

1 Women's human rights when experiencing humanitarian crises and conflicts: the impact of United Nations Security Council Resolutions on women, peace, security, and the CEDAW General Recommendation no. 30

Paola Degani¹

Violence and insecurity are strictly linked to unequal political, social, and economic power. However, the continuity of violence is obscured by masculinist and patriarchal rules of security within gendered structures, especially inside the division of public/private dimensions and spaces, of production-reproduction activities, and of conflicts of war/peace.

Nowadays, there is a general perception of the gendered dimensions of humanitarian emergencies in public policy outcomes and more in general in institutional contexts where the central role of women in security and maintaining peace, at all levels of decision making, both prior to, during, and after the conflict stage, hostilities, and peace-keeping and peace-building stages, as well as in trying to pursue a condition of reconciliation and reconstruction, has been formally recognized at international level.

Nevertheless, it is necessary to focus on some problems related to the conceptualization of and legal provision for 'gender based security' and its subsequent effects upon accountability, with particular reference to transitional justice and post-conflict societies. It is important to assess a range of contemporary issues implicated for women and security, such as violence and other forms of harassment in times of post-conflict.

1. University of Padova, Padova, Italy; paola.degani@unipd.it

How to cite this chapter: Degani, P. (2018). Women's human rights when experiencing humanitarian crises and conflicts: the impact of United Nations Security Council Resolutions on women, peace, security, and the CEDAW General Recommendation no. 30. In C. Padovani & F. Helm (Eds), *Rethinking the transition process in Syria: constitution, participation and gender equality* (pp. 1-22). Research-publishing.net. <https://doi.org/10.14705/xxxxxxxxxxxxx-to-be-confirmed>

1. On the concept of women's security: introductory notes

For quite a long time now, the scientific literature has addressed the security paradigm(s) and issues without paying adequate attention to the ways in which specific kinds of threats or vulnerabilities may affect certain individuals.

Themes touching on women's insecurity have appeared in institutional and political agendas only in recent years, making visible how the lack of integration of political-military security from socio-economic perspectives determines important consequences for women's rights. Issues classified today under the heading 'gender (women) security' in the political debate at international level have crucial political relevance for the development of public policies aimed at the recognition, respect and effectiveness of human rights in terms of promotion and protection. In this debate, 'security' or 'security sectors' as analytical categories – or political perspectives – are often used as holistic concepts, encompassing both the notion of physical security for women in transitional societies, and a broader notion of human security, based on a relationship between material security, legal security, and political capacity. Indeed, these categories substantially improve and innovate the decision-making and law making processes in the area of security.

The very concept of human security was advanced by the United Nations Development Program (UNDP) in 1994 in the fifth Human Development Report (UNDP, 1994), which included a systematic discussion on security. In that report, the UNPD did not dedicate any specific attention to women, but defined a series of security areas that allow reference to be made to this holistic perspective in order to emphasize and frame an inclusive idea of gender security.

The concept of human security is deliberately protective and proactive. This orientation follows the pathway traced by the United Nations Charter, and by the development of the human rights law at the international level. It does this through a machinery provided for monitoring the effectiveness and the level of

implementation, within each single state, of many treaties and other instruments devoted to improving different aspects of human dignity and well-being (Newman & Richmond, 2002).

As mentioned in Degani (2013, p. 5) and in Pividori and Degani (2018), initially, 'human security' presented four main features: the universality of threats, both in type and territorial extension (unemployment, poverty, drugs, crime, terrorism, environmental pollution, human rights violations); an interdependence of its different elements; prevention as a crucial tool in achieving the goals; and centrality of the individual and social groups in satisfying the fundamental needs/rights. In other words, if the human security framework or approach is based first of all on protecting people and communities, in terms of both freedom from fear and freedom from want, this should mean safety from chronic or sudden threats, including sexual violence, hunger, human rights abuses, disease, and repression.

Security, based on a concrete active citizenship, also represents a concrete basis for building a sustainable, peaceful scenario. Following the reasoning put forward by Martha Nussbaum (1997), it is a duty to take a look at the different capabilities of which people are deprived, such as being able to live a long life in good and positive conditions and environments; to engage in all forms of social interaction; to participate, disapprove of, and influence decisions; and to live acquiring a decent standard of living, defined by level of individual security as something holistic and essential for living in dignity.

The complexity of a gender/women perspective in policy areas involving the concept of human security stems from the specific nature of certain risks affecting specifically the woman's condition. The traditional model of security, still understood under the prism of political realism and, its most relevant modification, neorealism, completely neglect women's needs.

So while the primary purpose of addressing gender security remains redressing the imbalance and distortion produced by dominant security discourses and the policies that accompany them, its broader effects may transform the post-conflict environment in unexpected ways. Taking into consideration the pre-

existing conditions for women, that is women's ordinary experiences in their daily lives, is fundamental when dealing with women's potential vulnerability and specificities in situations of crisis or humanitarian emergencies. Only by acknowledging the ordinary dimension of women's discrimination and subordination is it possible to explain the intersection of women's life experiences and the humanitarian emergencies normally characterized by physical displacement, physical injury requiring medical intervention, inadequate access to food and water, severe psychosocial Post Traumatic Stress Disorder (PTSD) symptoms, and increased evidence of post-event violence directed at vulnerable individuals. Women face particular social and economic problems in conflicts and emergencies that can cause or increase their vulnerability. For many, the relationship between the abusive and violent practice and situations experienced during conflict and the security of the post-conflict environment are not discontinuous realities, but rather part of a single experience defined by discrimination and abuse rooted in the cultural and social context of many of the countries involved in situations of emergencies and transition.

Gender dichotomy (the division and the difference between male and female in terms of social roles and attitudes) is first of all characterized by hierarchies that are rooted, to various degrees, in the various social and cultural contexts. This phenomenon implicates important repercussions increasing inequality and polarization, and deepening the hierarchies that have historically characterized the sexual and international division of labor. The issue of women's equality reflects this complexity, since the discriminations and some widespread and very common forms of violations of human rights still affecting women make them more vulnerable to individual and social conditions that are incompatible with an holistic, authentic, and coherent perspective of 'human security' (Degani, 2013; Pividori & Degani, 2018).

The 1990's represents a very important historical moment both in the process of multiplication and progressive elaboration of rights, and in promoting and protecting human rights, particularly women's rights. But in parallel there have been drastic changes in the social and economic status of women generating

enormous discrepancies based on gender. Different kind of emergencies, however, have recently created the conditions for developing greater awareness concerning the insecurity of women. Such crises also include the recent and ongoing economic and financial recession, even in European countries, where the migration processes today increase the contradictions that many states face in this political moment: changes involving labor relations; female migration with new patterns and trends, in its different expressions; the trafficking of young women for forced prostitution and the proliferation of sex businesses on an industrial scale; the extent of conflicts based on ethnic discriminations; ideological and religious fundamentalisms and intolerance; and the diffusion of violence as a social reality transversally added to all the other peculiarities that might characterize women. Such situations of crisis over the last 20 years have brought about a radical change in how women's security is framed and evaluated. The need to prohibit and punish a series of conducts, now recognized by international criminal law as crimes against humanity or war crimes (and/or genocide) in times of war, has been formally acknowledged. The feminist concept of violence as well as its causes, in times of peace, have been re-framed as problems where the public and the private dimensions intermesh and influence one another, both on the level of values and on a material level, also involving the *Due Diligence* standard (Pividori & Degani, 2018).

2. Gender security issues within the human security paradigm

On a strictly politico-institutional level, it is possible to define distinct stages in the evolving notion of human security and the progressive affirmation of a paradigm authentically different from the traditional realist view. This phase coincided with the Agenda for Peace presented in 1992 by the Secretary General of the United Nations (UN), Boutros Boutros-Ghali, followed in 1995 by the Supplement to the Agenda for Peace that re-proposed the goals already mentioned in 1992. During those same years, while the search for new political instruments for peace and international security continued, new interest in other dimensions of human insecurity that gave evidence to women's realities grew.

Women have responsibilities related to human care in most societies and also disproportionately bear familial and communal care responsibilities in communities affected by disaster, war, and humanitarian and natural emergencies. Among the different states and across jurisdictions, women possess different levels of legal capacity to engage in legal contracts, face systematic discrimination in their access to employment, receive differential payment once employed, and meet obstructions as regards their own or transferral of property.

These different, multiple, interlocking and intersectional discriminations, and the need to combat them, are recognized in the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) through the observations and jurisprudence produced by the committee foreseen by the convention to monitor its implementation among state parties.

Beyond a doubt, the international political arena's activities in promoting the status of women proceed in a globalized context marked by the advancement of neo-liberal policies, which seem to aggravate gender inequalities rather than favor an improvement in women's standards of living.

In particular, the reproduction of human beings, which is the foundation of every economic and political system, and the enormous amount of paid and unpaid domestic work done daily by women in the home (and in the informal economy), is what permits the world to evolve and to perform and respond to different challenges. From a feminist perspective, this issue postpones and calls for the transformation of our everyday life and the creation of new forms of solidarity (Dalla Costa, 1973; Federici, 2012).

Numerous opinions today denounce an overall worsening of the woman's condition due to policies of deregulation and privatization and the direct effects and the mechanisms they have triggered, dismantling social welfare structures and reducing the quality level of social reproduction and incomes.

With regard to gender security, an increasing political awareness of male violence against women sheds light on the urgent need to intervene at various

levels. Degani (2013) further states that “[w]ith reference to the conflicts of the 1990’s, to traditional practices affecting women and to the consequences of poverty, unemployment and precarious living conditions, the need to discuss the issue of violence against women in terms of security crisis appears evident” (p. 10). Male violence against women is a universal problem, despite the peculiarities marking the various geographic and social contexts as a consequence of gender inequalities.

Violence against women can be viewed as a turning point between male and female insecurity that allowed us to seize one of the main critical issues for human rights today.

The linkage between patriarchal structures and culture with violence is much more complex than would appear at first sight due to the fact that violence takes shape within a continuum of power that sometimes makes it difficult to distinguish among different forms, fluctuations, and phases. “Inequality is tied to violence with a double cord. First of all, inequality breeds and favors violence, which is an expression or effect of inequality itself. Second, inequality is fuelled and fostered by violence” (Degani, 2013, p. 12). Violence also represents the real gap between a ‘male’ and ‘female’ concept of human security, and is the most significant manifestation of systemic conditions of discrimination.

In humanitarian crises, the widespread risk of violence against women can be framed from a perspective of unequal gender relationships in both the family and society. There can be an escalation of specific forms of violence against women in societies experiencing armed conflict (Fisher, 2010).

Violence against women can be observed as a means of warfare in such contexts, precisely intended to target the civilian community. In humanitarian emergencies, since the early stage, women become even more vulnerable to violence as a result of fraying social structures and the collapse of political and legal systems, but more specifically because they normally lack protective instruments and social structure (Ní Aoláin, 2009, 2011).

The international community's efforts to contrast male violence against women based on gender, formally announced during the World Human Rights Conference in Vienna in 1993, are summarized in the Declaration on the Elimination of Violence against Women, adopted by the General Assembly in the same year and in the appointment by the former United Nations Human Rights Commission (UNHRC) of the Special Rapporteur on violence against women. The work of this last mechanism was remarkable during the 1990's and in the following years, and today represents a very important input in updating political agendas on this matter (Charlesworth, 1990; Degani, 2000; Sullivan, 1994).

The relevance attributed to the issue of violence against women and more in general towards populations struck by humanitarian emergencies is partly linked to the strong media impact of a number of emergencies during the 1990's (Pickup, Williams, & Sweetman, 2001). Reference here is made in particular to ethnic conflicts where sexual violence was used as an instrument of war.

In this historical phase, the conflict in Syria, and the resulting refugee crisis in the Middle East, has placed many girls and women at risk of different forms of violence, exploitation, and insecurity. More than 75% of the Syrian refugees who have fled to neighboring countries are women and children (UNHCR, 2016b).

According to the UN, Gender-Based Violence (GBV), including child marriage, is the main issue currently experienced by girls and women in Syria and hosting countries, and trafficking linked to smuggling of migrants in the context of mixed migrations is on the increase. Without a doubt, the dimension assumed today by this phenomenon indicates the absolute necessity of reinforcing international instruments devoted to the protection of women's rights in order to avoid conflict related to situations that affect women who have been forcibly displaced, especially those on the move to seek asylum. This implies framing better the acts committed against women and girls as part of genocidal violence, war crimes, and crimes against humanity.

From a historical point of view, the condition of women in armed conflicts has not been the object of specific attention under international law. Sexual violence

in armed conflict is, of course, forbidden and sanctioned under international humanitarian law but the efficacy of these provisions in preventing and identifying accountability for these crimes remains unconvincing, although the new great attention towards victims of severe crimes in international human rights and in the criminal law drawn up by the European Union and the Council of Europe is promising.

3. Women, peace, and security: beyond the symbolic dimension

From the very start, United Nations activities for the promotion of the status of women and the protection of women's rights have been characterized by the link between peace, development, and equality. Reconsideration of three fundamental policy elements in a holistic manner was needed starting from the First World Conference on the International Women's Year held in Mexico City in 1975, even though a more elaborated conceptualization of the issue at the policy level was only developed in the framework of the Third World Conference on Women in Nairobi in 1985. As stated in [Degani \(2013\)](#), in subsequent years, "the elaboration of the linkages between these three objectives (peace, development, equality) formed the basis for the political discussion and activity not only of the women's movement but also of international institutions devoted to the protection of human rights" (p. 19) and more specifically those which was/is related to the promotion of women, such as the UN Commission on the Status of Women.

Institutional feminists, in particular advocacy activities for peace, have called for the equal participation of women and men in decision making associated with conflict resolution and peacemaking, underlining the importance of gender equality as a value in itself and in opposition to the lack of physical security and the persistence of discriminatory social norms that reproduce and legitimate violence against women both in private and public dimensions.

In practical terms, the prevalence of violence that women in transitional societies experience, both in the public and private spheres, can be contrasted not only by

placing barriers to state or public violence directed against them. There is, rather, a fundamental need to promote transformative actions against violence and its underlying causes in the private sphere, as part of a more holistic transformative and inclusive project. This situation needs to change, not only because it is a source of major global injustice in the world, but also because poverty is sexist, and poverty (of resources and rights) is the primary cause of women's vulnerability in emergencies. Poverty and gender inequality are on the same line.

“Of fundamental importance is the recognition of the role of women in situations of crisis and of their struggle to contribute to the well-being of their communities. [...] An equitable gender representation in peace negotiations should ensure the social legitimization of such decision-making processes and [...] provide for more acceptable solutions to those members of society bearing the highest costs of war, [thus offering women a chance for advancement in numerous areas related to their rights]” (Degani, 2013, p. 20).

4. Women's security in the framework of UN Security Council resolutions

Through the adoption of the United Nations Security Council Resolution (UNSCR)1325 and the subsequent UNSCRs, the Women, Peace, and Security (WPS) agenda identifies three priority issues: the representation of women at all levels of peace and security governance; the significant participation of women in peace and security governance; and the protection of women's rights and bodies in conflict and post-conflict situations (Shepherd, 2014).

In relation to these issues, the UNSCR 1325 on Women and Peace and Security, adopted in 2000, signs an important stage towards the recognition of the supporting role and capacity of women in the prevention and resolution of conflicts and in encouraging the expansion of their contribution to international policing missions. The resolution thus recognizes women's conceivable contribution to peace, in conflict resolution and, more generally, in assisting

post-war reconstruction efforts and the rehabilitation of victims. UNSCR 1325 recognizes that men and women experience security differently and that to build sustainable peace, women need to be fully involved.

In its 18 paragraphs, the resolution expresses the commitment of the most important body responsible for the maintenance of peace and security in the international community to enhance the involvement and full participation of women in all efforts towards peace and security.

In this important document, which recognizes the different experiences of women and men with regard to security and peace, the Security Council prompts the States to focus more on gender-sensitive issues when training the peacekeeping personnel, and urges all parties to armed conflict to fully respect international law applicable to the rights and protection of women and girls. Clearly this implies that there be a Security Sector Reform (SSR) that meets the different security needs recognizing different gender attitudes in terms of men, women, boys, girls, and others too.

“Resolution 1325, given its wide-ranging goals and unanimous approval, is considered a milestone in that it inaugurated a new kind of commitment which from 2000 has led to the adoption of other important resolutions in the area. [...] It is thus evident that the growing attention towards populations struck by humanitarian emergencies must adequately address the gender dimension in peace negotiations if such interventions are to be effective” (Degani, 2013, p. 22).

Over the last two decades, the UNSC has adopted other resolutions that highlight some of the particular consequences of armed conflict afflicting women and girls, and which emphasize the idea of an active role in transition processes, in disarmament, demobilization, reintegration, and, more in general, in reforming the security sector. In real terms, these documents do not challenge effectively the ‘patriarchy’ and masculine culture structures of the transitional justice reforms/processes, nor do they pay sufficient attention to the link between ordinary and extra-ordinary violence against women. First of all, according to Puechguirbal

(2010), the re-proposition of stereotyping language in these texts sometimes risks removing women's agency keeping them in the subordinated position of victims. As a result, women are not seen as actors within their own community and agents of change in post-conflict environments. As discussed in [Martín de la Rosa and Domínguez Romero \(2014\)](#),

“[t]he representation of women in these resolutions plays down female agency, articulating a feminine subject that in times of conflict is the target of sexual violence, [and other severe forms of sexual abuses in particular in the context of forced prostitution and human trafficking.] In times of peace they just reproduce the roles assigned to them in the power hierarchy, where they are subordinated and dependent [on a male (with different status)]. In other words, as stated by Shepherd (2011), it can be said that the discursive representation of gender assumed in these documents reproduces roles where women [appear] fragile, passive, and in need of protection, and men as [breadwinners who have always had the decision-making power and the responsibility of providing] needed protection to women, [as foreseen by the social, cultural rules and in some situations by law systems too]” (p. 59).

This situation contributes to a complete lack of awareness about the real nature of the ordinary private violence experienced by women and arising from usual dimensions of subordination and discrimination, which is totally dissociated from the wider issues of control being exercised in society. Differently, focusing upon women's potential to fill active roles in the political transformation, women's participation should be vital both in contributing to solve the crisis and in making sure that women's interests and needs are addressed in every agreement and political choice moving forward. In many places around the world as commonly recognized, war can be a turning point for female empowerment. As men are absent, fighting or killed, women move out of their traditional roles.

In November 2011, a UNFPA report found that one in three women in Syria experienced domestic violence and several Syrian laws clearly disadvantage

women; the penalty for ‘honor’ killing is softer than for other murders, and there is no legislation that specifically prohibits gender discrimination (UNFPA, 2011). The Syrian family code limits women’s financial rights within marriage if they work outside the home without their husbands’ consent. In other words, Syrian women have to fight against patriarchy, dictatorship, and also religious extremism. In these circumstances, it is explicit that women’s participation could also be needed to improve reporting on gender-specific impacts of violence to struggle against the reproduction of the structural dimensions and causes that continue to improve severe forms of women’s human rights violations.

All the acts provide guidance for states, regional organizations, the UN system and other stakeholders in addressing the needs of women and girls during and after armed conflict, and in promoting their empowerment, stressing the importance of protecting women by preventing conflict-related sexual violence and other abuses.

The UNSC resolutions adopted after Resolution 1325 in general are focused on the peculiar negative effects of armed conflict on women, the potential of women’s contribution to peace, security, and reconciliation, and the need to combat male violence against women declining these specific aspects with more or less importance and deepened differently.

A few days after the adoption of UNSCR 1325, in adopting another resolution, Resolution 1327 (2000), the UNSC re-emphasized the importance of the Secretary-General in conflict prevention and reaffirmed the role of women in conflict prevention, resolution, and peace-building.

The adoption of this act was followed by others, first UNSCR 1820, adopted in June 2008, which underlines the need for special measures to protect women and girls from sexual violence in armed conflict, and to ensure access to justice and assistance for victims while also emphasizing the role of peacekeepers in protecting civilians and advocating an increase in the number of female peacekeepers.

UNSCR 1888, adopted in September 2009, focuses on the inclusion of sexual violence issues in peace processes, and on addressing impunity in order to ensure access to justice for survivors. It also defines new mechanisms within the UN to intensify the struggle against war-related sexual violence, and foresees the establishment of a Special Representative of the Secretary-General on the issue.

After this document, UNSCR 1889, adopted in October 2009, widens the Council's focus on and commitment to women's participation in peace-building, emphasizing the role of women in political and economic decision-making. Differently, Resolution 1960, adopted in 2010, establishes a monitoring, analysis, and reporting mechanism on conflict-related sexual violence, and calls upon parties to armed conflict to make specific, time-bound commitments to prohibit and punish this crime, also asking the Secretary-General to monitor those commitments. Meanwhile, UNSCR 2106, adopted in 2013, reiterates its demand for the complete suspension, with immediate effect by all parties to armed conflict, of all acts of sexual violence and it calls for these parties to make and implement specific due date commitments to combat sexual violence focusing on accountability for perpetrators (Pividori & Degani, 2018).

In the same year, UNSCR 2122 aims at strengthening women's role in all stages of conflict prevention and resolution and in addressing the persistent gaps in the implementation of WPS agendas, expresses the will to increase the attention, making reference in particular to the protection of civilians in armed conflict, to post-conflict peace-building, to strengthening the promotion of the rule of law, and to the threats caused by terrorist acts.

In the last years, the UNSC has adopted two other resolutions on this topic: in October 2015, UNSCR 2242, on women's roles in countering violent extremism and terrorism, and in March 2016, UNSCR 2272, on sexual exploitation and abuse in peace operations.

Recently, the position expressed by the CEDAW Committee on the 18th of October 2013 with the General Recommendation (GR) no. 30 on women in conflict prevention, conflict and post-conflict situations, reaffirms the link between

the principle of non-discrimination and the urgent need to recognize the specificity of women's condition in the situation of humanitarian crises and conflicts.

5. Recent developments: on the CEDAW Committee General Recommendation no. 30

As is known, CEDAW has used this form of soft law to support a correct and coherent interpretation within the human rights perspective of the contents of the convention by the member states (Kois, 1999). CEDAW GRs in recent years in particular have made a progressive adaptation of the text of the convention possible with the evolution of the principle of gender/sex-based discrimination. This has been done through a progressive integration of a relevant number of issues and by updating the interpretations with regard to many topics from the entry into force of the convention and with it the CEDAW committee.

This GR improves synergies between WPS and broader human rights duties. With this act, the committee called on CEDAW state parties to guarantee that implementation of their WPS efforts will consider within the broader equality and women's rights obligations of CEDAW. Further, state parties are called to report on implementation of their WPS commitments in their periodic reports to CEDAW. GR no. 30 specifies that

“the general recommendation covers the application of the Convention to conflict prevention, international and non-international armed conflicts, situations of foreign occupation, as well as other forms of occupation and the post-conflict phase. In addition, the Recommendation covers other situations of concern, such as internal disturbances, protracted and low intensity civil strife, political strife, ethnic and communal violence, states of emergency and suppression of mass uprisings, war against terrorism and organized crime, that may not necessarily be classified as armed conflict under international humanitarian law and which result in serious violations of women's rights and are of particular concern to the Committee” (CEDAW, 2013, p. 2).

The structure of this document is highly technical. It offers an extensive interpretation of the convention's content and develops a coherent approach that confirms the continuum of work carried out by the committee in recent years directed towards the structuring of increasing affirmation of the due diligence standard. The specificity of this document is with no doubt represented by the political need and opportunity of the CEDAW committee to identify the impact of the convention declining more deeply in terms of "women's human rights", a list of issues normally and implicitly included within WPS agendas today. With the aim of polishing every ambiguity about these matters, the committee offers a holistic perspective and a genuine interpretation to states operating on these situations and contexts.

Particularly, the general standard of the *due diligence* and the perspective of a duty to protect women based on this political framework should help intergovernmental organizations reinforce the commitment towards more concrete efforts in protecting women and supporting their fundamental capacities.

GR no. 30 is a document that definitely frames issues related to the status of women in different humanitarian emergency situations in a more complex manner compared with the different acts adopted by the UNSC. Through a progressive integration of a number of acts and situations within the concept of discrimination, and with the consequential duties under the convention, the committee progressively increases the political relevance and the holistic character of the convention content offering women a more adequate protection of their rights. And there is no doubt of the very high symbolic dimensions in these documents of CEDAW's commitment in this phase, but it is absolutely undeniable that this treaty body has in recent years acquired a much stronger legitimacy than in the past.

To sum up, the GR considers the possibility offered by the convention in conflict prevention, conflict and post-conflict situations, the application to state and non-state actors, the complementarity with the international humanitarian, refugee and criminal laws, and with the UNSC agenda on women, peace, and security, and the monitoring and reporting system in relation to the treaty ratification.

Many issues are taken into consideration in the text: conflict prevention, male violence, human-trafficking, participatory attitudes, level of education, employment opportunities, and health services. For rural women too: displacement, refugees and asylum-seekers, security sector reforms, disarmament, demobilization and reintegration, constitutional and electoral reform, access to justice, nationality and statelessness, and marriage and family relations.

6. To conclude: on the state of the art

The approach proposed by the international community on the issue of human security and the status of women, categorically overcomes the traditional perspective of the relationship between the gender issues and armed conflicts, emphasizing, on the other hand, the impact of armed conflicts on the civil population and in particular on women and girls with a particular emphasis on the role of sexual violence. Contrary to the view that wars and humanitarian emergencies are distinguished phenomena that do not interfere with women's lives and the human reproductive dimension, it is acknowledged that they deeply impact the female population.

Considering that women have a greater risk of dying and being injured than fighters seems to point to the significant way in which armed conflicts have changed over time.

Disarmament, demobilization, and social reintegration during the transition phase are today included in the political agenda of the international community, as is the problem of forced displacement. This is underscored by the High Commissioner for Refugees data (UNHCR, 2016a) that illustrates the fact that women and girls are among those seeking in great proportion humanitarian protection. This also implies that trafficking in human beings, due to the features of the migration processes today, finds a favorable ground in situations of conflicts. On their journeys, the migrants who flee from their country of origin towards European nations using the Balkan route, especially in countries like Greece and former Yugoslav Republic of

Macedonia, have a high probability of encountering situations of violence, extortion, and exploitation, including rape, transactional sex, and human and organ trafficking. Women and girls, especially those travelling alone, face particularly high risks of certain forms of violence, including sexual violence by smugglers, criminal groups, and individuals in countries along the route. As of November 2015, per government figures, 950,469 refugees and migrants had arrived in Europe through the Mediterranean, with the vast majority of these arriving to Greece (797,372). According with [UNHCR \(2016a\)](#) statistical data, approximately, 24 percent are children and 16 percent are women, while 3,605 have either lost their lives or are missing. Although the existing research and progress made in the work against sexual gender based violence, there is still a perception among many humanitarian actors that these facts are not a feature of this crisis due to a lack of data on its incidents and due to the tentative of the victims to avoid disclosing this experience and seeking assistance unless there is a severe and visible health implication. As described in the report produced by the Special Rapporteur of the Human Rights Council on trafficking in persons ([UNHRC, 2016](#), p. 8), since 2011, an increased number of Syrian refugees have been trafficked for purposes of labor exploitation in the agricultural, industry, manufacturing, catering, and informal sectors in Jordan, Lebanon, and Turkey. Women and girls seeking to survive in conflict zones are often compelled to exchange sexual services and even to “marry” for food, shelter, protection, or safe passage. [UNHCR \(2016a\)](#), p. 11) has recognized and denounced that women in conflict situations are vulnerable to a range of discriminatory practices that increase their dependence (for example, receiving smaller food rations or not having ration cards or other identity documents in their own name) and are disproportionately exposed to sexual violence. The trafficking of women and girls for sexual exploitation, which frequently implies such acts as sexual slavery, forced marriage, forced prostitution, and forced pregnancy, features within the broader scenario of sexual violence perpetrated against the civilian population during and in the wake of conflicts. Perhaps the link between trafficking in women and girls and sexual violence is clearly recognized today at institutional levels and in many international instruments. As the same Special Rapporteur has underlined presenting her report during the

General Assembly 71st session (UNHRC, 2016, p.12), although some form of abduction has been a feature of armed conflicts in the past, recently there has been an extreme arrangement of abducting women and girls from their homes or schools in conflict-affected contexts and areas. These women and girls may subsequently be forced to marry and/or work as sex slaves. Such exploitation, in some cases, also involves trafficking for forced and recently for shamed marriage and sexual enslavement by religious and political extremist groups.

In order to prevent such kidnappings, families are reported to be confining women and girls and removing girls from school. Trafficking for the purpose of forced prostitution does not represent an act perpetrated only by organized criminal groups. For instance, the Special Rapporteur's (UNHRC, 2016, p. 12) report underlines that Syrian refugee women and girls may be trafficked for sexual exploitation through the practice of "temporary" or child and/or forced marriages. They may be obliged by their parents to marry and these arrangements are a way of securing their daughters' safety and *safeguarding* the family's maintenance through the bride price. Once married, such wives are likely to end up in a situation of sexual and domestic exploitation. Trafficking for forced prostitution through marriages with foreign men who then force their "brides" into prostitution in another country is common.

Sexual violence contributes to exacerbate the difficulties of the families to adapt their life during armed conflicts. It should be considered that:

"one of the consequences of humanitarian emergencies and current migration flows is the phenomenon of family disintegration. In this context, a large number of family households, often including elderly or persons with disabilities, are headed by and thus totally dependent [on a woman]. Once again, then, strengthening [women's] economic security status [and personal capacity], thus promoting their economic, social, and cultural rights, is of fundamental importance. It would not only enable women to fully participate in decision-making processes, whether in times of emergency or transition, but it also confers full citizenship upon them" (Degani, 2013, p. 25).

Instead of advancing a paradigm of security centered on military control, security should be framed as a part of the wider move towards global governance, becoming an all-encompassing condition in which individuals live in safety and in dignity.

What is certain is that the number of relevant situations on the humanitarian level in the world, the spread of conflicts and complex emergency crises suggest that giving effect to the content of these acts seems difficult. It is necessary to build an idea of real sustainability of international political processes that focuses on the person; one which re-proposes a new social welfare policy through the research of a new world order project, capable of solving the humanitarian crises that we are living today, and it is necessary to consider that gendered inequalities and discriminations between men and women should be part of the same global frameworks for bringing about lasting peace and a real people-centered approach towards security.

For women, safety requires a comprehensive reflection on the system of inequalities and a general political effort towards more equitable societies in terms of human rights and access to resources.

Regarding the main causes of male violence, they involve redefining the social structures and community systems. Moreover, women's autonomy, their decision-making skills, and their empowerment also need to be reinforced. A proper understanding of violence against women within the patriarchal structures of society allows for a politicization of issues related to violence, and for a concrete elimination of the obstacles that do not permit women to live in dignity.

References

CEDAW. (2013). *General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations*. CEDAW/C/GC/30. UN Committee on the Elimination of Discrimination Against Women. <http://www.refworld.org/docid/5268d2064.html>

- Charlesworth, H. (1990). The UN declaration on violence against women. *Social Justice*, 17, 53-70.
- Dalla Costa M. (1973). Women and the subversion of the community. In M. Dalla Costa & S. James (Eds), *The power of women and the subversion of the community*. Falling Wall Press.
- Degani, P. (2000). *Diritti umani e violenza contro le donne: recenti sviluppi in materia di tutela internazionale*, Quaderno n. 1, Centro di studi e di formazione sui diritti della persona e dei popoli. Università di Padova. http://unipd-centrodirittiumani.it/public/docs/quaderno_02.pdf
- Degani, P. (2013). Gender security between human development and human security. Recent Issues in the Political International Agenda. In I. Testoni et al. (Eds), *Against gender based violence from italian debate to intercultural dialogue*. Filema Ed.
- Federici S. (2012). *Revolution at point zero: housework, reproduction, and feminist struggle*. PM Press/Common Notions/Autonomedia.
- Fisher, S. (2010). Violence against women and natural disasters: findings from post-tsunami Sri Lanka. *Violence Against Women*, 16(8), 902-918. <https://doi.org/10.1177/1077801210377649>
- Kois, L. M. (1999). Violence against women. In K. D. Askin & D. Koenig (Eds), *Women and international human rights law*. Transnational Publishers.
- Martin de la Rosa, V., & Domínguez Romero, E. (2014). Is the portrayal of women's role changing in United Nations peacekeeping resolutions? *International Journal of Humanities and Social Science*, 4(11), 54-63. http://ijhssnet.com/journals/Vol_4_No_11_1_September_2014/7.pdf?
- Ní Aoláin, F. (2009). Women, security, and the patriarchy of internationalized transitional justice. *Human Rights Quarterly*, 31, 1055-1085. <https://doi.org/10.1353/hrq.0.0114>
- Ní Aoláin, F. (2011). Women vulnerability, and humanitarian emergencies. *Michigan Journal of Gender and Law*, 18(1), 1-23. <http://repository.law.umich.edu/mjgl/vol18/iss1/1>
- Newman, E., & Richmond, O. (2002). *The United Nations and human security*. Palgrave MacMillan.
- Nussbaum, M. C. (1997). Capabilities and human rights. *Fordham Law Review*, 66(2), 273-300. <http://ir.lawnet.fordham.edu/flr/vol66/iss2/2>
- Pickup, F., Williams, S., & Sweetman, C. (2001). *Ending violence against women: a challenge for development and humanitarian work*. Oxfam GB.
- Pividori, C., & Degani, P. (2018, FirstView). Reflecting on criminalizing male violence against women under human rights and human security discourses: a feminist legal and policy analysis. *Global Jurist*, 1-12. <https://doi.org/10.1515/gj-2017-0028>

- Puechguirbal, N. (2010). Discourses on gender, patriarchy and Resolution 1325: a textual analysis of UN documents. *International Peacekeeping*, 17(2), 172-187 . <https://doi.org/10.1080/13533311003625068>
- Shepherd, L. J. (2011). Sex, security and superhero(ines): from 1325 to 1820 and beyond. *International Feminist, Journal of Politics*, 13(4), 504-521. <https://doi.org/10.1080/14616742.2011.611659>
- Shepherd, L. J. (2014). Advancing the women, peace and security agenda: 2015 and beyond. Norwegian Peacebuilding Resource Centre Expert Analysis, August 28. <https://noref.no/Publications/Themes/Gender-and-inclusivity/Advancing-the-Women-Peace-and-Security-agenda-2015-and-beyond>
- Sullivan, D. J. (1994). Women's rights and the 1993 world conference on human rights. *American Journal of International Law*, 88, 152-167. <https://doi.org/10.2307/2204032>
- UNDP (1994). New dimensions of human security. In UNDP (Eds), *Human Development Report 1994*. Oxford University Press. <https://doi.org/10.18356/213f0e70-en>
- UNFPA (2011). The State of World Population 2011. People and possibilities in a world of 7 billion, United Nations Population Fund, 2011. <https://doi.org/10.18356/cbd2a655-en>
- UNHCR. (2016a). *United Nations population fund, women's refugee commission. Initial assessment report: protection risks for women and girls in the European refugee and migrant crisis. Greece and the former Yugoslav Republic of Macedonia*. United Nations Refugee Agency. <http://www.unhcr.org/569f8f419.pdf>
- UNHCR. (2016b, January 20). *Refugee women on the move in Europe are at risk*. United Nations Refugee Agency. <http://www.unhcr.org/news/latest/2016/1/569fb22b6/refugee-women-move-europe-risk-says-un.html>
- UNHRC. (2016). *Trafficking in persons, especially women and children*. Report of the Special Rapporteur of the Human Rights Council A/71/303. <https://reliefweb.int/sites/reliefweb.int/files/resources/N1625078.pdf>