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GENDER NOTES ON THE FIRST THEMATIC DISCUSSION ON THE GLOBAL COMPACT ON REFUGEES

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TABLE OF CONTENTS

Introduction and Pre-ambular Note	P 3
Justification	P4
Notes on Text of the First Thematic Discussion, Global Compact on Refugees	P5
Appendix 1 Bibliography	P10
Appendix 2: Compendium of References from UNHCR and other relevant UN Document relating to the protection of women and girls at risk.	P14

GENDER NOTES ON THE FIRST THEMATIC DISCUSSION ON THE GLOBAL COMPACT ON REFUGEES.

Introduction

Notes on ways which women and girls, and the gendered nature of the refugee experience can be reflected in the Preamble to the CRRF and the section of the Programme of Action relating to burden and responsibility sharing are presented below.

The work is referenced to the comprehensive bibliography and compendium of references from UNHCR and other key UN documents relating to the protection of refugee women and girls, compiled for our first analysis of the Comprehensive Refugee Response Framework, see appendices 1 and 2. As soon as the structure of the Programme of Action is decided, we are ready to make suggestion for models and programs for implementation of the Global Compact for Refugees.

Preambular Note To Suggestions Made Below.

It is important to note that refugee women and girls in all their diversity are not a special needs group but constitute more than 50% of the refugee population. While sharing the same basic needs for food, water, shelter, sanitation and security with men and boys, they do have additional and significantly different needs. In order to meet the standard of gender equality and inclusion expected in the Global Compact on Refugees, the needs of both groups must be specifically acknowledged and addressed in all legal and policy provisions.

Justification.

Women and girls are not a vulnerable group per say. Neither are they a minority group. In the same way as men and boys, they are represented in all named vulnerable groups, such as people with a disability, unaccompanied children, the aged, and LGBTI persons. However, it must be acknowledged that the experience and vulnerabilities of women and girls, men and boys are often significantly different. Cultural differences often give women lower social status, and place them in a position of dependency to men. Lack of educational opportunities has made it more difficult for them to access decision-making positions and income generation opportunities. The most important difference is that of endemic sexual and gender based violence. While acknowledging that some men and boys also suffer from sexual violence, research indicates that **the majority** of women endure this human rights abuse. Both men and women can suffer from severe psychological impacts, sometimes physical damage, and sexually transmitted diseases from this abuse. Women additionally face bearing children of rape, young girls frequently die because of pregnancy when they are too young to bear a child, women and girls are often thrown out of families or communities if it is know they have been raped, and all are stigmatized and bear a huge burden of shame. Woemn with disabilities and “clean” young girls are often targeted for rape, and many face forced marriage. Lesbian and transgender women are subjected to “curative rape” and sometimes killed. Many women are forced to engage in survival sex to feed themselves and their families, and they face the additional stigma of being branded as a prostitute. Men are shamed because they cannot protect their women and girls, and whole communities suffer collective guilt. It occurs in all aspects of women’s lives and cross cuts all of the areas of the protection which they should receive from the international community. There is little or no legal redress and perpetrators function with impunity. Refugee women and girls are among the most marginalized people in the world. This marginalization culminates in a range of human rights violations. This has to be acknowledged and addressed if the Global Compact on Refugees is to fulfill it’s purpose to provide increased and improved protection and solutions for ALL refugees (GC1, GC3, GC12).

**“Towards a global compact on refugees”
Thematic discussion 1**

Past and current burden- and responsibility-sharing arrangements

Palais des Nations (room XVII), Geneva, 10 July 2017

Summary conclusions

I. Introduction

Para 2. In line with UNHCR’s “roadmap” document,² on 10 July 2017 the Office convened the first in a series of thematic discussions to inform the global compact on refugees, specifically its “programme of action”. The session focused on a range of past and current burden- and responsibility-sharing arrangements, with a view to identifying good practices and lessons learned on which the programme of action could build.

In identifying good practices and lessons learned on which to build the programme of action, in order to maximize the effectiveness of proven and new models of response it is important to acknowledge the different experiences, strengths and vulnerabilities of women and girls, men and boys, and to ensure that these are addressed. (GC2)

III. Elements, good practices and lessons learned from past and current arrangements

Para 8. While there is a need to bring increased clarity, equity and predictability to the sharing of burdens and responsibilities for large-scale refugee movements, there can be no “one size fits all” approach. Every refugee situation is unique and burden- and responsibility-sharing mechanisms need to be tailored to the national and regional context.

Gender differences and needs have to be acknowledged in addressing the concept that no “one size fits all”. This includes the cultural backgrounds and demographic make-up of each refugee movement, with a focus on the ratio of males to females, adult to child in each movement. (GC4)

Para 9. Nonetheless, there are a number of common elements, good practices and lessons learned that can be drawn from past and current burden- and responsibility- sharing arrangements. They include the following.

- The need for early and coordinated action from the start of large-scale refugee movements, including through robust preparedness and standby response mechanisms, is an important lesson learned. Burden- and responsibility-sharing arrangements should be triggered well before receiving country capacities are exhausted and ensure that receiving countries can rely on predictable support early on. A standing “global response group” to facilitate early coordination, led by UNHCR and bringing together States, NGOs, humanitarian and development actors, could be one way forward proposed in the global compact’s programme of action.
- It is important to recognize that some receiving countries do not adhere to the recognition of gender equality, or have the resources and capacity to respond to the sexual abuse of women as is required by International instruments informing the protection of refugee women and girls as required in the Global Compact on Refugees. (GC2, GC12. GC18)

- Burden- and responsibility-sharing arrangements must go beyond funding alone. Other elements of past and current arrangements that have successfully relieved pressure on host countries have included: political support; technical and logistical assistance; capacity-building; exchanges of experiences and good practices; significantly expanding timely opportunities for resettlement, humanitarian evacuation and other pathways for admission to third countries; and support to enhance conditions in countries of origin with a view to voluntary and sustainable return.
- It is important that capacity building also draws on the informal capacity which refugee women bring to the table, that resettlement targets the most vulnerable, with a focus on women and girls at risk, and that new pathways do not exclude women and girls through restrictive educational or professional criteria which they have not had the opportunity to access. (GC11)
- Past and current burden- and responsibility-sharing arrangements have been most successful when all stakeholders contribute according to their capacities. Timely, accurate and reliable data is essential. A number of countries have asked for a mapping of contributions to existing large-scale refugee situations, both in terms of costs for host communities and burden- and responsibility-sharing efforts in place. In past arrangements, including the International Conference on Central American Refugees (CIREFCA) and the Syria refugee response, national impact studies have been carried out to document the scope of displacement, protection and other challenges facing refugees, and the effects on host communities, providing a good practice on which to build. The programme of action could propose parameters to assess the capacity of relevant stakeholders to contribute to future burden- and responsibility-sharing mechanisms.
- The capacity of all refugees, equally including the formal and informal skills and capacity of refugee women and girls must be included when considering who are the stake-holders. (GC11)
- Burden- and responsibility-sharing arrangements must be in line with relevant international and regional refugee protection principles and human rights law, including customary international law.
- This must include explicit international law which relates to the protection of women and girls (GC2)
- Past and current burden- and responsibility-sharing arrangements have strengthened asylum systems and other mechanisms for recognition of international protection needs through capacity-building, including financial and technical assistance. The establishment of regional standards with respect to reception arrangements, including for children and others with specific needs, and for the identification of alternatives to detention have been features of the Brazil Plan of Action.
- Women and girls, their protection needs and capacity building must be specifically mentioned in any new standards for asylum systems as per the Brazil Plan of Action. (GC3, GC5)
- Past and current arrangements, including CIRFECA, the Syria response, and the response for

Somali refugees, have sought to galvanize support to strengthen national services and systems in host countries, including education, health care, infrastructure and livelihoods. Including refugees in national systems, instead of establishing parallel arrangements, facilitates the ability of refugees to live independent and productive lives while in exile, pending the availability of durable solutions. The provision of additional resources to enhance the quality of services and infrastructure in the medium-term can also benefit host communities, reducing tensions between refugees and host communities and enhancing recognition of the positive contributions that can be made by refugees.

- **Service provision in host communities must also embrace the concept of gender equality, and the provision of the protection of women and girls in conflict and post conflict situations explicit in the many UNHCR and other UN Conclusions and Resolutions addressing these issues. (GC2)**
- More broadly, a number of burden- and responsibility-sharing arrangements have demonstrated the vital role for development actors in mitigating the impact of large-scale refugee situations on host countries, as a complement to humanitarian action. These include CIREFCA, the Syria refugee response, the Solutions Strategy for Afghan Refugees to Support Voluntary Repatriation, Sustainable Reintegration and Assistance to Host Countries (SSAR) (as well as the “refugee affected and hosting areas” initiative in Pakistan), and the response for Somali refugees. The engagement of the United Nations Development Programme (UNDP) and the World Bank in arrangements such as CIREFCA and the Syria refugee response has been particularly welcome. Ensuring that the programme of action builds on and complements the commitment in the 2030 Agenda for Sustainable Development to “leave no one behind”, as well as the “grand bargain”, could be beneficial.
- **It is critically important that the aims of gender equality as stated in the 2030 Agenda for Sustainable Development “A world in which every woman and girl enjoys full gender equality and all legal, social and economic barriers to their empowerment have been removed’ are reflected in the Global Compact on Refugees. (www.un.org/sustainabledevelopment/development-agenda)**
- Several past and current burden- and responsibility-sharing arrangements, including CIREFCA, the SSAR and the response for Somali refugees, have provided a framework for galvanizing solutions to large-scale protracted situations. Adopting a comprehensive approach to solutions, by providing multiple pathways including resettlement, voluntary repatriation and local solutions, has been another feature of some successful arrangements.
- **These arrangements must focus on gender differences in experience and the suitability of potential solutions for individual cases. (GC 16)**
- More specifically, on solutions:
 - Many arrangements, including the SSAR and the response for Somali refugees, have focused on stabilizing the situation in countries of origin and addressing the root causes of displacement with a view to creating conditions conducive to voluntary return in safety and dignity. Investments in socio-economic development, good governance, the rule of law and peace-building in countries of origin, including by development actors, have been critical in many examples. CIREFCA also embedded efforts to resolve displacement in broader peace and reconciliation processes. The involvement of countries of origin in burden- and responsibility-sharing arrangements, when depoliticized and based on humanitarian

principles, has been catalytic, including in the case of the Comprehensive Plan of Action for Indochinese Refugees (CPA), CIREFCA, the response for Somali refugees, and the SSAR. Some past and current arrangements have also sought to find solutions to internal displacement, in addition to refugee flows, recognizing the interlinkages between them.

- Any repatriation of refugee women and girls must ensure that: a. they are not being returned to situations where men who have raped or and sexually abused them will be in positions of power over them; b. that they will not be returned to places where they are so stigmatized because of rape, bearing a child of rape, or having been forced to work in survival sex, that any form of successful settlement is possible, and they are forced into survival sex or forced marriages; and c. that they have equal access to men to income generation, and other support systems, which recognize that they have many informal skills and knowledge. (GC11, GC12 and GC13, CRRF 9b and c)
- Resettlement remains an indispensable tool in burden- and responsibility-sharing arrangements, playing a particularly prominent role in some examples such as the CPA. A larger pool of resettlement countries and more meaningful quotas could be encouraged in the programme of action. Complementary pathways - such as humanitarian evacuation (as used in the Humanitarian Evacuation Programme/Humanitarian Transfer Programme (HEP/HTP)), relocation arrangements, labour mobility frameworks, family reunification and private sponsorship - can contribute not just to providing protection or solutions for refugees, but also to ensuring protection space is maintained in overburdened receiving countries. Resettlement and other pathways can further avoid the need for refugees to undertake dangerous irregular onward movements.
- The women at risk resettlement program should be expanded , and tools put in place to ensure that the most vulnerable women and children are quickly and easily identified, and resettled to countries which are known to provide adequate and effective programs for the assistance of women and children who have experienced extreme forms of violence and sexual abuse. (GC5). New pathways do not exclude women and girls through restrictive educational or professional criteria which they have not had the opportunity to access. (GC11)
- Previous burden- and responsibility-sharing arrangements have provided support to host countries willing to offer local solutions to some refugees, including CIREFCA and the Brazil Plan of Action. Support for access to public services including documentation, facilitation of permanent residency or naturalization, and promotion of employment or other livelihoods programmes are all good practices on which to build.
- It is critically important that women and girls receive documentation, access to naturalization or permanent residency and employment and livelihoods in their own right and not only in respect to their relationship to a male relative. (GC4, GC10)
- With respect to governance and process issues, past and current examples of burden- and responsibility-sharing demonstrate the importance of political will and the need for clear leadership and coordination mechanisms, as well as mechanisms for follow-up, progress reporting and monitoring at the national, regional and international levels. The progress reporting requirements in the Brazil Plan of Action, as well as the joint coordination between UNHCR and UNDP in the context of CIREFCA and the Syria refugee response, provide good models.

- The data collected for follow up, progress reporting and monitoring at all levels has to be gender disaggregated in order to ensure that the different needs of men and boys, women and girls are recognized and addressed. (GC13 See para (i) UNCHR Conclusion on Women and Girls at Risk)
- While burden- and responsibility-sharing arrangements require the engagement and support of the international community as a whole, existing regional structures and processes have proved to be successful bases for developing responses to a number of situations, including the SSAR, the Brazil Plan of Action and the response for Somali refugees.
- Many past and current arrangements confirm the value of including the broadest possible range of stakeholders (“whole-of-society” approach): States (whether or not party to the 1951 Convention and also including countries of origin, where appropriate); NGOs; regional organizations; trade unions and employers’ associations; development actors; and the private sector. The need to include refugees and host communities, especially women and young people, in all decisions regarding their future cannot be overstated. CIRFECA offers examples of involving affected populations and communities as full partners in designing and delivering interventions aimed at durable solutions.
- It must be recognized that at times it is necessary to provide support and training for women , in particular women from strongly patriarchal societies to be meaningfully involved as equal partners. This does not mean that these women do not have capacity and social capital to offer. They do. However, it is unrealistic to expect women who have never been given a place at a decision making table to take their places and fully participate without support. (GC11, GC17)
- Finally, while primarily relevant to the development of the global compact on refugees, some past examples of burden- and responsibility-sharing may also contain good lessons learned for the global compact on safe, orderly and regular migration. This is particularly the case for the CPA, which sought to address large-scale mixed movements of refugees and migrants, including through an orderly departure programme that mitigated the need for irregular departures for non-protection related reasons and mechanisms for the return of those found not be in need of international protection.
- Care must be taken to ensure that the negative impacts of the CPA, which included the exclusion of some women and girls, are not repeated. Women, including single women, in particular those with a disability, the pre-literate and those with multiple children, who were the most vulnerable were in some cases the last resettled, or left in the ‘scrap heap’ of the residual caseload. (GC12 GC23, GC24)

IV. Conclusion and follow-up

Para 10. These summary conclusions, together with the detailed written and oral contributions provided by stakeholders during thematic discussion 1, will inform the remaining thematic discussions to be convened in the second half of 2017, as well as the “stocktaking” at the High Commissioner’s Dialogue in December 2017.

Supporting the text in the New York Declaration 2016, para.15, this concluding paragraph supports the

need for oral contributions from refugee women and girls, (who could be women recently resettled and with travel documents from their new homelands) which would make an important contribution to the next round of Thematic discussion and the High Commissioners Dialogue. This would fulfill the dual goal of receiving experience and advice directly from the field, and of supporting refugee self-representation. (GC17)

11. UNHCR will continue to welcome any further reflections on lessons learned and good practices from past and present burden- and responsibility-sharing arrangements, including practical proposals for the programme of action, to be submitted through the online facility for written contributions at [unhcr.org/written contributions](http://unhcr.org/written-contributions).

UNHCR 20 July 2017

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GC11

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APPENDIX 2: COMPENDIUM OF REFERENCES IN UNHCR AND OTHER RELEVANT UN DOCUMENTS RELATING TO THE PROTECTION OF REFUGEE WOMEN AND GIRLS AT RISK

GC1

UNHCR Conclusion on Women and Girls at Risk No. 105 (LV11)- 2006

Recognizing that, while women and girls may be exposed to certain risks, such as trafficking, in any location, the different nature of camp and urban environments can expose women and girls to different protection risks and that in camps, for example, their freedom of movement and capacity to earn a livelihood may be **more restricted and they may be more exposed there to sexual and gender-based violence (SGBV)**, whereas in urban situations, they may be less able to exercise their rights effectively, to access protection and services or reach UNHCR or implementing partner offices,

(d) In certain cases, the presence of one factor or incident may alone be sufficient to require an urgent protection intervention. In others, the presence of a combination of individual and wider protection environment factors will expose women and girls to heightened risk. In still others, if women and girls have been subjected, for instance, **to SGBV in the area of origin or during flight, this may leave them at heightened risk in the place of displacement.** Continuing assessment is required to monitor threat levels, as they may change over time.

(e) Risk factors in the wider protection environment can arise as a result of and after flight for women and girls and may include problems resulting from insecurity and armed conflict **threatening or exposing them to SGBV** or other forms of violence; inadequate or unequal access to and enjoyment of assistance and services; lack of access to livelihoods; lack of understanding of women's and men's roles, responsibilities and needs in relation to reproductive healthcare, and lack of understanding of **the consequences of SGBV on women's and girls' health;** the position of women and girls in the displaced or host community which can result in their marginalization and in discrimination against them; legal systems, which do not adequately uphold the rights of women and girls under international human rights law, including those relating to property; those informal justice practices which violate the human rights of women and girls; asylum systems which are not sensitive to the needs and claims of female asylum-seekers; and mechanisms for delivering protection which do not adequately monitor and reinforce women's and girls' rights.

(f) These factors related to the wider protection environment may be combined with individual risk factors which increase the risks for these women and girls. Individual risk factors can be grouped non-exhaustively under factors relating to their individual civil status or situation in society; **their having already been subject to SGBV and/or their risk of exposure to SGBV or other forms of violence;** and their need for specific health and/or other support services, including in the case of women and girls with disabilities.

(j) secure environments are to be established and strengthened, including by partnerships and actions to:

- Prevent and respond to **SGBV in accordance with international standards** set out in UNHCR and other relevant guidelines, including through provision of quality health services to address the specific needs of women and girls at risk;
- strengthen justice systems to uphold the rights of women and girls and bring perpetrators of **SGBV to justice,** combat trafficking and protect victims; and

Conclusion on Children at Risk No. 107 (LVIII) - 2007

(c) Individual risk factors, including, but not limited to: unaccompanied and separated children, particularly those in child-headed households as well as those accompanied by abusive or

exploitative adults; stateless children; adolescents, in particular girl mothers and their children; child victims of trafficking and sexual abuse, including pornography, paedophilia and prostitution; survivors of torture; survivors of violence, in particular sexual and gender-based violence and other forms of abuse and exploitation; children who get married under the age specified in national laws and/or children in forced marriages; children who are or have been associated with armed forces or groups; children in detention; children who suffer from social discrimination; children with mental or physical disabilities; children living with or affected by HIV and AIDS and children suffering from other serious diseases; and children out of school;

Conclusion on Protracted Refugee Situations No. 109 (LXI) - 2009

(k) *Recognizes* that protracted refugee situations can increase the risks to which refugees may be exposed and that, in this respect, there is a need to identify and respond effectively to the specific protection concerns of men, women, girls and boys, in particular, unaccompanied and separated children, adolescents, persons with disabilities, and older persons, who may be exposed to heightened risks, including sexual and gender-based violence and other forms of violence and exploitation; and *encourages* UNHCR and States to pursue age, gender and diversity mainstreaming and participatory approaches with a view to enhancing the safety, well-being and development of refugees and promoting appropriate solutions for them;

Conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR No. 110 (LXI) - 2010

(g) *Encourages* States, UNHCR and partners to enable children and youth with disabilities to access appropriate protection, assistance and education, and to ensure the inclusion of women and girls with disabilities, protected and assisted by UNHCR, in programmes to prevent and respond to sexual and gender-based violence and other forms of exploitation;

Security Council Resolution 2242 (2015)

14 Recognizing the differential impact on the human rights of women and girls of terrorism and violent extremism, including in the context of their health, education, and participation in public life, and that they are often directly targeted by terrorist groups, and expressing deep concern that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups, used as a tactic of terrorism, and an instrument to increase their power through supporting financing, recruitment, and the destruction of communities, as described in the Secretary-General's Report on Sexual Violence in Conflict of 23 March 2015 (S/2015/203), and further noting the Global Counterterrorism Forum's good practices on Women and Countering Violent Extremism,

Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 27 on older women and protection of their human rights-2010

38. State parties should pay special attention to the violence suffered by older women in times of armed conflict, the impact of armed conflicts on the lives of older women, and the contribution that older women can make to the peaceful settlement of conflicts and to reconstruction processes. States parties should give due consideration to the situation of older women when addressing sexual violence, forced displacement and the conditions of refugees during armed conflict.

GC2

UNHCR Conclusion on Women and Girls at Risk No. 105 (LV11)- 2006

Recognizing that, while women and girls may be exposed to certain risks, such as trafficking, in any location, the different nature of camp and urban environments can expose women and girls to

different protection risks and that in camps, for example, their freedom of movement and capacity to earn a livelihood may be **more restricted and they may be more exposed there to sexual and gender-based violence (SGBV)**, whereas in urban situations, they may be less able to exercise their rights effectively, to access protection and services or reach UNHCR or implementing partner offices,

(d) In certain cases, the presence of one factor or incident may alone be sufficient to require an urgent protection intervention. In others, the presence of a combination of individual and wider protection environment factors will expose women and girls to heightened risk. In still others, if women and girls have been subjected, for instance, **to SGBV in the area of origin or during flight, this may leave them at heightened risk in the place of displacement.** Continuing assessment is required to monitor threat levels, as they may change over time.

(e) Risk factors in the wider protection environment can arise as a result of and after flight for women and girls and may include problems resulting from insecurity and armed conflict **threatening or exposing them to SGBV** or other forms of violence; inadequate or unequal access to and enjoyment of assistance and services; lack of access to livelihoods; lack of understanding of women's and men's roles, responsibilities and needs in relation to reproductive healthcare, and lack of understanding of **the consequences of SGBV on women's and girls' health;** the position of women and girls in the displaced or host community which can result in their marginalization and in discrimination against them; legal systems, which do not adequately uphold the rights of women and girls under international human rights law, including those relating to property; those informal justice practices which violate the human rights of women and girls; asylum systems which are not sensitive to the needs and claims of female asylum-seekers; and mechanisms for delivering protection which do not adequately monitor and reinforce women's and girls' rights.

(f) These factors related to the wider protection environment may be combined with individual risk factors which increase the risks for these women and girls. Individual risk factors can be grouped non-exhaustively under factors relating to their individual civil status or situation in society; **their having already been subject to SGBV and/or their risk of exposure to SGBV or other forms of violence;** and their need for specific health and/or other support services, including in the case of women and girls with disabilities.

(j) secure environments are to be established and strengthened, including by partnerships and actions to:

- Prevent and respond to **SGBV in accordance with international standards** set out in UNHCR and other relevant guidelines, including through provision of quality health services to address the specific needs of women and girls at risk;
- strengthen justice systems to uphold the rights of women and girls and bring perpetrators of **SGBV to justice,** combat trafficking and protect victims; and

Conclusion on Children at Risk No. 107 (LVIII) - 2007

(c) Individual risk factors, including, but not limited to: unaccompanied and separated children, particularly those in child-headed households as well as those accompanied by abusive or exploitative adults; stateless children; adolescents, in **particular girl mothers and their children;** **child victims of trafficking and sexual abuse, including pornography, paedophilia and prostitution;** survivors of torture; survivors of violence, in particular sexual and gender-based violence and other forms of abuse and exploitation; **children who get married under the age specified in national laws and/or children** in forced marriages; children who are or have been associated with armed forces or groups; children in detention; children who suffer from social discrimination; children with mental or physical disabilities; children living with or affected by HIV and AIDS and children suffering from other serious diseases; and children out of school;

Conclusion on Protracted Refugee Situations No. 109 (LXI) - 2009

(k) *Recognizes* that protracted refugee situations can increase the risks to which refugees may be exposed and that, in this respect, there is a need to identify and respond effectively to the specific protection concerns of men, women, girls and boys, in particular, unaccompanied and separated children, adolescents, persons with disabilities, and older persons, **who may be exposed to heightened risks, including sexual and gender-based violence and other forms of violence and exploitation**; and *encourages* UNHCR and States to pursue age, gender and diversity mainstreaming and participatory approaches with a view to enhancing the safety, well-being and development of refugees and promoting appropriate solutions for them;

Conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR No. 110 (LXI) - 2010

(g) *Encourages* States, UNHCR and partners to enable children and youth with disabilities to access appropriate protection, assistance and education, and to ensure the inclusion of **women and girls with disabilities, protected and assisted by UNHCR, in programmes to prevent and respond to sexual and gender-based violence and other forms of exploitation**;

Security Council Resolution 2242 (2015)

14 Recognizing the differential impact on the human rights of women and girls of terrorism and violent extremism, including in the context of their health, education, and participation in public life, and that they **are often directly targeted by terrorist groups, and expressing deep concern that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups**, used as a tactic of terrorism, and an instrument to increase their power through supporting financing, recruitment, and the destruction of communities, as described in the Secretary-General's Report on Sexual Violence in Conflict of 23 March 2015 (S/2015/203), and further noting the Global Counterterrorism Forum's good practices on Women and Countering Violent Extremism,

Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 27 on older women and protection of their human rights-2010

38. State parties should pay special attention to the violence suffered by older women in times of armed conflict, the impact of armed conflicts on the lives of older women, and the contribution that older women can make to the **peaceful settlement of conflicts and to reconstruction processes. States parties should give due consideration to the situation of older women when addressing sexual violence, forced displacement and the conditions of refugees** during armed conflict.

GC3

Executive Committee of the High Commissioner's Programme, Protecting refugee women: promoting gender equality - Standing Committee 51st meeting 2011

(e) Sanitary materials

28. Access to sufficient and **adequate sanitary materials is central to women and girls 'dignity and well being**. Lack of sanitary pads often has serious health implications and can lead to restricted freedom of movement, resulting in girls missing school or dropping out completely, and women being unable to leave the house to go to work and perform other daily activities.

29. Ten years ago, UNHCR made a commitment to provide sanitary materials to all women and girls of reproductive age receiving assistance from the Office. A survey was conducted in 2010 to assess progress. The survey revealed around 10 per cent progress since the 2009 baseline, with half of UNHCR's country operations fully meeting the target in 2010. It also showed important financial and logistical obstacles to the delivery of sanitary materials to women. Inadequate

budget was expressed as a specific constraint by 38 per cent of offices. Other challenges included difficulties in sourcing appropriate materials; difficulties in accessing women and girls of concern; and distribution problems caused by lack of road infrastructure and border restrictions.

30. In addition, women's reproductive health remains a taboo subject in many societies and the question of cultural acceptance of sanitary materials came up strongly in the survey. UNHCR has responded in various ways, including finding culturally acceptable and environmentally responsible measures for hygienic processing, waste management, and local production of sanitary materials, either by local enterprises or by refugees, as an income generating activity. This approach has yielded positive results. For example, in Uganda a micro business employs refugees to produce cheap, environmentally friendly disposable sanitary pads made from local reeds.

31. Next steps for UNHCR:

- (i) Continue to ensure regular provision of sanitary materials;
- (ii) Provide guidance and share best practices across all operations, including the review of present standards to reflect women's cultural preferences, complementing sanitary kits as appropriate;
- (iii) Where possible and appropriate, promote the local purchase and provision of environmentally friendly sanitary materials as a means to reduce transport costs, promote self-reliance and develop local manufacturing capacity.

UNHCR Handbook for the Protection of Women and Girls- 2008

"I won't go to school during 'that time'. The boys laugh and make fun of me. Sometimes I have an accident and it is not possible for me to clean myself. We never have enough materials and when we do they are itchy and uncomfortable. Some girls I know have 'boyfriends' who give them money and they use that to buy sanitary pads so that they can go to school." Rebecca, a 15-year-old refugee girl in Uganda

"The provision of sanitary materials to all women and girls of concern will become standard practice in all UNHCR assistance programmes." Fifth of UNHCR's Five Commitments to Refugee Women

Challenge: Access to sanitary materials

The lack of sanitary materials has critical implications for the health, safety, and well-being of women and girls. Yet strains on UNHCR's overall budget have meant that UNHCR efforts to achieve its Fifth Commitment have been reached in less than 20 per cent of all camps (where data is available).

Lack of sanitary material undermines their opportunity to participate in community activities, registration, food distribution, training programmes, and employment opportunities. When menstruating, they may be forced to remain in their homes all day and only creep out at night to wash their clothes so as not to be seen. In order to obtain money to buy sanitary materials, some women and girls resort to survival sex, putting them at risk of HIV, pregnancy, and exclusion from their communities.

The lack of sanitary materials severely compromises girls' right to education. Many girls do not attend school when they are menstruating for fear of harassment and ridicule from boys and male teachers. As a result, their academic performance suffers and many eventually drop out.

Actions

- Ensure women and girls at risk can access support, such as medical and psycho-social care, to facilitate their recovery and integration, whether this be in the context of local integration, return, resettlement or other humanitarian programmes.
- Provide culturally appropriate sanitary packs to all women and girls from at least 13 to 49 years of age, based on discussions with them.
- Make sanitary materials and separate washroom facilities available for girls in
- schools.

UNHCR's Commitments to Refugee Women 2001

(5) Prevention and response to sexual and gender-based violence

UNHCR considers the provision of sanitary materials to all women and girls to be standard practice in all assistance program

UN General Assembly Resolution 2 UN General Assembly Resolution 70/169- 2015

Deeply concerned further that the lack of access to adequate water and sanitation services, including for menstrual hygiene management, especially in schools, contributes to reinforcing the widespread stigma associated with menstruation, negatively affecting gender equality and women's and girls' enjoyment of human rights, including the right to education."

Intro Para 14

Security Council Resolution 1820 (2008)

1. Stresses that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security, affirms in this regard that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security, and expresses its readiness, when considering situations on the agenda of the Council, to, where necessary, adopt appropriate steps to address widespread or systematic sexual violence;

3. Demands that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence, which could include, inter alia, enforcing appropriate military disciplinary measures and upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians, debunking myths that fuel sexual violence, vetting armed and security forces to take into account past actions of rape and other forms of sexual violence, and evacuation of women and children under imminent threat of sexual violence to safety; and requests the Secretary-General, where appropriate, to encourage dialogue to address this issue in the context of broader discussions of conflict resolution between appropriate UN officials and the parties to the conflict, taking into account, inter alia, the views expressed by women of affected local communities;

GC4

UNHCR Conclusion on Women and Girls at Risk No. 105 (LV11)- 2006

Paragraph (i)

provide disaggregated data by sex and age; ensure registration on an individual and ongoing basis for refugees, recognizing the need to protect the confidential nature of personal data, and promote mechanisms to identify the internally displaced; strengthen protection monitoring of individuals by working with the community; monitor access to and enjoyment of protection, assistance and services by women and girls;

Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women (2014)

16. Gender-related claims to asylum may intersect with other proscribed grounds of discrimination, including age, race, ethnicity/nationality, religion, health, class, caste, being lesbian, bisexual or transgender and other status.¹³ The Committee is concerned that many asylum systems continue to treat the claims of women through the lens of male experiences, which can result in their claims to refugee status not being properly assessed or being rejected. Even though gender is not specifically referenced in the definition of a refugee given in the 1951 Convention relating to the Status of Refugees, it can influence or dictate the type of persecution or harm suffered by women and the reasons for such treatment. The definition in the 1951 Convention, properly interpreted, covers gender-related claims to refugee status. It must be emphasized that asylum procedures that do not take into account the special situation or needs of women can impede a comprehensive determination of their claims. For example, asylum authorities may interview only the male “head of household”, may not provide same-sex interviewers and interpreters to allow women to present their claims in a safe and gender-sensitive environment or may interview women asylum seekers in the presence of their husbands or male family members who may in fact be the source or sources of their complaints.

26. In addition, articles 2, 15 (1) and 16 require States parties to recognize that women may present independent claims to asylum. In this respect, their claims may also be based on fears relating to their children. For example, claims to refugee status may arise from a fear that their daughters will suffer female genital mutilation, be forced into marriage or be subjected to severe community ostracism and exclusion for being girls. The child’s protection claim should also be considered on its own merits in a child-sensitive manner in the best interests of the child. Once the principal claimant is recognized as a refugee, other members of the family should normally also be recognized as refugees (“derivative status”).

42. Asylum procedures of States parties should ensure that women are able to lodge independent asylum applications and be heard separately, even if they are part of a family seeking asylum. States parties should accept that, when the principal claimant is recognized as a refugee, other members of the family should normally also be recognized as refugees (“derivative status”). Just as a child can derive refugee status from the recognition of a parent as a refugee, a parent should be granted derivative status based on the child’s refugee status. It is essential that women who are recognized as refugees, whether in their own right or as derivative status holders, be issued with individual documentation in order to prove their status, be protected from refoulement and secure associated rights.

43. States parties should not deem that a woman asylum seeker lacks credibility for the mere reason of lack of documentation to support her asylum claim. Instead, they should take into account that women in many countries do not possess documentation in their respective countries of origin and seek to establish credibility by other means.

58. Given the critical importance of nationality to the full participation of women in society, the significant number and nature of reservations made by some States parties to article 9 of the Convention undermine the object and purpose of the Convention. The rights to nationality and non-discrimination contained in many other international human rights instruments, which reinforce the equal right of women to nationality, also raise the question of the validity and legal effect of such reservations. The Committee notes with interest the trend towards the withdrawal or, at least, the narrowing of reservations to article 9 and the related tendency of States parties to introduce formal equality of men and women in nationality laws, thereby reducing the risk of discrimination against women and in particular of statelessness among women and their children

GC5

UNHCR Conclusion on Women and Girls at Risk No. 105 (LV11)- 2006

(d) In certain cases, the presence of one factor or incident may alone be sufficient to require an urgent protection intervention. In others, the presence of a combination of individual and wider protection environment factors will expose women and girls to heightened risk. In still others, if women and girls have been subjected, for instance, to SGBV in the area of origin or during flight, this may leave them at heightened risk in the place of displacement. Continuing assessment is required to monitor threat levels, as they may change over time.

Conclusion on Protracted Refugee Situations No. 109 (LXI) - 2009

(k) *Recognizes* that protracted refugee situations can increase the risks to which refugees may be exposed and that, in this respect, there is a need to identify and respond effectively to the specific protection concerns of men, women, girls and boys, in particular, unaccompanied and separated children, adolescents, persons with disabilities, and older persons, who may be exposed to heightened risks, including sexual and gender-based violence and other forms of violence and exploitation; and *encourages* UNHCR and States to pursue age, gender and diversity mainstreaming and participatory approaches with a view to enhancing the safety, well-being and development of refugees and promoting appropriate solutions for them;

GC6

UN General Assembly 70/176. Taking action against gender-related killing of women and girls- 2016

Remaining alarmed by the high level of impunity with regard to gender-related killing of women and girls and the fact that violence against women and girls is among the least prosecuted and punished crimes in the world,

8. Encourages Member States to criminalize, prosecute and punish rape and other forms of sexual and gender-related violence against women and girls committed in all situations, including situations of conflict, taking into account international standards, and urges, where appropriate, relevant stakeholders to support the development and strengthening of the capacities of national institutions, in particular law enforcement, judicial and health systems, and of local civil society networks to provide sustainable assistance and access to justice to women and girls affected by gender-related violence;

UN General Assembly, 70/138 The girl child- 2016

Deeply concerned about all forms of violence against children, in particular the phenomena that disproportionately affect girls, such as commercial sexual exploitation and child pornography, rape, sexual abuse, domestic violence, trafficking in persons and the use of information and

communications technology and social media to perpetrate violence against women and girls, and, in addition, about the corresponding impunity and lack of accountability, and that violence against women and girls is underrecognized and underreported, particularly at the community level, which reflects discriminatory norms that reinforce the lower status of girls in society,

Security Council Resolution 2242 (2015)

14. Urges Member States to strengthen access to justice for women in conflict and post-conflict situations, including through the prompt investigation, prosecution and punishment of perpetrators of sexual and gender-based violence, as well as reparation for victims as appropriate, notes that the fight against impunity for the most serious crimes of international concern committed against women and girls has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals and reiterates its intention to continue forcefully to fight impunity and uphold accountability with appropriate means;

Security Council Resolution 2106 (2013)

2. Notes that sexual violence can constitute a crime against humanity or a constitutive act with respect to genocide; further recalls that rape and other forms of serious sexual violence in armed conflict are war crimes; calls upon Member States to comply with their relevant obligations to continue to fight impunity by investigating and prosecuting those subject to their jurisdiction who are responsible for such crimes; encourages Member States to include the full range of crimes of sexual violence in national penal legislation to enable prosecutions for such acts; recognizes that effective investigation and documentation of sexual violence in armed conflict is instrumental both in bringing perpetrators to justice and ensuring access to justice for survivors;

3. Notes that the fight against impunity for the most serious crimes of international concern committed against women and girls has been strengthened through the work of the ICC, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals; reiterates its intention to continue forcefully to fight impunity and uphold accountability with appropriate means;

Security Council Resolution 1820 (2008)

4. Notes that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide, stresses the need for the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes, and calls upon Member States to comply with their obligations for prosecuting persons responsible for such acts, to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice, and stresses the importance of ending impunity for such acts as part of a comprehensive approach to seeking sustainable peace, justice, truth, and national reconciliation.

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

Paragraph (j)

strengthen justice systems to uphold the rights of women and girls and bring perpetrators of SGBV to justice, combat trafficking and protect victims; and

Paragraph (o)

Help secure the access of women and girls at risk to justice and reduce impunity, including by advising, accompanying and supporting them through initiatives such as women's legal clinics, local women's associations, witness relocation programmes and mobile courts in remote areas;

Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women (2014)

29. The Committee acknowledges that, as a matter of international law, the authorities of the country of origin are primarily responsible for providing protection to the citizens, including ensuring that women enjoy their rights under the Convention, and that it is only when such protection is not available that international protection is invoked to protect the basic human rights that are seriously at risk. However, the Committee notes that the fact that a woman asylum seeker has not sought the protection of the State or made a complaint to the authorities before her departure from her country of origin should not prejudice her asylum claim, especially where violence against women is tolerated or there is a pattern of failure in responding to women's complaints of abuse. It would not be realistic to require her to have sought protection in advance of her flight. She may also lack confidence in the justice system and access to justice or fear abuse, harassment or retaliation for making such complaints.

Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 27 on older women and protection of their human rights (2010)

50. States parties should adopt appropriate gender- and age-sensitive laws and policies to ensure the protection of older women with refugee status or who are stateless, as well as those who are internally displaced or are migrant workers.

GC7

UN General Assembly, 32/19. Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls- 2016

4. Continues to express particular concern at the systemic and structural discrimination and violence faced by women human rights defenders of all ages, including indigenous women and girl human rights defenders, and calls upon States to exercise due diligence in preventing violations and abuses against all human rights defenders, including through practical steps, to prevent threats, harassment and violence, and in combating impunity by ensuring that those responsible for violations and abuses, including genderbased violence and threats, committed by State or non-State actors, including online, are promptly brought to justice through impartial investigations;

UN General Assembly 70/161. Human rights defenders in the context of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms- 2015

Gravely concerned by the considerable and increasing number of allegations and communications of a serious nature received by special procedures of the Human Rights Council on the risks faced by human rights defenders, including women human rights defenders, and the prevalence of impunity for violations and abuses against them in many countries, where they face threats, harassment and attacks and suffer insecurity, including through restrictions on the rights to freedom of opinion, expression, association or peaceful assembly, abuse of criminal or civil proceedings, or acts of intimidation and reprisal intended to prevent their cooperation with the United Nations and other international bodies in the field of human rights,

4. Urges States to acknowledge through public statements, policies or laws the important and legitimate role of individuals, groups and organs of society, including human rights defenders, in the promotion of human rights, democracy and the rule of law, as essential components of

ensuring their recognition and protection, including by condemning publicly all cases of violence and discrimination against human rights defenders, including women human rights defenders, underlining that such practices can never be justified;

7. Urges non-State actors to respect and promote the human rights and fundamental freedoms of all persons and to refrain from undermining the capacity of human rights defenders, including women human rights defenders, to operate free from hindrance and insecurity;

14. Continues to express particular concern about systemic and structural discrimination and violence faced by women human rights defenders of all ages, and reiterates its strong call upon States to take appropriate, robust and practical steps to protect them and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights, as called for by the General Assembly in its resolution 68/181;

21. Encourages leaders in all sectors of society and in their respective communities, including political, military, social and religious leaders and leaders in business and the media, to express public support for the important and legitimate role of human rights defenders in society, including women human rights defenders, and in any cases of violence and discrimination against them to take a clear stance in rejection of such practices;

27. Requests all concerned United Nations agencies and organizations, within their mandates, to provide all possible assistance and support to the Special Rapporteur for the effective fulfilment of his or her mandate, including in the context of country visits and through suggestions on ways and means of ensuring the protection of human rights defenders, including women human rights defenders;

CEDAW General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations

37. Gender-based violence also leads to multiple additional human rights violations, such as State or non-State attacks on women's rights defenders, which undermine women's equal and meaningful participation in political and public life. Conflict-related gender-based violence results in a vast range of physical and psychological consequences for women, such as injuries and disabilities, increased risk of HIV infection and risk of unwanted pregnancy resulting from sexual violence. There is a strong association between gender-based violence and HIV, including the deliberate transmission of HIV, used as a weapon of war, through rape.

GC8

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

paragraph (p)

30. In line with the Convention, States parties are required to take proactive measures to ensure that the legally recognized grounds of persecution, including those enumerated in the 1951 Convention relating to the Status of Refugees (race, religion, nationality, membership of a particular social group and political opinion), are given a gender-sensitive interpretation. In addition, gender may be used as a factor in recognizing membership of a particular social group or indeed as an identifying characteristic of such a group for purposes of granting refugee status under the 1951 Convention. States parties are also encouraged to add sex and or gender as an additional ground for refugee status in their national legislation.

GC9

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

(f) These factors related to the wider protection environment may be combined with individual risk factors which increase the risks for these women and girls. Individual risk factors can be

grouped non-exhaustively under factors relating to their individual civil status or situation in society; their having already been subject to SGBV and/or their risk of exposure to SGBV or other forms of violence; and their need for specific health and/or other support services, including in the case of women and girls with disabilities.

Paragraph (i)

prevent and respond to SGBV in accordance with international standards set out in UNHCR and other relevant guidelines,¹ including through provision of quality health services to address the specific needs of women and girls at risk; strengthen justice systems to uphold the rights of women and girls and bring perpetrators of SGBV to justice, combat trafficking and protect victims; and

GC10

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

Paragraph (k)

strengthen women's and girls' capacities, including by enabling their access to quality education, including secondary education, in safe school environments and by enhancing food security, livelihood opportunities, freedom of movement and economic independence, including where appropriate through access to labour markets; and

GC11

Security Council Resolution 2242 (2015)

Recognizing the significance of the fifteen-year anniversary of resolution 1325 (2000), the progress made as well as the opportunity and need for far greater implementation of the women, peace and security agenda, remaining deeply concerned by the frequent under-representation of women in many formal processes and bodies related to the maintenance of international peace and security, the relatively low number of women in senior positions in political, peace and security - related national, regional and international institutions, the lack of adequate gender sensitive humanitarian responses and support for women's leadership roles in these settings, insufficient financing for women, peace and security, and the resulting detrimental impact on the maintenance of international peace and security,

Sendai Framework for Disaster Risk Reduction 2015-2030

19 (d) Disaster risk reduction requires an all-of-society engagement and partnership. It also requires empowerment and inclusive, accessible and non discriminatory participation, paying special attention to people disproportionately affected by disasters, especially the poorest. A gender, age, disability and cultural perspective should be integrated in all policies and practices, and women and youth leadership should be promoted. In this context, special attention should be paid to the improvement of organized voluntary work of citizens;

36 (i) Women and their participation are critical to effectively managing disaster risk and designing, resourcing and implementing gender-sensitive disaster risk reduction policies, plans and programmes; and adequate capacity building measures need to be taken to empower women for preparedness as well as to build their capacity to secure alternate means of livelihood in post-disaster situations;

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

(i) mobilize women, men, girls and boys of all ages and diverse backgrounds as equal partners together with all relevant actors in participatory assessments to ensure their protection concerns, priorities, capacities and proposed solutions are understood and form the basis of protection strategies and solutions;

General Conclusion on International Protection No. 108 (LIX) - 2008

(h) *Recognizes* the importance for States to promote an **age, gender and diversity-sensitive approach**, taking into account such information in the implementation of applicable international refugee instruments;

GC12

UN Security Council, Report of the Secretary-General on conflict-related sexual violence- 2016

(f) To include in government **protocols the specific and distinct needs of female and male victims of sexual violence, and train health-care providers on how to respond to survivors of any age or sex, noting that male and lesbian, gay, bisexual, transgender and intersex victims** should be included within the scope of protection provided under national law;

(g) **To improve conviction rates for crimes of sexual violence by integrating legal support options with medical and psychosocial care and improving the reach of these services** in conflict-affected areas, as well as removing the barriers to reporting by providing free treatment and medical certificates and ending the practice of mandatory police reporting as a precondition to access to care;

(h) To continue to draw upon existing rosters of professionals trained in dealing with sexual and gender-based violence in order to ensure appropriate and timely documentation and **investigation of these crimes**;

(m) To train all **peacekeeping personnel on gender sensitivity, sexual exploitation and abuse prevention and addressing conflict-related sexual violence as a mandatory component of predeployment training, and to ensure that this consideration** is integrated into the performance and operational readiness standards against which troops are assessed;

Security Council Resolution 1888 (2009)

Welcoming the inclusion of women in peacekeeping missions in civil, military and police functions, and recognizing that women and children affected by armed **conflict may feel more secure working with and reporting abuse to women in peacekeeping missions, and that the presence of women peacekeepers may encourage local women to participate** in the national armed and security forces thereby helping to build a security sector that is accessible and responsive to all, especially women,

Agenda for protection (2003)

4. Prevention of age-based and sexual and gender-based violence

States, UNHCR and other relevant actors to adopt measures to ensure that gender and age-sensitive prevention and response mechanisms, including remedial actions, to sexual and gender-based violence and exploitation, **including a complaints mechanism and an appropriate staff accountability framework**, are an integral part of all programmes in all refugee contexts, and include relevant educational and awareness-building programmes targeting men, women and children.²⁰

UNHCR and its partners to set in place a **clear accountability structure** for the protection of refugee women and refugee children from age-based and sexual and gender-based violence and ensure that applicable codes of conduct are respected in all humanitarian operations. States, UNHCR and other humanitarian partners to **conduct training and capacity-building on the rights and needs of survivors of sexual exploitation, violence and abuse.**

Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women (2014)

44. States parties should ensure that their border police and immigration officials are adequately trained, supervised and monitored for gender-sensitivity and non-discriminatory practices when dealing with women asylum seekers and refugees. They should ensure that they adopt and implement a gender-sensitive approach of a proper identification system for women asylum seekers and refugees that is not based on prejudices and stereotyped notions of women, including for victims of trafficking and/or sexual exploitation.⁴⁴

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) – 2006

(i) promote gender balance in staff recruitment and take active measures to increase the number of female professionals working in the field;

(j) establish and/or implement codes of conduct, including on the elimination of sexual exploitation and abuse, for all humanitarian staff, including those working in the delivery of services and for other staff in authority, such as border guards, and ensure that confidential and accessible complaints systems are in place which include investigation and follow-up, so as to encourage the reporting of abuse and exploitation where codes of conduct are breached.

GC13

Security Council Resolution 2122 (2013)

Expressing concern at women's exacerbated vulnerability in armed conflict and post-conflict situations particularly in relation to forced displacement, as a result of unequal citizenship rights, gender-biased application of asylum laws, and obstacles to registering and accessing identity documents which occur in many situations,

UNHCR Conclusion on Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons No. 106 (LVII) - 2006

(j) *Notes* that statelessness may arise as a result of restrictions applied to parents in passing on nationality to their children; denial of a woman's ability to pass on nationality; renunciation without having secured another nationality; automatic loss of citizenship from prolonged residence abroad; deprivation of nationality owing to failure to perform military or alternative civil service; loss of nationality due to a person's marriage to an alien or due to a change in nationality of a spouse during marriage; and deprivation of nationality resulting from discriminatory practices; and *requests* UNHCR to continue to provide technical advice in this regard;

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

Paragraph (i)

provide disaggregated data by sex and age; ensure registration on an individual and ongoing basis for refugees, recognizing the need to protect the confidential nature of personal data, and promote mechanisms to identify the internally displaced; strengthen protection monitoring of individuals by working with the community; monitor access to and enjoyment of protection, assistance and services by women and girls;

11. Better registration and documentation of refugees

States, UNHCR and other relevant partners to use registration data to identify and make specific assistance and protection arrangements, where appropriate, for: women with any special protection concerns, unaccompanied and separated children, child- and single-headed households, as well as handicapped refugees and the elderly.

(j) Secure environments are to be established and strengthened, including by partnerships and actions to:

ensure the individual documentation of refugee women and separated and unaccompanied refugee girls and register births, marriages and divorces in a timely manner;

GC14

UNHCR, Policy Framework And Implementation Strategy: UNHCR's Role In Support Of The Return And Reintegration Of Displaced Populations, 2008

4. Experience has shown that return and reintegration is not a simple reversal of displacement, but a dynamic process involving individuals, households and communities that have changed as a result of their experience of being displaced, often for protracted periods. One or more generations may have been born and raised in exile, for example. Women are likely to have taken on new roles as head of families and breadwinners. Returnees may not speak the local language, and may have absorbed a range of cultural influences viewed as 'foreign' by receiving communities.

C. Participatory and community-based approaches

40. Refugees, IDPs and local communities are the key actors in the reintegration process. Particular efforts will therefore be made to identify their skills, capacities, aspirations and needs, and to understand how these attributes are affected by issues such as gender, age, ethnic origin, socio-economic profile, physical and mental well-being. UNHCR underlines the importance of employing the "Age, gender and diversity mainstreaming" approach to all reintegration activities, and in this context recognizes the particular contribution that women can make to the tasks of post-conflict reconciliation, reconstruction and peacebuilding. The empowerment of women and the promotion of gender equality will consequently be central to UNHCR's efforts in this domain.

B. Protection, reconciliation and the rule of law

38. Refugees and IDPs who return to their homes on a voluntary basis and with full respect for their human rights are most likely to have a positive engagement with the reintegration and peacebuilding processes. In formulating reintegration projects, issues of protection, non-discrimination and gender equity, minority rights, access to justice and the rule of law, recognition of land ownership and property rights must be considered a high priority.

58. As part of its role in the facilitation of return, UNHCR will engage in core protection-related activities that support the restoration of national protection and the rule of law, including returnee monitoring. These activities will focus on addressing immediate protection needs that are linked to the ongoing effects of conflict and displacement and will normally focus on mechanisms to secure housing, land and property rights, ensure safe places of return, access to national documentation, non-discriminatory access to services, respect for minority rights, prevention of and response to sexual and gender-based violence, and legal assistance. UNHCR will also seek to contribute to the effective functioning of national judicial and law enforcement structures, including civilian police, where appropriate. Support will be provided to nascent protection structures, including Human Rights Commissions and NGOs offering legal advice and support.

UN Security Council, Security Council resolution 1888 (2009)

13. Encourages States, with the support of the international community, to increase access to

health care, psychosocial support, legal assistance and socio economic reintegration services for victims of sexual violence, in particular in rural areas;

UN Security Council, Security Council resolution 1960 (2010)

Reaffirming the importance for States, with the support of the international community, to increase access to health care, psychosocial support, legal assistance, and socio-economic reintegration services for victims of sexual violence, in particular in rural areas, and taking into account the specific needs of persons with disabilities,

UN Security Council, Security Council resolution 2027 (2011)

2. Decides that in addition to paragraph 1 above, BNUB shall also continue to support the Government of Burundi in the following areas:

(a) Supporting the efforts of the Government and the international community to focus on the socio-economic development of women and youth and the socio-economic reintegration of conflict-affected populations in particular, and advocating for resource mobilization for Burundi;

GC15

Transforming our world: the 2030 Agenda for Sustainable Development

Goal 5. Achieve gender equality and empower all women and girls:

5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

Paragraph (p)

promote respect for women's and girls' equal rights to make a free and informed choice to return voluntarily and to their equal access to land and property in the country of origin, and incorporate measures to ensure adequate ongoing assistance and support in the country of origin for those at risk into tripartite voluntary repatriation agreements;

Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women (2014)

55. Naturalization requirements may also indirectly discriminate against women because they may require the fulfilment of conditions or criteria that may be more difficult to meet for women than for men, such as acquiring proficiency in a host State's language, which may be more difficult for women, including stateless women, who have suffered prior or current impediment of their right of access to formal education. Other requirements such as economic self-sufficiency or property ownership may also be more difficult for women to meet as individuals. Situations of statelessness following marriage to a foreigner and naturalization requirements, as mentioned in paragraph 54 above, can lead to women being dependent on men economically, socially, culturally and linguistically and, in turn, expose women to an increased risk of exploitation.

GC16

UN Security Council, Report of the Secretary-General on conflict-related sexual violence- 2016

15. When security deteriorates, women and girls often find their mobility greatly restricted. They currently face grave threats when passing checkpoints in Myanmar, South Sudan, the Syrian Arab Republic and Yemen; using public transportation, which may be operated by ex-combatants, as in parts of Côte d'Ivoire and Mali; and at every stage of the displacement cycle, including in the camps or urban settlements in which they seek refuge. During the reporting period, a mass migration crisis occurred, which included conflict-related sexual violence as a deliberate form of persecution to displace populations in the Horn of Africa, Iraq and the Syrian Arab Republic. As a result, more than 950,000 new refugees and migrants reached Europe. Reports have emerged of people-smugglers demanding sex as "payment of passage" and of an evolving criminal infrastructure designed to exploit refugees, in particular unaccompanied minors, including for trafficking, commercial sex and sexual slavery. Given these cross-border dynamics, it is critical that effective regional and subregional cooperation be undertaken to close corridors for trafficking in persons.

70. The majority of internally displaced persons are women and children, who face serious risks of sexual exploitation. Adolescent girls and women who are heads of household are particularly at risk. In interviews with female refugees in neighbouring Jordan, Lebanon and Turkey, fear of rape is cited as a major factor inducing flight from the Syrian Arab Republic. Tragically, many refugees and asylum seekers face renewed risks of sexual violence, including forced prostitution and trafficking for sexual purposes by criminal elements. Both inside the Syrian Arab Republic and in neighbouring countries, child marriage is often used as a negative coping strategy. In some contexts, displaced and refugee women lack residency and work permits in their own name and are therefore at risk of exploitation. Syrian women encounter serious challenges in attempting to register their children and face long-term social and security implications as a result.

87. In camps and host communities, women and girls continue to face rape, forced marriage and "survival sex" to meet their families' needs. UNHCR identifies 676 households affected by sexual assault, with the highest proportion reported in Taraba, Adamawa and Borno States. Overcrowded camps, which afford limited privacy or socioeconomic opportunity, exacerbate this risk. A significant proportion of households in Adamawa, Borno and Gombe States reported cases of forced or early marriage. Progress was noted in late 2015 in the management of internally displaced persons camps, although psychosocial support and reproductive health care remain limited.

91.(c) To give due consideration to recognizing conflict-related sexual violence as a form of persecution that may serve as grounds for refugee status, in the light of its use as a tactic to induce displacement;

(d) To ensure that all refugee-receiving countries provide information on the services available to sexual violence survivors, ensure sustainable psychosocial support and provide survivors with the option to document their cases for future accountability processes;

UNHCR 2015 Global Child Protection, Education & SGBV Strategy Implementation Report
Action Area 2: Survival Sex As A Coping Mechanism In Situations Of Displacement Is Addressed
Depending on the specific country context, addressing the problem of survival sex has been approached in different ways, with some operations focusing on providing access to alternative income generating activities, and others aiming to prevent communities from resorting to negative coping mechanisms. UNHCR and partners continued to provide persons of concern with

reproductive health care and contraception in order to reduce the risk of HIV. Identifying persons involved in survival sex can be difficult in certain operations due to stigma and discrimination.

Security Council Resolution 2231 (2016)

8. Stresses that acts of trafficking in persons in armed conflict and sexual and gender-based violence in conflict, including when it is associated to trafficking in persons in armed conflict, can be part of the strategic objectives and ideology of, and used as a tactic by certain terrorist groups, by, inter alia, incentivizing recruitment; supporting financing through the sale, trade and trafficking of women, girls and boys; destroying, punishing, subjugating, or controlling communities; displacing populations from strategically important zones; extracting information for intelligence purposes from male and female detainees; advancing ideology which includes the suppression of women's rights and the use of religious justification to codify and institutionalize sexual slavery and exert control over women's reproduction; and therefore encourages all relevant actors at the national, regional and international level to ensure that such considerations are taken into account, in accordance with their obligations under international law and national laws;

9. Underlines further that achieving the strategic objectives noted above may entail the use of various forms of sexual violence in conflict, also when associated with trafficking in persons in the context of armed conflict, including, inter alia, rape, sexual slavery, forced prostitution and forced pregnancy, and notes that these different forms of sexual violence in conflict may require tailored programmatic responses including specialized medical and psychosocial assistance and analysis as a basis for action; UNHCR Policy on Refugee Protection and Solutions in Urban Areas: September 2009

10. Affirms that victims of trafficking in persons in all its forms, and of sexual violence, committed by terrorist groups should be classified as victims of terrorism with the purpose of rendering them eligible for official support, recognition and redress available to victims of terrorism, have access to national relief and reparations programmes, contribute to lifting the sociocultural stigma attached to this category of crime and facilitate rehabilitation and reintegration efforts; furthermore emphasizes that survivors should benefit from relief and recovery programmes, including health care, psychosocial care, safe shelter livelihood support and legal aid and that services should include provision for women with children born as a result of wartime rape, as well as men and boys who may have been victims of sexual violence in conflict, including when it is associated with trafficking in persons in armed conflict;

UNHCR, Action against Sexual and Gender-Based Violence: An Updated Strategy- 2011

2. Addressing survival sex as a coping mechanism in situations of displacement

Prevention: recommended actions

- Prevent delays in distribution of food and non-food items that may force persons of concern to engage in harmful practices like survival sex.
- Ensure the provision of sanitary materials for women and girls of reproductive age, and education for all primary school children, as part of 'non-negotiable standards of assistance'.
- Inform and train staff on matters relating to survival sex to ensure that all persons of concern to UNHCR are treated with respect and without discrimination.

Identification: recommended actions

- Identify women and children who are at risk of forced sex work or sexual exploitation to address their protection and assistance needs.
- Supply appropriate tools to help identify correlations between certain health risks and sexual exploitation, abuse, and survival sex.

UNHCR Policy on Refugee Protection and Solutions in Urban Areas 2009

81. UNHCR will make particular efforts to reach out and respond to the needs of refugee women and girls, especially those who are destitute and who may resort to survival sex and other negative coping mechanisms. Programmes that are designed to offer women and girls constructive and productive alternatives to such mechanisms will be formulated, drawing on effective practices in past and current operations.

115. Given the need to prioritize its efforts and allocation of resources, UNHCR will focus on the provision of services to those refugees and asylum seekers whose needs are most acute. While these priorities will vary from city to city, they will usually include:

- safeguarding the well-being of pregnant and lactating women, children under five, unaccompanied and separated children, older people and those who are seriously ill, including those with HIV and TB;
- providing care and counselling to people with specific needs, especially people with disabilities, those who are traumatized or mentally ill, victims of torture and SGBV, as well as those with complex diseases requiring specialized care; and,

130. UNHCR is fully aware that the minimization and premature termination of the assistance it provides to urban refugees may be contrary to the organization's commitment to the principles of AGDM. As one UNHCR report has pointed out, "ensuring the healthy development of children and assisting refugee women engaged in building the future of their family must mean a level of engagement which goes some way beyond providing the minimum level of support for the shortest possible time." This observation will be taken into full account in the implementation of UNHCR's urban refugee policy, drawing on the specialized expertise of UNICEF and other relevant agencies.

UNHCR Handbook for the Protection of Women and Girls- 2008

In camps (continued):

Sexual and gender-based violence (SGBV), including domestic violence and alcohol abuse, increases in such circumstances. Women and girls may be attacked as they look for firewood or water outside the camp. Lack of, or biases in, judicial systems and/or in traditional justice mechanisms often leave them with no redress or result in further stigmatization and discrimination. As financial resources are depleted, adolescent girls are married off at increasingly younger ages. For some women and girls, survival sex becomes the only way to support themselves and their families.

Challenge: Poverty and gender bias

For those girls who do go to school, some may have to pay related costs by resorting to survival sex or poorly paid work. Others fall behind in their studies and drop out before they have acquired sufficient literacy and numeracy skills due to conflicting priorities, including household duties or marriage.

Challenge: Negative coping mechanisms

Participatory assessments have shown that young girls and women are forced to adopt negative coping mechanisms in order to survive and some are forced into survival sex. Sometimes, adolescent girls are given away in marriage to men twice their age so that the bride price received for the girl can allow the rest of the family to survive or enable a male member in the family to marry or set up a small business.

Challenge: Sexual exploitation

Food insecurity is not only linked with malnutrition; it can also result in sexual exploitation. Those who have surplus food (or non-food items) have power over those who have no food and those who distribute food are usually men. Women and girls may be compelled to engage in survival sex because they lack a livelihood and desperately need food for themselves and their families. In some instances, humanitarian workers and peacekeepers have demanded sexual favours in return for food or money.

Security Council Resolution 2122 (2013)

Expressing deep concern at the full range of threats and human rights violations and abuses experienced by women in armed conflict and post-conflict situations, recognizing that those women and girls who are particularly vulnerable or disadvantaged may be specifically targeted or at increased risk of violence, and recognizing in this regard that more must be done to ensure that transitional justice measures address the full range of violations and abuses of women's human rights, and the differentiated impacts on women and girls of these violations and abuses as well as forced displacement, enforced disappearances, and destruction of civilian infrastructure,

Reiterating its strong condemnation of all violations of international law committed against and/or directly affecting civilians, including women and girls in armed conflict and post-conflict situations, including those involving rape and other forms of sexual and gender-based violence, killing and maiming, obstructions to humanitarian aid, and mass forced displacement

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

(p) Recommended longer-term responses and solutions include partnerships and actions to: ensure support, such as medical and psychosocial care, is available to women and girls at risk to facilitate their recovery and integration, whether this be in the context of local integration, return, resettlement or other humanitarian programmes.

Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women (2014)

15. Gender-related forms of persecution are forms of persecution that are directed against a woman because she is a woman or that affect women disproportionately. The Committee observes that understanding the way in which women's rights are violated is critical to the identification of those forms of persecution. The Committee notes that violence against women that is a prohibited form of discrimination against women is one of the major forms of persecution experienced by women in the context of refugee status and asylum. Such violence, just as other gender-related forms of persecution, may breach specific provisions of the Convention. Such forms are recognized as legitimate grounds for international protection in law and in practice. They may include the threat of female genital mutilation, forced/early marriage, threat of violence and/or so-called "honour crimes", trafficking in women,¹¹ acid attacks, rape and other forms of sexual assault, serious forms of domestic violence, the imposition of the death penalty or other

physical punishments existing in discriminatory justice systems, forced sterilization,¹² political or religious persecution for holding feminist or other views and the persecutory consequences of failing to conform to gender-prescribed social norms and mores or for claiming their rights under the Convention.

GC17

Transforming our world: the 2030 Agenda for Sustainable Development- 2015

20. Realizing gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the Goals and targets. The achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full human rights and opportunities. Women and girls must enjoy equal access to quality education, economic resources and political participation as well as equal opportunities with men and boys for employment, leadership and decision-making at all levels. We will work for a significant increase in investments to close the gender gap and strengthen support for institutions in relation to gender equality and the empowerment of women at the global, regional and national levels. All forms of discrimination and violence against women and girls will be eliminated, including through the engagement of men and boys. The systematic mainstreaming of a gender perspective in the implementation of the Agenda is crucial.

Security Council Resolution 2106 (2013)

1. Urges Member States, in light of the High-level Review, to assess strategies and resourcing in the implementation of the women, peace and security agenda, reiterates its call for Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, and resolution of conflict, encourages those supporting peace processes to facilitate women's meaningful inclusion in negotiating parties' delegations to peace talks, calls upon donor countries to provide financial and technical assistance to women involved in peace processes, including training in mediation, advocacy, and technical areas of negotiation, as well as providing support and training to mediators and technical teams on the impact of women's participation and strategies for women's effective inclusion, further encourages the meaningful participation of civil society organizations at international and regional peace and security meetings, as appropriate, including donor conferences to help ensure gender considerations are integrated in the development, prioritization, coordination, and implementation of policies and programmes, and encourages the hosts of such meetings to give due consideration to facilitating a cross representation of civil society participants;

5 (c) Expresses its intention to invite civil society, including women's organizations, to brief the Council in country-specific considerations and relevant thematic areas, as well as the Under-Secretary-General/Executive Director of UN-Women and the Under-Secretary-General/Special Representative of the Secretary-General on Sexual Violence in Conflict to brief more regularly on country situations and relevant thematic areas of work on its agenda including on matters of urgency for women and girls in conflict and crisis;

6. Expresses its intention, when adopting or renewing targeted sanctions in situations of armed conflict, to consider designating, as appropriate, those actors, including those in terrorist groups, engaged in violations of international humanitarian law and violations and abuses of human rights, including sexual and gender-based violence, forced disappearances, and forced displacement, and commits to ensuring that the relevant expert groups for sanctions committees have the necessary gender expertise;^f

11. Emphasizes the important role that can be played by women, civil society, including women's organizations, and formal and informal community leaders in exerting influence over parties to armed conflict with respect to addressing sexual violence;

Security Council Resolution 1889 (2009)

Noting that despite progress, obstacles to strengthening women's participation in conflict prevention, conflict resolution and peacebuilding remain, expressing concern that women's capacity to engage in public decision making and economic recovery often does not receive adequate recognition or financing in post-conflict situations, and underlining that funding for women's early recovery needs is vital to increase women's empowerment, which can contribute to effective post-conflict peacebuilding,

Noting that women in situations of armed conflict and post-conflict situations continue to be often considered as victims and not as actors in addressing and resolving situations of armed conflict and stressing the need to focus not only on protection of women but also on their empowerment in peacebuilding,

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

(i) mobilize women, men, girls and boys of all ages and diverse backgrounds as equal partners together with all relevant actors in participatory assessments to ensure their protection concerns, priorities, capacities and proposed solutions are understood and form the basis of protection strategies and solutions;

(k) Strengthen women's leadership, including by enhancing their representation and meaningful participation in displaced community and camp management committees, in decision making, and in dispute resolution systems, by enhancing their access to and control over services and resources, promoting their rights and leadership skills and supporting implementation of UNHCR's Five Commitments to Refugee Women;

GC18

UN General Assembly, 70/138 The girl child- 2016

Deeply concerned about the serious social problem of child-headed households, in particular those headed by girls, which may result from the death of parents and legal guardians and other economic, social and political realities, and that the impact of the HIV and AIDS epidemic, including illness and mortality, the erosion of the extended family, the exacerbation of poverty, unemployment and underemployment and migration, as well as urbanization, have contributed to the increase in the number of child-headed households,

Deeply concerned further that despite its widespread practice, child, early and forced marriage is still underreported, recognizing that this requires further attention and that child, early and forced marriage exposes the girl child to greater risk of HIV and sexually transmitted infections, often leads to premature sexual relations, early pregnancy and early childbearing and increases the risk of obstetric fistula and high levels of maternal mortality and morbidity, and furthermore entails complications during pregnancy and childbirth, which often lead to disability, stillbirth and maternal death, particularly for young women and girls, which require appropriate prenatal and postnatal health-care services for mothers, including in the area of skilled birth attendance and emergency obstetric care, and noting with concern that this reduces girls' opportunities to complete their education, gain comprehensive knowledge, participate in the community or develop employable skills and is likely to have a long-term adverse impact on their employment

opportunities, their quality of life and that of their children, and violates and impairs the full enjoyment of their human rights,

UNHCR policy on refugee protection and solutions in urban areas- 2009

36. In urban settings, the AGDM approach may have some specific characteristics and implications. For example, while young refugee men are not normally considered to be particularly vulnerable, those who work illegally and in the informal sector of cities and towns may be at particular risk of detention, deportation, exploitative and hazardous employment. Refugee women and girls may also be threatened if steps are not taken to address the diminished role and self-esteem of men when they lose their role as family breadwinner.

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

(p) promote respect for women's and girls' equal rights to make a free and informed choice to return voluntarily and to their equal access to land and property in the country of origin, and incorporate measures to ensure adequate ongoing assistance and support in the country of origin for those at risk into tripartite voluntary repatriation agreements;

GC19

UN General Assembly, 70/138 The girl child- 2016

25. Urges all States and the international community to respect, promote and protect the rights of the girl child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations and in climate related and other hazards and natural disasters, as well as in other humanitarian emergencies, all of which may result in the creation of child-headed households, and also urges States to take special measures for the protection of girls in all phases of humanitarian emergencies, from relief to recovery, and in particular to ensure that children have access to basic services, which include clean water, including safe drinking water, sanitation and hygiene, to protect them from sexually transmitted infections, including HIV infection, gender-based violence, including rape, sexual abuse and sexual exploitation, torture, abduction and trafficking, including forced labour, paying special attention to refugee and displaced girls, and to take into account their special needs in disarmament, demobilization, rehabilitation assistance and reintegration processes

CEDAW General recommendation No. 27 on older women and protection of their human rights- 2010

18. Older women with refugee status or who are stateless or asylum-seekers, as well as those who are migrant workers or internally displaced, often face discrimination, abuse and neglect. Older women affected by forced displacement or statelessness may suffer from post-traumatic stress syndrome, which may not be recognized or treated by health-care providers. Older refugee and internally displaced women are sometimes denied access to health care because they lack legal status or legal documents and/or are resettled far from health-care facilities. They may also experience cultural and language barriers in accessing services.

UNHCR policy on refugee protection and solutions in urban areas- 2009

48. Second, UNHCR will provide appropriate facilities in the waiting rooms and reception areas that are established in urban areas. Such facilities will include access to clean drinking water and bathrooms, adequate shade or heat, and special facilities for people with disabilities and women, especially pregnant and lactating mothers. UNHCR will engage with UNICEF in the establishment of child-friendly spaces in reception areas.

Agenda for Protection 2003

7. Achievement of self-reliance for refugees

In this regard also, UNHCR and States to look at relief-substitution strategies, tapping in particular the resourcefulness and potential of refugee women, in an effort also to avoid the serious protection problems, including sexual and gender-based violence, which can result from over-dependency and idleness

States, UNHCR and humanitarian partners to ensure that refugees, particularly refugee women and adolescents, and host communities themselves, participate in the design and development of self-reliance programmes.

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

(k) strengthen women's and girls' capacities, including by enabling their access to quality education, including secondary education, in safe school environments and by enhancing food security, livelihood opportunities, freedom of movement and economic independence, including where appropriate through access to labour markets; and

(o) strengthen identified individuals' access to education, vocational training and recreational programmes with childcare and promote community-based livelihood strategies which target women and girls at risk, especially in prolonged displacement situations.

GC20

UN General Assembly, 32/19. Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls- 2016

17. Recognizing that violence against women and girls is rooted in historical and structural inequality in power relations between women and men, and that all forms of violence against women and girls constitute a major impediment to their full, equal and effective participation in society, the economy and political decision-making,

CEDAW General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations (2013)

55. Refugee women have different and additional needs to men owing to their experiences as refugees. Refugee women face similar assistance and protection concerns to internally displaced women and could therefore benefit from similar gender-sensitive interventions to address their needs. The Committee acknowledges the diversity within these groups, the particular challenges that they may face and the legal, social and other implications of the context of their internal or external displacement, the gaps in the international assistance provided to them and the need for responses targeted to their needs.

56. Searches for durable solutions following conflict-related displacement frequently exclude the perspective of displaced women, either because they rely on decision-making by a family member or community in which women's voices are marginalized or because durable solutions are set as part of post-conflict processes that exclude women. In addition, female asylum seekers from conflict-affected areas can face gendered barriers to asylum, given that their narrative may not fit the traditional patterns of persecution, which have been largely articulated from a male perspective.

Security Council Resolution 1960 (2010)

Recalling that international humanitarian law affords general protection to women and children as part of the civilian population during armed conflicts and special protection due to the fact that they can be placed particularly at risk

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

Acknowledging that, while forcibly displaced men and boys also face protection problems, women and girls can be exposed to particular protection problems related to their gender, their cultural and socio-economic position, and their legal status, which mean they may be less likely than men and boys to be able to exercise their rights and therefore that specific action in favour of women and girls may be necessary to ensure they can enjoy protection and assistance on an equal basis with men and boys,

UNHCR Handbook for the Protection of Women and Girls- 2008

Women and girls may oppose social norms which violate their rights in numerous ways depending on the society in which they live. They may, for instance, wish

- to continue their education;
 - not to marry, including not wishing to enter into a polygamous marriage;
- to divorce or leave their husband;
- not to conform to traditional dress codes;
- not to submit to traditional practices, such as female genital mutilation or
- early or forced marriage;
- to prevent their daughters from being subjected to violations of their rights;
- or
- to have a relationship with someone of the same sex.

Adopting such positions and taking such action can call into question stereotypes about gender roles in a particular society. As a result women and girls asserting their right to make such choices may face discrimination, ostracism, persecution, including exposure to SGBV, and even death.

GC21

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

(k) strengthen women's leadership, including by enhancing their representation and meaningful participation in displaced community and camp management committees, in decision making, and in dispute resolution systems, by enhancing their access to and control over services and resources, promoting their rights and leadership skills and supporting implementation of UNHCR's Five Commitments to Refugee Women;

GC22

CEDAW General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women

23. The Committee is therefore of the view that States parties have an obligation to ensure that no woman will be expelled or returned to another State where her life, physical integrity, liberty and security of person would be threatened, or where she would risk suffering serious forms of discrimination, including serious forms of gender-based persecution or gender-based violence. What amounts to serious forms of discrimination against women, including gender-based violence, will depend on the circumstances of each case.

24. Articles 1-3, 5 (a) and 15 establish an obligation on States parties to ensure that women are not discriminated against during the entire asylum process, beginning from the moment of arrival

at the borders. Women asylum seekers are entitled to have their rights under the Convention respected; they are entitled to be treated in a non-discriminatory manner and **with respect and dignity at all times** during the asylum procedure and thereafter, including through the process of finding durable solutions once asylum status has been recognized by the receiving State. **The receiving State has a responsibility towards women granted asylum status when it comes to helping them to, among other things, find proper accommodation, training and/or job opportunities, providing legal, medical, psychosocial support for victims of trauma and offering language classes and other measures facilitating their integration.** In addition, women asylum seekers whose asylum applications are denied should be granted dignified and non-discriminatory return processes.

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

(f) provide women and girls at risk with information, counselling, medical and psychosocial care, as well as access to safe houses if they face domestic violence and abuse or attack by other members of the community, especially where there are no mechanisms to remove perpetrators; **provide emergency voluntary relocation, e.g. to another town or camp, or emergency resettlement;**

(p) consider using **special evacuation programmes for internally displaced women and girls at risk**, if necessary, given that resettlement is very rarely available to them;

GC23

Committee on the Elimination of Discrimination against Women (CEDAW) General recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women (2014)

25. Article 2 (c) of the Convention requires that State asylum procedures allow women's claims to asylum to be presented and assessed on the basis of equality in a fair, impartial and timely manner. **A gender-sensitive approach should be applied at every stage of the asylum process.** This means that women's claims to asylum should be determined by an asylum system that is informed, in all aspects of its policy and operations, by **a thorough understanding of the particular forms of discrimination or persecution and human rights abuses that women experience on grounds of gender or sex.** Owing to shame, stigma or trauma, some women may be reluctant to **disclose or identify the true extent of the persecution that they have suffered or fear.** Account needs to be taken of the fact that they **may continue to fear persons in authority or rejection and/or reprisals from their family and/or community.** In any event, they should be entitled to appeal against first-instance asylum decisions.

27. **Harm perpetrated against women and girls is often at the hands of non-State actors, including family members, neighbours or society more generally.** In such cases, article 2 (e) of the Convention requires that States parties assume their due diligence obligation and ensure that women are effectively protected from harm that may be inflicted by non-State actors. It does not suffice to strive for vertical gender equality of the individual woman vis-à-vis public authorities; States must also work to secure non-discrimination at the horizontal level, even within the family. Harm perpetrated by non-State actors is persecution where the State is unable or unwilling to prevent such harm or protect the claimant because of discriminatory governmental policies or practices.²⁴

UNHCR, Resettlement and Women-at-Risk: Can the Risk Be Reduced?- 2013

2. Institute earlier background information sharing to support community education

- Domestic resettlement partners should be provided timely relevant information so that they can better understand the women-at-risk who are being (or going to be) resettled, and to enable them to prepare for and respond to the needs of these women once they arrive.

3. Improve individual case information sharing for women-at-risk

- Women-at-risk cases should be more clearly identified through all steps of the resettlement process – from UNHCR referral through allocations, from allocations through placement.

4. Place women at the center of women-at-risk responses.

In designing program responses for women-at-risk, there should be greater recognition of and response to the specific challenges they face, and approaches developed that allow refugee women to play an active and meaningful role in meeting their own needs

Security Council Resolution 1325 (2000)

Reaffirming the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution, Reaffirming also the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts,

Security Council Resolution 1820 (2008)

Deeply concerned also about the persistent obstacles and challenges to women's participation and full involvement in the prevention and resolution of conflicts as a result of violence, intimidation and discrimination, which erode women's capacity and legitimacy to participate in post-conflict public life, and acknowledging the negative impact this has on durable peace, security and reconciliation, including post-conflict peacebuilding,

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

(p) promote respect for women's and girls' equal rights to make a free and informed choice to return voluntarily and to their equal access to land and property in the country of origin, and incorporate measures to ensure adequate ongoing assistance and support in the country of origin for those at risk into tripartite voluntary repatriation agreements;

GC24

UNHCR Conclusion on Women and Girls at Risk No. 105 (LVII) - 2006

paragraph (p)

Strengthen the use of resettlement as a protection and durable solutions tool for refugee women and girls at risk; enhance identification of refugee women and girls at risk for resettlement, including through training; streamline processing further, including by establishing measures to enable the speedier departure of refugee women at risk and their dependants;

30. In line with the Convention, States parties are required to take proactive measures to ensure that the legally recognized grounds of persecution, including those enumerated in the 1951 Convention relating to the Status of Refugees (race, religion, nationality, membership of a particular social group and political opinion), are given a gender-sensitive interpretation. In addition, gender may be used as a factor in recognizing membership of a particular social group or indeed as an identifying characteristic of such a group for purposes of granting refugee status

under the 1951 Convention. States parties are also encouraged to add sex and or gender as an additional ground for refugee status in their national legislation.

