

## Title: "The Plight of Women and Children amidst Conflict: A Critical Analysis"

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### Abstract:

In times of war, women and children often endure disproportionate suffering, yet their experiences remain marginalized in mainstream narratives. This study critically examines the multifaceted challenges faced by women in conflict zones, shedding light on their unique vulnerabilities and enduring impacts. Through a comprehensive review of the literature, empirical data, and case studies from diverse conflict regions, this study evaluates the effectiveness of current approaches to gender justice in the post-war period. The analysis revealed persistent challenges and shortcomings in achieving meaningful and sustainable outcomes for women and girls in post-conflict settings. Despite these efforts, there are notable gaps in addressing specific needs and concerns, highlighting the need for more nuanced and context-specific strategies. This paper underscores the importance of critically evaluating and reassessing current approaches to gender justice in post-war settings. This emphasizes the necessity for more inclusive and comprehensive strategies to address the multifaceted challenges faced by women and girls in the aftermath of conflict.

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### I. Introduction:

Women in conflict zones face a heightened risk of gender-based violence due to exacerbated gender inequalities<sup>1</sup>. They often become targets of sexual violence, which is used as weapons of war<sup>2</sup>, causing severe physical and psychological trauma. Despite increased attention from international organizations, non-governmental organizations (NGOs), academics, and professionals, women and girls continue to be vulnerable during conflicts.

In 2000<sup>3</sup>, the United Nations Security Council approved Resolution 1325 and initiated the Women, Peace, and Security (Women, 2000) Agenda. The resolution advocated for women's participation in peace initiatives, protection of their human rights, and conflict prevention. Resolutions in 1820 and 1888 further called for the protection of civilians from sexual violence during armed conflicts. However, the

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<sup>1</sup>Zeljka Mudrovic, United Nations Population Fund (UNFPA). "Strategy for mainstreaming in areas of conflict and reconciliation" (2002).P:10-13; Available at: [https://www.unfpa.org/sites/default/files/pub-pdf/impact\\_conflict\\_women.pdf](https://www.unfpa.org/sites/default/files/pub-pdf/impact_conflict_women.pdf)

<sup>2</sup> Human Rights Watch. (2022). "World Report 2022: Events of 2021". Human Rights Watch. Available at: <https://www.hrw.org/world-report/2022>

<sup>3</sup> Resolution 1325 (2000), Adopted by the Security Council at its 4213th meeting, on 31 October 2000 Recalling its resolutions 1261 (1999) of 25 August 1999, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000 and 1314 (2000) of 11 August 2000, as well as relevant statements of its President, and recalling also the statement of its President to the press on the occasion of the United Nations Day for Women's Rights and International Peace (International Women's Day) of 8 March 2000 (SC/6816),

implementation of these resolutions has faced challenges<sup>4</sup>. Reports of widespread sexual violence against women and girls persist, with perpetrators evading accountability<sup>5</sup>. For instance, South Sudan, the Democratic Republic of Congo (DRC), and regions affected by the Boko Haram insurgency in northeastern Nigeria continue to experience high levels of sexual violence<sup>6</sup>.

This paper examines the obstacles hindering the implementation of justice for women and girls in post-war settings. It begins by analyzing the roles of women and girls before conflicts erupted, considering social, cultural, economic, and political dynamics to highlight persistent vulnerabilities. Additionally, it addresses wartime violence against women and girls, emphasizing the importance of gender mainstreaming in conflict prevention and peacebuilding. By exploring these topics, this study aimed to provide a comprehensive understanding of gender dynamics in conflict-affected areas and contribute to interventions that are more effective.

## II. Literature Review

Violence against women, as defined by the United Nations, encompasses any gender-based act that results in physical, sexual, or mental harm<sup>7</sup>. Shockingly, nearly 89,000 women and girls are estimated to have been killed globally in 2022<sup>8</sup>, with 55% of female homicides perpetrated by family members or intimate partners<sup>10</sup>. During armed conflict, women suffer disproportionately. War, characterized by organized armed conflict between nations or groups, claims millions of lives annually with civilians, mostly women and children bearing the brunt, and today's '90% of victims are civilians, according to the Save the Children Relief Organization (Report, 2022). (UN Refugee Agency, 2022), recorded 112.6 million displaced and stateless persons: 51% women and 49% men. According to the report, 20% of women were below 18 years of age, 27% were above 18-59 and 4% were aged 60 years and above<sup>11</sup>. The 51% of the total highlights the magnitude of displacement on victim of war<sup>12</sup>.

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<sup>4</sup> Office of the Special Representative of the Secretary General on Sexual VIOLENCE IN CONFLICT (July, 2023) Retrieved (May, 2024), P: 11 at: <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2023/07/SG-REPORT-2023SPREAD-1.pdf>

<sup>5</sup> EugenTomiuc (2002), RadiofreeEurope Radio Liberty; World: Women, Children Are the Victims Of Most Modern-Day Wars: Retrived (2024) at- <https://www.rferl.org/a/1099590.html>

<sup>6</sup> O'Connor R, Betancourt TS, Enelamah NV. Safeguarding the Lives of Children Affected by Boko Haram: Application of the SAFE Model of Child Protection to a Rights-Based Situation Analysis. *Health Hum Rights*. 2021 Jun; 23,(1):27-41. PMID: 34194199; PMCID: PMC8233023.

<sup>7</sup> . United Nations General Assembly. (1993). Declaration on the Elimination of Violence Against Women. Retrieved from [https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.21\\_declaration%20elimination%20vaw.pdf](https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.21_declaration%20elimination%20vaw.pdf) on January 1, 2024, p. 2.

<sup>8</sup> (Craig, 2003)

<sup>9</sup> article{owid-conflict-data-how-do-researchers-measure-armed-conflicts-and-their-deaths, author = {Bastian Herre}, title = {How do researchers measure armed conflicts and their deaths?}, journal = {Our World in Data},year = {2023},

<sup>10</sup> . United Nations Office on Drugs and Crime. (2022). Global Study on Homicide: Gender-related killing of women and girls. Retrieved from [https://www.unodc.org/documents/data-and-analysis/GSH2018/GSH18\\_Gender-related\\_killing\\_of\\_women\\_and\\_girls.pdf](https://www.unodc.org/documents/data-and-analysis/GSH2018/GSH18_Gender-related_killing_of_women_and_girls.pdf)

<sup>11</sup> UNHCR Global Report (2022) [https://www.unhcr.org/sites/default/files/2023-06/Global-report-2022-final\\_0.pdf](https://www.unhcr.org/sites/default/files/2023-06/Global-report-2022-final_0.pdf)

<sup>12</sup> Amnesty International (December 2004); No impunity for rape – a crime against humanity and a war crime; retrieved from <https://www.amnesty.org/en/wp-content/uploads/2021/08/afr340172004en.pdf> p: 6-8; Kofi Annan:” PEACE REQUIRES JUSTICE FOR LIBERIAN WOMEN AND GIRLS “I deplore the fact that sexual and gender-based violence continue to be used as a weapon of war in African conflicts... Every effort must be made to halt this odious practice, and bring the perpetrators to justice.”

The "State of the World's Mothers" report highlights the increasing casualties among women and children in modern conflict, exposing them to physical hardships, hunger, disease, and sexual abuse. Displacement exacerbates vulnerability, with women comprising 51% of the 112.6 million displaced and stateless persons recorded by the UNHCR in 2022. The violation of women's rights in armed conflicts has gained international attention, as discussed in forums such as the Vienna World Conference on Human Rights (1993)<sup>13</sup> and the Beijing World Conference on Women (1995, 2000)<sup>14</sup>. While international laws protect individuals during war, more effort is needed to address victims' needs, empower them in decision-making, and ensure justice.

Although the International Criminal Court (ICC)<sup>15</sup> offers victim participation and reparations, deeper engagement is required to address the trauma and stigma accompanying sexual and gender-based violence (SGBV). For instance, in Afghanistan, 87% of women experienced some form of GBV in 2020 according to the UN Refugee Agency. Addressing the complex challenges faced by women in conflict zones requires comprehensive interventions that prioritize their safety, rights, and participation in post-war recovery efforts.<sup>16</sup>

### War-time Violence against Women

Wartime violence against women can take various forms, including sexual violence, physical assault, forced displacement, and psychological trauma<sup>17</sup>. Across conflict-affected regions, women endure unimaginable suffering owing to systematic and targeted attacks by armed actors<sup>18</sup>. Sexual violence, in particular, is employed as a deliberate tactic of war to terrorize, subjugate, and humiliate civilian population.<sup>19</sup> In the Democratic Republic of the Congo (DRC), during the peak of conflict in the early 2000s; an estimated 48 women were raped every hour, according to a report by the United Nations Population Fund (UNFPA)<sup>20</sup>. Similarly, in South Sudan<sup>21</sup>, widespread sexual violence against women and girls, the Human Rights Watch, has been documented, including gang rape, sexual slavery, and forced marriage. Physical assault and intimidation also plague women in conflict zones, leading to severe injuries and long-term disabilities. In Syria, gender-based violence has risen sharply, with over 30% of reported cases involving physical

<sup>13</sup> WORLD CONFERENCE ON HUMAN RIGHT (Vienna, 14-25 June 1993), Retrieved 2024 at-  
<https://www.refworld.org/legal/resolution/unga/1993/en/14730>

<sup>14</sup> Beijing World Conference on Women. (1995). Beijing Declaration and Platform for Action. Retrieved from [<https://www.un.org/womenwatch/daw/beijing/platform/declar.htm>

<sup>15</sup> Rosie Fowler (2021) A critique of the International Criminal Court's commitment to victims of sexual and gender-based violence Vol. 2) p: 31: [https://www.jicl.ir/article\\_128768\\_7ff997c5ea6d9157739c69b3ed249157.pdf](https://www.jicl.ir/article_128768_7ff997c5ea6d9157739c69b3ed249157.pdf)

<sup>16</sup> Frankel, J. (2024, May 2). *war*. *Encyclopedia Britannica*.

<https://www.britannica.com/topic/war>

<sup>17</sup> : Inessa Adilkhanyan, Tatevik Aghabekyan, Marta Chumalo, Halyna Fedkovych, Ekaterine Gamakharia, Gorica Ivi (2022), WAVE – Women against Violence Europe, Bacherplatz 10/6, A-1050 Vienna; restrieved: 2024

<sup>18</sup> Rubenstein BL, Lu LZN, MacFarlane M, Stark L. Predictors of interpersonal violence in the household in Humanitarian settings: a systematic review. *Trauma Violence Abuse*. 2020;21:31–44

<sup>19</sup> Louis Kuukpen, UNDP Liberia (2023) UNDP: SEXUAL VIOLENCE IN LIBERIA: END THE SILENT EPIDEMIC; restrieved 2024

<sup>20</sup> Dean Allison; Scott Reid (2014); A WEAPON OF WAR: RAPE AND SEXUAL VIOLENCE AGAINST WOMEN IN THE DEMOCRATIC REPUBLIC OF THE CONGO: Canada role of Taking Action and ending Impunity, page 3-4

<sup>21</sup> Official News Release ( July, 2023), heads of the UN Office for the Coordination of Humanitarian Affairs (OCHA), the UN Human Rights Office, the UN Refugee Agency (UNHCR), the UN Children's Fund (UNICEF), the UN Population Fund (UNFPA), UN Women and the World Health Organization (WHO) officials sound alarm at spike in violence against women and girls; official released: link to the released-  
<https://www.who.int/news/item/05-07-2023-sudan-top-un-officials-sound-alarm-at-spike-in-violence-against-women-and-girls#:~:text=Since%20this%20conflict%20began%2C%20the,raped%20in%20the%20same%20attack.>

violence, as per the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). Afghanistan has witnessed a surge in attacks against women, including acid attacks, honor killings, and forced disappearances, according to the UNAMA<sup>22</sup>.

The escalating violence against women in conflict-affected regions underscores the critical need for inclusion in transitional justice processes. The International Committee of the Red Cross (ICRC) highlights in its report "Women Facing War (2001)"<sup>23</sup> that the impact of war extends to the next generation, causing transgenerational trauma and significant economic costs<sup>24</sup>. Thus, a nuanced approach to provide justice to war victims is imperative.

Despite the global attention and condemnation of atrocities against women and children in conflict areas, the true magnitude of their suffering remains inadequately understood and insufficiently addressed. In fact, inadequate attention has further deteriorated their social status.

### III. Pre-War era and Women's Role in society

Gender disparities in education and employment contribute to women's lower participation rates in the labor force and earnings globally, as highlighted by the World Bank<sup>25</sup>. The International Labor Organization (ILO)<sup>26</sup> underscores that women are often overrepresented in informal and low-wage work, lacking job security and opportunities for advancement.

Wartime violence against women is deeply rooted in preexisting societal norms and beliefs regarding gender roles and power dynamics. Structural functionalism<sup>27</sup> emphasizes men's<sup>28</sup> primary roles in

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<sup>22</sup> The UNAMA (2021) attributed 68 civilian casualties (34 killed and 34 injured) to pro-Government armed groups. It further attributed 30 civilian casualties (9 killed and 21 injured) to undetermined Pro-Government Forces from airstrikes and 1 killed from deliberate killing. 6 UNAMA attributed 2,044 civilian casualties (699 killed and 1,345 injured) to the Taliban between 1 January and 30 June 2021. 7 UNAMA attributed 936 civilian casualties (292 killed and 644 injured) to the Afghan National Army (including the Afghan Air Force) between 1 January and 30 June 2021. 8 Between 1 January and 30 June 2020, UNAMA documented 400 women casualties (139 killed and 261 injured). 9 The women appeared to be targeted for the following reasons: (1) professional affiliation (ANP officers, penitentiary staff, judges, media professionals); (2) accused of supporting the Government or ANSF, spying for ANSF; (3) accused by the Taliban of "immoral conduct", adultery. 10 Between 1 January and 30 June 2020, UNAMA documented 1,083 child casualties (342 killed and 741 injured).

<sup>23</sup> Charlotte Lindsey "ICRC study on the impact of armed conflict on women" (2001), International Committee of the Red Cross Women and War 19 Avenue de la Paix 1202 Geneva, Switzerland

<sup>24</sup> Medica Mondiale "Sexualized wartime violence" <https://medicamondiale.org/en/violence-against-women/sexualised-wartime-violence#:~:text=Research%20suggests%20that%2050%20to,that%20the%20woman%20behaved%20inappropriately.>

<sup>25</sup> Global Gender Gap Report (2023), retrieved from World Economic Forum Website- <https://www.weforum.org/publications/global-gender-gap-report-2023/in-full/gender-gaps-in-the-workforce/>

<sup>26</sup> Emanuela Pozzan; Florence Bonnet; Umberto Cattaneo : (2020) International Labor Organization Report "Building Back Better for Women" Women Dire Position in the Informal Economy; Retrieved, May, 2024 from [https://webapps.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---travail/documents/publication/wcms](https://webapps.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms)

<sup>27</sup> Functionalists argue that gender roles were established well before the pre-industrial era when men typically took care of responsibilities outside of the home, such as hunting, and women typically took care of the domestic responsibilities in or around the home. Further reading to- Lumen Introduction of Sociology; the Theoretical perspective on Gender Role Module 9

<sup>28</sup> Rebecca Barber (2019) " Sharia Law, Traditional Justice and Violence against Women: Lessons from Sudan" Retrieved (May, 2024) from : [https://espace.library.uq.edu.au/data/UQ\\_242b888/HR383841569184200.pdf?Expires=1715262602&Key-Pair-Id=APKAJKNB4MJBJNC6NLQ&Signature=YficORI-](https://espace.library.uq.edu.au/data/UQ_242b888/HR383841569184200.pdf?Expires=1715262602&Key-Pair-Id=APKAJKNB4MJBJNC6NLQ&Signature=YficORI-)

breadwinning and political leadership, whereas women are expected to fulfill unpaid roles in caregiving and homemaking, leading to financial dependency.

Conflict theory suggests that men's dominance in decision making and representation in the public sphere perpetuates gender inequality. During conflict, women's bodies become targets of violence, exploitation, and retaliation, reflecting societal perceptions of gender roles and power dynamics<sup>29</sup>.

Addressing the underlying causes of violence against women during wars is crucial. For instance, in Liberia, gender-based discrimination in law and a lack of political representation left women vulnerable to violence. Similarly, traditional interpretations of Islam in Sudan reinforced patriarchal gender norms, perpetuating inequality.

Empowering women and integrating them into the public sphere could mitigate the notion of male superiority. Rwanda's inclusive approach, with its high rates of women's representation in parliament, has led to gender-sensitive policies and legislation, reducing violence against women. This study represents a promising strategy for mitigating violence against women, both during and before conflict.

#### IV. Reassessing the International Criminal Court Jurisdiction for Greater Outcome

The International Criminal Court (ICC) is a permanent international court established to investigate, prosecute, and try individuals accused of committing the most serious crimes of concern to the international community, namely genocide, crimes against humanity, war crimes, and crimes of aggression. Since its enforcement in 2002, the Court has made significant strides in advancing international justice by holding individuals accountable for the most serious crime under law. The ICC secured several landmark convictions and prosecutions, including those responsible for atrocities in Uganda, the Democratic Republic of Congo (DRC), the Central African Republic (CAR), and Mali.

The ICC's investigations sent a clear message that perpetrators of mass violence are held accountable for their actions. However, if victims have to wait until the state cooperates with arrest perpetrators, justice procedures can be distorted in many ways<sup>30</sup>. For instance, Prince Johnson, a former warlord and politician who gained notoriety for his role in the fourteen-year civil war in Liberia, is yet to receive trial. Twenty-one years later, the victims had not received justice. Prince Johnson was the leader of the Independent National Patriotic Front of Liberia (INPFL); in 1990, he was captured on camera torturing and brutally executing Samuel Doe, the 21<sup>st</sup> president of Liberia. Since then, he has gained prominence in Liberia. Building a university in this community and financially contributing to women and other local groups. With these contributions, it is likely that few individuals testify to him in court. The lack of enforcement mechanisms and the ICC's reliance on voluntary cooperation from states has hindered its ability to provide timely justice to war victims, especially women and girls. There is a pervasive stigma surrounding victims of sexual violence and other forms of trauma that hinders them from testifying against their perpetrators. Depending on the duration of the process, women and girls who may want to testify about their

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<sup>29</sup> Beth Speake (2012); "Women's Bodies Are Battlefields" Retrieved (may, 2024) from <https://www.e-ir.info/2012/04/25/womens-bodies-are-battlefields/>

<sup>30</sup> Read the ICC status for further information - The International Criminal Court can only intervene where a State is unable or unwilling to genuinely carry out the investigation and prosecute the perpetrators.

experiences may fear being ostracized or labeled as "dishonored" or "impure" by their communities, leading to social isolation and discrimination. In communities where justice systems are perceived as corrupt, biased, or ineffective, women and girls may be reluctant to engage in formal legal processes such as those facilitated by the ICC. They may have little confidence in these institutions' ability to deliver justice or protect their rights.

## **V. Strategies for promoting women's participation in truth commissions, reparations programs, and criminal prosecutions**

In countries ravaged by widespread violence, trauma does not end when the guns are silent. On the contrary, atrocities cast a long shadow on post-war societies. This is why the approach to rebuilding society must be victim-centered. Although nothing can undo the suffering of those who have endured violent abuse, ensuring that perpetrators of atrocities face some reckoning can be critical to moving forward at both the individual and community levels in societies recovering from violent conflict. Ensuring timely and adequate measures of accountability may help victims come to terms with the past and can help signal to all members of post-conflict societies that such abuse will not be permitted to recur. Importantly, the process of pursuing accountability for atrocities can reinforce broader efforts to reform the justice system. (Stromseth\*, 2011), in his analysis on Sierra Leone method of the ICC, recommendation Capacity Building and Demonstration efforts as effective to reinstall accountability, security, and the rule of law in the post-conflict era. He argued that the first thing to do is to remove all war laws or perpetrators of violence from ascending higher positions. Prince Johnson, though a warlord, went to becoming Senator and had secure wealth and power for himself. He concurs that removing perpetrators of atrocities from positions in which they can control and abuse others can ensure that the old patterns of impunity and exploitation are no longer tolerated. In addition to Stromseth's statement, the international body should ensure that all elected governments are mandated not to allow perpetrators of violence to participate in any political position that may enhance their power over victims. Second, victim storytelling serves as an immediate form of evidence gathering prior to court proceedings, in the context of transitional justice. While victim stories may not always be admissible as direct evidence in legal proceedings, they play a vital role in informing investigations, shaping legal strategies, and contextualizing the testimonies of witnesses and experts presented in court. Importantly, victim storytelling serves broader objectives than legal proceedings do. It provides survivors with a platform to share their experiences, express their truths, and seek acknowledgment and validation of the harm they endured. In addition, inform policy development, advocacy efforts, and efforts to prevent future abuse of human rights. Third, we emphasize capacity-building efforts as the most fundamental to restoring victims' rights and dignity.

Sierra Leone conducted a case study on this scenario. By virtue of its location and substantial local participation, the Special Court has built its domestic capacity directly by increasing the skills and experience of local professionals. Not just that. Instead of having a court-situated distance from the actual scene with victims traveling miles to testify against the perpetrator in court, interactions between victims, national, and international staff three-way streets to a better justice process. Local people engaged with the victims, gathered evidence, and had it documented and provided during the trials. In this case, the victim testifies freely without being intimidated by the cameras or foreigners. Lastly, long-term redress would provide a comprehensive and holistic reparation program that addresses the diverse needs and priorities of victims, including compensation, rehabilitation, and livelihood support. Ensure that victims are sufficiently capacitated and have access to educational opportunities and vocational training to facilitate their long-term recovery and empowerment.

## VI. Conclusion

In the tumultuous landscape of conflict zones, women and girls often find themselves disproportionately affected by the horrors of war. They are not only victims of direct violence but also endure the pervasive threat of gender-based violence stemming from pre-existing gender inequalities that are exacerbated by the chaos of armed conflict. The plight of women and girls in war-torn regions underscores the urgent need for concerted efforts to protect their rights, dignity, and wellbeing.

Despite the adoption of international resolutions and conventions aimed at safeguarding women's rights in conflict settings, the reality remains grim. Sexual violence, physical assault, forced displacement, and psychological trauma continue to ravage the lives of countless women and girls, leaving behind a devastating trail that extends far beyond the duration of the conflict itself. These atrocities not only inflict immediate harm but also sow the seeds of long-term suffering, perpetuating cycles of trauma that can endure generations.

It is evident that conventional approaches to conflict resolution and post-war reconstruction have failed to adequately address the unique needs and vulnerabilities of women and girls. Simply put, the empowerment of women must be prioritized as a central pillar of any development agenda in conflict-affected regions. By empowering women economically, politically, and socially, we can begin to dismantle the structural inequalities that fuel gender-based violence and marginalization.

Empowerment strategies must go beyond mere rhetoric and token gestures; they must be grounded in tangible actions that enable women to assert their rights, access resources, and participate fully in decision-making processes. This requires investment in education, healthcare, economic opportunities, and legal protection tailored to the specific needs of women and girls in conflict-affected settings.

Moreover, addressing the root causes of gender inequality and violence against women requires a holistic approach that engages local communities, civil society organizations, and international stakeholders. By fostering dialogue, raising awareness, and challenging harmful social norms and attitudes, we can create an environment in which violence against women is no longer tolerated or normalized.

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