

WOMEN'S RIGHTS

INTRODUCTION

This chapter identifies the various mechanisms states use to protect women's rights through comparative state practice. This chapter also outlines the provisions of the Darfur Peace Agreement related to the protection women's rights position and provides sample language parties may wish to consider when drafting women's rights provisions in a peace agreement.

To protect the rights of women in conflict, many states include special provisions for women's rights in peace agreements and post-conflict constitutions. These rights often include the right to be free from discrimination, the right of women to benefit from development efforts, prohibitions of violence against women, and special protections of the relationship between the mother and child. Additionally, some peace agreements and post-conflict constitutions provide for a woman's right to education, employment, and property.

To ensure effective representation of women at the political level, many peace agreements and post-conflict constitutions include provisions to promote and protect the right of women to participate in politics and government. Some states simply provide a general commitment to women's political participation. Other states provide specific mechanisms to ensure women's political participation, such as legislative set-asides or the creation of public institutions to protect women's interests.

States typically create various mechanisms to ensure the protection of women's rights established in peace agreements and post-conflict constitutions. These mechanisms may include the establishment of government institutions concerned with women's affairs and the adoption of specific legislation against gender-based discrimination and violence.

The 2006 Darfur Peace Agreement (DPA) provides numerous mechanisms for the protection of women's rights, including provisions establishing women's right to participate in government institutions, provisions recognizing the role of women in the economy, and provisions guaranteeing property rights to women.¹

¹ Darfur Peace Agreement, art. 1, para. 15; art. 3, para. 28, May 5, 2006, *available at* http://www.unmis.org/english/2006Docs/DPA_ABUJA-5-05-06-withSignatures.pdf (last accessed Sept. 27, 2007).

The DPA also requires the Government of Sudan to engage and consult women in the reconstruction, redevelopment, and reintegration efforts in Darfur.² The DPA also requires that women who are displaced persons have access to financial assistance and that the government create special programs to address the special needs of women in the reintegration process.³

CORE ELEMENTS

Substantive Women's Rights

Peace agreements and post-conflict constitutions often include substantive women's rights provisions. These rights generally include the right to be free from discrimination, the right of women to benefit from development efforts, prohibitions of violence against women, and special protections of the relationship between the mother and child. Additionally, some peace agreements and post-conflict constitutions provide for a woman's right to education, employment, and property.

Equality and Freedom from Discrimination

Many states provide a general guarantee of equality for women and a right to be free from gender based discrimination in both peace agreements and post-conflict constitutions. These provisions are often broad and prohibit discrimination on the grounds of ethnicity, language, religion, or culture. States often invoke international human rights standards or include non-discrimination statements in a peace agreement or post-conflict constitution. Some states do not include any express guarantees for women's rights, but provide protections indirectly through general human rights guarantees and recognition of the needs of women.

Invocation of International Women's Rights Standards

States may provide prohibitions against gender based discrimination by invoking international agreements. Cambodia offers examples of invoking international women's rights standards in both a peace agreement and a constitution. The Comprehensive Political Settlement of the Cambodia Conflict ("Cambodian Agreement") provides that all Cambodians enjoy the rights set out in the Universal Declaration of Human Rights and other relevant human rights

² Darfur Peace Agreement, art. 17, para. 109; art. 27, para. 369, art. 29, para. 438, 445.

³ Darfur Peace Agreement, art. 21, para. 195.

instruments.⁴ The Constitution of Cambodia invokes the rights embodied in the Convention on the Elimination of All Forms of Discrimination against Women.⁵

Express Women's Rights Provisions

Alternatively, peace agreements and constitutions may include express provisions for the rights of women. The Good Friday Agreement of Northern Ireland affirms the right to equal opportunity in all social and economic activity, regardless of gender.⁶ Similarly, the Cambodian Agreement provides for the incorporation of rights relating to security, equality, and freedom from sexual discrimination.⁷

In Afghanistan, general equality provisions are included in both the peace agreement and the Constitution. The Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (the Bonn Agreement) specifically describes its objective a broad-based, gender-sensitive, multi-ethnic, and fully representative government.⁸ Additionally,

⁴ Final Act of the Paris Conference on Cambodia, part 2, Oct. 23, 1991, *available at* http://www.usip.org/library/pa/cambodia/final_act_10231991.html (last accessed, Sept. 15, 2007); Universal Declaration of Human Rights, art. 2, Dec. 10, 1948, *available at* <http://www.un.org/Overview/rights.html> (last accessed, Sept. 15, 2007). The Universal Declaration of Human Rights declares, "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

⁵ CAMBODIA CONST. ch. 3, art. 31 (1999), *available at* <http://www.cambodia.gov.kh/unisql1/egov/english/organ.constitution.html> (last accessed, Sept. 15, 2007).

⁶ Good Friday Agreement, Apr. 10, 1998, Strand 3, Rights, Safeguards and Equality of Opportunity, paras. 1, 3, April 10, 1998, *available at* <http://www.nio.gov.uk/agreement.pdf> (last accessed Sept. 17, 2007).

⁷ The Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, Oct. 23, 1991, Annex 5, *available at* http://www.usip.org/library/pa/cambodia/agree_comppol_10231991_toc.html (last accessed, Sept. 15, 2007).

⁸ The Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions, Preamble, Dec. 5, 2001, *available at* http://www.usip.org/library/pa/afghanistan/pa_afghan_12052001.html (last accessed, Sept. 15, 2007).

Afghanistan's Constitution provides that all citizens have "equal rights and duties before the law" regardless of gender.⁹

Indirect Women's Rights Provisions

By contrast, other peace agreements make no specific provision for women's rights, but instead provide general human rights guarantees and include a special recognition of the needs of women. The parties to the Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone ("Lome Agreement") committed to promoting human rights and humanitarian law, equality, and the socio-economic well-being of all the people of Sierra Leone.¹⁰ Additionally, Part V of the Lome Agreement provides mechanisms for addressing humanitarian, human rights and socio-economic issues.¹¹ Without specifically invoking women's rights, the Lome Agreement recognized the need to assign priority in national development efforts to women who had suffered particular hardships during the conflict.¹²

Women and Development

Recognizing the particular hardships that women face during conflict, some states have made special provisions for women's inclusion in development. These provisions may redress historical inequities in the allocation of development between men and women.

The Lome Agreement of Sierra Leone makes special provision for conflict-affected women.¹³ The Lome Agreement calls for special attention to the needs of women in formulating and implementing programs for rehabilitation, reconstruction, and development programs, due to their unique victimization

⁹ AFGHANISTAN CONST. art. 21, (2004), unofficial translation, *available at* <http://www.mfa.gov.af/Documents/Constitution%20of%20afghanistan.pdf> (last accessed, Sept. 15, 2007).

¹⁰ The Peace Agreement Between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, Jul. 7, 1999, http://www.usip.org/library/pa/sl/sierra_leone_07071999_toc.html (last accessed, Sept. 21, 2007) [hereinafter Lome Agreement].

¹¹ Lome Agreement, Jul. 7, 1999, part 5.

¹² Lome Agreement, Jul. 7, 1999, art. 28.

¹³ Lome Agreement, Jul. 7, 1999, art. 28.

during the conflict.¹⁴ The expressed objective of this provision is to enable women to play a central role in the moral, social, and physical reconstruction of Sierra Leone.¹⁵

Violence against Women

In order to provide for the safety and security of women, several states include provisions in peace agreements and post-conflict constitutions that prohibit violence against women. These provisions may criminalize rape, prohibit the exploitation of women, or outlaw violence against women in both public and private settings.

For instance, the constitution of the Democratic Republic of the Congo requires the government to fight all forms of violence against women in public and private life.¹⁶ Notably, the constitution also provides specific protection against sexual violence.¹⁷ Similarly, the Cambodian Constitution prohibits the physical abuse¹⁸ and exploitation of women.¹⁹ The Afghanistan constitution prohibits violence against women more generally, calling for the adoption of measures to ensure the physical well being of women and the family.²⁰

Rights of the Mother and Child

Some post-conflict constitutions provide special protections for the rights of women in relation to their children. The Afghanistan Constitution calls for the adoption of necessary measures to ensure the physical and psychological well-being of the family, especially the mother and child.²¹

Other Rights

¹⁴ Lome Agreement, Jul. 7, 1999, art. 28.

¹⁵ Lome Agreement, Jul. 7, 1999, art. 28.

¹⁶ DEMOCRATIC REPUBLIC OF THE CONGO CONST. art. 14 (2006) *available in French only at* <http://www.presidentrdc.cd/constitution.html> (last accessed, Sept. 21, 2007).

¹⁷ Democratic Republic of the Congo Const. art. 15 (2006).

¹⁸ CAMBODIA CONST. art. 38 (1999).

¹⁹ CAMBODIA CONST. art. 45 (1999).

²⁰ AFGHANISTAN CONST. art. 54 (2004).

²¹ AFGHANISTAN CONST. art. 54 (2004).

In addition to these relatively common rights, some states provide additional rights to women including express provisions regarding a woman's right to education, employment, or property.

Education

In order to redress imbalances between the educational opportunities of men and women, some post-conflict states enshrine a woman's right to education in the constitution. For instance, the Afghanistan constitution requires the state to devise and implement effective programs for balancing and promoting education for women.²² Similarly, in East Timor, education and literacy programs for women and girls are a priority of the state's efforts to promote women's rights in the interim administration.²³

Employment

Some post-conflict states include provisions that promote the equality of women in the workplace. For instance, the Cambodian constitution specifically calls for gender equality in employment.²⁴

Property

Where women's rights to own property are limited, some states incorporate provisions for women's property rights into their constitutions. Providing and protecting the equal right of women to own land is one of the priorities of East Timor's efforts to improve women's rights during the transition to independence.²⁵

Representation of Women in Politics and Government

Peace agreements and post-conflict constitutions often provide women the right to participate in government and the political process. Some states simply

²² AFGHANISTAN CONST. art. 44 (2004).

²³ Sherrill Whittington, *The UN Transitional Administration in East Timor: Gender affairs*, 53 DEVELOPMENT BULLETIN 77 (2000), available at http://devnet.anu.edu.au/GenderPacific/pdfs/16_gen_peace_whittington.pdf (last accessed, Sept 22, 2007).

²⁴ CAMBODIA CONST. art. 36 (1999).

²⁵ Sherrill Whittington, *The UN Transitional Administration in East Timor: Gender affairs*, 53 DEVELOPMENT BULLETIN, at 77 (2000).

provide a general commitment to women's political participation, while other states provide legislative or public institution set-asides.

The Good Friday Agreement on Northern Ireland and the Constitution of Cambodia provide general commitments to the participation of women in politics and government. The Good Friday Agreement recognizes the right of women to full and equal political participation,²⁶ and additionally promotes social inclusion, emphasizing the advancement of women in public life.²⁷ The Constitution of Cambodia recognizes sexual equality in political participation.²⁸

To promote women's political participation, the constitution of Afghanistan establishes legislative set-asides for women. The Afghanistan constitution establishes a minimum quota of women delegates in both the upper and lower houses of the Afghan National Assembly.²⁹

To promote the participation of women in government, the constitution of the Democratic Republic of the Congo provides a general guarantee of gender parity in public institutions.³⁰ The 2003 Transitional Constitution, which has concurrent jurisdiction with the 2006 Constitution, also establishes a right to "significant representation" in public institutions.³¹

Mechanisms for Implementing Women's Rights

In order to ensure the implementation of rights guaranteed in peace agreements and post-conflict constitutions in domestic law, many states pass legislation on women's rights. States also establish public institutions, such as government ministries or units, devoted to protecting and promoting the rights of women. In addition, task forces can educate public institutions on the rights of women.

²⁶ Good Friday Agreement, Apr. 10, 1998, Strand 3, Rights, Safeguards and Equality of Opportunity, para. 1.

²⁷ Good Friday Agreement, Apr. 10, 1998, Strand 3, Rights, Safeguards and Equality of Opportunity, Economic, Social and Cultural Issues, para. 1.

²⁸ CAMBODIA CONST. art. 34 (1999).

²⁹ AFGHANISTAN CONST. art. 83, - 84 (2004).

³⁰ DEMOCRATIC REPUBLIC OF THE CONGO CONST. art. 14 (2006).

³¹ DEMOCRATIC REPUBLIC OF THE CONGO TRANSITIONAL CONST. art. 51 (2003), *available at* <http://www.iss.co.za/af/profiles/DRCongo/icd/consdraft.pdf> (last accessed, Sept. 22, 2007).

Government Ministries or Units

In order to implement the substantive rights established in the constitution or guaranteed in a peace agreement, several states established government ministries or other units responsible for women's affairs. These ministries promote women's education, increase the participation of women in politics, stem gender-based violence, or enhance the sensitivity of government institutions to the women's needs.

The Government of Cambodia established the Ministry of Women's Affairs to educate the population and counter traditional stereotypes of female inferiority.³² In the interest of increasing women's political participation, the Ministry of Women's Affairs initiated programs to prepare women to assume roles in the state's political leadership.³³

The Government of Sierra Leone established the Family Support Unit to assist local police in investigating gender-based violence.³⁴ The Family Support Unit engages in community education and sensitization through radio and television programs.³⁵ The Sierra Leone police operate Family Support Units in eighteen police stations across the country.³⁶

Similarly, East Timor established a Vulnerable Persons Unit to assist the civilian police.³⁷ The Vulnerable Persons Unit includes female officers and

³² *Cambodian Women Report 2004*, CAMBODIAN LEAGUE FOR THE PROMOTION AND DEFENCE OF HUMAN RIGHTS, CAMBODIAN WOMEN REPORT 2004, *available at* <http://www.licadho.org/reports/files/56Situation%20of%20Women%20Report.pdf> (last accessed, Sept. 23, 2007).

³³ *CAMBODIAN Women Report 2004*, CAMBODIAN LEAGUE FOR THE PROMOTION AND DEFENCE OF HUMAN RIGHTS, WOMEN REPORT 2004.

³⁴ UNITED STATES DEPARTMENT OF STATE, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR, COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: SIERRA LEONE, Mar. 8, 2006, *available at* <http://www.state.gov/g/drl/rls/hrrpt/2005/61591.htm> (last accessed, Sept 23, 2007).

³⁵ UNITED STATES DEPARTMENT OF STATE, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR, COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: SIERRA LEONE.

³⁶ UNITED STATES DEPARTMENT OF STATE, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR, COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: SIERRA LEONE.

³⁷ Sherrill Whittington, *Gender and Peacekeeping: The United Nations Transitional Administration in East Timor*, 28 SIGNS: JOURNAL OF WOMEN IN CULTURE AND SOCIETY, 1283, 1286 (2003), *available at* <http://www.journals.uchicago.edu/cgi-bin/resolve?id=doi:10.1086/368320> (last accessed, Sept. 23, 2007).

interpreters.³⁸ The East Timorese government also established a Gender Affairs Unit in the Office of the Special Representative of the United Nations Secretary-General. The Unit's mandate was to mainstream gender throughout all areas of the transitional administration.³⁹ The Unit advocated for gender equity and equality and focused on the following priority areas: increased participation in political decision-making; a gender-sensitive legal and judicial system; education and literacy programs for women and girls; and equal rights to land, employment and investment opportunities.⁴⁰

Government Task Force

Another mechanism through which states may implement women's rights protections is a government task force. States establish task forces as temporary units charged with implementing women's rights in government institutions.

In an effort to fulfill its constitutional obligation to protect the physical and psychological well being of women, the Government of Afghanistan took affirmative measures to counter the high rates of domestic violence.⁴¹ The Government of Afghanistan created the Inter-Ministerial Task Force on the Elimination of Violence Against Women under the Ministry of Women's Affairs. The Task Force endorsed a work plan to improve the judicial and law enforcement systems. The Task Force trained court officials, staff at the Attorney General's Office, and police departments in handling cases of violence against women. Additionally, the Task Force has established an initiative for the formal registration of marriages and divorces to ensure the protection of women's rights under Islamic law and in accordance with international standards. The Task Force also engaged in the construction of safe houses for women escaping domestic violence.⁴²

DARFUR PEACE AGREEMENT

³⁸ Sherrill Whittington, *Gender and Peacekeeping: The United Nations Transitional Administration in East Timor*, 28 SIGNS: JOURNAL OF WOMEN IN CULTURE AND SOCIETY at 1286.

³⁹ Sherrill Whittington, *Gender and Peacekeeping: The United Nations Transitional Administration in East Timor*, 28 SIGNS: JOURNAL OF WOMEN IN CULTURE AND SOCIETY at 1285.

⁴⁰ Sherrill Whittington, *The UN Transitional Administration in East Timor: Gender affairs*, 53 DEVELOPMENT BULLETIN at 77.

⁴¹ AFGHANISTAN CONST. art. 54 (2004).

⁴² UN DEPT. OF PEACEKEEPING OPERATIONS, GENDER MAINSTREAMING IN PEACEKEEPING OPERATIONS: PROGRESS REPORT, Nov. 2005, at 23, available at www.peacewomen.org/resources/Peacekeeping/progressreport05.pdf (last accessed Sept. 23, 2007).

The Darfur Peace Agreement (DPA) provides women protection in areas of power and wealth sharing. At the national government level, the DPA provides mechanisms to ensure the effective participation of women in all government branches, including the civil service. Additionally, the DPA's wealth sharing provisions provide mechanisms ensuring representation in organizations responsible for dispersing the funds. The DPA's ceasefire agreement also provides mechanisms for the protection, participation, and representation in organizations created by the agreement.

Power Sharing

General Principles for Power Sharing

The Darfur Peace Agreement recognizes the lack of representation for women in Sudanese government and society.⁴³ The DPA's provisions intend to remedy this and ensure the effective participation of women in government.⁴⁴

Human Rights and Fundamental Freedoms

The DPA incorporates women's rights,⁴⁵ specified in the International Covenant on Civil and Political Rights.⁴⁶ The DPA provides for: (1) the right to marry; (2) maternity and healthcare for pregnant women; and (3) access to education, without discrimination as to gender.⁴⁷ The agreement also requires parties to combat harmful customs and other activities that demean the status of women, and to protect lactating women from the death penalty.⁴⁸

Effective Participation in All Institutions at the Federal Level and At All Other Levels of Governance

The National Executive, National Legislature, and the National Civil Service

⁴³ Darfur Peace Agreement, art. 1, para.15.

⁴⁴ Darfur Peace Agreement, art. 1, para.15.

⁴⁵ Darfur Peace Agreement, art. 3, para. 28(a). These rights include civil and political rights along with the social and cultural rights ratified by the Government of Sudan. Darfur Peace Agreement, art. 3, para. 28(a).

⁴⁶ Darfur Peace Agreement, art. 3, para. 28(a).

⁴⁷ Darfur Peace Agreement, art. 3, para. 28.

⁴⁸ Darfur Peace Agreement, art. 3, para. 30(c).

The DPA requires the President of Sudan to ensure the equitable representation of women to appointed National Executive positions.⁴⁹ The DPA provides a minimum of twelve seats in the National Assembly for Sudanese Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) nominees and “highly” recommends that some nominees be women.⁵⁰

The DPA addresses the under-representation of Darfurian women in the National Civil Service by providing both long-term⁵¹ and short-term⁵² remedies. Specifically, the parties to the DPA must take “special measures” to ensure the participation of women in the civil service.⁵³

Wealth Sharing, Concepts and General Principles for Wealth Sharing

The DPA's wealth sharing chapter recognizes that women in the agricultural sector require “special focus.”⁵⁴ Women in Darfur make up the majority of the agricultural workforce.⁵⁵

The Darfur Reconstruction and Development Fund must also “develop special funding mechanisms to address the needs of women.”⁵⁶ In addition to financial assistance, the DPA provides protection and necessary documents for women intent on returning home.⁵⁷ The DPA also provides for the participation of these returning women in the distribution of food and water while en route to areas

⁴⁹ Darfur Peace Agreement, art. 8, para. 69(d); art. 70. These positions include positions created by the Darfur Peace Agreement and the Interim National Constitution.

⁵⁰ Darfur Peace Agreement, art. 9, para. 71.

⁵¹ Darfur Peace Agreement, art. 11, para. 76.

⁵² Darfur Peace Agreement, art. 11, para. 77, sec. b. To address the inequality of women, the Government of Sudan shall reserve “certain” civil service posts for “qualified women, particularly those from the less developed areas such as Darfur.”

⁵³ Darfur Peace Agreement, art. 11, para. 78.

⁵⁴ Darfur Peace Agreement, art. 17, sec. 109.

⁵⁵ Darfur Peace Agreement, art. 17 sec. 109.

⁵⁶ Darfur Peace Agreement, art. 19, para. 154(d). The mechanisms cover, but are not limited to the “creation of investment opportunities, enhancement of productive capacities, capacities, provision of credit, production inputs and capacity building for women.” Darfur Peace Agreement, art. 19, para. 154(d).

⁵⁷ Darfur Peace Agreement, art. 21, para. 186, 192. This provision requires the relevant authorities to assist the African Union and the international community in protecting women from harassment Darfur Peace Agreement, art. 21, para. 186, 192.

of return.⁵⁸ The DPA asserts the rights of women to reclaim property lost during the conflict and requires that women have equal and effective participation in the restitution process⁵⁹ and on the Compensation Commission.⁶⁰ The Compensation Commission is also required to take into account the needs of women and children.⁶¹

Comprehensive Ceasefire and Final Security Arrangements

The Darfur Peace Agreement's ceasefire chapter also contains provisions addressing the special needs of women in Sudanese and Darfurian society. The ceasefire requires the parties to protect women from gender-motivated violence.⁶² Parties also must ensure women's participation and representation in institutions that monitor and verify the ceasefire,⁶³ and assist with the reintegration process.⁶⁴

The Darfur-Darfur Dialogue and Consultation⁶⁵ ("DDDC") strives to include women in membership positions.⁶⁶ The DPA also provides for the

⁵⁸ Darfur Peace Agreement, art. 21, para. 187.

⁵⁹ Darfur Peace Agreement, art. 21, para. 195.

⁶⁰ Darfur Peace Agreement, art. 21, para. 202.

⁶¹ Darfur Peace Agreement, art. 21, para. 205.

⁶² Darfur Peace Agreement, art. 23, para. 217(c); art. 25, para. 236; art. 27, para. 321(c). The DPA ensures that women and children are not subjugated to gender-based violence. Furthermore, the DPA says that the African Union's Mission in Sudan will not tolerate gender-based violence. The DPA also requires the formulation of policing strategies that deal with violence against women in areas of Darfur controlled by the Government of Sudan.

⁶³ Darfur Peace Agreement, art. 25, para. 229(e); art. 29, para. 394. The DPA supports the participation of women in the ceasefire monitoring process. Additionally, the DPA ensures the fair representation in the Darfur Security Arrangements Implementation Commission.

⁶⁴ Darfur Peace Agreement, art. 27, para. 369; art. 29, para. 438, 445. Parties are required to pay special attention to the needs of women by setting aside specific resources and provide programs for the reintegration of women, including widows and former combatants.

⁶⁵ Darfur Peace Agreement, art. 31, para. 458. The DDCC is a conference that provides the different Darfurian stakeholders a place to meet, build consensus "and discuss the challenges of restoring peace to their land."

⁶⁶ Darfur Peace Agreement, art. 31, paras. 461-67; art. 31, paras. 475-76, 482, 494. The parties should provide for the participation and representation of women in the DDCC.

protection⁶⁷ of internally displaced women.⁶⁸ The DPA further requires the representation for women in security institutions.⁶⁹

SAMPLE LANGUAGE

Article XXX

Substantive Women's Rights

The parties recognize that all persons are equal before the law and are entitled to equal protection of the Constitution, regardless of race, color, gender, language, religion, political or other opinion.⁷⁰

OR

The Government of Sudan shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human rights, the covenants and conventions related to human rights, women's, and children's rights.⁷¹

Article XXX

Women and Development

The Government of Sudan shall provide appropriate financial and technical assistance to women, in particular, those that were victimized during the conflict.⁷²

Article XXX

Combating Violence Against Women

The Government of Sudan shall fight all forms of violence against women.⁷³

⁶⁷ Darfur Peace Agreement, art. 26, paras. 276-79.

⁶⁸ Darfur Peace Agreement, art. 26, para. 262(e).

⁶⁹ Darfur Peace Agreement, art. 29, para. 447(e).

⁷⁰ This language is drawn from the Darfur Peace Agreement, art. 3, para. 27.

⁷¹ This language is from the Constitution of CAMBODIA CONST. art. 31 (1999).

⁷² This language is drawn from the Lome Agreement, Jul. 7, 1999, art. 28.

⁷³ This language is drawn from the CONST. OF THE DEMOCRATIC REPUBLIC OF THE CONGO, art.

AND/OR

The Government of Sudan shall fight all forms of violence against women.

Special laws shall be enacted in order to protect women against exploitation in employment. Women shall be equal in all fields, including marriage. Marriage shall be conducted according to conditions determined by law based on the principle of mutual consent between one husband and one wife.⁷⁴

Article XXX

Rights of the Mother and Child

The Government shall adopt the necessary measures in order to ensure the well-being of the mother and child.⁷⁵

AND/OR

The Government shall provide maternity and childcare services for pregnant and breast-feeding women.⁷⁶

Article XXX

Providing Access to Education for Women

The Government shall provide access to education to all its citizens regardless of race, color, gender, disability, language, religious creed, political or other opinion.⁷⁷

AND/OR

Special measures shall be adopted in order to increase the participation of women at all levels of education.⁷⁸

⁷⁴ This language is drawn from the CAMBODIA CONST. art. 45. (1999).

⁷⁵ This language is drawn from the AFGHANISTAN CONST. art. 54 (1999).

⁷⁶ This language is drawn from the SUDANESE INTERIM NATIONAL CONST. art. 20, sec. 2 (2005).

⁷⁷ This language is drawn from the Darfur Peace Agreement, art. 3, para. 28(f).

⁷⁸ This language is drawn from the AFGHANISTAN CONST. art. 44 (2004).

Article XXX
Employment Rights

Women shall enjoy the right to choose any employment according to their ability.⁷⁹

AND/OR

Citizens of either sex shall receive equal pay for equal work.⁸⁰

Article XXX
Property Rights for Women

Women shall have the right to own property and share in the estate of a deceased family member.⁸¹

Article XXX
Representation of Women in Politics and Government

The Government of Sudan shall set aside [X number of positions] in the [insert institutions in which women's participation is mandated] to be occupied by women.⁸²

AND/OR

The Government of Sudan shall adopt legislation ensure the participation of women in all levels of government.⁸³

AND/OR

The Government of Sudan shall establish a [commission and/or government ministry] to ensure the representation of women in all levels of government.⁸⁴

⁷⁹ This language is drawn from the CAMBODIA CONST. art. 36 (1999).

⁸⁰ This language is from the CAMBODIA CONST. art. 36 (1999).

⁸¹ This language is drawn from the SUDANESE INTERIM NATIONAL CONST. art. 20, sec. 2 (2005).

⁸² This language is drawn from the AFGHANISTAN CONST. arts. 83-84 (2004).

⁸³ This language is drawn from the Darfur Peace Agreement art. 1, para.15.

⁸⁴ This language is drawn from the East Timor Gender Affairs Unit established in the Office of the Special Representative of the United Nations Secretary-General.