda depending on the status of conflict in a country, for example active civil war or years of peace, it should be recognized that WPS is also a preventative agenda that addresses the very drivers of conflict. A lack of comprehensive analysis of WPS commitments risks a "check box" approach that fails to capitalize on its transformative power.

CONSIDERATION OF DIVERSE WPS THEMES AND LINKAGES, IN PARTICULAR CONFLICT PREVENTION

A strong focus by Member States on recommendations to eliminate SGBV can be contrasted with the limited attention paid to many other WPS themes. In particular, there were no recommendations made with respect to the WPS theme of conflict prevention. There was also limited consideration of the WPS themes of nationality and statelessness (no recommendations), marriage and family relations (1 recommendation) and access to education, employment, health and rural women (5 recommendations).

For example, in South Sudan's second UPR cycle, 15 recommendations were made regarding implementation of the 2015 peace agreement, but none mentioned the need for women's participation including in preventative capacities. In Haiti's first and second UPR cycles there was a strong focus on preventing violence against women and eradicating trafficking, as well as calls for the increased participation of women in general decision-making, but no reference to peace and security or the WPS agenda.

In a positive example, in Afghanistan's second UPR cycle three recommendations were made to enhance the security of female teachers and students, to help realize the right to education.³¹

³¹ See Recommendation 136.110 by Croatia, Recommendation 136.86 by Mexico and Recommendation 136.87 by Portugal.

FIGURE D: TOTAL NUMBER OF WPS RECOMMENDATIONS³²

WPS theme	Total number of recommendations
Gender-based violence	79
Trafficking	28
Access to justice	18
SSR and DDR	19
Participation	16
Constitutional and electoral reform	14
Displacement, refugees and asylum seekers	9
Access to education, employment, health and rural women	5
Conflict prevention	0
Marriage and family relations	1
Nationality and statelessness	0

USE OF QUESTIONS IN ADVANCE TO ADDRESS WPS ISSUES

Questions in advance were often used by Member States to address current human rights concerns and follow-up on previous recommendations, promoting candid peer-to-peer dialogue. However, there was limited use of questions in advance to address women’s rights or WPS commitments. For example, in Colombia’s first UPR cycle there were no questions that directly considered gender equality or women’s rights. In Syria’s first UPR cycle, 51 questions were submitted in advance concerning diverse human rights issues such as unlawful detention and freedom of expression, but only two questions specifically raised women’s rights and neither considered the conflict context.

ACCEPTANCE AND IMPLEMENTATION OF RECOMMENDATIONS ON WPS

In some instances, Member States “noted” rather than “accepted” recommendations that directly referenced the WPS agenda or that were WPS-related. When recommendations referencing the WPS agenda were accepted in the first UPR cycle, civil society submissions for the second cycle often voiced concerns about ineffective implementation of WPS recommendations. These included insufficient resources to implement action plans, entrenched patriarchal norms in society, informal justice mechanisms, and inadequate service coverage for victims of SGBV.

³² Counted across UPR cycles 1 and 2 for the 11 selected countries.

CONCLUSIONS & RECOMMENDATIONS

As we approach the twentieth anniversary of Security Council resolution 1325 in the year 2020, there is a renewed push to implement existing commitments and obligations under the WPS agenda. The Universal Periodic Review process presents an opportunity to improve State accountability to WPS commitments. This brief can be used as a tool to ensure that UPR, together with processes of other human rights mechanisms, can better reflect the needs of women in conflict-affected countries, and address the nexus between gender equality, peace and security. Ultimately, the incorporation of gender and conflict analysis within the UPR will allow Member States to develop more constructive WPS recommendations that ultimately contribute towards the prevention of conflict and the building and sustaining of peace.

Better integration of the WPS agenda with the UPR is not just a matter of deepening engagement at the time of reporting. WPS supporters should increase awareness of WPS as a human rights agenda in times of peace, conflict, and the continuum in between. However, improved awareness will achieve little without much needed practical support, including adequate funding for implementation and the work of women's civil society organizations. Together, such steps will help strengthen development, peace and security and human rights, meaningfully improving the everyday lives of women and girls.

To fully utilize the Universal Periodic Review process to enhance accountability for commitments relating to the Women, Peace and Security agenda, all stakeholders – States, national human rights institutions, civil society and the United Nations – must collaborate to strengthen synergies, including through action on the following recommendations.

1. *Reporting*: Member States should increase the attention paid to all WPS themes in UPR reporting, especially to address current gaps. For example, reports could address women's participation in conflict prevention and underline their role as agents of change and not only victims in conflict.
2. *Recommendations*: Member States and stakeholders should make specific, action-oriented recommendations in relation to WPS during the UPR, so that implementation of recommendations can be monitored and tracked.
3. *Adopting Commitments*: Member States should consider adopting additional WPS voluntary commitments, especially to improve coverage of under-considered WPS themes.
4. *Follow-up on Past Recommendations in Subsequent Cycles*: Member States, national human rights institutions, civil society and UN entities should follow up on implementation of WPS obligations by referring to recommendations accepted in previous UPR cycles.
5. *Reinforce other human rights processes*: Member States, national human rights institutions, civil society and UN entities should use the UPR to reinforce the work of human rights treaty bodies and special procedures on women's rights, including the CEDAW Committee, by drawing upon their work in reporting, questions and recommendations.

ANNEX: EXAMPLES OF GOOD PRACTICE

Best practice WPS references explicitly discussed the WPS agenda where relevant, recognized linkages between the realization of women's rights and attainment of sustainable peace and security, and were clearly worded and action-oriented.

EXAMPLES OF WPS RECOMMENDATIONS



Belgium to Afghanistan:

Implement the Security Council resolutions on Women, Peace and Security, in particular by supporting the participation of women in peace negotiations and ensuring the necessary framework to increase the participation of women in political and judicial life and within security institutions of the country, taking into account their security as well as their personal dignity (Working Group Report, UPR cycle 2).



Slovenia to Syria:

Include women's rights perspectives in peace negotiations and, specifically, ensure that sexual violence concerns are raised consistently in the peace process and reflected in any peace agreement (Working Group Report, UPR cycle 2).



Egypt to Democratic People's Republic of Korea:

Strengthen national efforts on combating trafficking in persons, especially women and children, including through human rights education and training for law enforcement officials (Working Group Report, UPR cycle 2).



Canada to Democratic Republic of the Congo:

Ensure that as part of the national disarmament, demobilization and targeted reintegration programme, special attention is given to the rights of women and children, particularly to prevent repeated recruitment by armed groups and to ensure that they can enjoy their fundamental rights (Working Group Report, UPR cycle 2).



Thailand to South Sudan:

Improve, in cooperation with relevant stakeholders, the living conditions and safety situation of internally displaced persons by providing access to humanitarian assistance, while ensuring the security of humanitarian workers, and strengthen its protection of women and girls from sexual violence in the camps of the internally displaced (Working Group Report, UPR cycle 1).



EXAMPLE OF WPS CONSIDERATION IN NATIONAL REPORTS



Afghanistan: Discussed how efforts to achieve non-discrimination and equality for women was hindered by insecurity, a culture of impunity, low awareness of women's rights, old and harmful superstitious customs and lack of job opportunities for women (National Report, UPR cycle 1).



Solomon Islands: Raised the WPS agenda in relation to efforts to develop a national affirmative action plan to increase women's participation (Working Group Report, UPR cycle 1).



South Sudan: Discussed adoption of a NAP on WPS and measures to enhance women's rights including delivery of gender-mainstreaming training to military personnel. Discussed how lack of funding, the long civil war and entrenched inequalities impacted negatively on the lives of people, in particular women and children, and called for technical and financial assistance from international partners for implementation of plans, policies and laws (National Report, UPR cycle 2).

ENHANCED WPS ACCOUNTABILITY THROUGH MONITORING AND FOLLOW-UP



Slovenia to Haiti: In line with our recommendation from the first cycle, what measures have been undertaken to ensure accountability for crimes committed in cases of SGBV? (Question in Advance, UPR cycle 2)



Democratic Republic of the Congo: Noted measures that had been taken to implement first cycle UPR recommendations including drafting of a national strategy against SGBV, adopting a sub-regional action plan for implementation of Resolution 1325, establishing a mechanism for victim care and creating a national agency to combat violence against women and girls (National Report, UPR cycle 2).

EXAMPLES OF WPS QUESTIONS AND REFERENCES IN DIALOGUE



Denmark to Bosnia and Herzegovina: Up to 50,000 women were subject to sexual violence during the 1992-1995 war yet only about 30 cases had been prosecuted and concluded. What measures has the government taken to amend the criminal law on sexual violence to bring it into line with international law? (Question in Advance, UPR cycle 1)



Finland to Afghanistan: Enquired about the implementation of Security Council resolution 1325 (2000) and related resolutions and the application of legislation on eliminating violence against women (Interactive dialogue, UPR cycle 2)



Sweden to Colombia: Considering the fact that there has been an increase of sexual violence against women in recent years, mainly related to the internal armed conflict, what effective measures will the government of Colombia take to prevent sexual violence against women and to ensure victims' access to justice, psychosocial assistance and support to reintegrate in society? (Question in Advance, UPR cycle 2)

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220 East 42nd Street
New York, New York 10017, USA
Tel: 212-906-6400
Fax: 212-906-6705

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