Human Rights Violations on the Basis of Gender and Comprehensive Peace-Building

EXECUTIVE SUMMARY
This paper comes from the need for a better understanding of the state of human rights violations on the basis of gender and its impact on comprehensive peace. While gender-based discrimination prevails in all aspects of political, civil, social, economic and cultural life, this appears to be an apparent pattern of gender inequality with discrimination. Women's experiences through the historical stages indicate that, as long as their circumstances differ politically, economically, socially and culturally from the circumstances of men, in times of peace and in the context of armed conflict. Although the effects are reflected on all of the resulting violations, crimes and humanitarian conditions of the women deprived of their rights are compounded by the procedural, institutional and social barriers of women and girls under conditions that make them vulnerable to exploitation and violence in various forms of human rights violations. These include risks of sexual violence as well as in and outside displacement, such as legal, procedural, institutional, social and practical obstacles exacerbated by structures male leadership and weak design for interventions both within and outside displacement. The legal, social and other effects of women in conflict situations are compounded by the procedural, institutional and social barriers to the passive acceptance of discrimination and past violence in the lives of women and girls in a culture of silence, gaps in assistance to them and the need for specific measures to meet their needs and protection.

The preparation of this policy paper is based on facts and evidence on the issues and needs of women and girls affected by conflict and aims at contributing to ensuring the human rights of women and girls, addressing their protection and assistance needs, and how to address efforts to end violations and in the context of durable solutions. At the same time, it embodies a complementary effort to advocate the need for legal legislation to incorporate protection from violations against women and girls during and after the war. While the paper contains recommendations, messages and practical alternatives within the components of the Women's Leadership for Peace project, which aims to ensure the achievement of the process of building a comprehensive peace sensitive and sensitive to gender in Yemen.

INTRODUCTION
Human rights violations on the basis of gender are the result of the profound impact of the armed conflict on the suffering suffered by women as a result of their dire consequences for their economic, social, cultural, civil and political rights, as well as in the lives of women affected by conflict in displacement and returnees from more complex and critical changes that have intensified the environment of discrimination and violence against women and girls on one hand, and their inability to protect or deal with their needs urgently and on the other. The reality of women affected by conflict during displacement reflects their precarious conditions for unequal access to access to other social, economic and cultural rights, lack of access to basic services, poor reproductive health care, income-generating jobs and training activities. To acquire skills, not to mention their exclusion from decision-making processes, and a situation must be conceived of as difficult for women and girls with special needs «disabled» as a result of the changes and differences of environment and conditions to meet their needs, which are characterized by extreme poverty and the extreme deprivation of women and girls under conditions that make them vulnerable to exploitation and violence in various forms of human rights violations. These include risks of sexual violence as well as in and outside displacement, such as legal, procedural, institutional, social and practical obstacles exacerbated by structures male leadership and weak design for interventions both within and outside displacement. The legal, social and other effects of women in conflict situations are compounded by the procedural, institutional and social barriers to the passive acceptance of discrimination and past violence in the lives of women and girls in a culture of silence, gaps in assistance to them and the need for specific measures to meet their needs and protection.

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(1) The views in the policy paper do not necessarily represent the views of the Youth Leadership Development Foundation and its Partners.
LEGAL BACKGROUND

A number of relevant laws and laws have been enacted or are concerned with the protection of civilians during peace or armed conflicts and beyond, but we need further amendments and legislative and legal proposals in discussing and amending laws or developing new laws that need to be adapted to Arab and international human rights and women’s rights. In accordance with international human rights law and international humanitarian law, to guarantee the promotion and protection of human rights on the basis of gender, including

• Constitution.
• Social Welfare Law No. (31) of the year 1996.
• Republican Decree Law No. (21) of 1998 on Military Offenses and Penalties.
• Law for the care of families of martyrs and activists of the Yemeni revolution No. (5) for the year (1993).
• Labor Law No. (5) for the year 1995
• Law No. (25) for the year 1991 regarding insurance and pensions.

International instruments ratified by or adhered to by Yemen

Universal Declaration of Human Rights
International Covenants (Civil and Political Rights - Economic, Social and Cultural Rights)
International Convention on the Elimination of All Forms of Racial Discrimination
Convention against Torture and Cruel, Inhuman or Degrading Treatment or Punishment
Convention on Consent to Marriage and Minimum Age for Marriage
Slavery Convention
Convention on the Prohibition of Human Trafficking and Exploitation of Others
Fourth Geneva Convention and Protocol II
UN Security Council resolutions on women as in resolution 1325 and the resolutions thereto

CONTEXT

• Gender-based violations, displacement, forced displacement and returnees from displacement, and the inadequacy of assistance and protection suffered by women and girls, are so entrenched that they have not been able to fully address the effects of conflict and to take account of all human rights violations for most women affected by the conflict in general and for women heads of households and people with special needs are interrelated and interrelated in addressing this broader context of human rights violations on the basis of gender in contexts involving violations of all rights, including economic, social and cultural rights.
• The management of priorities for human rights violations in displacement, forced displacement and returnees from displacement requires women and girls affected by the conflict in general, and especially women heads of households, women and girls with special needs, as a result of their changing environment and conditions to meet their needs for many effective interventions and rehabilitation and sustainable reintegration programs are essential to meet emerging and long-term challenges. The Government cannot do this alone, but should work with civil society, actors and international bodies. Women’s organizations have a unique contribution to making and often trust in reaching women affected by conflict, highlighting gender dimensions and the impact of violations on the rights of women and girls, and calling on actors to end discrimination and gender-based violence in situations of displacement and forced displacement returnees and their impacts for evidence-based responses and policy frameworks to increase cooperation in a more holistic and integrated approach.

PROBLEMS AND ITS EFFECTS

(a) INTRODUCTION AND LIMITATION OF PROBLEMS

Armed conflict shows the most egregious and widespread human rights violations, but by making them permissible in war, the exacerbation of gender-based violations, whether by economic, social and cultural rights, civil and political rights, In the situation of women and girls affected by the conflict in general, and in particular the heads of households, women and girls with special needs, “persons with disabilities” as a result of the changes and differences in the environment and conditions to meet their needs, and decreasing damages suffered by them adequately. Thus increasing their risk of being highly vulnerable to various forms of discrimination and violence. Despite efforts, they have been short-lived and have continued to fail to provide the necessary response and meet their own needs and priorities.

Women and girls have been increasingly and deliberately targeted and subjected to various forms of violence, exploitation, abuse, sexual violence, forced marriage, forced divorce, trafficking in women and domestic violence. These violations of human rights are committed on the basis of gender in the absence of national policies and legislation dealing with fair protection, as well as in the absence of the role of security institutions and the judiciary.

The absence of this role led to the exploitation of this vacuum informal frameworks that do not have awareness of the importance of protection for them and lack a methodology to deal with cases of violence based on the nuclear Social, which is reflected in making them commit abuses against women and girls and other forms of violence rights.

(b) AVAILABLE DATA AND INFORMATION ON PROBLEMS
That the rising war in the country now revealed a more tragic picture of women and girls, most notably the loss of their rights, 357 are subjected to displacement and displacement and countless other violations, where women make up about half of the total population of Yemen, about 27 million people, 79% of displaced women and children are based on multi-cluster site evaluations, and this is likely to be increased as continued fighting continues to pose a threat to further displacement.

According to data from the International Organization for Migration (IOM) on the monitoring of the movement of IDPs as of May 6, 2018, 15,357 families had increased by 5,546 families from the last update in April 2018. Although data on displacement movements are available and monitored, there is a lack of immediate, adequate and comprehensive response to the needs of IDPs as reflected by the views of affected women. At the same time, there is no data on the situation of IDPs and the risks they face within the camps, including incidents of sexual harassment and rape and early and forced marriages and forced divorce ... etc.

The rate of violations committed in the family and in particular by the partner is particularly high, accounting for 67% of the total violations monitored. The majority of abuses were abuse, humiliation, insults, discrimination in treatment and physical abuse. Monitoring Report on Violations and Gender-Based Violence - National Commission for Women. The high number of cases of violations indicates the need to address their causes, which are often characterized by conditions of severe displacement and displacement under armed conflict, loss of employment and income sources. At the same time, it is pointed out that programs addressing gender-based violence against married women in particular, and girls in general, should be adopted by the Monitoring of Violations and Gender-Based Violence - National Women's Committee.

Forced displacement was the largest violation of IDPs as a result of the intensification of armed conflict, which forced large numbers of families, including the families of women heads of households, to flee and migrate outside their areas. The protection cluster strategy refers to 0.9 million returnees in 21 governorates, Limited areas of return (not yet a permanent solution) in some areas of Aden, Lahj and the capital Sana'a.

The effects of the economic conflict are reflected in the high rates of poverty among women in particular. In most cases, the loss of the breadwinner has led to the wife becoming the breadwinner and, of course, the number of women breadwinners has increased considerably (exact figures are not available).

According to the Protection Strategy, incidents of gender-based violence have risen markedly since the escalation of the conflict in March 2015, with a 63% increase in gender-based violence reported by the Gender Violence Information Management System and according to reports UNFPA Incidents of gender-based violence have increased by more than 63 per cent over the past two years, putting 2.6 million women at risk of gender-based violence, 1,080 cases of gender-based violence reported in 2016 and 52,000 women subject to sexual violence rape, may face a large proportion of housewives high risk of gender-based in their quest to provide a livelihood for their family violence.

The Humanitarian Response Plan 2018 estimates that 22.2 million people are in need, 11.3 percent of people in dire need of survival assistance now need protection assistance or assistance, including 11.3 million people in dire need, of these people, a very large number of 8.4 million people suffer from acute food insecurity and the threat of famine. More than 2 million people remain displaced. According to international reports and the Humanitarian Response Plan 2018, the total number of persons in need by sex and age group (19,52) are women (17.04) are men (21.14) are girls, (22.57) are Boys.
The conflict has contributed to social and economic challenges along with food insecurity, high levels of malnutrition and increased risk of slippage, especially those vulnerable to the threat of starvation, especially those who are vulnerable and the poorest, including women, who are unable to cope with these worsening crises in their acute living conditions.

According to the Humanitarian Response Plan 2018, 1.1 million pregnant and lactating women suffer from acute malnutrition. An estimated 5.4 million people (not classified by gender) need emergency shelter or basic household needs, including IDPs, host communities and returnees. 6.5 million people live in the worst-affected areas (not classified by gender). There are also around 12.9 million people in need of protection assistance for their safety, dignity and human rights violations of international human rights law, international humanitarian law, gross violations of children's rights and gender-based violence (according to the Humanitarian Response Plan 2018).

The situation of women affected by the conflict in general and in particular those under displacement, forced displacement and returnees has become more vulnerable due to the collapse of living services and the diminishing needs for living and protection, violence or threats of violence. There are groups of women who are particularly vulnerable, Lactating women or women heads of households, and are vulnerable to marginalization, poverty and suffering. This distinction is a key determinant of the vulnerability of women to coping with the risks of emerging challenges.

**The case study draws attention to key points:**

- Gender-based human rights violations are a protracted situation as a result of the armed conflict and its consequences. The impact of the conflict on women and girls, especially for women heads of households, in terms of loss of personal security, family stability and access to rights, and protection to violence and exploitation.
- The change in the roles of women affected by the conflict, which are often not prepared for them, but are forced to do, is to provide support and protection for their families in exceptional and turbulent circumstances, with difficult conditions lacking the obligations of the concerned parties in securing basic needs and services Security, food, health care, safe housing and protection.
- The vulnerability of women heads of household can be assessed more appropriately by reference to needs change, concerns / risks, priorities, responsibilities and adaptation mechanisms, and increased family responsibilities make them vulnerable to various risks while unable to cope with the resulting economic pressures.
- The focus of humanitarian response interventions in assistance and protection has been identified in specific efforts that address specific needs and priorities with the situation of displaced women heads of households.

**IDENTIFYING THE AVAILABLE INFORMATION TO DETERMINE HOW TO DEAL WITH THEM**

- The persistence of armed conflict is one of the challenges that exacerbate violations and exacerbate the pace of their perpetration, opening up significant gaps to discriminatory policies, marginalization and lack of harmonization, if not absence, of remedies.
- Armed conflict has resulted in a further course of violations and has increased with disregard for and protection of human rights. As a result, women affected by conflict in displacement, forced displacement and returnees have again become victims of abuses they cannot prevent. In poverty and denial of social rights in various aspects, to the loss of protection in living with dignity.
- The main problems faced by women affected by armed conflict and its effects remain unresolved; however, the accumulation of economic and social consequences adds new challenges to both sides, displacement, forced displacement and return from displacement, and male dominance.
- Violence against women in wartime and discrimination against them is not linked to peacetime. In addition, violence against women in peacetime is a basis for violence against them in times of conflict. Thus, women affected by conflict are situations that constitute a continuation of violations without adequate protection mechanisms and effective in such a way as to be appropriate to the current situation and able to provide the necessary protection.
- Low protection in national laws and legislation that address gender-related violations in an integrated and comprehensive manner. It does not include all forms of violence against women directly or indirectly. This leads to the failure to give protection to women and girls and to address the gender-based violations that are necessary to ensure their cessation, which in turn affects women's access to opportunities on accessible protection services.
- There are no laws to protect IDPs, especially those dealing with the rights and specific needs of girls affected by the conflict as a result of gender discrimination.
- Because of this serious situation, women have been constrained by the provision of basic services - electricity, water, fuel and food - and therefore the interests and rights of women remain insufficiently protected and need to be further emphasized.
- Absence of justice and increasing violations, while a culture of impunity prevails over violations committed, in particular gender-based incidents of women and girls, which are often absent or underrepresented both in monitoring and documentation or in protection efforts to address such violations.
- The role of the media in the conflict in the recruitment of cases of human rights violations on the basis of gender and even in the violations against women, and the political exploitation of the issues affected by the media.
- The loss of human rights issues among the
CONCLUSIONS AND RESULTS

The paper frankly reflects the fact that human rights violations are gender-based, displacement, forced displacement, returns from displacement, and practices experienced by women and girls. In view of gender discrimination and violence, whose considerations have not yet been fully integrated into protection against human rights violations as one of the factors contributing to silence and systematic disregard, many violations against women have not been recognized as human rights violations because of committed by family members. Such violations are often misunderstood in the context of family relations.

The facts of violations of human rights on the basis of gender can be determined by the nature, nature and extent of the violation, the circumstances in which the violations occurred, the reasons for their occurrence in general, the degrees of discrimination and violence faced by women affected by the conflict. Dealing with the treatment of human rights violations on the basis of gender. It should be based on international human rights norms and standards, fill existing gaps, take into count the experiences of women in recent times and prevent the recurrence of such violations.

There is a need for a multidisciplinary approach involving institutions working in the justice, security, health, labor and media sectors, as well as social areas at all levels. This process is focused on prevention and protection Empowerment.

RECOMMENDATIONS

Ministry of human rights, Ministry of Interior, Ministry of Justice and judicial corporations

1. Stop arbitrary institutional practices against women through the adoption of administrative and administrative sanctions, disciplinary sanctions and the provision of appropriate complaints services.

2. Training members of the security and judicial services in the field of identifying and dealing with threats and violations caused by gender in the centers of the displaced.

3. To receive appropriate management of displacement sites on the challenges of protection, human rights, and taking into account the special needs of women and girls with disabilities and facilitation.

4. Institutionalize interventions designed to protect human rights on the basis of gender, enforce justice and ensure accountability for all violations of human rights and international humanitarian law.

5. Provide effective and timely remedies that address violations directly and ensure appropriate and comprehensive treatment of all violations against women and girls, including violations of fundamental rights, displacement, forced displacement and returnees, and with regard to forced marriage, sexual violence, and violations of economic, social and cultural rights.

6. Encourage oversight of the role of judicial institutions in implementing laws that explicitly criminalize all forms of discrimination and gender-based violence through the training of their employees.

7. Provide assistance in the extraction of necessary documents such as identity documents and birth registration certificates, either because they were not issued, lost or destroyed during the conflict and during displacement, and to facilitate women’s access to them.

8. Ensure that women and girls have the right to demand and ensure redress for gender-based violations and redress for their damage.

9. Take responsibility in developing a mechanism to reduce impunity and prosecute perpetrators of abuses against women and girls, including domestic violence.

10. Establish special units in all places of displacement, where women responsi-
MOTHERHOOD AND CHILDHOOD
WOMEN’S ORGANIZATIONS AND THE SUPREME COUNCIL FOR

MINISTRY OF HEALTH, SPECIALIZED BODIES, CIVIL SOCIETY ORGANIZATIONS AND SUPPORTING DEPARTMENTS
Provision of medical and psychosocial support and assistance in providing information on access to health care and health services for displaced women, forced displacement and returnees, and taking into account their immediate and free access to health, such as reproductive health care and appropriate counseling.

THE SUPREME COUNCIL FOR WOMEN – THE NATIONAL COMMITTEE FOR WOMEN – CIVIL SOCIETY ORGANIZATIONS, WOMEN’S ORGANIZATIONS AND THE SUPREME COUNCIL FOR MOTHERHOOD AND CHILDHOOD
1. To develop a national plan for the implementation of resolution 1325 to put an end to violations of human rights on the basis of gender during war and armed conflict and beyond, pursuant to constitutional rights, international human rights instruments and instruments «International human rights law and international humanitarian law».
2. Develop a national policy and strategy in gender-based discrimination and violence.
3. Activation of monitoring and evaluation units in the various sectorial bodies. These units shall evaluate programs, projects and actions taken in the framework of eliminating discrimination and violence against human rights violations on the basis of gender.
4. Review existing legislation to eliminate women, including discrimination against women, especially in matters of personal status related to marriage, divorce, custody of children, maintenance, nationality and inheritance.
5. Continue work on combating violence against women and enact the Protection from Domestic Violence Act.
6. Take additional efforts to address gender-based violence, including systematic monitoring and documentation surveys to highlight the extent, magnitude and impact of violations and to communicate results to policymakers.
7. To harmonize national legislation, international conventions, international conventions and reports, or to enact new legal legislation to address human rights violations on the basis of gender, and to ensure that all measures are taken to ensure the effective implementation of these laws.
8. Pressure to adopt immediate action aimed at prevention and protection from exploitation and violence, as well as providing complaints and reporting mechanisms against all threats and harassment faced by women and girls at all displacement and returnee sites.
9. To work hard and purposefully to take effective and effective steps in adopting campaigns of change in the reorganization of social and family relations to ensure that violations of human rights on the basis of gender are minimized in the creation of a secure society in which everyone lives in peace and a decent life and justice and equality.
11. Combine governmental efforts with civil society organizations to launch public awareness about gender-based violations of human rights and their protection in displacement, forced displacement and returnees.
12. Focus work to raise awareness and commitment to take all necessary legislative, executive and judicial measures to stop violence against women and gender.
13. To continuously assess the current solutions and actions of humanitarian assistance and protection interventions in terms of their effectiveness or success to improve policies and programs that take into account all aspects of addressing the particular needs of women affected by the conflict in general and in displacement sites, Special Needs.
14. Public awareness on the rights of displaced and forcibly displaced persons and the rights of returnees to displacement and responsibilities to protect these rights from violations and potential risks of discrimination and gender-based violence.

1. Complete the establishment of a special unit in each police station, where women responsible for gender-based violence complaints will be employed.
2. Establish a coordination mechanism that encourages partnership and exchange of data and information between government institutions and civil society organizations, including women’s organizations.
THE MINISTRY OF PLANNING AND INTERNATIONAL COOPERATION

1. To lead the coordination of all activities within the humanitarian and development community to ensure a comprehensive approach that avoids duplication of efforts in relief and reaches women affected by conflict, including women heads of households and people with special needs in areas of displacement and returnees.

2. Adopt and implement programs and projects that support women affected by conflict, especially women heads of households in the areas of livelihood, education and economic empowerment as a priority in humanitarian response interventions.

3. Work to address the issues of internal displacement at all stages in accordance with the implementation of the National Policy for the Treatment of Internal Displacement 2013. Adapting a re-examination in response to addressing issues of discrimination and gender-based violence.

4. Integrate considerations of addressing human rights violations on the basis of gender in all development cooperation policies.

5. Encourage accountability systems to assess interventions for humanitarian response programs and projects in assisting and protecting against gender-based human rights violations in meeting the needs and priorities of women and girls affected by conflict in general, and in particular for families, women and girls with special needs as a result of Which the environment and conditions change to meet their needs.

MINISTRY OF AWQAF AND GUIDANCE AND RELIGIOUS INSTITUTIONS

Dissemination of religious discourse in public awareness on the rights of displaced and forcibly displaced persons and the rights of returnees from displacement and responsibilities to protect these rights against violations and potential risks of discrimination and gender-based violence.

INTERNATIONAL BODIES AND UNITED NATIONS AGENCIES AND UN WOMEN AND INTERNATIONAL NGOs WORKING IN YEMEN

Humanitarian plans and programs and early recovery should be fully sensitive to prioritizing women's needs, taking into account the changing circumstances of their lives and experiences, and by designing specific interventions that enhance women's economic empowerment, especially for women heads of households that find alternative sources of livelihood because family survival has become highly dependent on them. Job creation is a top priority for women affected by conflict in post-conflict, and it is imperative.

- To provide the humanitarian assistance needs of women affected by long-term comprehensive strategies in support of socio-economic rights to strengthen their roles of leadership and participation, in accordance with durable solutions that contribute to empowering them by choosing a durable solution that best suits their needs and puts them in a better and more appropriate situation.

- Ensure safe and unhindered access to humanitarian assistance to women and girls while addressing the specific risks of different groups of displaced and returnee women who are exposed to multiple and interrelated forms of discrimination and violence, such as women with disabilities, older women, girls, widows and women and their families, pregnant women and rural women and meet their special needs.

THE MEDIA

- Public awareness on the rights of displaced and forcibly displaced persons and the rights of returnees to displacement and responsibilities to protect these rights from violations and potential risks of discrimination and gender-based violence.

- Raise the active role of the media in raising awareness about gender-based violations. And focus on the situation of women affected by the conflict, especially the families of families in displacement, forced displacement and returnees from displacement.

- Raise awareness of the national policy to address internal displacement of 2013, guidelines for hosting sites for IDPs in Yemen and commitments in their implementation.

NEW AND EMERGING STRUCTURES

Address gender discrimination and violence policies and provide better opportunities for women to participate fully in formal and informal initiatives in the process of forming and implementing procedures for their functions and encouraging the leadership of women affected by conflict to local initiatives, particularly at displacement and returnee sites.

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About YLDF:
Our vision is to increase youth participation in social, political and economic aspects of society through systematic training and education in vocational, communication, leadership and soft skills in order to bring them in the main stream to respond to community and labor mark.