

# Gender aspects of internal displacement

## What is gender?

Very often, the words “gender” and “sex” are used in a similar way. This is despite the fact that they have different meanings.

**Gender** refers to the female and male roles within a given culture. **Gender** refers to socially constructed roles of women and men ascribed to them on the basis of their **sex**, whereas the term “**sex**” refers to biological and physical characteristics.

The vast majority of people displaced due to conflict in the world are women and children, and most of them come from traditional agrarian societies where gender roles are highly differentiated and where discrimination against women is widespread. Gender is about how power is used and shared. In many countries, women tend to be less educated, have less experience dealing with authorities, have access to fewer economic resources and have more restrictions on their mobility than men. Gender changes over time and is different depending on the culture.

## Gender and internal displacement

Conflict and displacement often have a great impact on gender roles both in the short and in the long term.

- Gender roles change rapidly in times of conflict
- Gender identities influence needs and roles in times of crisis

More specifically, this impact can be:

### **Short term**

- Separation of families and increased vulnerability of women (rapes, lack of access to food).
- Lack of education, particularly for girls.
- Men subject to conscription into military and militias: girl children abducted as messengers, ‘wives’ and sex slaves and scouts for military groups; women may join the military.

### **Longer term**

- Demographic profile changes: in armed conflict situations, more women than men may survive.
- Changes in labour division between men and women: men may lose their jobs and feel frustrated as a result of the loss of their roles as breadwinners, while women may be forced to assume responsibilities previously held by men following the separation of families, the killing of relatives and the destruction of homes. These changes can be long term or even permanent.
- Women’s vulnerability to sexual exploitation, domestic violence and rapes increases as gender roles shift.
- Increased political participation and organisation: women in particular gain greater confidence and see the benefits of working with other women.

One of the most well-known impacts of conflict is the prevalence of gender-based violence (GBV). GBV is a common feature of internal displacement.

## Definition of Gender-Based Violence (GBV)

“Gender-based violence is an umbrella term for any harm that is perpetrated against a person’s will; that has a negative impact on the physical or psychological health, development, and identity of persons; and that is the result of gendered power inequities that exploit distinctions between males and females, among males and among females. Although not exclusive to women and girls, GBV principally affects them across all cultures. Violence may be physical, sexual, psychological, economic or sociocultural. Categories of perpetrators may include family members, community members, and those acting on behalf of or in proportion to the disregard of cultural, religious, state, or intrastate institutions.”

Jeanne Ward, *If Not Now, When?, Addressing Gender-based Violence in Refugee, Internally Displaced, and Post-Conflict Settings*, the Reproductive Health for Refugee Consortium, New York, April 2002, pp8-9

**Gender-based sexual violence** has become a weapon of war, often conducted on a massive scale. Such violence is frequent in countries where total impunity of perpetrators is the rule, following the collapse of police and legal systems and the total chaos inherent to war. Gender-based sexual violence can consist of rape, forced impregnation, forced abortion, trafficking, sexual slavery and the intentional spread of sexually transmitted infections (STIs), including HIV/AIDS, etc.<sup>1</sup>

Gender-based violence is often used to demonstrate the power of the winning side and as a tool of psychological warfare to spread terror and panic in the enemy. GBV is also used to dehumanise the enemy, i.e. to show that they are not worthy of civilised treatment. It attacks the masculine self-belief of the “losing” males, who can no longer protect their women while isolating the women victims, or is even used to punish women depicted as “traitors”. It has also been used to destroy another ethnic group by eliminating women, or having them give birth to children of mixed ethnicity, who in turn are likely to be outcasts.

## Changing roles due to displacement is not always negative

While much of the impact of conflict on gender roles is negative, there are also opportunities for change created by crisis situations, which may lead to the re-making of roles and opportunities, particularly for women. In an effort to survive during a conflict, women often engage in trade and other economic activities which may give them more control, autonomy and status at both household and community level. Women have key roles as actors, as sources of community opinion and leadership, as partners in programme design, as economic forces in their communities and as providers of services.

Humanitarian agencies can help enhance and protect these opportunities and gains, particularly in the post-conflict phase where there may be a tendency to revert to tradition and new constraints imposed. But they need to know how conflict and displacement have impacted traditional gender roles in order to respond accordingly.

<sup>1</sup> United Nations, *Women, Peace and Security*, Study submitted by the Secretary-General pursuant to Security Council resolution 1325, 2002, p2

## Gender and the rights-based approach

Protecting the rights of displaced men and women is at the heart of the humanitarian response. Their rights are enshrined in bodies of law, mainly international human rights law and humanitarian law. UN mechanisms, such as Special Rapporteurs and UN Resolutions also aim to protect the rights of the displaced. This brief section will focus on a few legal documents and mechanisms which specifically promote equality between men and women in times of conflict.

### *Human Rights Law*

Most of the provisions in human rights treaties are gender neutral – they apply to all. In spite of this, men and women are not always able to exercise their human rights equally for the reasons we have seen previously. The promotion and protection of women's human rights has therefore been the subject of a lot of discussion as well as standard-setting in recent years. The most important one is the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979. CEDAW requires state parties to:

- Eliminate all forms of discrimination against women in the political, social, cultural, civil or any other field;
- Eliminate discrimination in the public and private spheres;
- Eliminate discrimination in customs and practice.

Agencies working with internally displaced people in various cultural settings must be prepared to address misconceptions regarding cultural practices when dealing with issues such as those in the cases mentioned above. Agencies and their staff should bear in mind that one of the founding principles of human rights law is that it is not culturally relative, but that basic human rights are universally applicable as a matter of law. It should be emphasised that culture should never be used to suppress or harm another individual.

The Optional Protocol to CEDAW, 1999, enables individuals to raise complaints with the UN Committee for CEDAW and the Committee to probe into violations of human rights in member states.

### *Humanitarian Law*

The 1949 Geneva Conventions and their two Additional Protocols of 1977 implicitly and explicitly condemn rape and other forms of sexual violence as serious violations of humanitarian law in both international and internal conflicts. Through its prohibition of "outrages upon personal dignity, in particular humiliating and degrading treatment," Common Article 3 implicitly condemns sexual violence.

The statute of the new International Criminal Court of 1998 (art 7) designates rape, sexual slavery and forced prostitution as war crimes and crimes against humanity. For the first time, gender-based persecution is considered a crime against humanity. The ICC can now judge the authors of these crimes in international armed conflict as well as non-international conflicts.

### *The UN Guiding Principles on Internal Displacement*

The Guiding Principles generally apply to women as well as to men, and underline the need not to discriminate on basis of ethnic origin, gender, etc (GP 4.1). But the Guiding Principles also offer an explicit protection to women. GP 4.2 states for example that "children, expectant mothers, mothers with young children, female heads of household, [...] shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs."

Explicit provisions in favour of displaced women are guided by two core issues: first, to safeguard them from gender-specific violence (GP 11), and second, to uphold their rights to equal access and full participation in assistance programmes (GP 4, 7, 18, 19, 20, 23).

#### **Gender-specific provisions of the Guiding Principles**

- **4.1** *No discrimination* against IDPs on the basis of sex
- **4.2** *Protection and assistance* to female heads of household and expectant mothers
- **7.3.d** In cases other than the emergency phases of a conflict, governments will try to *involve affected women in the planning and management of their relocation*
- **11.2.a** *Protection against gender-specific violence*
- **18.3** *Full participation of displaced women* in the distribution of basic supplies
- **19.2** Special attention to the *health needs of women*, including access to female health care providers and services, and counselling for victims of sexual abuses
- **20.3** *Equal rights for women and men to obtain documents* such as personal identification documents, birth and marriage certificates, in their own names
- **23.3** Special efforts to ensure the full and equal *participation of women* and girls in education programmes
- **23.4** Make *education and training facilities* available to IDPs, especially adolescents and women, whether or not living in camps

## **UN resolutions and mechanisms to promote gender equality during conflict**

In addition to promoting the development of a legal framework, the United Nations has passed a series of resolutions to promote gender equality, and has appointed Special Rapporteurs on women in armed conflict and on IDPs. The United Nations also created an organ devoted to gender equality, the UN Development Fund for Women (UNIFEM) and increasingly, UN agencies establish gender focal points to ensure the mainstreaming of gender issues in their programmes. The information below highlights some of the major steps undertaken by the UN to promote gender equality in conflict situations.

### ***UN SC 1325 Resolution (October 2000)***

Over the past years, the Security Council has increasingly focused its attention on issues related to the protection of civilians during armed conflict, as well as the prevention of armed conflict. UN SC 1325 Resolution stressed the need to address gender issues in all peacebuilding and peacekeeping efforts, and the importance of women's equal participation in all efforts to maintain peace, and to resolve conflicts.

### ***UN Special Rapporteur (SR) on Violence against Women***

In 1994, the United Nations Commission on Human Rights appointed a Special Rapporteur on violence against women, its causes and consequences. From the beginning of her work, the Special Rapporteur indicated that "all violations of the human rights of women in situations of armed conflict, and in particular, murder, systematic rape, sexual slavery and forced pregnancy ..." would be covered by her mandate.<sup>2</sup>

Her role is to approach the problem of violence against women from a human rights perspective, receiving allegations from victims globally and intervening systematically in response to cases of individual violations. She also seeks to study different aspects of the broader problem and, in this

<sup>2</sup> Preliminary report of the Special Rapporteur on violence against women, its causes and consequences (E/CN.4/1995/42), para. 7.

regard, has reported to the Commission on Human Rights on violence against women in situations of armed conflict.

## A gender-inclusive response

In practice, the following steps can be promoted to make sure that both the needs of women and men are taken into account:

- Involve both men and women in the planning of their assistance and protection;
- Ensure that the collection of data on the numbers and conditions of the displaced is disaggregated by gender and age;
- Organise the timing and location of programmes to accommodate women's role as care-givers;
- Use female personnel when working with women;
- Make sure that women can register independently;
- Ensure that during programme implementation, women have equal access to all forms of assistance, such as social, psychological and legal assistance, as well as micro-credit projects;
- Collaborate with other national bodies and organisations working to strengthen women's participation and advocacy, and facilitate the creation of women's groups;
- Ensure the needs of both displaced men and women are included in national policy/programmes;
- Provide gender training to all officials working with the displaced.

### ***Specific steps to stop gender-based violence and to prevent further abuses***

- Set up confidential reporting mechanisms for abuse;
- Share the information you receive only with those who need to know, with the explicit consent of the survivor. Those with whom the information might be shared include the police, medical personnel, officers of agencies with a protection mandate such as UNICEF, UNHCR, Ministry of Social Welfare.
- Provide access to reproductive health services and psycho-social support, making sure that health services providers have expertise in GBV and HIV/AIDS.
- Direct the survivor to appropriate legal assistance to prosecute perpetrators.
- Develop a code of conduct to prevent sexual violence by humanitarian staff; make sure it is implemented and that all agencies and NGOs working with IDPs follow a similar code.

## Resources

Inter-Agency Standing Committee (IASC), **Gender and Humanitarian Resource Kit**, March 2001 <http://www.reliefweb.int/library/GHARKit/>

IRIN, **Web Special on violence against women and girls during and after conflict**, September 2004

<http://www.irinnews.org/webspecials/GBV/default.asp>

E. Mooney, **Internal Displacement and Gender, Notes for Presentation by Erin Mooney, OHCHR to Humanitarian Principles Workshop: Focus on a Child Rights Approach to Complex Emergencies and Internal Displacement**, 1 October 1998

[http://www.reliefweb.int/library/documents/Internal\\_Displcmt\\_Gender.htm](http://www.reliefweb.int/library/documents/Internal_Displcmt_Gender.htm)

UNDP, **Gender Approaches in Conflict and Post-Conflict Situations**, January 2003

<http://www.undp.org/erd/ref/gendermanualfinal.pdf>



UN High Commissioner for Refugees (UNHCR), **Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response**, May 2003

<http://www.reliefweb.int/w/lib.nsf/WebPubDocs/AA37DF44415336E6C1256D65002E372E?OpenDocument>

J. Ward, **If Not Now, When?, Addressing Gender-based Violence in Refugee, Internally Displaced, and Post-Conflict Settings**, the Reproductive Health for Refugee Consortium, New York, April 2002

[www.reliefweb.int/w/rwb.nsf/6686f45896f15dbc852567ae00530132/40b847015485b34749256bfe0006e603?OpenDocument](http://www.reliefweb.int/w/rwb.nsf/6686f45896f15dbc852567ae00530132/40b847015485b34749256bfe0006e603?OpenDocument)

B. Woroniuk, **Gender Equality and Humanitarian Assistance: A Guide to the Issues**, Canadian International Development Agency (CIDA), November 2003

[http://www.reliefweb.int/w/lib.nsf/LibDocsByKey/LHON-5VNH8Z/\\$FILE/CIDA\\_Gender\\_nov2003.pdf?OpenElement](http://www.reliefweb.int/w/lib.nsf/LibDocsByKey/LHON-5VNH8Z/$FILE/CIDA_Gender_nov2003.pdf?OpenElement)