



## **Economic and Social Council**

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### **Commission on the Status of Women**

#### **Fifty-seventh session**

4-15 March 2013

**Follow-up to the Fourth World Conference on Women and  
to the special session of the General Assembly entitled  
“Women 2000: gender equality, development and peace  
for the twenty-first century”: implementation of strategic  
objectives and action in critical areas of concern and  
further actions and initiatives**

### **Statement submitted by Norwegian Refugee Council, a non-governmental organization in consultative status with the Economic and Social Council**

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



## **Statement**

### **Background**

Gender-based violence or violence against women continues to be one of the key protection challenges in humanitarian situations. Despite a series of Security Council resolutions addressing women and peace and security and gender-based violence and despite increased public attention, the threats faced by women and girls in crisis have not lessened. There are continuing reports from the Democratic Republic of the Congo with shocking descriptions of mass rape. During the Arab Spring, there were consistent stories about women who had joined men on the front lines of protests being singled out, arrested and raped by the same soldiers and police who were supposed to patrol the streets to make them safer. During the recent famine and civil war in Somalia, women and girls fleeing from hunger and violence were kidnapped, raped and sometimes killed on their way to seek refuge in Kenya or Ethiopia. Inside the camps, the violence continues owing to lack of physical protection such as safe shelter, fences and lockable doors. Refugee women are assaulted when collecting water and firewood and accessing sanitation and hygiene facilities and when making an effort to generate an income to provide for their families.

Every new conflict and displacement situation in the past few years has brought with it countless stories of discrimination, violence and abuse against women and girls. Although it is difficult to obtain reliable figures, there is little sign that the situation of displaced women and girls has improved. The lack of effective action has inevitably led to an increased concern among humanitarian aid agencies about the extent of violence against women and girls in conflict, post-conflict and displacement settings and the impact this has both at the individual level and on society at large. It is clear that in many conflict-affected settings across the world, programming efforts are grossly inadequate when compared to the magnitude of the problem.

### **Addressing gender inequality and violence against women in conflict and post-conflict settings: keeping the focus on women and girls**

It is against this backdrop that Norwegian Refugee Council has decided to place increased focus on addressing violence against women and promoting gender equality. Norwegian Refugee Council is an independent humanitarian organization working with people affected by displacement mainly as a result of conflict. Its work focuses on the provision of shelter, ensuring access to potable water and adequate sanitation, increasing access to appropriate education services and ensuring immediate and longer-term food security and access to justice, all with the aim of ending displacement as rapidly as possible and promoting durable voluntary solutions.

During the past few years, a concerted effort has been made to ensure that gender analysis is used in understanding the context and in developing programmatic responses as a means to promote equality in access to protection and assistance. Some capacity has been built and awareness raised around the issue of gender-based violence and the importance of preventing such violence from happening. The principle of “Do no harm” must be a minimum expectation for all humanitarian actions; however, there is often insufficient awareness about what is

required to ensure this, and there are cases where women and girls in particular are placed at greater risk through activities implemented by well-meaning humanitarian actors.

Norwegian Refugee Council is constantly confronted with violence against women and girls and has developed programmes in various settings. It now aims to develop greater competence in designing and implementing effective responses to address violence against women in situations where gaps exist and additional actors are needed. Mindful of the potential harm that can be caused through piecemeal approaches to this issue, the Council is piloting different sets of activities to develop its capacity for a multisectoral response to survivors of violence. While the focus remains on women and girls who, as a class, are systematically denigrated in situations where law and order diminish, it is important that men be involved in community mobilization and other efforts to change attitudes and behaviour patterns and reduce the perpetration of violence. In the past few years, there has been increased focus on men as victims of sexual violence. While this is certainly a problem that needs to be addressed, it is important that this not take away attention and resources addressing discrimination and violence against women and girls. The Council firmly believes that the vast majority of incidents of conflict-related sexual violence are committed against women and girls, with men as perpetrators. The Council believes that the focus of interventions to prevent and respond to gender-based violence should thus remain on women and girls.

#### **Impact of land tenure insecurity and lack of access to land on displaced women**

One of the focus areas of the Council's information, counselling and legal assistance programmes is land tenure security. The Council is considered one of the leading organizations in housing, land and property issues in displacement situations. It advocates for tenure security and works through both formal court systems and customary dispute resolution bodies. An issue of particular concern is the challenge faced by displaced women in exercising their housing, land and property rights. There are significant information gaps with respect to the impact of conflict and displacement on women's access to housing, land and property and on their tenure of security. There is a legitimate concern that both formal court systems and customary dispute resolution mechanisms discriminate against women and a fear that initiatives that seek to redress housing, land and property issues often end up cementing or even exacerbating patterns of discrimination against women. In addition, women's tenure insecurity greatly affects their ability to access assistance, develop viable livelihoods and attain durable solutions.

Displaced women are particularly vulnerable to gender-based violence since they no longer enjoy the protection afforded by homes and communities. The loss of tenure security, assets and income is linked to survival strategies that increase exposure to violence and exploitation. Women face specific housing, land and property challenges in all phases of displacement, including during return and reconstruction. For example, when women return as widows to land that originally belonged to the family, they are often prevented from using it since they do not hold a right to the land as an individual. Instead, their access to land is dependent on rights held by their husbands or fathers, leaving them exposed to landlessness and homelessness when their husbands or fathers pass away. In cases where land is administered and regulated under statutory law, names of women are often left off the title deeds; this can be a significant problem if they return to find the land

occupied by someone else, since it is extremely difficult for women to prove their right to the land. In many countries, women have equal rights by law; however, this is not implemented and women continue to suffer disproportionately.

Norwegian Refugee Council believes that it is of vital importance that more information be collected on the interlinkages between lack of tenure security and women's vulnerability and violence against women, since currently the evidence is anecdotal. In line with this objective, the Council's long-standing experience in supporting displaced women's tenure security through information, counselling and legal assistance programming will form the basis of a report on displaced women's housing, land and property rights (to be issued on 8 March 2013). The report will include an analysis of the centrality of women's tenure security in gender-based violence prevention and response. The report's qualitative methodology entails legal aid case analysis and trend identification complemented by research on specific aspects of displaced women's housing, land and property rights in the following countries where the Council operates: Afghanistan, Colombia, Lebanon, Liberia, occupied Palestinian territories and South Sudan.

### **Building capacity at the grass-roots level**

Civil society organizations (especially women's groups) are uniquely placed to bridge gaps between global policy and local realities. Local women's groups often hold unique local knowledge, the trust of local people and actors, and an understanding of root causes of conflict, including housing, land and property-related issues. Engaging with such groups and equipping them with the knowledge, skills and resources to advocate for women's rights increases the probability of successful intervention and local ownership of approaches and solutions.

### **Conclusion**

Norwegian Refugee Council strongly advocates for a consistent and long-term focus on violence against women and girls.

The Council strongly advocates for a continued focus on and consequent resource allocation to the development of multisectoral services for the prevention of gender-based violence and the provision of support to survivors of such violence.

The Council strongly encourages the Commission on the Status of Women to incorporate both an analysis of displaced women's lack of tenure security and its interlinkages with violence in its work. It also encourages the Commission to forward an agenda for action on this issue as a central means of decreasing the risk of gender-based violence, building resilience and promoting recovery.

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