



Washington, D.C., USA

8–10 November 2024



## Human Rights Council Background Guide 2024

Written by Tobias Willms and Ashley Rutenbeck



# NATIONAL MODEL UNITED NATIONS

Dear Delegates,

Welcome to the 2024 National Model United Nations Conference in Washington, DC (NMUN•DC)! We are pleased to introduce you to our committee, the Human Rights Council (HRC). This year's staff is: Director Tobias Willms and Assistant Director Ashley Rutenbeck. Tobias completed the First Legal Examination in Germany and thereby obtained a Magister's degree from the University of Heidelberg. He also holds a Master of Laws from Trinity College Dublin and is currently pursuing his legal clerkship in the district of the Higher Regional Court of Cologne, which included a stint at the Permanent Mission of Germany to the United Nations in New York earlier this year. Ashley is pursuing a master's degree in Public Policy and Administration and is currently serving as the Vice President of a nonprofit organization for veterans. She is dedicated to advocating for equitable resources and sustainable initiatives to make a lasting difference in the lives of those who serve others within the veteran and first responder communities.

The topics under discussion for the Human Rights Council are:

1. Safeguarding Human Rights in Times of Conflict
2. Addressing Gender-Based Violence against Women in Public and Political Life

HRC is a subsidiary body of the General Assembly that plays a pivotal role in advancing the promotion and protection of human rights. It is mandated to discuss all human rights issues and reinforce them through regular reviews, thematic discussions, and by making recommendations regarding ongoing human rights violations. The sessions of HRC also provide a platform for dialogue between Member States, United Nations actors, civil society, and other stakeholders. Although its decisions are not legally binding, they hold significant political relevance within the national, regional, and international human rights frameworks.

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to conduct additional research, explore your Member State's policies in-depth, and examine the policies of other Member States to improve your ability to negotiate and reach consensus. In preparation for the conference, each delegation will use their research to draft and submit a [position paper](#). Guidelines are available in the [NMUN Position Paper Guide](#).

The [NMUN website](#) has many additional resources, including two that are essential both in preparation for the conference and as a resource during the conference. They are:

1. The [NMUN Delegate Preparation Guide](#), which explains each step in the delegate process, from pre-conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism and the prohibition on pre-written working papers and resolutions. Delegates should not discuss the topics or agenda with other members of their committee until the first committee session.
2. The [NMUN Rules of Procedure](#), which include the long and short form of the rules as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory [NMUN Conduct Expectations](#) on the NMUN website. They include the conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated. If you have any questions concerning your preparation for the committee or the conference itself, please contact the Under-Secretary-General Kenny Nguyen at [usgkenny.dc@nmun.org](mailto:usgkenny.dc@nmun.org) or Secretary-General Chris Duggan at [secgen.dc@nmun.org](mailto:secgen.dc@nmun.org).

We wish you all the best in your preparations and look forward to seeing you at the conference!

Sincerely,  
Tobias Willms, Director  
Ashley Rutenbeck, Assistant Director



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## Committee Overview

### **Introduction**

The Human Rights Council (HRC) is the primary body responsible for addressing human rights issues in the United Nations system.<sup>1</sup> HRC seeks to promote universal respect for all human rights and fundamental freedoms, effective governance on human rights issues, and, as the need arises, also provides recommendations after human rights violations have occurred.<sup>2</sup>

### **Mandate, Functions, and Powers**

Replacing the United Nations Commission on Human Rights, HRC was established in 2006 with General Assembly resolution 60/251, "Human Rights Council."<sup>3</sup> HRC's operational structures were given further detail in 2007 by Human Rights Council resolution 5/1 on "Institution-building of the United Nations Human Rights Council," which established the HRC Complaint Procedure for cases of consistent patterns of human rights violations.<sup>4</sup> It is mandated to monitor, discuss, and make recommendations on human rights violations, establish international human rights standards, and promote human rights.<sup>5</sup> The United Nations has two forms of human rights monitoring mechanisms: treaty-based bodies and charter-based bodies.<sup>6</sup> While the ten treaty-based bodies assess the implementation of specific human rights treaties, HRC is the primary charter-based body and, although its resolutions are not legally binding, it can monitor human rights across all Member States rather than solely those which are party to specific treaties.<sup>7</sup>

HRC may mandate international commissions of inquiry or investigations into serious violations of human rights law.<sup>8</sup> These non-judicial commissions allow violations to be recorded and reported and can help to ensure accountability in potential future judicial proceedings, including those held by the International Criminal Court (ICC).<sup>9</sup> The commissions also review legislative and institutional mechanisms to protect human rights and propose recommendations on how they may be strengthened.<sup>10</sup> Separate from these commissions, HRC and its subsidiaries can establish Special Procedures, which are mechanisms that enable independent parties to report, monitor, and advise on country-specific or thematic issues under HRC consideration.<sup>11</sup> Each investigation has a mandate and a mandate holder, typically a Special Rapporteur, an independent expert, or a working group.<sup>12</sup> Special Procedures generally involve field visits, thematic studies, expert consultations, and regular reports to HRC and the General Assembly.<sup>13</sup>

The HRC also oversees the Universal Periodic Review (UPR), a process under which each Member State submits to an assessment of the fulfillment of its human rights obligations.<sup>14</sup> The complete cycle of the

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<sup>1</sup> United Nations, General Assembly. *Human Rights Council (A/RES/60/251)*. 2006.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid; United Nations, Human Rights Council. *Institution-building of the United Nations Human Rights Council (5/1)*. 2007.

<sup>5</sup> United Nations, General Assembly. *Human Rights Council (A/RES/60/251)*. 2006.; Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015.

<sup>6</sup> Office of the United Nations High Commissioner for Human Rights. *Instruments & mechanisms*. 2023.

<sup>7</sup> Ibid; Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015.

<sup>8</sup> Office of the United Nations High Commissioner for Human Rights. *International Commissions of Inquiry, Commissions on Human Rights, Fact-Finding missions and other Investigations*. 2023.

<sup>9</sup> Office of the United Nations High Commissioner for Human Rights. *Commissions of inquiry and fact-finding missions on international human rights and humanitarian law: Guidance and practice*. 2015.

<sup>10</sup> Ibid. p. 7.

<sup>11</sup> Office of the United Nations High Commissioner for Human Rights. *Special Procedures*. 2023.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Office of the United Nations High Commissioner for Human Rights. *Universal Periodic Review*. 2023



UPR process takes around four and a half years to complete and includes several steps.<sup>15</sup> At the preparation stage, information is gathered that will form the basis of the review, including national reports, stakeholder submissions, and information prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR).<sup>16</sup> At the review stage, documents are presented at the regular sessions of the working group on the UPR.<sup>17</sup> At the adoption and consideration stage, each Member State provides comments and the Member State under review can offer reservations on specific issues.<sup>18</sup> Finally, during the follow-up stage, each Member State under review presents an assessment of how effectively it has acted upon the recommendations.<sup>19</sup>

While the following list is not exhaustive, the mandate of HRC can be summarized as:

- **HRC will generally:** serve as a forum for dialogue on human rights; advance human rights policies and norms; mandate investigative commissions on severe violations of human rights law; initiate Special Procedures, which may encompass field visits, studies, and reports; manage the UPR processes; receive reports via the Complaint Procedure; coordinate with non-governmental and civil society actors; and make recommendations to Member States and United Nations bodies.<sup>20</sup>
- **HRC will not generally:** adopt legally binding resolutions or decisions; intervene operationally in situations of human rights violations; or create new bodies or programs.<sup>21</sup>

### **Governance, Structure, and Membership**

HRC is a subsidiary organ of the General Assembly and makes regular recommendations and reports, most often to the General Assembly's Third Committee.<sup>22</sup> The General Assembly's Third Committee focuses on a variety of social, humanitarian, and human rights issues.<sup>23</sup> It works closely with OHCHR and receives an annual report from the commissioner on ongoing situations and topics.<sup>24</sup> It is served by several sub-committees, including the Advisory Committee and various intergovernmental working groups on specific thematic areas.<sup>25</sup>

The council consists of 47 Member States who are elected via a majority vote of the General Assembly through a direct and secret ballot.<sup>26</sup> Membership is based on equitable geographical distribution and a specific number of seats are designated to each geographic region.<sup>27</sup> During the first regular session of each year, HRC elects a President and four Vice-Presidents to serve on its Bureau, responsible for the

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<sup>15</sup> Ibid; Office of the United Nations High Commissioner for Human Rights. *Working with the United Nations Human Rights Programme: A Handbook for Civil Society*. 2008. pp. 80-81.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Office of the United Nations High Commissioner for Human Rights. *Special Procedures*. 2023; International Justice Resource Center. *UN Human Rights Council*. N.d.

<sup>21</sup> Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015. pp. 7, 18.

<sup>22</sup> United Nations, General Assembly. *Human Rights Council (A/RES/60/251)*. 2006; Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015. p. 18.

<sup>23</sup> United Nations General Assembly. Social, Humanitarian and Cultural Issues (Third Committee). n.d.

<sup>24</sup> Ibid. p. 7.

<sup>25</sup> Office of the United Nations High Commissioner for Human Rights. *Advisory Committee*. 2023.

<sup>26</sup> Office of the United Nations High Commissioner for Human Rights. *Membership of the Human Rights Council*. 2023.

<sup>27</sup> Ibid.



organization and procedural functions of the committee.<sup>28</sup> The President for the 18th cycle is Ambassador Omar Zniber of Morocco.<sup>29</sup> The Vice-Presidents are from Member States of Indonesia, Lithuania, Paraguay, and Finland.<sup>30</sup>

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<sup>28</sup> Permanent Mission of Switzerland to the United Nations. *The Human Rights Council: A practical guide*. 2015. p. 6.

<sup>29</sup> United Nations, Human Rights Council. *Human Rights Council President*. 2024

<sup>30</sup> United Nations, Human Rights Council. *Human Rights Council Bureau*. 2024.



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## 1. Safeguarding Human Rights in Times of Conflict

*“Our world is changing at warp speed. The multiplication of conflicts is causing unprecedented suffering. But human rights are a constant. They bring coherence to our search for solutions. And they are fundamental to our hopes for a world at peace.”<sup>31</sup>*

### **Introduction**

As the Human Rights Council (HRC) is tasked with promoting and protecting human rights and addressing their violations, it frequently advises the international community concerning the safeguarding of human rights in conflict-affected regions.<sup>32</sup> While the number of people killed in wars has been decreasing since 1946, the international community is currently experiencing the largest number of violent conflicts since then.<sup>33</sup> By the end of 2020, approximately 2 billion people were living in conflict-affected States, and more than 100 million people were forcibly displaced because of conflicts, violence, and human rights violations by May 2022.<sup>34</sup> The variability of armed conflicts and their serious impacts on human rights pose a constant challenge to the implementation of international human rights law and international humanitarian law.<sup>35</sup>

The Office of the High Commissioner for Human Rights (OHCHR) describes human rights as “rights inherent in all human beings, whatever their nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status[.]” that are “interrelated, interdependent and indivisible.”<sup>36</sup> International law requires Member States to respect human rights without restrictions, to protect individuals and groups against violations of human rights law, and to fulfill human rights by directly furthering their enjoyment.<sup>37</sup>

However, these obligations are sometimes violated in times of conflict, such as armed hostilities, terrorist attacks, and pandemics.<sup>38</sup> According to the United Nations Interagency Framework Team for Preventive

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<sup>31</sup> United Nations, Office of the Secretariat. *Secretary-General's remarks to the Human Rights Council - António Guterres*. 2024.

<sup>32</sup> United Nations, General Assembly. *Report of the Human Rights Council (A/78/53)*. 2023; United Nations, Human Rights Council. *Welcome to the Human Rights Council*. 2024.

<sup>33</sup> United Nations, Department of Economic and Social Affairs. *16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*. 2022; United Nations, Department of Global Communications. *A New Era of Conflict and Violence*. 2024.

<sup>34</sup> United Nations, Department of Economic and Social Affairs. *16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*. 2022; United Nations, Department of Economic and Social Affairs, United Nations Statistics Division. *16: Promote Peaceful and Inclusive Societies for Sustainable Development, Provide Access to Justice for All and Build Effective, Accountable and Inclusive Institutions at All Levels*. 2024.

<sup>35</sup> United Nations, Office of the High Commissioner for Human Rights. *OHCHR: Protecting human rights during conflict situations*. 2024.

<sup>36</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. p. 14.

<sup>37</sup> *Ibid.* p. 14.

<sup>38</sup> United Nations, Department of Economic and Social Affairs. *16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*. 2023; United Nations, Department of Global Communications. *Third Committee Spotlights Human Rights Abuses in Conflicts, Stressing Need to End Terrorist Attacks, Genocide, Illegal Hostage-Taking, Enforced Displacement*. 2023.



Action, “conflict” is caused by the belief that the interests of two or more groups are irreconcilable.<sup>39</sup> Although the peaceful resolution of such situations can promote social development, the failure of conflict-resolution mechanisms often results in the use of violence.<sup>40</sup> In such cases, international humanitarian law strives to reconcile the obligation to uphold humanitarian standards with military necessity.<sup>41</sup> This highlights the difference between human rights law and humanitarian law: while human rights law applies to all individuals and groups at all times, humanitarian law is built on the principles of distinction and proportionality.<sup>42</sup> Consequently, humanitarian law differentiates between combatants and civilians and permits limited impacts on civilian life as long as they are proportionate to the military advantages that are simultaneously gained.<sup>43</sup>

### ***International and Regional Framework***

Articles 1 and 55 of the *Charter of the United Nations* (1945) establish that the promotion of human rights is one of the core purposes of the United Nations.<sup>44</sup> The General Assembly adopted the *Universal Declaration of Human Rights* (UDHR) in 1948 to enumerate rights and freedoms that are inherent to all human beings without any form of distinction.<sup>45</sup> Although the UDHR itself is not legally binding, it is of great moral importance and has subsequently been reinforced through several international treaties.<sup>46</sup> Together with the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1966) and the *International Covenant on Civil and Political Rights* (ICCPR) (1966), it forms the *International Bill of Human Rights*.<sup>47</sup> The two covenants expand on and operationalize many of the rights contained in the UDHR.<sup>48</sup> For instance, Articles 11 and 12 of the ICESCR reaffirm the right to an adequate standard of living enshrined in Article 25 of the UDHR.<sup>49</sup> These articles further clarify that this right encompasses the right to physical and mental health, which should be promoted through measures such as the improvement of environmental and industrial hygiene.<sup>50</sup> However, not all Member States have ratified both covenants, with examples including the United States of America having signed, but not ratified, the

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<sup>39</sup> United Nations Development Programme, United Nations Interagency Framework Team for Preventive Action. *Toolkit and Guidance for Preventing and Managing Land and Natural Resources Conflict: Land and Conflict - Executive Summary*. 2012. p. 2.

<sup>40</sup> Ibid. p. 2.

<sup>41</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. pp. 14-15.

<sup>42</sup> United Nations, Office of Legal Affairs, Codification Division. *Regional Courses in International Law: International Humanitarian Law*. 2017. pp. 3-4; United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. p. 20.

<sup>43</sup> United Nations, Office of Legal Affairs, Codification Division. *Regional Courses in International Law: International Humanitarian Law*. 2017. pp. 3-4.

<sup>44</sup> United Nations Conference on International Organization. *Charter of the United Nations*. 1945.

<sup>45</sup> United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III))*. 1948. art. 2; United Nations, Office of the High Commissioner for Human Rights. *The United Nations Human Rights Treaty System - Fact Sheet No. 30/Rev.1*. 2012. p. 3.

<sup>46</sup> Ibid. p. 4.

<sup>47</sup> United Nations, General Assembly. *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*. 1966; United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. 1966; United Nations, Office of the High Commissioner for Human Rights. *The United Nations Human Rights Treaty System - Fact Sheet No. 30/Rev.1*. 2012. pp. 6-7.

<sup>48</sup> Ibid. p. 7.

<sup>49</sup> United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III))*. 1948. art. 25; United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. 1966. art. 11-12.

<sup>50</sup> Ibid.



ICESCR, and China having signed, but not ratified, the ICCPR.<sup>51</sup> These Member States often dispute that individual rights contained in the covenants should be fully enforceable, or argue that they are not equally applicable in all Member States.<sup>52</sup>

Since the introduction of the *International Bill of Human Rights*, the General Assembly has adopted further human rights treaties, specifically addressing the situation of human rights in times of conflict.<sup>53</sup> In resolution 39/46 (1984), the General Assembly adopted the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (UNCAT), banning the state-sanctioned use of inflicting physical or mental pain as a means of obtaining information, punishment, or intimidation.<sup>54</sup> Article 2 of UNCAT stipulates that no circumstances, including war, justify the use of torture against a human being.<sup>55</sup> Additionally, the *Convention on the Rights of the Child* (UNCRC) (1989) obliges parties to the treaty to take the specific circumstances of children into account by acting in their best interest, while respecting their own views whenever possible and aiming to enhance and protect their lives, survival, and development.<sup>56</sup> In 2001, UNCRC was supplemented with the *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict* (OPAC).<sup>57</sup> Parties to OPAC must ensure that no person below the age of 18 years is involuntarily recruited to the military or recruited to armed forces other than those of a State at all and that such persons do not actively engage in hostilities.<sup>58</sup>

To advance and monitor the implementation of these human rights instruments, the Committee on Economic, Social and Cultural Rights for ICESCR, the Human Rights Committee for ICCPR, the Committee against Torture for UNCAT, and the Committee on the Rights of the Child for UNCRC and OPAC have been established, comprising independent experts.<sup>59</sup> State parties to the respective treaties periodically submit reports on their implementation to the relevant treaty body, and these committees assist Member States by interpreting treaty provisions and organizing debates regarding their

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<sup>51</sup> United Nations, Office of the High Commissioner for Human Rights. *Ratification Status for CCPR - International Covenant on Civil and Political Rights*. 2024; United Nations, Office of the High Commissioner for Human Rights. *Ratification Status for CESCR - International Covenant on Economic, Social and Cultural Rights*. 2024.

<sup>52</sup> Lewis. *Vanderbilt Law Review. Why China Should Unsign the International Covenant on Civil and Political Rights*. 2021. p. 205; Piccard. *The Scholar. The United States' Failure to Ratify the International Covenant on Economic, Social and Cultural Rights: Must the Poor Be Always with Us*. 2010. pp. 241, 243.

<sup>53</sup> United Nations, General Assembly. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/RES/39/46)*. 1984. art. 2; United Nations, General Assembly. *Optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (A/RES/54/263)*. 2001. pp. 2-6; United Nations, Office of the High Commissioner for Human Rights. *The United Nations Human Rights Treaty System - Fact Sheet No. 30/Rev.1*. 2012. pp. 9-17.

<sup>54</sup> United Nations, General Assembly. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/RES/39/46)*. 1984. art. 1.

<sup>55</sup> *Ibid.*

<sup>56</sup> United Nations, General Assembly. *Convention on the Rights of the Child (A/RES/44/25)*. 1989. art. 3, 6, 12; United Nations, Office of the High Commissioner for Human Rights. *The United Nations Human Rights Treaty System - Fact Sheet No. 30/Rev.1*. 2012. p. 12.

<sup>57</sup> United Nations, General Assembly. *Optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (A/RES/54/263)*. 2001. pp. 2-6.

<sup>58</sup> *Ibid.* pp. 3-4.

<sup>59</sup> United Nations, Office of the High Commissioner for Human Rights. *Instruments & mechanisms*. 2024; United Nations, Office of the High Commissioner for Human Rights. *The United Nations Human Rights Treaty System - Fact Sheet No. 30/Rev.1*. 2012. pp. 19-20.



implementation.<sup>60</sup> Most of the treaty bodies are also mandated to consider complaints raised by individuals regarding violations of the rights contained in the respective treaty.<sup>61</sup> As the mandate of HRC is enshrined in the Charter itself, it can use its mechanisms to support all treaty bodies, for example by providing information on the situation within a Member State that has not ratified the respective treaty.<sup>62</sup>

OHCHR stresses that each Sustainable Development Goal (SDG) of the *2030 Agenda for Sustainable Development* (2030 Agenda) (2015) is directly linked to several human rights.<sup>63</sup> The 2030 Agenda, as a whole, strives “to realize the human rights of all” and SDG 16 (peace, justice, and strong institutions) in particular calls for the reduction of violence and the promotion of fundamental freedoms in targets 16.1 and 16.10.<sup>64</sup> Armed violence, in particular, hinders the achievement of other SDGs, such as 3 (good health and well-being), 4 (quality education), and 17 (partnerships for the goals).<sup>65</sup> Consequently, conflict has adverse impacts on both the enjoyment of human rights and the progress of sustainable development, and OHCHR argues that the SDGs can only be achieved if human rights prevail.<sup>66</sup>

Regionally, the Association of Southeast Asian Nations (ASEAN) has established the *ASEAN Human Rights Declaration* (2012), which reaffirms the applicability of the civil, political, economic, social, and cultural rights contained in the UDHR, and also introduces additional specific human rights, such as a right to peace in article 38 of the Declaration.<sup>67</sup> The African Union (AU) has also adopted the *African Charter on Human and Peoples’ Rights* (1981), which does not explicitly reiterate all of the human rights contained in the UDHR, but also contains additional specific rights, such as a right to peace and security in article 23.<sup>68</sup> Furthermore, the European Union (EU) has given itself a *European Convention on Human Rights* (1950), which was explicitly intended as a means to enforce parts of the UDHR within the EU.<sup>69</sup>

### **Role of the International System**

The mandate of HRC allows it to draw on different mechanisms to monitor, investigate, and make recommendations on the human rights situation in regions affected by conflict.<sup>70</sup> Firstly, the Committee can mandate Special Procedures, which are independent human rights experts that are elected for a term of three years and tasked with reporting and advising on human rights situations from a thematic or

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<sup>60</sup> Ibid. p. 21.

<sup>61</sup> Ibid. p. 21.

<sup>62</sup> United Nations, Office of the High Commissioner for Human Rights. *Instruments & mechanisms*. 2024; United Nations, Office of the High Commissioner for Human Rights. *The United Nations Human Rights Treaty System - Fact Sheet No. 30/Rev.1*. 2012. pp. 44-45.

<sup>63</sup> United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015; United Nations, Office of the High Commissioner for Human Rights. *Sustainable Development Goals*. N.d.

<sup>64</sup> United Nations, Department of Global Communications. *Goal 16: Promote just, peaceful and inclusive societies*. 2024; United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015. pp. 1, 25-26; United Nations, Office of the High Commissioner for Human Rights. *OHCHR and the 2030 Agenda for Sustainable Development*. 2024.

<sup>65</sup> United Nations, Office for Disarmament Affairs. *Disarmament and Sustainable Development*. 2024.

<sup>66</sup> United Nations, Department of Global Communications. *Goal 16: Promote just, peaceful and inclusive societies*. 2024; United Nations, Office of the High Commissioner for Human Rights. *OHCHR: Protecting human rights during conflict situations*. 2024; United Nations, Office of the High Commissioner for Human Rights. *OHCHR and the 2030 Agenda for Sustainable Development*. 2024.

<sup>67</sup> Association of Southeast Asian Nations. *ASEAN Human Rights Declaration*. 2012. art. 10, 26, 38.

<sup>68</sup> African Union. *African Charter on Human and Peoples’ Rights*. 1981. pp. 7-8; United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III))*. 1948.

<sup>69</sup> European Union. *European Convention on Human Rights*. 1950. p. 5.

<sup>70</sup> United Nations, Human Rights Council. *International Commissions of Inquiry, Commissions on Human Rights, Fact-Finding missions and other Investigations*. 2024; United Nations, Office of the High Commissioner for Human Rights. *Instruments & mechanisms*. 2024.





country-specific perspective.<sup>71</sup> The mandate holders can visit Member States, address human rights violations by sending communications to Member States and other actors, advise on the development of human rights policies, and raise awareness for the respective situation.<sup>72</sup> For example, alarmed by several cases of extrajudicial executions, arbitrary detentions, and violence against civil society actors in Afghanistan, HRC decided to mandate a Special Rapporteur on the situation of human rights in Afghanistan in its resolution 48/1 entitled “Situation of human rights in Afghanistan” in 2021 and appointed Prof. Richard Bennett to the role in 2022.<sup>73</sup> The mandate of the Special Rapporteur is to monitor and report on the situation and support civil society and other national actors in promoting the fulfillment of national obligations under international human rights law.<sup>74</sup> It was last extended for another year in October 2023.<sup>75</sup> In his 2024 report, the Special Rapporteur found that human rights are increasingly restricted in Afghanistan, with women and girls in particular being prevented from participating in public life.<sup>76</sup>

HRC also conducts a Universal Periodic Review (UPR) of the human rights situation in all Member States.<sup>77</sup> This entails Member States submitting reports on their national measures to improve the enjoyment of human rights to HRC to receive a peer review as well as recommendations on how to further implement international human rights law every 4.5 years.<sup>78</sup> OHCHR has declared the UPR to be an effective tool in reminding Member States to submit the required reports to the relevant human rights treaty bodies and to suggest measures for the implementation of their recommendations.<sup>79</sup> Additionally, any individual can file a complaint under the Complaint Procedure of HRC if national avenues for remedying a human rights violation have been exhausted.<sup>80</sup> After an initial screening of the complaint, the HRC Working Group on Communications determines whether it deems it necessary to request additional information on the incident from the Member State in question or to submit it to the HRC Working Group on Situations for review.<sup>81</sup> If the latter finds evidence of persistent or serious violations of human rights law, it will present the complaint to HRC, which can then take any of the actions outlined above.<sup>82</sup> The Complaint Procedure receives up to 15,000 complaints every year and Member States under review respond to inquiries by the Working Groups in 90% to 100% of the cases.<sup>83</sup> Because of these proceedings, some Member States have reduced prison sentences, investigated the alleged violations at the national level, and strengthened the protection of human rights in national law.<sup>84</sup>

Concerning the human rights situation in conflicts in general, HRC adopted resolution 9/9 (2008) on the “Protection of the human rights of civilians in armed conflict”, affirming that human rights law and

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<sup>71</sup> United Nations, Office of the High Commissioner for Human Rights. *Special Procedures of the Human Rights Council*. 2024.

<sup>72</sup> Ibid.

<sup>73</sup> United Nations, Human Rights Council. *Situation of human rights in Afghanistan (A/HRC/RES/48/1)*. 2021. pp. 3-4; United Nations, Office of the High Commissioner for Human Rights. *Special Rapporteur on Afghanistan*. 2024.

<sup>74</sup> United Nations, Human Rights Council. *Situation of human rights in Afghanistan (A/HRC/RES/48/1)*. 2021. p. 4.

<sup>75</sup> Ibid. p. 7.

<sup>76</sup> United Nations, Human Rights Council. *Situation of human rights in Afghanistan - Report of the Special Rapporteur on the situation of human rights in Afghanistan (A/HRC/55/80)*. 2024. p. 17.

<sup>77</sup> United Nations, Human Rights Council. *Universal Periodic Review*. 2024.

<sup>78</sup> Ibid.

<sup>79</sup> United Nations, Office of the High Commissioner for Human Rights. *The United Nations Human Rights Treaty System - Fact Sheet No. 30/Rev.1*. 2012. p. 44.

<sup>80</sup> United Nations, Human Rights Council. *Human Rights Council Complaint Procedure*. 2024.

<sup>81</sup> Ibid.

<sup>82</sup> Ibid.

<sup>83</sup> United Nations, Office of the High Commissioner for Human Rights. *Complaint Procedure of the Human Rights Council*. N.d. p. 2.

<sup>84</sup> United Nations, Human Rights Council. *Human Rights Council Complaint Procedure*. 2024.





international humanitarian complement and reinforce each other, and stressing that violations of humanitarian law can also amount to infringements on human rights law.<sup>85</sup> In more recent years, the committee has started to focus on its role in preventing violations of human rights law before they occur.<sup>86</sup> In its resolution 45/31 (2020) on “The contribution of the Human Rights Council to the prevention of human rights violations”, HRC finds that preventive measures should be further integrated into its different mechanisms and requests OHCHR improve its abilities to recognize warning signs of impending violations.<sup>87</sup>

HRC is supported by OHCHR, which serves as the secretariat of the committee, conducts research, and compiles reports on its work.<sup>88</sup> In the 2009 report on the *Outcome of the expert consultation on the issue of protecting the human rights of civilians in armed conflict*, the High Commissioner found that monitoring human rights violations and holding the responsible actors accountable had proved to be a powerful deterrent for further violations and that effective accountability systems could therefore be implemented as preventive measures to protect human rights in conflicts.<sup>89</sup>

Furthermore, the Secretary-General also supports the safeguarding of human rights in times of conflict by compiling reports for HRC and other committees.<sup>90</sup> In the 1969 report *Respect for Human Rights in Armed Conflict*, the Secretary-General also highlighted that the UDHR does not differentiate between periods of peace and periods of war as it was drafted in response to the atrocities committed during the Second World War.<sup>91</sup> More than 50 years later, the 2023 report *Protection of civilians in armed conflict* stressed that upholding international human rights law is essential for the protection of civilians in armed conflict.<sup>92</sup> Consequently, the Secretary-General has asked Member States to protect civilians in conflict-affected regions by exempting independent humanitarian and medical efforts from any sanctions, searching for any mission persons, and sparing civilian infrastructure.<sup>93</sup>

The Security Council further supports the international human rights frameworks by intervening in cases of extreme human rights violations.<sup>94</sup> In this capacity, it has the power to demand a ceasefire, to dispatch military observers or peacekeeping forces, and to enforce its decisions by imposing sanctions on Member States that refuse to comply with them.<sup>95</sup> In its resolution 2171 (2014) on the “Maintenance of international peace and security”, the Security Council also noted that violations of human rights can be warning signs for a burgeoning conflict or its exacerbation and that Member States should therefore implement the

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<sup>85</sup> United Nations, Human Rights Council. *Protection of the human rights of civilians in armed conflict (A/HRC/RES/9/9)*. 2008. pp. 1-2.

<sup>86</sup> United Nations, Human Rights Council. *The contribution of the Human Rights Council to the prevention of human rights violations (A/HRC/RES/45/31)*. 2020.

<sup>87</sup> Ibid. pp. 2-3.

<sup>88</sup> United Nations, Office of the High Commissioner for Human Rights. *What we do: an overview*. 2024.

<sup>89</sup> United Nations, General Assembly. *Annual Report of the United Nations High Commissioner for Human Rights and Reports of the Office of the High Commissioner and the Secretary-General: Outcome of the expert consultation on the issue of protecting the human rights of civilians in armed conflict - Report of the Office of the United Nations High Commissioner for Human Rights (A/HRC/11/31)*. 2009. p. 15.

<sup>90</sup> United Nations, General Assembly. *Respect for Human Rights in Armed Conflicts - Report of the Secretary-General (A/7720)*. 1969; United Nations, Security Council. *Protection of civilians in armed conflict - Report of the Secretary-General (S/2023/345)*. 2023.

<sup>91</sup> United Nations, General Assembly. *Respect for Human Rights in Armed Conflicts - Report of the Secretary-General (A/7720)*. 1969. pp. 10, 12.

<sup>92</sup> United Nations, Security Council. *Protection of civilians in armed conflict - Report of the Secretary-General (S/2023/345)*. 2023. p. 18.

<sup>93</sup> United Nations, Security Council. *Protection of civilians in armed conflict - Report of the Secretary-General (S/2023/345)*. 2023. pp. 17-18.

<sup>94</sup> United Nations, Department of Global Communications. *Protect Human Rights*. 2024.

<sup>95</sup> Ibid.



existing human rights treaties in their national policies.<sup>96</sup> Although there is no formal mechanism for direct cooperation between the Security Council and HRC, the Security Council has sometimes invited Special Procedures mandated by HRC to informal briefings and its sub-committees cooperate with them in the context of their respective mandates.<sup>97</sup>

Questions regarding the application of international human rights law can also be decided by the International Court of Justice (ICJ), which hears disputes between two Member States and also provides advisory opinions on legal questions referred to it by United Nations entities.<sup>98</sup> For example, in 2022, the ICJ issued a judgment entitled “Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)” on an application filed by the Democratic Republic of the Congo (DRC), awarding compensation to the DRC because the armed forces of Uganda violated human rights law and international humanitarian law by committing crimes against the civilian population of the DRC during the Second Congo War.<sup>99</sup>

These efforts to protect human rights in times of conflict are also supported by several non-governmental organizations (NGOs).<sup>100</sup> Amnesty International sends researchers into conflict-affected regions to investigate potential breaches of human rights law and collects evidence to corroborate witness reports and call out human rights violations.<sup>101</sup> Human Rights Watch takes a similar approach by deploying teams in Member States facing conflicts to write reports and thus influence decision-making processes in favor of marginalized groups and the overall protection of human rights.<sup>102</sup>

### ***Identifying and Addressing the Limitations of Human Rights Law in Conflicts***

Human rights are universally applicable, irrespective of whether the Member State bound by them is in a state of peace or a state of conflict.<sup>103</sup> However, the rights of one individual or group are necessarily limited by those of another, which is also recognized in article 29, paragraph 2 of the UDHR: “In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely to secure due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.”<sup>104</sup> When the human rights of two groups conflict with each other, it may be necessary to choose between actively protecting the rights of one group and respecting the rights of another.<sup>105</sup> As a consequence, many of the human rights treaties contain provisions for limited and temporary exceptions.<sup>106</sup> For example, article 4 of the ICESCR and article 4, paragraph 1 of the ICCPR allow for some degree of derogation from the rights

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<sup>96</sup> United Nations, Security Council. *Maintenance of international peace and security (S/RES/2171 (2014))*. 2014. p. 4.

<sup>97</sup> Universal Rights Group. *Policy Paper - The Human Rights Council as a Subsidiary Organ: Evaluating its relationships with the UN General Assembly and UN Security Council*. 2016. pp. 9-10.

<sup>98</sup> International Court of Justice. *How the Court Works*. 2024.

<sup>99</sup> International Court of Justice. *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda) - Judgment of 19 December 2005*. 2005. p. 116; International Court of Justice. *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda) - Judgment of 9 February 2022*. 2022. pp. 26-27, 128-130.

<sup>100</sup> Amnesty International. *Armed Conflict*. 2024; Human Rights Watch. *Crisis and Conflict*. 2024.

<sup>101</sup> Amnesty International. *Armed Conflict*. 2024.

<sup>102</sup> Human Rights Watch. *Crisis and Conflict*. 2024.

<sup>103</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. p. 46.

<sup>104</sup> United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III))*. 1948. art. 29; United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. pp. 46-48.

<sup>105</sup> Xu. *The University of New Hampshire Law Review. On Conflict of Human Rights*. 2006. p. 31.

<sup>106</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. pp. 46-48.



enshrined in the treaties if such measures are strictly necessary to safeguard the welfare of the national society as a whole.<sup>107</sup>

In all cases, the restrictions must be necessary and proportionate, which is to say that any limitations imposed on human rights must be called for by the nature of the conflict and that the Member State needs to select the least restrictive measure available.<sup>108</sup> During the Gulf War, the United States of America screened any national news items concerning the conflict before publication to avoid any adverse impacts on national security.<sup>109</sup> Whilst this was a clear restriction of the freedom of the press, it was based on national interests, limited to the duration of the war, and restricted to coverage of the war itself without affecting the freedom of the press as a whole.<sup>110</sup> By contrast, members of the Security Council have stressed that the restriction of women's rights in Afghanistan cannot be justified by referring to any cultural or religious norms.<sup>111</sup>

In the past, it was sometimes argued that international humanitarian law supersedes human rights law in times of conflict as it is specifically tailored to these scenarios.<sup>112</sup> However, the rights enshrined in the UDHR are not limited to times of peace and some international treaties contain provisions explicitly banning derogation from the respective rights under all circumstances, such as article 2, paragraph 2 of UNCAT.<sup>113</sup> As a consequence, HRC and ICJ have concluded that human rights law and humanitarian law are mutually reinforcing.<sup>114</sup>

### **Accountability for Human Rights Violations in Times of Conflict**

The obligation to respect, protect, and fulfill human rights encompasses an obligation to hold any actor that violates them accountable.<sup>115</sup> The General Assembly Third Committee stresses that Member States need to comply with this obligation in an efficient, prompt, thorough, and impartial manner.<sup>116</sup>

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<sup>107</sup> United Nations, General Assembly. *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*. 1966. art. 4; United Nations, General Assembly. *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. 1966. art. 4.

<sup>108</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. p. 48.

<sup>109</sup> Xu. *The University of New Hampshire Law Review. On Conflict of Human Rights*. 2006. p. 46.

<sup>110</sup> *Ibid.* pp. 46-47.

<sup>111</sup> United Nations, Department of Global Communications. *Security Council Emphasizes That Punitive Restrictions on Women's Rights, Escalating Hunger, Insecurity Taking Devastating Toll in Afghanistan - Members Stress Urgent Need for Reversal of Taliban Decrees, Ramped Up Response to Humanitarian Crisis, Extension of United Nations Mission in Country*. 2023.

<sup>112</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. p. 59.

<sup>113</sup> United Nations, General Assembly. *Respect for Human Rights in Armed Conflicts - Report of the Secretary-General (A/7720)*. 1969. pp. 10, 12; United Nations, General Assembly. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/RES/39/46)*. 1984. art. 2; United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. p. 48.

<sup>114</sup> International Court of Justice. *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory - Advisory Opinion of 9 July 2004*. 2004. p. 46; United Nations, Human Rights Council. *Protection of the human rights of civilians in armed conflict (A/HRC/RES/9/9)*. 2008. p. 1.

<sup>115</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. pp. 14, 71.

<sup>116</sup> United Nations, General Assembly. *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (A/RES/60/147)*. 2005. p. 4.



Consequently, Member States need to implement an accountability system that not only covers violations committed by third parties but also those that were caused by the State itself.<sup>117</sup>

However, the international community has developed some frameworks that enable the prosecution of severe human rights violations across the borders of the Member State where they were committed.<sup>118</sup> This is particularly true concerning violations that are grave enough to have been enshrined in international criminal law, such as genocide, war crimes, and crimes against humanity.<sup>119</sup> Under these policies, the persons acting on behalf of a State can be individually prosecuted in an International Criminal Tribunal or even in the national courts of another Member State.<sup>120</sup> To obtain the necessary evidence, courts can rely on the Special Procedures of the HRC, as well as the investigative work undertaken by NGOs.<sup>121</sup>

When national law fails to hold the State accountable or the human rights violation does not amount to an international crime, HRC can nonetheless convene an International Commission of Inquiry, which consists of multiple independent experts and is frequently tasked with investigating the situation and promoting accountability for human rights violations.<sup>122</sup> This process can also be started by individuals who file a complaint under the Complaint Procedure of HRC.<sup>123</sup> One such commission was established by HRC resolution 49/1 (2022) on the “Situation of human rights in Ukraine stemming from the Russian aggression” to address the human rights situation in Ukraine and to collect and document evidence of any crimes and human rights violations being committed, as well as to complement the existing monitoring mechanisms in Ukraine.<sup>124</sup> In its most recent report, the commission highlighted new evidence of potentially systematic and widespread instances of the torture of civilians.<sup>125</sup> This evidence could be used to hold perpetrators of crimes against humanity accountable in the future.<sup>126</sup>

In severe cases, the Security Council can also impose sanctions against States or other actors that violate human rights law.<sup>127</sup> For instance, Security Council resolution 1988 (2011) on “Threats to international peace and security caused by terrorist acts”, regarding the situation in Afghanistan, requires

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<sup>117</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. p. 71.

<sup>118</sup> United Nations, Department of Global Communications. *Protect Human Rights*. 2024; United Nations, Human Rights Council. *Human Rights Council Complaint Procedure*. 2024; United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. pp. 74-76.

<sup>119</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. pp. 74-76.

<sup>120</sup> United Nations, Office of the High Commissioner for Human Rights. *International Legal Protection of Human Rights in Armed Conflict*. 2012. pp. 77-78.

<sup>121</sup> Amnesty International. *Armed Conflict*. 2024; Human Rights Watch. *Crisis and Conflict*. 2024; United Nations, Office of the High Commissioner for Human Rights. *Ukraine: UN Commission concerned by continuing patterns of violations of human rights and international humanitarian law*. 2024.

<sup>122</sup> United Nations, Human Rights Council. *International Commissions of Inquiry, Commissions on Human Rights, Fact-Finding missions and other Investigations*. 2024.

<sup>123</sup> United Nations, Human Rights Council. *Human Rights Council Complaint Procedure*. 2024.

<sup>124</sup> United Nations, Human Rights Council. *Situation of human rights in Ukraine stemming from the Russian aggression (A/HRC/RES/49/1)*. 2023. pp. 3-4.

<sup>125</sup> United Nations, Human Rights Council. *Report of the Independent International Commission of Inquiry on Ukraine (A/HRC/55/66)*. 2024. pp. 11-15.

<sup>126</sup> United Nations, Office of the High Commissioner for Human Rights. *Ukraine: UN Commission concerned by continuing patterns of violations of human rights and international humanitarian law*. 2024.

<sup>127</sup> United Nations, Department of Global Communications. *Protect Human Rights*. 2024.





Member States to place sanctions on individuals associated with the Taliban by freezing their assets and preventing them from entering or transiting through their national territories.<sup>128</sup>

While these mechanisms can fill some accountability gaps, Member States are still primarily responsible for implementing effective systems in national law.<sup>129</sup> According to the Secretary-General, more comprehensive accountability can be achieved through the promotion of the universal ratification and implementation of the existing human rights instruments.<sup>130</sup>

### **Conclusion**

In times of conflict, human rights retain their universal validity and are therefore particularly at risk.<sup>131</sup> Although HRC has several means of monitoring the human rights situation in a region affected by conflict, the High Commissioner for Human Rights stresses that perpetrators of human rights violations must be held accountable to deter them and others from committing additional violations and to promote the restoration of the respective rights.<sup>132</sup> To achieve this goal, more Member States will need to ratify the binding international human rights treaties and the international community will be required to develop a framework for their effective implementation.<sup>133</sup> Additionally, HRC aims to improve its capabilities to recognize risks to the enjoyment of human rights early enough to prevent them from being realized.<sup>134</sup>

### **Further Research**

Delegates should consider the following questions when researching the topic further: What measures can Member States take to effectively combine and evaluate the information collected by the different human rights treaty bodies and HRC mechanisms? How can the international community support Member States in monitoring and remedying human rights violations committed by non-state actors in times of conflict? How can HRC use the synergies between human rights and SDGs to advance human rights law?

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<sup>128</sup> United Nations, Security Council. *Threats to international peace and security caused by terrorist acts (S/RES/1988 (2011))*. 2011. pp. 2-3.

<sup>129</sup> United Nations, General Assembly. *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (A/RES/60/147)*. 2005. p. 4.

<sup>130</sup> United Nations, Security Council. *Protection of civilians in armed conflict - Report of the Secretary-General (S/2023/345)*. 2023. pp. 17-18.

<sup>131</sup> United Nations, Human Rights Council. *Protection of the human rights of civilians in armed conflict (A/HRC/RES/9/9)*. 2008. p. 1; United Nations, Office of the High Commissioner for Human Rights. *OHCHR: Protecting human rights during conflict situations*. 2024.

<sup>132</sup> United Nations, General Assembly. *Annual Report of the United Nations High Commissioner for Human Rights and Reports of the Office of the High Commissioner and the Secretary-General: Outcome of the expert consultation on the issue of protecting the human rights of civilians in armed conflict - Report of the Office of the United Nations High Commissioner for Human Rights (A/HRC/11/31)*. 2009. p. 15; United Nations, Human Rights Council. *International Commissions of Inquiry, Commissions on Human Rights, Fact-Finding missions and other Investigations*. 2024; United Nations, Office of the High Commissioner for Human Rights. *Instruments & mechanisms*. 2024.

<sup>133</sup> United Nations, Security Council. *Protection of civilians in armed conflict - Report of the Secretary-General (S/2023/345)*. 2023. pp. 17-18.

<sup>134</sup> United Nations, Human Rights Council. *The contribution of the Human Rights Council to the prevention of human rights violations (A/HRC/RES/45/31)*. 2020. pp. 2-3.





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[https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/treaty.aspx?treaty=cescr&lang=en](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/treaty.aspx?treaty=cescr&lang=en)

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## 2. Addressing Gender-Based Violence against Women in Public and Political Life

*"All human life benefits when women's human rights are upheld, and we all suffer when those rights are abused."<sup>135</sup>*

### **Introduction**

In today's global landscape, one in three women between the ages of 15 and 49 have experienced some form of gender-based violence (GBV).<sup>136</sup> Violence against women is a form of discrimination directed towards women because of their gender identity as women, or that affects women disproportionately.<sup>137</sup> While conventional forms of violence persist, such as domestic abuse, verbal aggression, physical and sexual assault, and bullying, the crime of human trafficking further compounds this issue.<sup>138</sup> Human trafficking, according to the *United Nations Convention against Transnational Organized Crime* (2000), entails recruiting, transporting, harboring, or receiving individuals through force, fraud, or deception for exploitation, violating human rights.<sup>139</sup> The digital era, which has led to widespread access to technologies, such as smartphones, the internet, social media, and other forms of digital communication, has introduced a new landscape where women experience a higher degree of targeted aggression.<sup>140</sup> Article 1 of the *Declaration on the Elimination of Violence Against Women* (DEVAW) (1993) describes violence against women as encompassing any form of GBV that causes or is likely to cause sexual, psychological, or physical harm or suffering toward women.<sup>141</sup> This includes the threat of such acts, coercion, or the unjustified deprivation of liberty, irrespective of whether it takes place in public or private settings.<sup>142</sup> Furthermore, the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) defines violence against women in politics as a form of GBV that encompasses a range of acts or threats directed at preventing women from exercising their political rights and achieving their full potential.<sup>143</sup>

The Inter-Parliamentary Union (IPU) notes that it is imperative to safeguard women's participation in virtual platforms for communication as societies increasingly rely on these spaces.<sup>144</sup> The 2011 IPU report *Gender-sensitive parliaments: a global review of good practices* confirms that violence against women knows no boundaries.<sup>145</sup> The shift of violence into virtual spaces not only threatens the safety of women but also affects their capacity to safely engage in political endeavors and public conversations by creating a hostile atmosphere that silences the voices of women and undermines their right to engage safely in online communities.<sup>146</sup> According to the IPU's 2011 report, 82% of women parliamentarians internationally reported some type of psychological violence while in office, often in the form of remarks and/or gestures

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<sup>135</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *Statement by Under-Secretary-General of the United Nations and Executive Director of UN Women, Sima Bahous, on the International Day for the Elimination of Violence against Women*. 2021.

<sup>136</sup> World Health Organization. *Violence Against Women Prevalence Estimates, 2018*. 2021. p. 37.

<sup>137</sup> United Nations, Committee on the Elimination of Discrimination against Women. *CEDAW General Recommendation No. 19*. 1992.

<sup>138</sup> World Health Organization. *Violence Against Women Prevalence Estimates, 2018*. 2021. p. 4.

<sup>139</sup> Office of the United Nations High Commissioner for Human Rights. *OHCHR and trafficking in persons*. 2024.

<sup>140</sup> Inter-Parliamentary Union. *Sexism, harassment and violence against women parliamentarians*. 2016. p. 2.

<sup>141</sup> United Nations, General Assembly. *Declaration on the Elimination of Violence against Women (A/RES/48/104)*. 1993. p. 3.

<sup>142</sup> Ibid.

<sup>143</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *Guidance Note: Preventing Violence Against Women in Politics*. 2021. p. 4.

<sup>144</sup> Inter-Parliamentary Union. *Sexism, harassment and violence against women parliamentarians*. 2016. p. 8.

<sup>145</sup> Ibid. p. 3.

<sup>146</sup> Ibid. p. 8.



of a derogatory and inappropriate nature, mobbing, or threats.<sup>147</sup> Additionally, 44% of these women reported receiving threats of death, assault, rape, or abduction, not only directed at themselves but also extending to their families.<sup>148</sup>

### ***International and Regional Framework***

The *Universal Declaration of Human Rights* (UDHR) (1948) established a common standard of fundamental human rights and is relevant to addressing GBV against women, as it enshrines principles of equality, dignity, and the rights of all individuals, including women.<sup>149</sup> By emphasizing equality and non-discrimination, the UDHR mandates vigorous efforts to combat GBV and promotes women's participation in public and political spheres.<sup>150</sup> Articles 2 and 3 of the UDHR in particular assert that the rights and freedoms contained therein are universally applicable to all, without discrimination based on gender.<sup>151</sup> Adhering to the UDHR requires Member States to commit to ensuring equality and justice for all, criminalizing GBV, and holding perpetrators accountable.<sup>152</sup> Member States must also promote education programs and campaigns to raise awareness and promote mutual respect, irrespective of gender.<sup>153</sup> The Human Rights 75 Initiative, led by the Human Rights Council (HRC) in 2023, commemorated the 75th anniversary of the UDHR, addressing a wide range of human rights issues, from women's rights to climate change and legislative reforms.<sup>154</sup> The Human Rights 75 Initiative's main goal was to focus on the universality and progress of the UDHR, and the initiative marked a significant expansion in a commitment that now includes 286 pledges from 150 Member States.<sup>155</sup>

The *International Covenant on Civil and Political Rights* (ICCPR) (1966) is a key international human rights treaty that affirms a range of political and civil rights for individuals, guaranteeing the right to life, liberty, and security, as well as ensuring equality rights.<sup>156</sup> The ICCPR safeguards the freedom of expression, assembly, and association.<sup>157</sup> Articles 3 and 25 of the ICCPR affirm women's rights to participate in public affairs and elections, as well as to actively engage in the political process.<sup>158</sup>

The DEVAW, adopted by the General Assembly in its resolution 48/104 (1993) entitled "Declaration on the Elimination of Violence Against Women," emphasizes the urgent need to eradicate all forms of violence perpetrated against women, as it violates the fundamental principles of dignity and equality.<sup>159</sup> The resolution also highlights the importance of not only preventing but condemning and eliminating all forms of violence against women in all domains of life.<sup>160</sup> In 1995, the *Beijing Declaration and Platform for Action* (Beijing Declaration) was adopted by 189 Member States at the Fourth World Conference on Women as a pivotal document combatting GBV and promoting gender equality.<sup>161</sup> HRC strives to create an environment where women can participate in political processes and assert their rights free from violence

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<sup>147</sup> Ibid. p. 3.

<sup>148</sup> Ibid. p. 4.

<sup>149</sup> United Nations, General Assembly. *Universal Declaration of Human Rights (A/RES/217 A (III))*. 1948.

<sup>150</sup> Ibid.

<sup>151</sup> Ibid.

<sup>152</sup> Ibid.

<sup>153</sup> Office of the United Nations High Commissioner for Human Rights. *Human Rights 75 Initiative*. 2024.

<sup>154</sup> Ibid.

<sup>155</sup> Ibid.

<sup>156</sup> Tomuschat. Audiovisual Library of International Law. *International Covenant on Civil and Political Rights*. 2008.

<sup>157</sup> United Nations, General Assembly. *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*. 1966.

<sup>158</sup> Ibid.

<sup>159</sup> United Nations, General Assembly. *Declaration on the Elimination of Violence against Women (A/RES/48/104)*. 1993.

<sup>160</sup> Ibid. 1993.

<sup>161</sup> United Nations, Department of Global Communications. *Fourth World Conference on Women, 4-15 September 1995, Beijing, China*. N.d.



or discrimination by aligning with the initiatives, recommendations, and advocacy efforts outlined in the Beijing Declaration.<sup>162</sup> HRC therefore promotes legislative and policy reforms, ensures accountability of Member States to international human rights standards, supports grass-roots activism, and addresses intersecting forms of discrimination.<sup>163</sup>

Security Council resolution 1325 (2000) on "Women and peace and security" acknowledges the involvement of women in topics such as peacebuilding and conflict resolution.<sup>164</sup> It emphasizes the increased representation of women in decision-making roles and their full participation in peace processes.<sup>165</sup> This resolution encourages Member States to develop and implement national action plans focusing on increasing the participation of women and incorporating gender perspectives in peace and security efforts to guide efforts to protect women and prevent GBV.<sup>166</sup>

Sustainable Development Goal (SDG) 5 (gender equality) of the *2030 Agenda for Sustainable Development* (2030 Agenda) (2015) underscores the importance of achieving gender equality and empowering women around the globe.<sup>167</sup> Within the framework of SDG 5, target 5.2 seeks to eradicate all forms of violence against women and girls, whether in public or private settings, including trafficking and various forms of exploitation.<sup>168</sup> Target 5.5 further underscores the importance of enabling women's full and effective participation, alongside equal opportunities for leadership across political, economic, and public domains.<sup>169</sup>

### **Role of the International System**

HRC acknowledges and is actively working to address the multifaceted issue of GBV against women, particularly within public and political life, in alignment with its mandate to promote and protect human rights globally.<sup>170</sup> By doing so, HRC aims to create a more inclusive environment for women to exercise their rights and potential.<sup>171</sup> The issue of GBV is exacerbated for vulnerable groups like elderly women, women with disabilities, and economically disadvantaged women, as well as women from marginalized ethnic and racial groups, hindering their ability to engage in public or political life and constraining their ability to make contributions to decision-making processes and societal discussions.<sup>172</sup>

In line with its commitment to advancing gender equality and human rights through advocacy, policy development, and capacity-building, HRC also gathers verifiable research from other United Nations bodies and mechanisms on GBV, discrimination, and women's rights.<sup>173</sup> HRC monitors human rights violations through reports, documentation, investigations, field visits, and early warning mechanisms, giving it the ability to advise on support options available to those affected by GBV and to contribute to advancements of human rights on the international level.<sup>174</sup> By utilizing its Special Procedures, HRC can

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<sup>162</sup> Office of the United Nations High Commissioner for Human Rights. *About the mandate - Working Group on discrimination against women and girls*. 2010.

<sup>163</sup> Ibid.

<sup>164</sup> United Nations, Security Council. *Women and peace and security (S/RES/1325 (2000))*. 2000. p. 2.

<sup>165</sup> Ibid.

<sup>166</sup> Ibid.

<sup>167</sup> United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015. p. 18.

<sup>168</sup> Ibid.

<sup>169</sup> Ibid.

<sup>170</sup> United Nations, Human Rights Council. *Mandate of Special Rapporteur on violence against women and girls, its causes and consequences (A/HRC/RES/50/7)*. 2022.

<sup>171</sup> Ibid.

<sup>172</sup> Office of the United Nations High Commissioner for Human Rights. *Gender-Based Violence*. 2020.

<sup>173</sup> Office of the United Nations High Commissioner for Human Rights. *Preventing human rights violations - OHCHR and prevention*. 2024.

<sup>174</sup> Ibid.



detect human rights violations early and react quickly to provide support.<sup>175</sup> HRC adopted resolution 26/15 (2014) on “Accelerating efforts to eliminate all forms of violence against women: violence against women as a barrier to women’s political and economic empowerment,” calling for accelerated efforts to eliminate all forms of violence against women, including specific efforts to positively impact women’s ability to participate in public and political spaces.<sup>176</sup> It encourages Member States to implement comprehensive measures to prevent GBV and promote gender equality in political institutions.<sup>177</sup>

The United Nations Commission on Human Rights adopted resolution 1994/45 (1994) on “The question of integrating the rights of women into the human rights mechanism of the United Nations and the elimination of violence against women,” appointing a Special Rapporteur on violence against women and girls.<sup>178</sup> This was the first independent human rights mechanism for the elimination of violence against women.<sup>179</sup> The Special Rapporteur provides regular reports to HRC on the global status of GBV, which include recommendations for action, and collaborates with OHCHR to discuss strategies for promoting women’s rights and addressing GBV.<sup>180</sup> HRC resolution 50/7 (2022) extended the mandate of the Special Rapporteur on violence against women and girls for another three years and underscored the importance of promoting the rights and safety of women and girls in all spheres of life, including public and political arenas.<sup>181</sup> The Commission on the Status of Women (CSW) was established by the Economic and Social Council in resolution 11 (II) (1946).<sup>182</sup> CSW is the primary international governmental entity working to advance gender equality and increase women’s empowerment globally, while also developing recommendations to accelerate gender equality.<sup>183</sup>

The Call to Action on Protection from Gender-based Violence in Emergencies (2013) is a multi-stakeholder initiative originally launched by the United Kingdom and Sweden, aimed at reshaping how GBV is approached in humanitarian efforts.<sup>184</sup> The Call to Action has numerous partners, including international organizations like UN Women and the Office of the United Nations High Commissioner for Refugees, working to reduce the risks of GBV and offer comprehensive services for survivors in a secure environment.<sup>185</sup> The Call to Action noted the work being done by the Inter-Agency Standing Committee (IASC), the main mechanism for coordinating humanitarian assistance, which later created the IASC *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action* (2015), serving as a comprehensive framework for addressing GBV against women in humanitarian settings.<sup>186</sup> The

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<sup>175</sup> Ibid.

<sup>176</sup> United Nations, Human Rights Council. *Accelerating efforts to eliminate all forms of violence against women: violence against women as a barrier to women’s political and economic empowerment (A/HRC/RES/26/15)*. 2014.

<sup>177</sup> Ibid.

<sup>178</sup> Office of the United Nations High Commissioner for Human Rights. *Special Rapporteur on violence against women and girls*. 2024.

<sup>179</sup> Ibid.

<sup>180</sup> Ibid.

<sup>181</sup> United Nations, Human Rights Council. *Mandate of Special Rapporteur on violence against women and girls, its causes and consequences (A/HRC/RES/50/7)*. 2022.

<sup>182</sup> United Nations, Economic and Social Council. *Commission on the Status of Women (E/RES/11 (II))*. 1946.

<sup>183</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *About the Commission on the Status of Women*. N.d.

<sup>184</sup> Office of the United Nations High Commissioner for Refugees. *Call to Action on Protection from Gender-based Violence in Emergencies*. 2015. p. 3.

<sup>185</sup> Ibid. p. 32.

<sup>186</sup> United Nations, Inter-Agency Standing Committee. *Guidelines: Integrating Gender-Based Violence Interventions in Humanitarian Action - Reducing Risk, Promoting Resilience and Aiding Recovery*. 2015. p. 318.



guidelines outline optimal methodologies aimed at strengthening international efforts to prevent and combat GBV in humanitarian contexts.<sup>187</sup>

The Committee on the Elimination of Discrimination against Women (CEDAW) monitors the implementation of the *Convention on the Elimination of All Forms of Discrimination against Women* (1979).<sup>188</sup> CEDAW invites human rights mechanisms like the HRC to CEDAW Conventions to discuss implementation methods on regional and international levels.<sup>189</sup> Article 18 of the convention requires ratifying Member States to report on their progress and difficulties implementing the convention every four years after the initial report and whenever the committee requests.<sup>190</sup> This enables the development of reports by Member States containing the convention's progress, recommendations, and areas where further action is necessary to promote the rights of women in public and political life, including equal opportunities in education, employment, health, and election and voting rights.<sup>191</sup>

UN Women's efforts are directed towards fostering awareness of gender equality within the media community, utilizing specialized workshops and toolkits as avenues for engagement.<sup>192</sup> The organization advocates for increased representation of women within the media industry, particularly in leadership roles.<sup>193</sup> Support is extended to women's advocates to enhance their communication and media proficiencies, enabling effective interaction with journalists.<sup>194</sup> UN Women jointly hosted the Beijing +25 Regional Review Meeting with the United Nations Economic Commission for Europe in 2019, marking the 25th anniversary of the Fourth World Conference on Women held in 1995.<sup>195</sup> One of the key focus areas in this review of the Beijing Declaration was addressing gender inequality in political and public life.<sup>196</sup> It assessed progress and set priorities to combat GBV as well as to fill the gaps in current policies and their implementation, stressing the urgency for increased women's participation in decision-making processes, political representation, and access to public leadership roles.<sup>197</sup>

The United Nations Trust Fund to End Violence against Women (UNTF) was established by the General Assembly in resolution 50/166 on "The Role of the United Nations Development Fund for Women in Eliminating Violence Against Women" in 1996.<sup>198</sup> It awarded more than \$87 million to over 70 Member States in 2022, with supported initiatives including efforts to enhance the effectiveness of national action plans, legislation, and policies.<sup>199</sup> In 2022, the number of individuals directly impacted by UNTF was over

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<sup>187</sup> United Nations, Inter-Agency Standing Committee. *Guidelines: Integrating Gender-Based Violence Interventions in Humanitarian Action - Reducing Risk, Promoting Resilience and Aiding Recovery*. 2015. p. 45.

<sup>188</sup> Office of the United Nations High Commissioner for Human Rights. *Introduction to the Committee - Committee on the Elimination of Discrimination against Women*. 2024.

<sup>189</sup> Office of the United Nations High Commissioner for Human Rights. *Launch of CEDAW General Recommendation No. 35 on gender-based violence against women, updating General Recommendation No. 19*. 2024.

<sup>190</sup> United Nations, General Assembly. *Convention on the Elimination of All Forms of Discrimination against Women (A/RES/34.180)*. 1979. p. 197.

<sup>191</sup> Office of the United Nations High Commissioner for Human Rights. *Introduction to the Committee - Committee on the Elimination of Discrimination against Women*. 2024.

<sup>192</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *Media*. N.d.

<sup>193</sup> Ibid.

<sup>194</sup> Ibid.

<sup>195</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *In Geneva, Member States and gender advocates call for urgent and effective measures to accelerate gender equality*. 2019.

<sup>196</sup> Ibid.

<sup>197</sup> Ibid.

<sup>198</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *About the UN Trust Fund to End Violence against Women*. 2024.

<sup>199</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *UN Trust Fund to End Violence against Women: Annual Report 2022*. 2022. p. 18.





47 million.<sup>200</sup> The Global Fund for Women, founded in 1987, provides funding to grassroots advocates and community leaders working for gender justice.<sup>201</sup> It strives to find, strengthen, and fund other organizations whose goals are to end GBV.<sup>202</sup> The organization believes that human rights for women are essential to accelerating political, economic, and social change all over the globe.<sup>203</sup>

### ***Exploring the Intersection of GBV and Media Representations of Women in Politics***

Over the past 25 years, there has been a notable increase in women's participation in politics worldwide, doubling their representation.<sup>204</sup> However, despite this progress, women still occupy only approximately one-quarter of parliamentary seats today.<sup>205</sup> The internationally agreed target, as outlined in the Beijing Declaration, is to achieve balanced political participation and power-sharing between women and men in decision-making processes.<sup>206</sup> This commitment underscores the importance of ensuring equal representation and involvement of both genders in shaping policies and governance structures.<sup>207</sup> However, the intersection of online GBV and media representations of women in politics provides insight into the challenges that women face in attaining this goal.<sup>208</sup> Although the ideal international standard for media is accuracy and neutrality, disparities in coverage frequently arise, particularly regarding women and their viewpoints.<sup>209</sup> For instance, female politicians may receive inadequate coverage both before and following elections.<sup>210</sup> There is often a notable focus on portraying women primarily as either victims or celebrities.<sup>211</sup> HRC's ongoing efforts can combat inadequate representations of women in the media by engaging with Member States on media freedom and safety while raising awareness of these gender-specific challenges.<sup>212</sup> Member States have the opportunity to increase media literacy by discussing challenges and sharing best practices at events like the World Press Freedom Day, organized by the United Nations Educational, Scientific and Cultural Organization and supported by the Office of the United Nations High Commissioner for Human Rights, which occurs annually on 3 May.<sup>213</sup>

In a global survey of women parliamentarians conducted between 2006 and 2008 and facilitated by the IPU, one-third of the participants emphasized the crucial importance of awareness-raising programs, education, and public sensitization efforts to facilitate a shift in the representations of women in politics through the media to encourage an increase in women's participation in public and political life.<sup>214</sup> Participants recognized that the media plays a substantial role in perpetuating stereotypes about women, contributing to societal stigmas.<sup>215</sup> Participants noted that women in politics face a distinctive challenge, as the results indicated that the majority of the global population tends to focus on their appearance and private lives instead of their political agendas.<sup>216</sup> People often prioritize their impressions of the

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<sup>200</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *UN Trust Fund to End Violence against Women: Annual Report 2022*. 2022. p. 17.

<sup>201</sup> Global Fund for Women. *Our Vision & Mission*. 2024.

<sup>202</sup> Ibid.

<sup>203</sup> Ibid.

<sup>204</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *Visualizing the data: Women's representation in society*. 2020.

<sup>205</sup> Ibid.

<sup>206</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *Facts and figures: Women's leadership and political participation*. 2024.

<sup>207</sup> Ibid.

<sup>208</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *Media*. N.d.

<sup>209</sup> Ibid.

<sup>210</sup> Ibid.

<sup>211</sup> Ibid.

<sup>212</sup> Office of the United Nations High Commissioner for Human Rights. *OHCHR and the safety of journalists and the issue of impunity*. 2024.

<sup>213</sup> Ibid.

<sup>214</sup> Inter-Parliamentary Union. *Equality in Politics: A Survey of Women and Men in Parliaments*. 2008. p. 1.

<sup>215</sup> Ibid. p. 19.

<sup>216</sup> Ibid.



candidate's character over the substance of the message they are trying to convey.<sup>217</sup> Media strategies are essential in this context, as when women obtain public support, they can exert influence on their male counterparts to advocate for policy changes and reforms.<sup>218</sup> This dynamic underscores the intersection of online GBV and the portrayal of women in politics by the media, as biased coverage and negative stereotypes can exacerbate instances of harassment and discrimination faced by female politicians in online spaces.<sup>219</sup>

The United Nations Women Media Compact, launched in 2016, promotes gender-sensitive reporting while combatting stereotypes and discrimination in media coverage.<sup>220</sup> The compact created a coalition of media groups dedicated to actively promoting gender-related concerns within the context of the SDGs.<sup>221</sup> The two main goals of the compact were to prioritize gender equality by disrupting stereotypes and biases in reporting while simultaneously increasing women's representation in the media, including in leadership roles.<sup>222</sup> Media serves as an influential conduit of information within a society and is capable of shaping or solidifying societal norms and behaviors.<sup>223</sup> By combatting online harassment and promoting respectful and equitable portrayals of women in politics, the media can contribute to a more inclusive and conducive environment for women's politics.<sup>224</sup>

### **Capacity-Building for Combatting GBV in Public Life**

Capacity-building involves the process of enhancing the skills, resources, and adaptability of organizations and communities to thrive in a rapidly changing environment.<sup>225</sup> It emphasizes not only the performance of tasks but also the transformation of mindsets and attitudes over time, generating sustainable change from within.<sup>226</sup> SDG 17 (partnerships for the goals) underscores the importance of renewing the global partnership for sustainable development and emphasizes capacity-building as a key component.<sup>227</sup> It includes targets for increasing innovation and technology in least-developed countries as well as for improving data collection and monitoring to support the achievement of all SDGs.<sup>228</sup> Ultimately, SDG 17 reflects the United Nations' commitment to fostering transformational change and building robust systems to address global challenges effectively.<sup>229</sup>

In the context of combatting GBV in public life, capacity building involves equipping security forces and police with the necessary tools and expertise to prevent, identify, and respond to instances of violence against women in political and electoral settings.<sup>230</sup> This type of capacity building is outlined in the *Report of the Working Group on the issue of discrimination against women in law and in practice* presented to HRC (2013).<sup>231</sup> The report reinforces conclusions reached at the fifty-seventh session of CSW, emphasizing the necessity for laws to include various preventive and protective measures.<sup>232</sup> Training

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<sup>217</sup> Ibid.

<sup>218</sup> Inter-Parliamentary Union. *Equality in Politics: A Survey of Women and Men in Parliaments*. 2008. p. 7.

<sup>219</sup> Ibid. p. 19.

<sup>220</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *UN Women Media Compact*. N.d.

<sup>221</sup> Ibid.

<sup>222</sup> Ibid.

<sup>223</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *Media*. N.d.

<sup>224</sup> Ibid.

<sup>225</sup> United Nations, Department of Global Communications. *Capacity-Building*. N.d.

<sup>226</sup> Ibid.

<sup>227</sup> Ibid.

<sup>228</sup> Ibid.

<sup>229</sup> Ibid.

<sup>230</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *Guidance Note: Preventing violence against women in politics*. 2021. p. 17.

<sup>231</sup> United Nations, Human Rights Council. *Report of the Working Group on the issue of discrimination against women in law and in practice (A/HRC/23/50)*. 2013.

<sup>232</sup> Ibid.



programs for the security forces can strengthen their awareness and capacity to ensure public safety.<sup>233</sup> In alignment with HRC's dedication to enhancing its programming to prevent, mitigate, and respond to GBV across all operations within the United Nations and Member States, national and international human rights laws, and equality standards, United Nations agencies like UN Women and partner organizations like the United Nations Development Programme can support Member States by offering technical assistance and resources to strengthen the capacity of their existing security forces within the framework of international mandates and guidelines.<sup>234</sup> According to UN Women, training initiatives like the ones for security forces, securing public safety, and reporting would necessitate support from other United Nations agencies to implement gender-sensitive measures, like promoting gender balance within the police forces, setting up separate queues for women at polling stations to ensure their safety and comfort, encouraging their participation in the electoral process, and encouraging women to report instances of violence safely.<sup>235</sup> The 2011 IPU report *Gender-sensitive parliaments: a global review of good practices* advocates for a comprehensive approach to addressing GBV in politics, including by acknowledging the problem, breaking the silence around it, and promoting a culture that rejects such behavior.<sup>236</sup> This is crucial to ensuring women's physical safety and their ability to contribute meaningfully to public discourse, political decision-making, and broader societal progress.<sup>237</sup>

HRC defines sexual and GBV mainstreaming as integrating strategies for prevention, mitigation, and response across all facets of its operations.<sup>238</sup> The commitment of HRC aligns with multiple international guidelines, like the *Global Compact on Refugees* (2018), which emphasizes ending all forms of sexual and GBV, the *IASC Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action* (2015), and the *Call to Action on Protection from Gender-based Violence in Emergencies* (2013).<sup>239</sup> HRC is actively working to enhance capacity building for addressing sexual and GBV in transitional justice contexts by providing legal advice, technical assistance, and gender-sensitive training for law enforcement and judicial institutions.<sup>240</sup> HRC efforts include supporting consultations with survivors of GBV, facilitating access to justice through initiatives like mobile courts and legal clinics, and preparing comprehensive studies and guidelines on best practices for handling sexual and GBV cases.<sup>241</sup>

## Conclusion

The issue of GBV against women in public and political life is a multifaceted issue that underscores the need for a more comprehensive approach to promoting gender equality worldwide.<sup>242</sup> Addressing this growing issue is crucial for creating and maintaining a more inclusive and safer environment where women can exercise their rights and make contributions to decision-making processes and societal discussions.<sup>243</sup> GBV is an issue that no culture, society, or socioeconomic class is unaffected by, and such violence is a violation of fundamental freedoms and human rights established in a multitude of

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<sup>233</sup> United Nations, Human Rights Council. *Report of the Working Group on the issue of discrimination against women in law and in practice (A/HRC/23/50)*. 2013. p. 17.

<sup>234</sup> United Nations Entity for Gender Equality and the Empowerment of Women. *Guidance Note: Preventing violence against women in politics*. 2021. p. 17.

<sup>235</sup> *Ibid.* p. 18.

<sup>236</sup> Inter-Parliamentary Union. *Sexism, harassment and violence against women parliamentarians*. 2016. p. 8.

<sup>237</sup> *Ibid.*

<sup>238</sup> Office of the United Nations High Commissioner for Human Rights. *Gender-based violence against women and girls - OHCHR and women's human rights and gender equality*. 2024.

<sup>239</sup> Office of the United Nations High Commissioner for Refugees. *Developing Capacity on Mainstreaming Sexual and Gender-Based Violence Prevention, Risk Mitigation and Response in UNHCR*. 2018. p. 1.

<sup>240</sup> Office of the United Nations High Commissioner for Human Rights. *Sexual and gender-based violence in the context of transitional justice*. 2014. p. 2.

<sup>241</sup> *Ibid.*

<sup>242</sup> Office of the United Nations High Commissioner for Human Rights. *Introduction to the Committee - Committee on the Elimination of Discrimination against Women*. 2024.

<sup>243</sup> *Ibid.*



international instruments, like the UDHR, ICCPR, DEVAW, Beijing Declaration, and the 2030 Agenda.<sup>244</sup> Women frequently face discouragement from pursuing or aspiring to pursue political roles due to the perception that they are not suited for such positions.<sup>245</sup> Perceptions like this affect women's opportunities to attain leadership roles and hinder their ability to fulfill their responsibilities as elected representatives.<sup>246</sup> HRC recognizes this issue and will continue to address GBV, particularly within public and political life.<sup>247</sup>

### **Further Research**

Moving forward, delegates should consider the following questions when conducting their research: What function can awareness campaigns play in combatting GBV against women in public and political life, particularly among vulnerable groups? What are the most significant barriers to achieving balanced political participation and power-sharing between women and men in decision-making processes? Is there a role male allies can play in combatting GBV against women in politics? How can international organizations collaborate with Member States to amplify efforts to combat GBV? What are some strategies for preventing and mitigating GBV across all sectors?

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<sup>244</sup> Inter-Parliamentary Union. *Sexism, harassment and violence against women parliamentarians*. 2016.

<sup>245</sup> Ibid.

<sup>246</sup> Ibid.

<sup>247</sup> Office of the United Nations High Commissioner for Human Rights. *Introduction to the Committee - Committee on the Elimination of Discrimination against Women*. 2024.



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