

Fact Sheet

“Peace Needs Women and Women Need Justice”

Conference on Gender Justice in Post-Conflict Situations 15-17 September 2004, Millennium UN Plaza Hotel, New York City

Co-organizers: United Nations Development Fund for Women (UNIFEM) and International Legal Assistance Consortium (ILAC)

INTRODUCTION

The nature of war has changed. It is being fought in homes and communities in a battle for resources and in the name of religion and ethnicity. Violence against women is used to break and humiliate women, men, families, and communities, no matter which side they are on.

In post-conflict situations, the stark reality is that women are often denied justice. With few exceptions, those who commit heinous crimes against women during wartime are not punished, nor are women granted redress. Accountability for crimes against women means more than punishing perpetrators. It means establishing the rule of law as the cornerstone of peace-building and restoring public trust. It means ensuring that women have full access to the rule of law and that they play a key role in constitutional, legislative and judicial processes.

During a country's transition to peace, particularly in the context of peace negotiations and reconstruction processes, unique opportunities exist for women to participate in developing constitutional, legislative and judicial structures to promote gender equality and justice. Focusing world attention and international resources on gender justice and the role of women in shaping the judicial system as well as peace and reconciliation processes is essential to establish secure, stable and more equitable societies.

UNIFEM AND ILAC HIGHLIGHT NEEDS AND REQUIREMENTS TO ACHIEVE GENDER JUSTICE IN POST-CONFLICT SITUATIONS

An unprecedented conference on gender justice in post-conflict situations, with the theme *“Peace Needs Women and Women Need Justice”*, to be opened by Deputy Secretary-General Ms. Louise Fréchette, will bring together women in key legal/judicial positions from over 12 conflict-affected countries, including Sierra Leone, Timor-Leste, Kosovo, Afghanistan, Liberia, Namibia, Iraq, the Democratic Republic of the Congo, South Africa, Haiti, Burundi and Rwanda. These women will provide first-hand insights to Member States, regional organizations, NGOs, academic institutions, foundations and UN agencies/departments on 1) critical gender justice concerns and requirements in their countries and implementation measures/action needed; 2) best practices that have emerged in the gender justice area in their countries; and 3) how potential international/bilateral partners could best assist with such implementation action needed.

The Conference is a follow-up to the findings of the two UNIFEM-commissioned Independent Experts, Ms. Ellen Johnson Sirleaf and Mrs. Elisabeth Rehn, presented in their report entitled *Women, War, Peace: The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-building*. Discussions will focus on the findings and recommendations on "Justice" as presented in Chapter 7 of the report.

A chief aim of the conference is to listen to the priority needs on gender justice, as articulated by the speakers from the conflict-affected zones concerned, in order to identify specific ways for the international community (eg. Member States, regional organizations, NGOs, academic institutions, foundations and UN partners) to support and provide coordinated assistance to address these needs.

To encourage effective follow-up, Ambassador Marjatta Rasi, Permanent Representative of Finland to the UN, and Ambassador William Luers, President of UNA-USA, will propose the launch of the "*Partners for Gender Justice Initiative*", to be spearheaded by a group of interested Member States (and possibly also regional organisations, NGOs and academic institutions) to support the gender justice agenda and the forging of 'gender justice partnerships' in the context of post-conflict peace-building.

Speakers at the Conference include:

Ms. Louise Fréchette, Deputy Secretary-General of the United Nations

Mr. Mark Malloch Brown, Administrator, United Nations Development Programme

Ms. Noeleen Heyzer, Executive Director, UNIFEM, Co-Organizer

Mr. Christian Ahlund, Executive Director, International Legal Assistance Consortium, Co-Organizer

Ms. Navanethem Pillay, Judge of the International Criminal Court (and formerly President of the International Criminal Tribunal for Rwanda and Judge of the High Court of South Africa), Co-Chair

Ambassador Zeid Ra'ad Zeid Al-Husseini, Permanent Representative of the Hashemite Kingdom of Jordan to the UN, Co-Chair

Ms. Christiane Amanpour, Chief International Correspondent, CNN

Mr. Juan Mendez, President of the International Center for Transitional Justice and Special Adviser to the Secretary-General on the Prevention of Genocide

Mrs. Mary Robinson, Executive Director of the Ethical Globalization Initiative; former President of Ireland; former UN High Commissioner for Human Rights

Mrs. Elisabeth Rehn, Senior Adviser at the Ministry of Foreign Affairs of Finland; former Defence Minister of Finland; former Special Representative of the Secretary-General for Bosnia and Herzegovina; Independent Expert, *Women, War, Peace*

Ms. Ellen Johnson Sirleaf, Chairperson of the Governance Reform Commission of the National Transitional Government of Liberia; former Finance Minister of Liberia; Independent Expert, *Women, War, Peace*

Women in Key Legal/Judicial Positions from Conflict-Affected Countries who will also be speakers include:

Ms. Renate Winter, Judge of the Special Court for Sierra Leone,

Ms. Zelia Trindade, Prosecutor at the Dili Court, Democratic Republic of Timor-Leste

Ms. Nekibe Kelmendi, Member of the Assembly of Kosovo; former Co-Head of the Administrative Department of Justice of the Joint Interim Administrative Structures (JIAS)/United Nations Interim Administration Mission in Kosovo (UNMIK)

Dr. Mahbuba Hoquqmal, State Minister for Women's Affairs of the Afghan Transitional Administration

Counsellor Frances Johnson-Morris, Chairman of the National Elections Commission of the National Transitional Government of Liberia

Justice Laura Augusta Ebunolorun Marcus-Jones, Deputy Chairman of the Truth and Reconciliation Commission for Sierra Leone

Hon. Pendukeni Iivula-Ithana, Attorney General of the Republic of Namibia

Hon. Zakia Ismail Hakki, lawyer and first woman judge in Iraq and the Arab World; General Inspector in the Ministry of Labour and Social Affairs of the Iraqi Interim Government

Hon. Marie –Madeleine Kalala, Minister for Human Rights of the Government of National Unity and Transition of the Democratic Republic of the Congo

Ms. Yasmin Louise Sooka, Director of the Foundation for Human Rights in South Africa

Ms. Adeline Magloire Chancy, Minister of Women's Affairs and Women's Rights of the Transitional Government of the Republic of Haiti

Ms. Domitille Barancira, Lawyer and President of the Constitutional Court of the Republic of Burundi

Ms. Edda Mukabagwiza, Minister of Justice of the Rwandese Republic

Justice Unity Dow, Commissioner of the International Commission of Jurists, appointed as Botswana's first woman Judge of the High Court in 1998

Hon. Netumbo Ndaitwah, Minister of Women's Affairs and Child Welfare of the Republic of Namibia

EXCERPT FROM CHAPTER 7 OF WOMEN, WAR, PEACE ON 'JUSTICE':

RECOMMENDATIONS:

1. To assess the gaps in international and national laws and standards pertaining to the protection of women in conflict and post-conflict situations and women's roles in peace building.
2. States Parties to the Statute of the International Criminal Court to undertake national law reform to ensure compatibility with the Statute as a matter of priority, with particular attention given to the substantive and procedural provisions regarding crimes against women.
3. National legal systems to penalize and remedy all forms of violence against women in conflict and post-conflict situations. Specially trained police units should be established to investigate crimes against women, and law enforcement officials, including judges, police and armed forces, should be sensitized about such crimes. Women's access to justice should be ensured through legal literacy programmes, support services and legal aid.
4. Gender equality to be integrated in constitutional, legislative and policy reforms. The principle of gender should be integrated into all relevant constitutional clauses, reaffirming the principles of non-discrimination, equality, affirmative action, freedom and security. Special attention should be given to family, civil and labour laws and land reform.
5. Rapid establishment by the UN of interim judicial systems capable of dealing effectively with violations against women by family members and society at large. Rape and sexual violence should be addressed by post-conflict truth and justice-seeking mechanisms at national and local levels. The treatment of crimes against women in traditional mechanisms should be consistent with international standards.

[Women, War, Peace is available online at www.unifem.org/index.php?f_page_pid=149. More information on the impact of conflict on women can also be found at www.womenwarpeace.org]