

Recommendations for CEDAW Committee on the Protection of Women's Human Rights in Conflict and Post-Conflict Contexts

Submitted by the Women's Information Center (Georgia, June, 2011)

In 2010 Women's Information Center (WIC) the Nongovernmental Organization (NGO) based in Tbilisi, Georgia created Coalition of more than 20 local NGOs for the preparation of the Alternative Report for CEDAW and the Universal Periodic Review for Georgia. The following problem description and recommendations have been elaborated during the consultations for Alternative report and Universal Periodic Review. The recommendations also include the knowledge and experiences gained from the consultations and dialogues with internally displaced and conflict affected women while elaborating the National Action Plan on UN SCR 1325 for Georgia within the project "Women for Equality, Peace and Development in Georgia" together with UN Women in Georgia and NGO Taso Foundation.

Introduction and problem description

Since 1990ies after gaining independence, Georgia has experienced various civil wars, ethnic conflicts and a severe economic crisis. Poverty is widespread, especially in remote mountainous regions. Ongoing reforms are assisting country to improve its economy, currently it has one of the highest economic development rates in the Eastern Europe, however the country still is in transition and Government still is unable to provide many of its citizens with essential social and welfare services and still 31% of the population is living below the poverty line. There is high level of inner and external labor migration. The war in August 2008 caused the new flow of Internally Displaced Persons (IDP) (up to 200 000 persons those who have been temporary displaced) and occupation of country's territories. It is also caused certain problems in operation of women organizations, especially in conflict zone. Currently most of the IDPs are settled in the specially created collective centers in a miserable conditions causing isolation of these communities, problems with informational exchange, that contributes to increasing of domestic violence, unemployment, reproductive health problems etc.

Internally displaced and conflict affected women suffer not only from unemployment, poverty, bad access to healthcare, traumas but also from the lack of access to relevant and up to dated information especially to IDPs residing in private sector (not organized settlements). They have lack of information access on their rights, existing legislation, state services, social allowances, healthcare, housing solution etc. The lack of valid information and awareness significantly affects women's active participation in decision making process that influences their quality of lives and makes them passive recipient of the humanitarian aid.

1. Participation and Representation of Women in Politics and Peace Building Processes

There is a low level of women's participation in decision-making and peace building processes at all levels. Georgia possesses the last place according to OSCE with regard to the number of women represented in the low chambers of the Parliaments¹. International community has repeatedly urged the country to enhance women's political participation, namely in CEDAW's recommendations (2005) and in the outcomes of the Universal Periodic Review. In 2008 women's organizations developed draft law with the aim to support affirmative action (quotes) for the enhancement of the women's political participation in the country, even though 32 000 signatures were collected in support of the draft law as required by Georgian legislation this did not ensure the passing of the bill. In 2010 Georgia adopted Law on Gender Equality. The bill was in line with Council of Europe's standards and elaboration process was participatory involving both state structures and civil society representatives. However the affirmative action was again neglected and provisions of introduction of quotes have been withdrawn from the final policy document.

¹ Inter-Parliamentary Union, Database on "Women in Parliament" (2010), accessible at <http://www.ipu.org/wmn-e/world.htm>

A study from the University of Ulster (2010), based on a screening of 585 peace agreements signed between 1990 and 2010, concluded that only 16 per cent of peace agreements contain references to women. Even when references to women are included, they tend to be rather weak in qualitative terms²In Georgia there are lack of legal and intuitional guarantees for the women's participation in the negotiations and peacemaking processes. There are not regular and concentrated efforts on promotion of women's participation in the people to people diplomacy activities. UN SCR 1325 is the only important instrument for promotion of women in peace building. The effectiveness of women's participation in decision-making and peacemaking processes is underestimated. However there is continues marginalization of women from peace building initiatives, even when the process is supported by international third parties representing governments and institutions with policies that focus on gender equality and women's human rights.

There are number of projects implemented to support the confidence building and peace building with women's involvement however there are number of problems encountered such as: lack of coordinated actions among women's NGOs on peace building actions and projects (perhaps due to high competition for the funding); lack of unified messages for peace among women; lack of documented best practice models and knowledge sharing mechanisms.

Recommendations to promote participation and representation of women in politics and peace building processes:

1. To promote women's political participation and their involvement in policy work throughout the support of affirmative action (quotes) at the policy and institutional levels
2. To introduce affirmative action for the involvement of women into the formal negotiations processes
3. To facilitate women's capacity building on conflict resolution and negotiation techniques, gender equality principles, civil participation. Special focus should be made on preparation of the women mediators in confidence building and conflict resolution;
4. To support the involvement of civil society representatives and gender equality advocates in negotiations and decisions making processes
5. To enhance networking between grassroots women's groups, women's NGOs and decision makers on the international level in order to enhance joint advocacy efforts for the involvement of women in negotiation processes
6. "Engendering peace negotiations" i.e. bringing on the negotiations' agenda issues that are often neglected by policy makers but important for women and their families, such as access to water, healthcare, agriculture, ensuring the safety and security of women and children, protection of women and young girls from sexual and gender based violence
7. To promote sustainable projects and initiatives including initiatives on building coalition and networking
8. To promote coordination between peacemaking actors at all levels and mapping of organizations working on peace building and confidence building initiatives with the participation of women
9. Collect and document of best practice experiences for further implications

2. Involvement of Women in Non-Formal Peace Negotiations

People to people diplomacy is essential instrument to ensure women's participation at the non-formal negotiations and peace talks and to support the confidence building measures among the conflict affected parties. Most of the times people to people diplomacy is not widely applied which may be determined by the following reasons: absence of the security guarantees and safe space inside the conflict zones for conducting the meetings between different community groups, including conflict affected women. The internally displaced and conflict affected women especially from ethnically mixed families are not often involved people-to people diplomacy initiatives. There is lack of innovative approaches in the peacemaking, conflict resolution, reconciliation, rehabilitation and confidence building processes. Women lack the knowledge and skills participate in the dialogues and advocacy efforts.

Recommendations to support the involvement of women in non-formal peace negotiations

² Isabelle Nilsson " Make Room For Peace – a guide to women's participation in peace processes", Kvinna till Kvinna Foundation, 2011

1. To support capacity building for women participating in the confidence building measures with the special focus on the internally displaced and conflict affected women
2. To foster creation of security measures and safe spaces for the peace meetings
3. To enhance the protection mechanisms for the women-human rights defenders
4. To support women's joint confidence building initiatives including social, healthcare, ecological, economic and youth programmes
5. To use the resources of the religious organizations and communities to facilitate the joint events and provision of protection for the women's involvement in the confidence building measures.

3. Addressing the Security Needs of the Internally Displaced and Conflict Affected Women in Conflict and Post-Conflict Situations

Women and children residing at administrative border lines close to the conflict zones are often facing everyday security risks and threats. The problems that they face may be as follows: lack of provision of valid information on threats and risks, including mine risk education; absence of evacuation plans from the conflict zones in case of conflict escalation; sometimes women especially socially vulnerable group are used as participants of the terroristic attacks (carriers of explosives, that should be timely prevented); population is not aware about the basic principles of human security; high risk of sexual violence against women during the conflict.

After the August war in year 2008 few cases of sexual violence have been identified. There is also some unverified data on the facts of sexual violence; however the problem is not explored yet as it a taboo theme for the internally displaced and conflict-affected women in Georgia. There is also risk of high level domestic violence among IDPs and conflict-affected populations with the particular threat to women. Most of the cases local law enforcement authorities do not have capacity to address the cases of domestic and sexual violence.

Recommendations to address the security needs of the internally displaced and conflict affected women in conflict and post-conflict situations:

1. To facilitate the women's involvement in security and defense sector, particularly decision making bodies, such as the National Security Council, Ministry of Defense, peacekeeping, military and police units .
2. To facilitate the creation of women's associations at the security sector, particularly in the conflict areas
3. To develop and implement the training programs on human security, UN SCR 1325 on women, peace and security for security sector and police forces as well as for local population;
4. To support establishment of shelters and rapid response evacuation mechanism in conflict zones and bordering areas
5. To promote research, information campaigns and programs on protection of women's human rights, sexual and labor exploitation, domestic violence, sexual and gender based violence, migration, etc.
6. To create conditions for safe crossing of the administrative border lines in order to support the cultural interaction between divided communities e.g. when visiting remained family members, relatives, graveyards etc.

4. Support the Access to Information for Internally Displaced and Conflict Affected Women

Despite the fact that the government is trying to reach IDPs through the media and other sources, international organizations and local NGOs have come to the general conclusion that there is no public information strategy on IDPs. Information disseminated by media channels often does not reach direct beneficiaries, especially majority of displaced community women and young girls. The group of internally displaced and conflict affected women particularly vulnerable sub-groups such as: widows, mothers with multiple children, single mothers, women with disabilities, elderly women, rural women, and women living near the administrative border lines or in conflict zone have lack or no access to information. Majority of agencies providing assistance to IDP and conflict affected population are situated in the capitals or big towns and information doesn't reach rural marginalized groups. Rural women often face problems related to the access to child care services (kindergartens, day care centers for children with disabilities), and means of transportation that restricts women's ability to leave their homes for other businesses.

Due to the difficult socio-economic conditions many IDP and conflict affected families have no means to purchase TVs and radios. Women have lack of access to modern technologies such as computers and Internet. In addition there is often lack of electricity in some collective centers. There is also no timely provision of information on the processes of resettlement, compensation and legalization of housing and land, that affects the choice and decision made by IDPs. One more concern is quality of information provided to internally displaced and conflict affected population. The provided information is often unclear and not presented in user-friendly way. While most of the IDPs are aware about the adoption of policy documents, they are not involved in the elaboration and implementation processes. Women aren't provided with the information on ongoing activities such as: policy level work, post conflict reconstruction activities, education, social, health care and economic programmes. Finally, one of the most serious problems, which generally affects internally displaced and conflict affected women is lack of timely information about threats and risks to the security for women and children, including mine risk education and information on the ecological risks.

Recommendations to support the access to information for internally displaced and conflict affected women:

1. To create the database on organizations and their ongoing activities and has to be accessible for internally displaced and conflict affected women, especially for most vulnerable groups;
2. To develop a special communication strategy at national level for internally displaced and conflict affected women that includes information on existing state and non state programmes, indicating responsible agencies and channels of information;
3. The rapid assessments on the needs of internally displaced and conflict affected women should take place especially in rural areas
4. Special programmes on providing legal, medical and psychosocial assistance, training and retraining, education and economic development programmes, should be accessible for internally displaced and conflict affected women;
5. There should be special media campaigns, taking into account places of residence of the targeted internally displaced and conflict affected population with the special focus on women
6. To promote the establishment of computer centers ensuring women's access to informational technologies (especially internet), particularly in rural areas and near the administrative borders lines. The modern technologies should be accessible and user friendly for internally displaced and conflict affected women
7. The free of charge hot line service should be available for internally displaced and conflict affected women especially after conflict contexts
8. Internally displaced and conflict affected women should be informed on the existing national and international treaties and legislation, action plans especially targeting women in conflict and post-conflict situations;
9. To create special centers and institutions responsible for timely dissemination of information on various issues important to internally displaced and conflict affected population and build capacities of the media specialists. These centers can be linked to the local government authorities

4. Human rights Education for Internally Displaced and Conflict Affected Women

Majority of internally displaced women are not aware of their rights and have limited knowledge on the existing legislation. Internally displaced women are one of the most vulnerable categories of IDP population, engaged in everyday living problems of survival and care for family. Despite the work that has been carried out by the non-governmental sector for advancing the women's knowledge on legal issues, lack of their awareness of their rights continues to be one of the most pressing problems. In most cases, internally displaced and conflict-affected women cannot protect their rights due to the lack of knowledge and awareness. In some collective centers and settlements, where the non-governmental and international organizations are actively implementing the education and information rights based programmes the change is visible. However these types of cases are limited and general level of civic and legal awareness of IDPs especially among women remains very low. As a consequence, the lack of knowledge about own rights and responsibilities may result the problems with domestic violence, labor and sexual exploitation, etc.

This problem is very challenging to IDP and conflict affected women living in the private sector (not in organized settlements) where there is lack of opportunities for civil society sector's interventions.

Recommendations to raise awareness of internally displaced and conflict affected women:

1. To increase the internally displaced and conflict affected women's knowledge on national and international laws and regulations on women's rights, gender equality issues and guiding principles on IDPs, throughout using the formal and informal education forms targeting both IDPs living in collective centers and private sector;
2. To support programs involving internally displaced and conflict-affected women in advocating their own concerns and building their capacities to protect their rights
3. To involve the internally displaced and conflict-affected women in the development of alternative reports on CEDAW and other international documents and to use different channels of communication in order to inform the decision makers on the needs and concerns of the women with women's active participation

5. Social Integration of Internally Displaced and Conflict Affected Women

It is crucially important to create the enabling environment for IDPs to be integrated into the general society and have access to basic services. Typically IDPs are living in protracted displacement where they have own settlements, social care services and sometimes even education settings being totally dependent on the governmental assistance and isolated from the rest of the population. This causes the total marginalization and stigmatization of IDPs. As a result this level of isolation and negative social attitudes towards IDPs cause the conflicts between the local and IDP population that affects the general conditions of women and young girls for self-realization and impacts the prerequisites for gender equality.

Recommendations for social integration of internally displaced and conflict affected women:

1. To enhance the advocacy efforts for introducing the approaches and policies aiming at social integration of IDPs and deprived communities;
2. To develop and deliver services and programs which will address issue of the social integration and mainstream the existing programmes for internally displaced and conflict affected population especially women and young girls.