

# Assessing the Implementation of the UK's NAP 1325

Shadow Report

CEDAW Committee, 72nd Session

February 2019

WOMEN'S INTERNATIONAL LEAGUE FOR  
**PEACE & FREEDOM**  
UNITED KINGDOM





# **Implementation of the UN Security Council Resolution (UNSCR) 1325**

## **Shadow report to the UN Committee on the Elimination of Discrimination against Women, 72<sup>nd</sup> session (February 2019)**

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# Introduction

This shadow report by WILPF UK to the CEDAW Committee for its upcoming review of the UK's Eighth Periodic Report on 26 February 2019. It elaborates on concerns brought to the attention of the pre-session Working Group of the CEDAW Committee in July 2018,<sup>1</sup> with updated information and recommendations.

A copy of the report "Assessing UK Government Action on Women, Peace and Security in 2018", by GAPS UK, a network of which WILPF UK is a member, is also provided as an Annex to this shadow report.<sup>2</sup> WILPF UK has also made a joint submission with Christian Aid that focuses on the impact on women's rights of the UK's arms transfers, military spending and upgrading of its nuclear program.<sup>3</sup>

## The UK's NAP1325 (2018-2022)

The UK is implementing its fourth National Action Plan (NAP) 1325 covering the period 2018 – 2022. The NAP is structured around seven strategic outcomes: decision-making, peacekeeping, gender-based violence, humanitarian response, security and justice, preventing and countering violent extremism, and UK capabilities.<sup>4</sup> The plan also includes nine focus countries, four more than the previous NAP.<sup>5</sup> The UK's commitment to the Women, Peace and Security agenda is welcomed; this shadow report highlights some of the areas requiring improvement.

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<sup>1</sup> See submission available at:

[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fICO%2fGBR%2f31811&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fICO%2fGBR%2f31811&Lang=en)

<sup>2</sup> <http://gaps-uk.org/assessing-uk-government-action-on-wps-in-2018/>

<sup>3</sup> Christian Aid and WILPF UK: "The impact of the UK's arms transfers and military spending on women's rights", available at:

[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fCSS%2fGBR%2f33673&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fCSS%2fGBR%2f33673&Lang=en)

<sup>4</sup> Department for International Development, Foreign & Commonwealth Office, Ministry of Defence, and Stabilisation Unit (2018) *UK National Action Plan on Women, Peace & Security 2018-2022*.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/677586/FCO1215-NAP-Women-Peace-Security-ONLINE\\_V2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/677586/FCO1215-NAP-Women-Peace-Security-ONLINE_V2.pdf)

<sup>5</sup> Afghanistan, Democratic Republic of the Congo, Iraq, Libya, Myanmar, Nigeria, Somalia, South Sudan, and Syria.

# External Implementation

## Conflict prevention (GR 30)

The NAP1325 lacks specific measures to address the root causes of conflicts. The limited inclusion of the prevention pillar is a major gap in the UK's NAP external implementation. Instead of envisaging measures for preventing conflict in the first place, the NAP only addresses prevention in relation to Strategic Outcome 6: "Preventing and countering violent-extremism." Embedding the broader Women, Peace and Security conflict prevention and peacebuilding agenda within an overarching preventing and countering violent-extremism framework is problematic.<sup>6</sup> This limited approach to conflict prevention is symptomatic of the 'securitisation of foreign aid', which diverts international development funding from activities to promote gender equality and women's rights to those focussed on security.

The UK needs to ensure that its NAP focuses more on conflict prevention and on the use of gender-sensitive conflict analysis to address root causes of conflict. It must address the impact of its arms trade; recommendations towards that are provided in the joint shadow report by WILPF UK and Christian Aid to this CEDAW Committee's session.<sup>7</sup>

## Funding and meaningful participation (GR 30)

Throughout the development of the NAP in 2017, the UK government held in-country consultations in three of the nine NAP focus countries/contexts: Afghanistan, Myanmar, Somalia, and consultations in Lebanon and Turkey about Syria.<sup>8</sup> Participants in the consultations raised the challenges of working with non-comprehensive funds and on short-term projects. They highlighted the need for flexible and long-term core funding to local women's organisations in post-conflict areas that support both programmes and the infrastructure of these organisations, as well as for continuous consultation opportunities.<sup>9</sup> Although the UK's NAP 1325 recognises the importance of women's meaningful

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<sup>6</sup> See, for example, GAPS UK (2018) "Assessing UK Government Action on Women, Peace and Security in 2018", page 8, <http://gaps-uk.org/assessing-uk-government-action-on-wps-in-2018/>.

<sup>7</sup> Christian Aid and WILPF UK: "The impact of the UK's arms transfers and military spending on women's rights", available at: [https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fCSS%2fGBR%2f33673&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fCSS%2fGBR%2f33673&Lang=en).

<sup>8</sup> GAPS UK (2018), *op cit*.

<sup>9</sup> <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-01-16/HCWS404/>: <http://gaps-uk.org/wp-content/uploads/2017/04/GAPS-Summary-Consultations-report-NAP-April-2017.pdf>.

participation, it does not specify budget implementation to support local women's organisations and networks that are involved in peace initiatives.

## **Gender-based violence**

Women experience different types of gender-based violence during and after conflict, including, but not limited to, psychological, physical, and economic violence. The continued effort of the UK government to address gender-based violence is welcomed, including the Strategic Outcome 3 of the UK NAP "Preventing and responding to Gender-based Violence (GBV)". Within the UNSCR 1325 framework, the focus of gender-based violence has long been on enhancing prevention of and protection from conflict-related sexual violence, and the UK government has supported this through various initiatives, such as the Preventing Sexual Violence Initiative. However, conflict related gender-based violence needs to be addressed through comprehensive lenses and by tackling the diverse forms of violence experienced by women including, domestic and intimate partner violence, not only during conflict but also in the context of displacement,<sup>10</sup> as well as gender-based violence based on sexual orientation and gender identity.

## **Recommendations**

The UK should:

- Develop a clear monitoring and evaluation framework for the NAP to measure the impact of the UK's commitment to WPS: this includes ensuring foreign aid/international development funding provided by the UK in post-conflict countries has been used to promote gender equality and address women's diverse security needs;
- Ensure that the NAP1325 is more focused on conflict prevention by orienting the framing of conflict prevention away from its current entrenchment in the preventing and countering violent-extremism space towards an approach targeting the gendered root causes of conflict and violence, underpinned by robust, gender-sensitive conflict analysis to map the gendered drivers;
- Ensure participation of women and girls in all levels of conflict prevention, peacebuilding and post-conflict reconstruction, including by allocating resources to provide predictable, accessible, and flexible funding for women's civil society to support both programmes and the

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<sup>10</sup> <https://www.whatworks.co.za/documents/publications/210-p784-irc-what-works-report-lr/file>; a similar point was repeatedly made during the 32<sup>nd</sup> WILPF Triennial Congress 2018 in Ghana.

infrastructure of women's organisations with simplified procedures to ensure the sustainability of local women's organisations and women's networks involved in peace initiatives;

- Ensure the full involvement of UK civil society organisations across the NAP cycle, including its implementation, monitoring and evaluation;
- Expand the consultations with local women's organisations in the focus countries/contexts providing adequate funding and time for consultations and ensure the inclusion of women from different backgrounds;
- Ratify the Istanbul Convention in the broadest way and without reservation.

## **Domestic Implementation (Art. 7, GR 30 and GR 32)**

UNSCR 1325 and the related resolutions apply to international and domestic policies and programmes in and related to peace and conflict. As recalled by the Organization for Security and Co-operation in Europe (OSCE), the Women, Peace and Security agenda is not relevant exclusively to the national contexts of States in conflict situations. National implementation strategies are relevant for all countries and should always ensure that countries' own domestic policies are in line with UN Security Council Resolution (UNSCR) 1325 and subsequent related resolutions.<sup>11</sup> Furthermore, the SDGs require all countries to deliver the whole agenda both at home and abroad, including SDG 5 on gender equality and SDG 16 on peaceful societies. However, the UK's NAP1325 is strictly outward-looking.

### **Violence against women perpetrated by UK forces**

Although the NAP recognises the risks of gender-based violence and violence against women and girls being perpetrated by ununiformed peacekeepers, civilians, and/or, humanitarian aid workers, it does not specifically address the issues of violence against women perpetrated by the UK's military personnel, including intimate partner violence, as well as by contracted security personnel. In 2012, the UK introduced a cross-governmental initiative, the Prevention of Sexual Violence Initiative;<sup>12</sup> it has stated that it fully supports the UN Secretary General's Zero Tolerance approach to sexual exploitation and abuse.<sup>13</sup> Thus, the government should follow a policy coherence and clearly extend the zero-

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<sup>11</sup> OSCE (2014) *OSCE Study on National Action Plans on the Implementation of the United Nations Security Council Resolution 1325*, available at: <https://www.osce.org/secretariat/125727?download=true>

<sup>12</sup> <https://www.gov.uk/government/organisations/preventing-sexual-violence-initiative/about>.

<sup>13</sup> *Replies of the United Kingdom of Great Britain and Northern Ireland*, CEDAW/C/GBR/Q/8/Add.1, paragraph 105, available at: [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/GBR/CEDAW\\_C\\_GBR\\_Q\\_8\\_Add-1\\_31122\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/GBR/CEDAW_C_GBR_Q_8_Add-1_31122_E.pdf)

tolerance policy to military personnel and contracted security personnel. In addition, while the NAP states that it complements domestic policies and transnational strategies on priorities, such as migration, it does not include measures relating to women refugees and asylum seekers in the UK.

## Northern Ireland and women's participation

Despite having received recommendations to this effect from the CEDAW Committee in the last two reviews,<sup>14</sup> the government has reiterated that there are no plans to integrate provisions relating to the implementation of UNSCR 1325 in Northern Ireland into the UK NAP.<sup>15</sup> The government has added that “nevertheless, some aspects of UNSCR 1325, such as women's participation in peace building and political processes, are relevant to all states. UK Government will continue to work with all devolved governments towards increasing the representation of women, not only in Northern Ireland but across the whole of the UK in public and political life.”<sup>16</sup> A similar commitment had been expressed by the UK in the previous review.<sup>17</sup>

Even though the Good Friday (Belfast) Agreement was reached in 1998, the peace process in Northern Ireland is still underway and remains highly fragile. Women are still underrepresented in decision-making processes in Northern Ireland. Moreover, women have been constantly intimidated by paramilitary groups, including intimate partner violence, which hinders women's participation in peace initiatives.<sup>18</sup> The CEDAW Committee has asked the UK government “to respond to reports that intimidation by paramilitary groups is a major barrier to women's effective participation in peacebuilding and other political processes in Northern Ireland”.<sup>19</sup> So far, the UK Government has not provided a full response to this specific issue.<sup>20</sup>

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<sup>14</sup> CEDAW (2008) *Concluding Observations on the Seventh Periodic Report of the United Kingdom of Great Britain and Northern Ireland*, CEDAW/C/UK/CO/6, paragraph 287; CEDAW (2013) *Concluding Observations on the Seventh Periodic Report of the United Kingdom of Great Britain and Northern Ireland*, CEDAW/C/GBR/CO/7, paragraph 43.

<sup>15</sup> CEDAW (2017) *Eight periodic report submitted by the United Kingdom of Great Britain and Northern Ireland under article 18 of the Convention, due in 2017*, CEDAW/C/GBR/8, paragraph 75. The same was stated in the UK's seventh periodic report, CEDAW/C/GBR/7 (2011), paragraph 301.

<sup>16</sup> *Ibid.*

<sup>17</sup> “Nevertheless, some aspects of UNSCR 1325, such as women's participation in peace building and political processes, are relevant to all States. Also, the British Government will continue to work towards increasing the representation of women in Northern Ireland in public and political life.” UK Seventh Periodic Report, CEDAW/C/GBR/7 (2011), paragraph 301.

<sup>18</sup> [https://blogs.sps.ed.ac.uk/politicalsettlements/files/2018/07/2018\\_PSRP-Violence-Report-NI.pdf](https://blogs.sps.ed.ac.uk/politicalsettlements/files/2018/07/2018_PSRP-Violence-Report-NI.pdf).

<sup>19</sup> CEDAW (2018) *List of issues and questions in relation to the eight periodic report of the United Kingdom of Great Britain and Northern Ireland*, CEDAW/C/GBR/Q/8, paragraph 15.

<sup>20</sup> See *Replies of the United Kingdom of Great Britain and Northern Ireland to the list of issues and questions*, CEDAW/C/GBR/Q/8/Add.1,



## Refugee and Asylum-seeking women (Arts. 2.c, 9, 15, and GR 32)

### Access to justice

Women seeking asylum in the UK face several forms of discrimination and violations of their human rights. The unjust procedure of the Detained Fast Track (DTF), which would allow for the detention of asylum seekers whose claims were considered capable of being determined quickly, was ruled unlawful by the High Court and suspended in 2015.<sup>21</sup> The constant legal aid cuts, due to austerity, have a devastating impact on women's legal cases, leaving them unable to challenge unjust and discriminatory treatment in the decision-making process.<sup>22</sup> The government has resolutely refused to accept criticism of its detention policy. It also failed to offer any kind of legal redress to people removed after their cases were unlawfully dismissed in the DTF procedure. Albeit the government states in its Eight Periodic Report to the Committee that it is "committed to ensuring that the asylum process is gender sensitive" and to "have implemented an asylum specific gender action plan (...)",<sup>23</sup> women still describe open hostility and abuse in the asylum process interviews.

### Destitution

Moreover, women seeking asylum usually are driven to destitution. The UN Special Rapporteur on extreme poverty, Philip Alston, after his November 2018 country visit to the UK, concluded that "destitution is built into asylum system."<sup>24</sup> Asylum seekers have to wait long time for the outcome of their asylum claim and are not allowed to work in the meantime. They receive a basic subsistence payment that is less than enough to cover basic livelihoods<sup>25</sup> and a 'no choice', usually shared, accommodation.<sup>26</sup> Destitution makes women particularly vulnerable to sexual violence, including rape,

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<sup>21</sup> BBC News (2015) *Fast-Track Asylum System "unlawful", High Court Rules* 12 June 2015, available at: <http://www.bbc.co.uk/news/uk-33113132>

<sup>22</sup> Women against Rape (WAR) (2017) *WAR's Refuge from Rape & Destitution Campaign*. Available at: <https://refugefromrapeanddestitution.blog/about/> .

<sup>23</sup> *Eight periodic report submitted by the United Kingdom of Great Britain and Northern Ireland under article 18 of the Convention, due in 2017*, CEDAW/C/GBR/8, paragraph 83.

<sup>24</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23881&LangID=E>

<sup>25</sup> Women against Rape (WAR) (2017) *WAR's Refuge from Rape & Destitution Campaign*. Available at: <https://refugefromrapeanddestitution.blog/about/>; WILPF UK (2017) *Voices of Refugee Women Myth busting Facts*, available at: <http://www.wilpf.org.uk/voices-of-refugee-women-myth-busting-facts/>; WILPF UK (2018) *Voices of Refugee Women: Tales from Women seeking Asylum*, available at: <http://www.wilpf.org.uk/wp-content/uploads/2018/02/Voices-of-Refugee-Women-booklet-PDF.pdf>.

<sup>26</sup> *Women seeking asylum: Safe from violence in the UK?*

[http://www.asaproject.org/uploads/Safe\\_from\\_violence\\_in\\_the\\_UK.\\_ASAP-RC\\_report\\_.pdf](http://www.asaproject.org/uploads/Safe_from_violence_in_the_UK._ASAP-RC_report_.pdf).

and other forms of abuse; children are increasingly taken away from destitute mothers and families.<sup>27</sup> Even when women get asylum support, they receive 50% less than the poverty line benefits that others in the UK get.<sup>28</sup>

The government has failed to respond to the huge public outcry against the destitution of asylum seekers and to address its disproportionate impact on women. In its Eight Periodic Report, the government states that “those seeking to establish their family life in the UK must do so on a basis that prevents burdens on the taxpayer and promotes integration” and that “no recourse to public funds condition applies to those granted limited leave outside of the protection routes, unless the published destitution policy is met.”<sup>29</sup> It further indicates that “the destitution policy is applied on a case-by-case basis, taking into account the individual facts of the application. Not all women who are subjected to gender-based violence and exploitation will meet the destitution policy and it would not be appropriate to apply it on a blanket basis.”<sup>30</sup>

### Healthcare access

A series of reports in past couple of years have highlighted the constant systemic failures in meeting the health demands of asylum seekers, particularly women such as: the denial of health care; the lack of counselling or other specialist support; and insufficient and un-nutritious food. While many asylum seekers were wrongly denied healthcare under the National Health Service,<sup>31</sup> women asylum seekers detained at immigration removal centres sometimes had to wait for up to a month to visit a doctor,<sup>32</sup>

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<sup>27</sup> Legal Action for Women (2017) *Suffer the Little Children*. London: Crossroads Books. Available at: <http://legalactionforwomen.net/wp-content/uploads/2017/01/LAW-Dossier-18Jan17-final.pdf>

<sup>28</sup> Women against Rape (WAR) (2017) *WAR's Refuge from Rape & Destitution Campaign*. Available at: <https://refugefromrapeanddestitution.blog/about/>; WILPF UK (2017) *Voices of Refugee Women Myth busting Facts*, available at: <http://www.wilpf.org.uk/voices-of-refugee-women-myth-busting-facts/>; WILPF UK (2018) *Voices of Refugee Women: Tales from Women seeking Asylum*, available at: <http://www.wilpf.org.uk/wp-content/uploads/2018/02/Voices-of-Refugee-Women-booklet-PDF.pdf>.

<sup>29</sup> *Eight periodic report submitted by the United Kingdom of Great Britain and Northern Ireland under article 18 of the Convention, due in 2017*, CEDAW/C/GBR/8, paragraph 86.

<sup>30</sup> *Ibid.*, paragraph 87.

<sup>31</sup> Bulman, May (2017) *Thousands of Asylum Seekers and Migrants wrongly denied NHS Healthcare. The Independent*. Available at: <http://www.independent.co.uk/news/uk/home-news/asylum-seekers-migrants-wrongly-denied-nhs-healthcare-cancer-doctors-phil-murwill-a7672686.html>

<sup>32</sup> The London Economics (2018) *Women in notorious Yarls' Wood Detention Centre are on their Third Day of Hunger Strike*. Available at: <https://www.thelondoneconomic.com/news/women-notorious-yarls-wood-detention-centre-third-day-hunger-strike/23/02/>

and in other times it took a month to provide a shot of insulin to a diabetic woman,<sup>33</sup> which eventually led to the deterioration of overall health for a majority of the women reporting minor health ailments.<sup>34</sup> Despite the 'Detention Centre Rule 35' to protect vulnerable detainees,<sup>35</sup> pregnant women were detained in Yarl's Wood Immigration Removal Centre and various incidents have been reported.<sup>36</sup>

### Violence against women

Migrant women, refugee women and asylum-seeking women experience various forms of violence before arriving in the UK; many of them are also subjected to violence in the UK. These women suffer violence due to the failure of the government to protect them and their rights. For example, private companies are contracted to run detention centres by the government; there have been many cases of women being sexually abused and raped.<sup>37</sup>

The government has failed to address the issue of detention of women asylum seekers. In response to criticism that its detention policy can lead to the imprisonment of traumatised victims of torture, the government issued a new 'adults at risk' policy in 2016.<sup>38</sup> However, this has actually increased the numbers of detained rape survivors by narrowing the definition of torture to exclude that committed by non-state actors.

The government has stated that it is "committed to ensuring that the asylum process is gender sensitive" and to "have implemented an asylum specific gender action plan... designed to support women to better engage with the asylum process and prevent discrimination".<sup>39</sup> However, the focus of the government has been given to the person who has experienced of domestic violence; many

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<sup>33</sup> Sanghani, Radhika (2014) *Inside Britain's "worst" Immigration Removal Centre at Christmas*. *The Telegraph*. Available at: <http://www.telegraph.co.uk/women/womens-life/11308434/Yarls-Wood-Inside-Britains-worst-immigration-removal-centre-at-Christmas.html>

<sup>34</sup> Bulman, May (2018) *More than 100 Women in Yarl's Wood Detention Centre go on Hunger Strike over "inhumane" Conditions*. *The Independent*. Available at: <https://www.independent.co.uk/news/uk/home-news/yarls-wood-women-immigration-detention-centre-hunger-strike-home-office-a8223886.html>

<sup>35</sup> The Home Office (2016) *Detention Services Order 09/2016, Detention Centre Rule 35*. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/574966/dso-09-2016-detention-centre-rule-35\\_v4\\_0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/574966/dso-09-2016-detention-centre-rule-35_v4_0.pdf)

<sup>36</sup> Channel4 (2015) *Yarl's Wood: Undercover in the secretive Immigration Centre*. Available at: <https://www.channel4.com/news/yarls-wood-immigration-removal-detention-centre-investigation>

<sup>37</sup> <https://www.asylumaid.org.uk/parliamentary-question-reveals-extent-sexual-assaults-yarls-wood/>

<sup>38</sup> <https://www.gov.uk/government/publications/adults-at-risk-in-immigration-detention>

<sup>39</sup> *Eight periodic report submitted by the United Kingdom of Great Britain and Northern Ireland under article 18 of the Convention, due in 2017*, CEDAW/C/GBR/8 paragraphs 84.

refugee and asylum seeker women who experienced various (other) forms of violence against women are still subject to the rule of No Recourse to Public Funds.

## Recommendations

The UK should:

- Involve departments that have responsibility for domestic policy across the UK nations into the NAP implementation process into the NAP implementation process, including the: Home Office, Government Equalities Office, and Northern Ireland Office;
- Take meaningful steps, including temporary special measures, to realise the commitments in the Good Friday (Belfast) Agreement on increasing the representation of women in Northern Ireland in political and public life;
- Ensure the participation of women in Northern Ireland in the UK NAP 1325;
- Develop and monitor policies to combat Sexual Exploitation and Abuse (SEA) perpetrated by the UK military personnel as well as contracted security personnel, including to prevent cases of intimate partner violence;
- Provide training on gender-sensitive approaches in the treatment of victims of sexual and domestic violence to officers who are in charge of immigration and asylum application;
- End detention and destitution of refugee and asylum-seeking women, including of pregnant women;
- Include gender-sensitive procedural safeguards in asylum procedures to ensure a non-discriminatory and gendered-approach in assessing asylum seeking cases;
- Guarantee access to justice for refugee women and collect disaggregated data on incidents of gender-based violence against women refugees;
- Ensure adequate and fair access to healthcare services across UK including counselling and other specialist services to refugee and asylum-seeking women;
- Ensure a gender sensitive approach with regards to the destitution policy, considering the specific vulnerabilities faced by women who are subject to gender-based violence and exploitation;
- Establish a prompt, effective independent and impartial investigation procedure into claims of rape and other sexual abuses against women in immigration removal centres, such as in Yarl's Wood Centre, with a view to bringing perpetrators to justice in fair trials, and ensure that those raising concerns about human rights violations in detention are not subject to reprisal.

## Austerity measures

The burden of austerity measures is shouldered by various parts of society, and particularly by the most marginalised, but without gender analysis informing these measures, women will be affected more than any other group.<sup>40</sup> Several human rights mechanisms have recognised the specific and disproportionate impacts of austerity-driven policies on women’s human rights by reducing public services and supports, including supports for women’s organisations.<sup>41</sup> The CEDAW Committee has also considered that the disproportionate impact of austerity measures on women amounts to indirect discrimination under article 1 of the Convention.<sup>42</sup> In its General Recommendation 35 on gender-based violence against women, it has stressed that austerity measures “further weaken the state responses” to gender-based violence.<sup>43</sup>

One of the biggest inhibitors to women’s participation is also the lack of enjoyment of social and economic rights. If women do not have the economic resources to free them up to be able to be active participants of public and political life, speaking about women’s meaningful participation is meaningless.

In its previous review, the Committee raised concerns about the serious cuts in funding for social programmes and organisations that provide services for women in the UK.<sup>44</sup> Reductions in social care

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<sup>40</sup> For further analysis and an example in the context of Bosnia and Herzegovina, see True et al “A Feminist Perspective on Post-Conflict Restructuring and Recovery – The Case of Bosnia and Herzegovina”, WILPF, Sarajevo, 2017.

<sup>41</sup> Effects of foreign debt and other related financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights , Impact of economic reforms and austerity measures on women’s human rights, paragraph 24 to 56, A/73/179, 18 July 2018. Guiding principles on human rights impact assessments of economic reforms, para 8.1 to 8.4, A/HRC/40/57, 19 December 2018; Public debt, austerity measures and the International Covenant on Economic, Social and Cultural Rights, Statement by the Committee on Economic, Social and Cultural Rights, para. 2, E/C.12/2016/1, 22 July 2016; Report of the Working Group on the issue of discrimination against women in law and in practice, para. 26 to 31, A/HRC/26/39, 1 April 2014, <https://www.ohchr.org/EN/Issues/Women/WGWomen/Pages/Annualreports.aspx>.

<sup>42</sup> Combined fifth and sixth periodic reports of Slovenia, CEDAW/C/SVN/CO/5-6, 24 November 2015, In its concluding observations to Slovenia the CEDAW Committee noted “with concern that austerity measures, adopted in an effort to stabilize public finances, have had a detrimental and disproportionate impact on women in many spheres of life”. Furthermore, the Committee noted the lack of targeted studies and evaluations to monitor the gender-specific effects of such measures recalling “that, even in times of fiscal constraints and economic crisis, special efforts must be made to respect women’s human rights, sustain and expand social investment and social protection and employ a gender-sensitive approach, giving priority to women in vulnerable situations”.

<sup>43</sup> CEDAW/C/GC/35, paragraph 7.

<sup>44</sup> CEDAW/C/GBR/CO/7, paragraph 20

services tend to increase the burden on primary caregivers who are mainly women and who are expected to fill gaps in care deficits by taking up more unpaid care work at home or low-paid care work by, for instance, working as domestic workers.<sup>45</sup> In addition, austerity policies have disproportionate gendered impacts, since 20% of women in the UK are in poverty, when compared to 18% of men.<sup>46</sup> Women also make two thirds of the UK's public sector labour forces and are more likely to use public services (including healthcare), all of which have come under attack through austerity cuts.<sup>47</sup>

Universal Credit has led to cuts in benefits to many people, entrenching poverty, and this affects mainly women and others facing discrimination, for example, those living with disability.<sup>48</sup> The online Universal Credit system can create barriers, which are, for example, particularly problematic for Gypsies and Travellers (for more information, see link in the footnote.)<sup>49</sup> Further, that the practice of having one payment to the household makes it harder for women to have independent control over their finances, which makes it harder for women to leave abusive relationships and to escape situations of domestic violence. As noted by the Special Rapporteur on extreme poverty, single payments entrench gendered dynamics of abusive relationships, giving control of the payments to the partner.<sup>50</sup> The cuts to the Universal Credit support to single parents also disproportionately affect women. While in August 2018  $\frac{2}{3}$  of the Universal Credit recipients who had their benefits capped were single parents, women represent 90% of those living as a single parent.<sup>51</sup>

## Recommendations

The UK should:

- Implement policies that move away from austerity measures and instead focus on investments in the public sector promoting thus social cohesion and gender equality, including by implementing the recommendations of the UN Special Rapporteur on extreme poverty and

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<sup>45</sup> Special Rapporteur on Extreme Poverty. Statement, London, 16 November 2018.

<sup>46</sup> CEDAW (2013) *Concluding Observations on the Seventh Periodic Report of the United Kingdom of Great Britain and Northern Ireland*, paragraph 20.

<sup>47</sup> [https://wbg.org.uk/wp-content/uploads/2016/12/RRB\\_Reports\\_4\\_1653541019.pdf](https://wbg.org.uk/wp-content/uploads/2016/12/RRB_Reports_4_1653541019.pdf); Effects of foreign debt and other related financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, Impact of economic reforms and austerity measures on women's human rights, para. 28, A/73/179, 18 July 2018.

<sup>48</sup> <https://www.theguardian.com/society/2018/oct/14/universal-credit-hits-vulnerable-hardest>

<sup>49</sup> See submission to the UN Special Rapporteur on Extreme Poverty by the Friends, Families and Travellers available at: <https://www.ohchr.org/EN/Issues/Poverty/Pages/UKVisitSubmissions.aspx>;

<sup>50</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23881&LangID=E>

<sup>51</sup> *Ibid.*

human rights. As an intermediary step implement immediate measures to mitigate and remedy the impact of austerity measures on women and the services provided to women;

- Adopt measures to protect women beneficiaries of the Universal Credit from intimate partner domestic violence;
- Ensure that those without access to the internet/online services, or with limited skills in using the internet, such as gypsies and travellers, in particular older women, are not precluded from or discriminated against in access to state benefits by providing alternative means of access and support in training and use of internet-based services;
- Undertake independent, participatory, informed, transparent and gender-sensitive human rights impact assessments of economic reform policies, including of austerity policies and identify and effectively address measures that could entail retrogressive effects for women's human rights, foreseeing, for example, negative outcomes with respect to the distribution of unpaid care work;
- Ensure substantial and sustained public investment, including in social and physical infrastructure, to achieve the realization of women's human rights and gender equality.

## **Additional information on NAP1325 implementation**

Please refer to the report “Assessing UK Government Action on Women, Peace and Security in 2018” released by the Gender Action for Peace and Security (GAPS) in January 2019.

The Gender Action for Peace and Security (GAPS) is the UK's Women, Peace and Security (WPS) civil society network. It is a membership organisation of NGOs and experts in the fields of development, human rights, humanitarian assistance and peacebuilding. It was founded to promote Women, Peace and Security, including UN Security Council Resolution 1325. GAPS promotes and holds the UK Government to account on its international commitments to women and girls in conflict areas worldwide.

The report is available at this link: <http://gaps-uk.org/wp-content/uploads/2019/01/Assessing-UK-Government-Action-on-Women-Peace-and-Security-in-2018.pdf> .