

# The Impact of War on Women's Rights and the Persistence of Women's Inequality in Authoritarian Post-Conflict Regimes

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## **Abstract**

Women and girls are quite disproportionately affected especially at the time of wars or armed conflicts, where the already-existing disparities are deepened, making them extremely vulnerable. War and aggressive conflicts seek to overturn social systems, and undermine basic human rights, which, in long-term disproportionately harms the interest of women who are already considered inferior to men. The various effects of war on women are examined in this study, with particular attention paid to problems faced by them at such uncertain times where there is a rise in exploitation, human trafficking, systemic sexual violence, including the use of rape as a weapon of war, continues to destroy women's lives.<sup>1</sup>

It emphasizes on how cultural backwardness, patriarchal dominance, and gender disparity worsen women's suffering in areas devastated by violence in post conflict regimes, especially in Afghanistan

and Iraq. In these situations, women's socioeconomic, health, and psychological difficulties are exacerbated by deeply ingrained systemic misogyny that limits their access to public engagement, work, and education. These inequalities are frequently ignored by post-war governments, which uphold patriarchal standards and exclude women from crucial decision-making processes for governance and reconstruction.

This study highlights the need for focused interventions and strong legal frameworks to defend women's rights during and after conflicts by examining the socioeconomic and psychological effects of systemic misogyny in post-war contexts. The results highlight how important it is to address systemic injustices and incorporate gender-sensitive methods into peacebuilding, conflict prevention, and post-conflict rehabilitation plans to support the engagement of women in decision-making and the adoption of comprehensive policies

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to lessen the disproportionate effects of conflict on women.

## **Introduction**

In the cases of war or armed conflict, women and children are frequently the most vulnerable, and they endure the worst atrocities both during and after the war. In stark contrast to men, women frequently suffer the most during times of conflict. The burden of warfare falls on women, who have to experience the atrocities of war including sexual assault and other forms of violence, the loss of male breadwinners, property damage, displacement, and the lack of reproductive or other health services. This is frequently made worse by the fact that families are frequently uprooted by violence, and their educational opportunities are disrupted. It is necessary to give them extra consideration and examine the detrimental effects that war may have on them.

Conflict has varying consequences on women based on their cultural and societal responsibilities, but it frequently makes post-war injustices and inequalities worse. Post-existing patterns of discrimination against women and girls are made worse by conflicts and unstable conditions, which puts them at higher risk of human rights breaches.

**Keywords:** Women's Rights, War, Armed Conflict, Gender Inequality, Humanitarian crisis

The effects of war and conflict on women and girls are most evident as nearly every one of the 17 United Nations Global Goals—such as attaining gender equality or universal health and well-being, which aims to eradicate extreme poverty—is directly impacted by war. This also includes Goal 3, which calls for access to quality health care and well-being; Goal 4, which calls for access to high-quality education; and Goal 5, which calls for gender equality.

## **Research Objectives**

1. To analyze the impact of armed conflict on with special emphasis on gender disparity, lack of safety, health care, and access to education.
2. To identify the challenges faced by the women during the war as well as in the post-war period, while understanding how gender-based violence is used as a weapon of war.
3. To evaluate the effectiveness of international legal frameworks and humanitarian agencies in protecting women's rights.
4. To understand the perpetuation of gender disparity and patriarchal norms by authoritarian regimes in

the post-conflict societies such as Afghanistan.

5. To suggest methods that can protect the rights of these women and facilitate postwar recovery in order to address the specific needs of the women in conflict-affected regions.

## **Literature Review**

Mary-Wynne Ashford and Yolanda Huet-Vaughn: *The Impact of War on Women* (1997) provides an analysis of the complex dilemmas that women encounter both during and after armed conflicts. The authors illustrate how gender-based disparities are exacerbated by conflict, with women experiencing violence, displacement, and socioeconomic marginalization through compelling case studies and insightful theoretical discussions. The book emphasizes how patriarchal policies frequently keep women out of decision-making processes during postwar recovery frameworks, so sustaining cycles of inequality. It also honors the tenacity of women who, in the face of overwhelming adversity, take the lead in promoting peace and rebuilding their communities. This study has been essential in helping me better understand how gender and conflict intersect, emphasizing the pressing need for

inclusive, gender-sensitive approaches to policymaking and conflict resolution.

Gina Vale, Devorah Margolin, and Farkhondeh Akbari, *Repeating the Past or Following Precedent? Contextualising the Taliban 2.0's Governance of Women* (2023) analyzes the Taliban's comeback in Afghanistan and how it affects women living under their rule. The writers use a historical perspective to place the Taliban's repressive rule in context by exploring how systemic oppression reflects larger socio-political factors that strive to institutionalize gender inequality rather than just being a continuation of their prior control. The paper offers a thorough examination of how these laws violate women's rights, limit their access to jobs and education, and uphold patriarchal standards—all while placing these acts within a larger framework of control and government.

Judith G. Gardam and Michelle J. Jarvis's *Women, Armed Conflict and International Law* (2001) offers a thorough examination of how international legal institutions and gender intertwine during armed conflicts. The authors examine how women are disproportionately affected by war, highlighting how gender-specific needs and vulnerabilities are frequently ignored by international humanitarian and human rights law. They argue for stronger

procedures to protect women's rights both during and after conflicts and provides important insights upon the shortcomings of the current legal protections.

## **Methodology**

This study employs a qualitative research methodology using secondary data to analyze the impacts of war on women. It makes use of reports from United Nations, Amnesty International, legal frameworks like CEDAW and UN Security Council Resolutions, and case studies of areas affected by conflicts. A deeper understanding of women's more thorough comprehension of women's lived realities is offered by narrative insights drawn from UN and NGO reports and activist and victim interviews. Limitations to the research include reliance on pre-existing data and potential gaps in regional coverage.

## **Analysis and findings**

### *Poor Social Status of Women During Wartime*

Women majorly are forced to bear the brunt of warlike situations where they lack basic rights to autonomy, such as equality before the law, the ability to vote, employment, property ownership, access to family planning, the ability to refuse sexual relations, protection from physical violence and mutilation, education, and access to adequate healthcare. Lack of these rights puts women into vulnerable situations during times of war when men are absent and makes them reliant for protection and assistance.<sup>2</sup>

Moreover, those women who have been denied access to school and are unable to read and write. Many suffer from poorer health and less opportunities to earn a substantial salary. In Ukraine, many women and girls have been adversely impacted by the ongoing conflict, which has increased problems including poverty, gender-based violence, trafficking, and interrupted access to healthcare since hospitals and other facilities have been destroyed.<sup>3</sup>

### *Women's Roles and Responsibilities*

In most countries, women are the primary caretakers, taking care of the elderly, the sick, and the crippled in addition to

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<sup>2</sup> Buchowska, N., 2016. Violated or protected. Women's rights in armed conflicts after the Second World War. *International Comparative Jurisprudence*, 2(2), pp.72-80.

<sup>3</sup> "The Disproportionate Effects of War and Conflict on Women and Girls." *Georgetown Journal of*

Gender and the Law | Georgetown Law, [www.law.georgetown.edu/gender-journal/online/volume-xxiv-online/the-disproportionate-effects-of-war-and-conflict-on-women-and-girls](http://www.law.georgetown.edu/gender-journal/online/volume-xxiv-online/the-disproportionate-effects-of-war-and-conflict-on-women-and-girls).

children. The majority of people in refugee camps are women and children since they are frequently responsible for moving families, securing livelihoods, and ensuring everyone's safety. According to the UN, conflict situations have a tendency to reflect sexist gender norms, where men are expected to fight on the front lines while women are supposed to escape, leaving women to take care of their families' needs for food, shelter, and protection.

During the war, numerous women are also taken prisoner and coerced into becoming sex slaves, chefs, or fighters in militias. Others joined the military freely out of patriotism and a desire to benefit from training and education options that they otherwise could not afford, even if some were compelled to join the fighting forces. Nonetheless, many women in the military have accused men in their units of sexual harassment, rape, and assault. Many others refrain from filing accusations out of concern that they won't be taken seriously, that they won't be believed, and that they will face retaliation for filing the complaint.

#### Exploitation of Women to Humiliate Male Enemies

Throughout history, the use of women as a means of degrading male adversaries has

been a common and cruel tactic in wars. Male warriors routinely tortured and raped enemy women in genocides like those in Rwanda and Darfur because they believed it was an effective method of dehumanizing and emasculating their enemies. The idea that women belong in the rightful loot of war is a deeply ingrained misogynistic mentality that has endured since ancient times, when successful warriors brought back from combat women they had taken as slaves.

This reinforces gender-based violence as a weapon of war. Systematic rape is part of ethnic cleansing, because the forced impregnation of women dilutes the ethnic purity, where "defiled" women are humiliated and frequently expelled from their communities along with their offspring. They consequently endure the long-term health effects due to isolation and deprivation during a conflict.<sup>4</sup>

Bosnia, Cambodia, Liberia, Peru, Somalia, and Uganda have all reported cases of mass rape during times of war. 94% of displaced households in Sierra Leone reported experiencing sexual abuse, which includes slavery, torture, and rape. Between 100,000 and 200,000 "comfort women," mostly Korean, as well as Chinese, Filipina,

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<sup>4</sup> Danjibo, Nathaniel, and Adebimpe Akinkuotu. "Rape as a weapon of war against women and girls." *Gender and behaviour* 17.2 (2019): 13161-13173.

Indonesian, Burmese, and Dutch women, were taken prisoner by the Japanese during World War II and sexually exploited for years. Less than ten percent of these women made it through the war.<sup>5</sup>

Traditions of female genital mutilation also contributed to the physical and psychological consequences of rape during war, with women and girls suffering severe injuries and often being abandoned by their families and communities. Other forms of gender-based violence include forced pregnancy, forced miscarriage, sexual enslavement, and mutilation.

In areas of armed conflict, obstetrical care is poor; more spontaneous abortions and miscarriages occur; and maternal and infant mortality rates are high. In Bosnia and Iraq, some cesarean sections were performed without anesthesia, highlighting the dire medical conditions.

### Women in Refugee Camps

Nearly three-fourths of refugees globally are women and children. In addition to being separated from their husbands, women who have been forced to escape frequently lose their source of safety and income. Camp living conditions are extremely poor. Additionally, women and

girls are not safe in refugee camps; according to a UN assessment, one in five female refugees living in humanitarian situations had been sexually assaulted. In camps where warlords frequently oversee food distribution and safety, women refugees are particularly vulnerable to violence, rape, and extortion. Women in camps are especially at risk for health problems if they get pregnant and give birth without the assistance of a trained birth attendant.<sup>6</sup>

### **Impact of armed conflict on women**

Conflict puts the futures, human rights, and health and safety of women and girls at unimaginable risk. Child marriage, lack of access to reproductive health care, displacement, and gender-based violence are only few of the many challenges that are inflicted upon women because of war or armed conflicts.

### Gender-Based Violence

War and gender-based violence are undeniably interlinked, with women and children being exposed to physical, verbal, sexual, and psychological abuse in times of conflict. During war, this type of violence is also employed to establish dominance,

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<sup>5</sup> Ashford, Mary-Wynne, and Yolanda Huet-Vaughn. "The impact of war on women." War and public health (1997): 186-196.

<sup>6</sup> Ibid.

undermine families, commit genocide and ethnic cleansing, stifle opposition, and destabilize communities. Women and girls in Afghanistan, where the Taliban brutally seized power in 2021, were already subjected to gender-based violence as a result of the group's prior control and the bloodshed that occurred there. In 2020, the United Nations Refugee Agency (UNHCR) reported that 62% of Afghan women had been sexually, physically, or psychologically abused, and 87% had been victims of at least one type of gender-based violence. Torture and, in some cases, sexual enslavement have also been used as forms of abuse against women and girls in Ethiopia's Tigray area, where a war has been raging since November 2020.<sup>7</sup>

### Displacement

According to the UN Refugee Agency, women make up over half of the 80 million displaced individuals worldwide. Women who are internally displaced confront many challenges, including losing their jobs as a result of losing their land or cattle and being disproportionately affected by the absence of property rights. In addition to being victims of violence, exploitation, trafficking, or enforced disappearance, they frequently face limited access to basic

services including education, training, and reproductive healthcare due to such forced displacement from their original homes.

### Increase in Child Marriage

Any conflict causes economies to decline, high inflation and food supplies to be disrupted. Child marriage is a byproduct of war as families view child marriage as a last resort for financial security. A major cause of early marriages of young children is also the political, environmental, and economic volatility in these regions. West and Central African countries have the highest rates of child marriage worldwide due to similar reasons.

Moreover, child marriage objectifies girls and uses them as a weapon of violence, further consolidating power over one gender in conflict circumstances. For example, there were instant reports of Taliban commanders pressuring all unmarried girls in Afghan communities to marry Taliban members after the Taliban seized power in 2021. Girls' access to school is directly hampered by forced marriage since, even though they are far too young, they are expected to take on a domestic role after marriage, severely limiting their options for the future.<sup>8</sup>

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<sup>7</sup> Human Rights Watch, Ethiopia: Tigray Schools Occupied, Looted. [www.hrw.org/node/378787/printable/print](https://www.hrw.org/node/378787/printable/print).

<sup>8</sup> Egbetayo, Victoria, and Catherine Nyambura. "Forced displacement in Africa has a female face." Global Partnership for Education, 28 Mar. 2019,

### Limited Access to Life-Saving Health Care

Women and girls often struggle to access even the most basic healthcare during conflicts, including contraception, prenatal care, and safe delivery services. High costs for transportation and medications, along with the destruction of hospitals and infrastructure, leave many without life-saving care. Access to electricity, water, and sanitation is disrupted, heightening the risk of unintended pregnancies, infections, and limited support for survivors of sexual violence.<sup>9</sup>

Only a few hospitals exist in Yemen due to the war's destruction of the country's infrastructure, and only 20% of them are equipped to offer maternity and child health services, according to the UN Population Fund (UNFPA). Because of this, a Yemeni woman passes away during childbirth every two hours, and the causes are nearly always avoidable.<sup>10</sup>

### Access to Education

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[www.globalpartnership.org/blog/forced-displacement-africa-has-female-face](http://www.globalpartnership.org/blog/forced-displacement-africa-has-female-face).

<sup>9</sup> “War on women – Proportion of women killed in armed conflicts doubles in 2023 | UN Women – Headquarters.” UN Women – Headquarters, 22 Oct. 2024, [www.unwomen.org/en/news-stories/press-release/2024/10/war-on-women-women-killed-in-armed-conflicts-double-in-2023#:~:text=These%20increases%20in%20deaths%20during,from%20restricted%20access%20to%20healthcare](http://www.unwomen.org/en/news-stories/press-release/2024/10/war-on-women-women-killed-in-armed-conflicts-double-in-2023#:~:text=These%20increases%20in%20deaths%20during,from%20restricted%20access%20to%20healthcare).

<sup>10</sup> “Afghan Women and Girls Under Immediate Threat: The Responsibility to Protect and Assist Is

Women's access to education is seriously hampered by war. Education may not be available during times of war or conflict because, in certain situations, like as the current violence in Tigray, schools are turned into military installations. It is dangerous for females to go to school because of the destruction of schools, the uprooting of families, and the increased security threats. Gender equality is directly harmed by the decades-long loss of girls' education caused by war and warfare. Girls who experience conflict are 2.5 times more likely than boys to miss school, and they are also less likely to return after a ceasefire, according to the Global Partnership for Education.<sup>11</sup>

Wartime cultural and financial pressures may also compel females to drop out of school in order to provide for their family or get married young, further limiting their educational opportunities. For instance, during Taliban control, all girls in Afghanistan are not allowed to receive an education. Their capacity to start anew after

Just Beginning - Refugees International.” Refugees International, 17 Apr. 2023, [www.refugeesinternational.org/reports-briefs/afghan-women-and-girls-under-immediate-threat-the-responsibility-to-protect-and-assist-is-just-beginning](http://www.refugeesinternational.org/reports-briefs/afghan-women-and-girls-under-immediate-threat-the-responsibility-to-protect-and-assist-is-just-beginning).

<sup>11</sup> Graham-Harrison, Emma. “Taliban ban girls from secondary education in Afghanistan.” The Guardian, 19 Oct. 2022, [www.theguardian.com/world/2021/sep/17/taliban-ban-girls-from-secondary-education-in-afghanistan](http://www.theguardian.com/world/2021/sep/17/taliban-ban-girls-from-secondary-education-in-afghanistan).

a conflict is hampered by the lack of reliable educational opportunities, which feeds the cycles of inequality and poverty. Gender gaps in war-affected areas worsen when women lack the education necessary to effectively participate in post-conflict rehabilitation efforts, advocate for their rights, or obtain better work possibilities.<sup>12</sup>

### **Legal Frameworks and Humanitarian Agencies protecting women**

The body of international law known as International Humanitarian Law (IHL) was created to regulate the conduct of war and to protect those who are not directly participating in conflicts, such as civilians, injured, captured combatants, etc. The four 1949 Geneva accords, their two Additional Protocols, and other accords governing certain weapons are the main tools of international humanitarian law protecting the interests of the women. IHL enforces adherence by making violators criminally liable and requiring states to bring criminal charges against those suspected of grave violations. IHL provides two layers of protection for women: tailored protections that cater to the particular needs of women

and general protection that applies equally to men and women.<sup>13</sup>

General protection under international humanitarian law ensures equal treatment for all mandated by **Article 12 of Geneva Convention**, emphasizing non-discrimination regardless of gender or status, humane treatment for everyone in all circumstances, and safeguarding civilians from the impacts of hostilities through the principle of distinction. **The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**, adopted in 1979, aims to eliminate discrimination against women. It mandates states to embody gender equality in their constitutions and legislation, protect women from discrimination, provide recourse for violations, and address cultural patterns that contribute to discrimination. It also encourages equality in important domains like family law, employment, education, health, and political participation. Although gender-based violence in crisis situations is not specifically addressed by CEDAW, its committee has called on States parties to take effective steps to prevent and address all forms of gender-based violence, provide victims with legal protection and support,

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<sup>12</sup> Susan McKay (1998) The Effects of Armed Conflict on Girls and Women, *Peace and Conflict*, 4:4, 381-392, DOI: 10.1207/s15327949pac0404\_6

<sup>13</sup> Gardam, Judith G., and Michelle J. Jarvis. "Women, armed conflict and international law." *Women, Armed Conflict and International Law*. Brill Nijhoff, 2001. 1-18.

encourage gender-sensitive education and awareness, and make services accessible, especially for vulnerable and rural women, in **General Recommendation No. 19**. The CEDAW's General Recommendation No. 19 emphasizes the need to safeguard women who are denied their freedom. Women must be kept apart, provided with hygienic facilities, and watched over by female guards. Women who are nursing, pregnant, or have small children should receive extra food and care, as well as safe surroundings and appropriate medical care.<sup>14</sup>

Providing for women's health and physiological needs—specifically those related to their role as mothers, hygiene, and health—while upholding their privacy and dignity is part of specific protection for women. **Article 27(2) of the 4th Geneva Convention** protects women from sexual assault, rape, and other cruel treatment. By prohibiting forced separation and promoting family reunification, Specific Protection for Women also addresses the emotional and legal difficulties faced by women who are separated from their loved ones during times of conflict, preserving family ties and unity.<sup>15</sup>

To address crimes against women in armed conflicts, specialized legislation and the statutes of international criminal tribunals have developed. Gender-based violence was mostly ignored by early trials like Nuremberg and Tokyo, with little attention paid to problems like the "comfort women" during the Tokyo Trials. However, the International Criminal Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR) represented a turning point, prosecuting sexual violence as crimes against humanity, with nearly half of ICTY cases involving systematic sexual violence. With historic rulings like Jean-Pierre Bemba Gombo's conviction establishing command responsibility in cases of sexual violence, the Rome Statute of the International Criminal Court (ICC) further broadened the recognition of gender-based crimes by specifically classifying rape, forced pregnancy, and sexual slavery as crimes against humanity and war crimes.

Furthermore, a number of international conferences and UN resolutions have attempted to improve the defense and advancement of women's human rights. These include the **Security Council Resolution 1325 (2000)**, which emphasizes

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<sup>14</sup> "Single View Press." ECCHR, [www.ecchr.eu/en/press-release/cedaw-committee-recognizes-discrimination-against-survivors-of-war-time-sexual-slavery-by-the-philippine-state-and-recommends-reparations](http://www.ecchr.eu/en/press-release/cedaw-committee-recognizes-discrimination-against-survivors-of-war-time-sexual-slavery-by-the-philippine-state-and-recommends-reparations).

<sup>15</sup> O'Rourke, Catherine. *Women's rights in armed conflict under international law*. Cambridge University Press, 2020.

the disproportionate impact of conflict on women and children and calls for their greater representation in peace processes, and the 1993 World Conference on Human Rights, which emphasized the importance of ending violence against women and specifically recognized violence against women in armed conflict as a violation of human rights and humanitarian law. It highlights the importance of abiding by international regulations that safeguard civilian women and girls, such as the 1949 Geneva Convention, the 1951 Refugee Convention, and human rights protocols like CEDAW. The Resolution further emphasized that the ICC has jurisdiction over crimes like crimes against humanity, war crimes, and genocide and can hold people criminally accountable for violating these laws.

In addition, there are numerous humanitarian relief organizations that protect women and girls affected by conflict. These include, among others, Amnesty International, the UN Population Fund (UNFPA), the UN Refugee Agency (UNHCR), and the UN Children's Fund (UNICEF). Among other frontline organizations, Education Cannot Wait, Save the Children, the Malala Fund, and the

Global Partnership for Education assist girls in accessing education during times of violence and crisis.<sup>16</sup>

## **Case Study and Discussion**

By way of this study and in context of the current political turmoil in the middle east, it can only be adduced that the rights of women are in much danger and require external humanitarian aid to aid the plight of women in post conflict societies. This is majorly because ceasefire does not end violence against women. Even in the nations that have won the war, domestic violence rises after the conflict. Because weapons are widely accessible, unemployment and scarcity lead to high levels of frustration, ex-combatants may be experiencing psychological trauma, including posttraumatic stress disorder, and women who have been sexually assaulted may find it difficult to reintegrate into their communities, the tolerance for brutality, torture, and killing that develops during a war is slow to change. After a battle, the rule of law is not instantly restored, and gender-based violence persists unchecked. Gender disparity persists and in fact gets worsened despite international legal frameworks existing. Stereotypes are

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<sup>16</sup> Mlaba, Khanyi. "How Do Women and Girls Experience the Worst of War?" Global Citizen, 23 Mar. 2022,

[www.globalcitizen.org/en/content/women-and-girls-impacts-war-conflict](https://www.globalcitizen.org/en/content/women-and-girls-impacts-war-conflict).

reinforced when women are portrayed as either victims or symbols of honour during conflicts.

While post-war recovery frameworks are the most crucial instrument needed to create an equitable society, they usually fail. This leads to unequal power dynamics once more, which in turn causes authoritarian, patriarchal, and oppressive regimes to reestablish. Women are excluded from decision-making, even when it comes to issues that directly impact their rights and safety. In the end, this ignores the needs of women and keeps them from having access to leadership opportunities, resources, and justice. Women are disproportionately affected by the effects of war, their voices are silenced, and cycles of subordination are sustained by this systemic disregard.

More recently, the phrase "gender apartheid" has been used to describe the systematic discrimination, subordination, and segregation of a particular group on the basis of gender, which is frequently caused by patriarchal systems that place a higher priority on male supremacy.<sup>17</sup> The situation of tens of millions of women and girls in Iran and Afghanistan is thus accurately reflected in this. It shows up as gender-

based violence, denial of fundamental rights, exclusion from decision-making, and ingrained attitudes that minimize women's contributions to society. It is a kind of systemic inequality, which silences their voices and feeds oppressive patterns, especially during and after conflicts.<sup>18</sup>

In authoritarian regimes such as the Taliban, more than 80 decrees have been passed to restrict freedoms, such as movement, work, and education, since they regained control of Afghanistan in August 2021 following the withdrawal of US and UK troops and the fall of the democratic Afghan government. These decrees have institutionalized gender inequality by barring women from nearly all paid jobs, hindering females from entering secondary school and college and them from using the court system etc.

They released a new set of "vice and virtue" laws in August that required women to cover every part of their bodies with thick cloth while they were in public and prohibited them from speaking in public since their voices were considered "intimate" parts of their bodies. It also made it unlawful for women to gaze at a male with whom they are not romantically

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<sup>17</sup> Kelly, Annie. "What is gender apartheid – and can anything be done to stop it?" The Guardian, 9 Oct. 2024, [www.theguardian.com/global-development/2024/oct/09/what-is-gender-](https://www.theguardian.com/global-development/2024/oct/09/what-is-gender-)

[apartheid-activists-international-law-women-girls-rights-afghanistan-iran](https://www.theguardian.com/global-development/2024/oct/09/what-is-gender-apartheid-activists-international-law-women-girls-rights-afghanistan-iran).

<sup>18</sup> Barr, Heather. "The Taliban and the Global Backlash against Women's Rights." Georgetown Journal of International Affairs (2024).

involved. Flogging, stoning, and public execution of women for offenses like adultery have also been reinstated by the Taliban. Women activists and those in danger have no way out since it is illegal to travel overseas without a mahram, eliminating any chance of finding safety or possibilities overseas. Women were still prohibited from playing sports or going to public parks.<sup>19</sup>

The Taliban authorities reported enacting more targeted restrictions in several districts, prohibiting lone women from dining out. They have imposed restriction on girls attending secondary school. According to reports, in June and July, around 4,500 women were fired from their positions in the education sector. For almost a year, women in Afghanistan have been demonstrating against the Taliban. The Taliban have increased brutality and persecution in return. Women have been abused, unlawfully arrested, and kept in secret places before being freed weeks or months later without ever being charged.

Similar to this, Iran's post-revolutionary government has enforced strict regulations against women, especially the "hijab and

chastity" statute, which imposes heavy fines on women who do not cover their heads and follow a required dress code in public.<sup>20</sup> Additionally, it enforces greater gender segregation in public areas and uses CCTV cameras on public transportation and government-mandated "hijab watchers" to monitor women and girls to make sure they are adhering to the hijab restrictions. Women have been tortured, imprisoned, pulled from the streets, and shot in their cars as a result of the Iranian regime's harsh enforcement campaign after being found to have violated the country's stringent hijab restrictions.<sup>21</sup>

Restrictions on women's rights threaten democracy. Women are aware of this and have suffered as a result of speaking up. The expanding global movement is, in a way, circular. Women resisting repression in autocracies find strength and solidarity in the struggle for women's rights in functioning democracies. The struggle for women's independence is a struggle against oppression.

Unfortunately, there has been no significant aid from any international humanitarian frameworks demonstrating a substantial

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<sup>19</sup> Vale, Gina, Devorah Margolin, and Farkhondeh Akbari. "Repeating the Past or Following Precedent? Contextualising the Taliban 2.0's Governance of Women." *International Centre for Counter-Terrorism* 28 (2023).

<sup>20</sup> Syed, Armani. "Iran Is About to Make Its Hijab Laws Even Stricter." *TIME*, 17 Aug. 2023, [time.com/6305813/iran-hijab-laws-stricter](https://time.com/6305813/iran-hijab-laws-stricter).

<sup>21</sup> Higgins, Patricia J. "Women in the Islamic Republic of Iran: Legal, social, and ideological changes." *Signs: Journal of Women in Culture and Society* 10.3 (1985): 477-494.

gap in the application of these international frameworks over such regimes. Despite advancements, many of the legal frameworks are still non-binding or have a limited effect because these countries have not ratified them and because their domestic laws are based on their own cultures and customs. Furthermore, there are no specific laws for prosecuting gender-based violence in these territories; instead, serious human rights violations are punished with general penalties. The "Women, Peace, and Security" agenda of the Security Council has recently brought emphasis to the particular difficulties that women encounter during wars. Despite certain advancements, the freedom of sexual assaulters is still a major problem, and a large portion of the legal system is still either non-binding or has a limited effect. In many cases, the punishment of offenders is still not adequately addressed, despite the growing worldwide awareness and attention given to women's rights in conflict. To ensure that these safeguards are effective worldwide and transcend interpretative uncertainty, there is undoubtedly a need for stronger and more explicit measures to prevent violence against women.

## **Recommendations**

In view of the ongoing plight of the women across the world suffering from the worst impacts of armed conflicts, measures could be taken so that their interests are met and principles of law and justice is established

### *Preventing Armed Conflict*

Preventing armed conflict, though not easy is the most effective strategy to reduce civilian's vulnerability during times of conflict. This is because, states with structural hierarchy and gender inequality frequently uphold violent norms, which makes conflict more likely. It is the common people who suffer more than the governments. Thus focus should be more upon peaceful settlement of disputes rather than violent clashes.

### *Increasing Female Representation in Decision-Making Roles*

It is not enough to view women and girls as victims of instability and conflict. Their roles as members of organized civil society, human rights advocates, resistance movement members, and active participants in formal and informal peacebuilding and rehabilitation processes have been and still are. Nonviolent conflict resolution is more frequently used when there are more women in positions of government. Military brutality is less common in countries where women are more involved in government, according to

research. The necessity of women's equal and meaningful participation and involvement in all efforts to maintain and advance peace and security was acknowledged in October 2020, along with the critical role that women play in conflict prevention and resolution, peacebuilding, and security.<sup>22</sup>

### *Fast-Tracking UN Security Council Resolution 1325*

Resolution 1325 was unanimously adopted by the UN Security Council in 2000, which calls on countries to fully integrate women in all phases of conflict prevention, conflict resolution, and post-conflict reconstruction and peacebuilding. This comprehensive resolution acknowledges the strength and unique expertise of women and has the force of international law. Women should have more say in policy decisions as a result, and all decisions made by peace talks negotiating teams should incorporate protection of women's rights. Women should be involved in the planning of humanitarian aid and the post-conflict reconstruction of societies. Although this resolution's implementation is moving slowly, some nations have declared

themselves "friends of 1325" and pledged to uphold its ideals.<sup>23</sup>

### *Implementing Existing Agreements*

Implementing laws that address equal human rights for women, such as the United Nations Charter, the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the Covenant on Economic, Social, and Cultural Rights, the Covenant on Political and Civil Rights, the Beijing Declaration and Platform for Action, and Security Council Resolution 1325, would be the second most effective way to protect women. These resources place a strong emphasis on women's equality, rights, and contributions to peacekeeping and conflict resolution. The successful implementation of these agreements is essential for the safety, equality, and health of women.

### *Women and the Responsibility to Protect (R2P)*

According to the International Commission on Intervention and State Sovereignty's Responsibility to Protect (R2P) report, if a

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<sup>22</sup> United Nations, A/HRC/RES/45/28 General Assembly

<sup>23</sup> Dharmapuri, Sahana. "Implementing UN Security Council Resolution 1325: Putting the Responsibility

to Protect into Practice." *Global Responsibility to Protect* 4.2 (2012): 241-272.

country is unable or unwilling to defend all of its citizens, international intervention is required. Before considering military action, a variety of nonmilitary interventions, including targeted political and economic sanctions, are advised. To reveal the likely effects of any suggested intervention on women, women must be included in plans to implement R2P.<sup>24</sup>

### *Gender-Sensitive Peacekeeping and Humanitarian Operations*

To stop rape and the exploitation of women and girls by wealthy and powerful men, peacekeeping forces and humanitarian aid workers must be gender-sensitive. More work needs to be done to make sure that aid for women doesn't get diverted to men first. Women's safety and needs must be given top priority when planning humanitarian and peacekeeping missions. This can be ensured by training peacekeepers to understand and respond to gender-specific needs, ensuring equal representation of women in peacekeeping forces, and collaborating with local women's organizations.

### *Post-War Justice, Education, Health, and Economic Opportunities*

Restoring women's access to economic opportunities, healthcare, education, and justice systems is crucial to the reconstruction of post-war communities. Restoring the rule of law and guaranteeing women's access to justice, including legitimate land claims, would be the first step towards achieving such an objective. Commissions for peace and reconciliation make this possible. Addressing gender-based violence and raising awareness of gender equality among the general public, particularly among men, should also receive special attention. It is crucial to concentrate on empowering women in post-conflict societies by giving them access to literacy, knowledge, and technology; enabling them to generate income through microloans and enterprise funding; providing them with psychosocial support; providing reproductive health services; and attending to their health concerns. Reforms and circumstances following a conflict can be seen as a chance to change the pre-conflict social structures and norms to guarantee that women's human rights are more fully enjoyed. Last but not least, holding rape and gender-based violence as

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<sup>24</sup> Cone, Devon. "Afghan Women and Girls Under Immediate Threat: The Responsibility to Protect and Assist Is Just Beginning." (2021).

war crimes and crimes against humanity will guarantee justice, discourage similar crimes in the future, and strengthen the accountability principle.

## Conclusion

Women are far from being merely victims of war, even though they experience disproportionate and long-lasting effects. Women are disproportionately affected by war and conflict in a number of ways, such as food insecurity, displacement, increased human trafficking, and difficulties accessing healthcare and reproductive resources. Women frequently suffer the most from the secondary and long-term effects of war and conflict as a result of this detrimental reality. Since inclusive solutions have been shown to create more lasting peace, addressing these issues not only advances gender equality but also fortifies peacebuilding initiatives. In conflict-affected societies, advancing justice, democracy, and long-term progress requires defending women's rights and making sure their opinions are heard during peace talks.