



CEDAW AND SECURITY COUNCIL RESOLUTION 1325: A Quick Guide

WomenPeace&Security

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

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

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INTRODUCTION

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

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

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

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

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

CHAPTER 1

Connecting SC Resolution 1325 and CEDAW

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

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

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

What is Security Council Resolution 1325?

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

Although in some resolutions States may be given the obligation

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

What is CEDAW?

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

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

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

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

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

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

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

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

SC resolution 1325 and CEDAW share a common gender equality agenda. They both demand women's full participation in decision-making at national, regional

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

women and for the protection of women and girl children through the rule of law. Each places an emphasis on security and requires that security forces and systems protect women from gender-based violence. A recognition of the distinct experiences and burdens of women and girls that stem from systemic discrimination lies at the core of both standards. Both SC resolution 1325 and CEDAW seek to ensure

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