

## Input on Open Debate Women, Peace & Security: Prevention of Sexual Violence

On April 5<sup>th</sup> 2018 the UN Security Council under presidency of Peru, will debate on the prevention of sexual violence in conflict. Regarding this debate the members of the Gender, Peace and Security working group of WO=MEN Dutch Gender Platform would like to highlight the following:

- = **Women's and girl's empowerment must be at the core of any effort to prevent Sexual and Gender Based Violence (SGBV) and to ensure justice for survivors.** To tackle the normalization of SGBV or its use as a weapon of war, a transformation of power relations is needed. Specific focus is needed on rural women and girls, as the rates of rape in e.g. Sudan are the highest in these areas. The Security Council should lead by example and highlight women and girls' *leading* positions (both regarding their leadership position and their needs to be put to the forefront) in any mission or program related to preventing or tackling sexual violence.
- = **Guarantee the implementation of the UN's zero tolerance policy on sexual exploitation and abuse (SEA) by UN peacekeepers and other UN personnel,** including training of personnel and tackling impunity. As it of course is needed among all humanitarian personnel.<sup>1</sup> 'Protection from peacekeepers is not a privilege, it is a right.' said Clara Anyangwe UN Women's Deputy Representative in Rwanda during a training course for peacekeepers several years ago<sup>2</sup>. Nevertheless, impunity of SEA among peacekeepers is not tackled and the UN's zero tolerance policy is still not fully implemented. In order to maintain the public trust in the UN system, the Security Council should urge military and civil leadership to fully implement the policy as well as the *public* reporting of any incidents.
- = **Perpetrators must be held accountable.** At the international level sexual violence in conflict is recognized as a war crime and crime against humanity. The Security Council should encourage the integration of international humanitarian law and human rights treaties that support the prevention of SGBV and the prosecution of perpetrators, in national laws.<sup>3</sup> In addition the Council should support prosecutions at the international level (ICC) and application of universal jurisdiction to ensure perpetrators can be prosecuted in another country than where the crimes have been committed<sup>4</sup>. Further on, the Council should support the training of national security sectors to improve the safety of and access to justice for victims of SGBV, as this will improve the likelihood of accountability.
- = **Establish more international independent commissions of inquiry to investigate violations of human rights in conflict areas, including SGBV.** The Security Council should monitor the prevention and occurrence of SGBV in conflict through the year, during country specific briefings. In that regard commissions of inquiry need to be established with the mandate to thoroughly investigate SGBV in conflict. The reports of these commissions should be part of the periodically briefings of the country or region. F.e. on March 15<sup>th</sup> 2018 the UN Commission of Inquiry on Syria launched their report on SGBV after 5,5 years of investigation<sup>5</sup>. It is of high importance to integrate these findings in the following briefing of the Council on Syria.
- = **Allocate more funding for gender expertise and gender justice in missions and programs.** Only 2 percent of aid on peace and security in conflict-affected areas worldwide is primarily allocated for

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<sup>1</sup> Gill (et all eds) *Leuven Manual on the International Law Applicable to Peace Operations* (Cambridge University Press), chapter on combatting sexual exploitation and abuse p. 190-203 by AM. De Brouwer.

<sup>2</sup> <http://unicpretoria.org.za/2013/09/12/blue-helmet-trainings-to-prevent-sexual-violence/>

<sup>3</sup> E.g. Rome Statute; Declaration of commitment to end sexual violence in conflict

<http://www.un.org/sexualviolenceinconflict/press-release/122-countries-endorse-historic-declaration-of-commitment-to-end-sexual-violence-in-conflict/> Foreign and Commonwealth Office UK, *International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Basic Standards of Best Practice on the Documentation of Sexual Violence as a Crime under International Law*, June 2014, available at:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/319054/PSVI\\_protocol\\_web.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319054/PSVI_protocol_web.pdf).

<sup>4</sup> Examples are available in Germany, Bosnia Herzegovina, few Scandinavian Countries, France, USA, etc.

<sup>5</sup> <http://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22833&LangID=E>

gender equality and women's rights<sup>6</sup>. Several UN missions lack a military gender advisor due to budget cuts and – despite many commitments<sup>7</sup> and protocols - women and girls do not have full access to legal, psychosocial and medical services, including sexual and reproductive services.<sup>8</sup> In addition, women and girls are still insufficiently protected while fleeing their homes, or just while fetching water and firewood. The lack of gender awareness in missions and programs affects women and girls within conflict areas, women internally displaced persons (IDP's) and refugee women and girls.

The Security Council should push for allocated funding for gender and SRGR in UN missions and programs, to ensure better prepared, equipped and trained (local and UN) personnel. This includes SSR programs and the training of police women and personnel in women's prisons. It also includes better equipped refugee settlements and the provision of WASH and energy services. It will result in more effective missions and programs to prevent SGBV and ensure support and justice for those women, girls, men, boys and other gender identities that survived sexual violence.

- = **Improve the meaningful engagement of survivors (women, girls, men, boys and other gender identities) in the design and implementation of protection of civilians (PoC) strategies as well as in reconciliation and reconstruction processes.** The needs and demands of survivors of SGBV and extreme violence in conflict need to be taken seriously by the different UN institutions while planning and implementing humanitarian, development, diplomatic, police and military missions. In many conflict affected areas, such as in Syria and Iraq, thousands of women and girls experienced sexual violence. However, in these areas there is an absence of large-scale (gender sensitive) psychosocial trauma support.<sup>9</sup> Such support is crucial to avoid second and third generations to growing up in fractured societies and to ensure the success of reconciliation and sustainable peace processes. In addition, it is of high importance to recognize that justice for victims also means non-judicial mechanisms. Mechanisms such as mock tribunals and theatre plays in which these kind of topics are discussed and awareness is generated, need to be actively supported.
- = **Support local (women) human rights and gender justice organizations and engage male community members.** The Security Council should further encourage an integrated approach and include local (women) human rights and gender justice organizations as key partners in the prevention of sexual violence. For example, these organizations play a major role in changing social perspectives on gender roles, sex and consideration of rape as threat to family honor. Several (women) human rights organizations such as the Mukwege Foundation and the Gloub Al Rahma Organisation are empowering survivors for example by supporting them to become community leaders. Additionally, different civil society organizations, such as in Rwanda, are engaged in the rehabilitation of former perpetrators and their reintegration into the community. Also this is common practice with former child soldiers in different (post)conflict areas who have been involved in SGBV. The work of these organizations is crucial for mending the social fabric of a country.
- = **Prevent the large flow of trade of arms towards fragile regions.** In countries as the USA, Libya and Sudan small arms are available in about every grocery store. This flow of guns and other weapons has enormous impact on the levels of SGBV. The Security Council should address the role of both state and non-state actors in facilitating arms trafficking, including the role of military bases, and encourage states to ratify the Arms Trade Treaty<sup>10</sup>. More specifically the Council should urge the implementation of Arms Trade Treaty Article 7(4) on the assessment of the impact of arms trade on SGBV.

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<sup>6</sup> <http://www.oecd.org/dac/gender-development/financingunsecuritycouncilresolution1325aidinsupportofgenderequalityandwomensrightsinfrailecontexts.htm>

<sup>7</sup> <https://www.agendaforhumanity.org/stakeholders/commitments/223>

<sup>8</sup> For example, Anne-Marie de Brouwer, Conflict-related Sexual Violence: Achievements and Challenges in International Criminal Law and the Role of the Military, *Militair-Rechtelijk Tijdschrift* 2015, afl. 2, pp. 53-73.

<sup>9</sup> <http://www1.cuny.edu/mu/law/2016/05/02/hrgj-event-tackles-life-as-woman-and-lgbt-person-in-iraq-under-isis/>.

<sup>10</sup> <https://www.un.org/disarmament/att/>

**About WO=MEN**

WO=MEN | Dutch Gender Platform is a network of (diaspora)women's rights-, gender justice-, peace- and development organizations, entrepreneurs, military, academics and activists who aim for gender justice and women's rights worldwide. In joint cooperation with the Ministry of Foreign Affairs WO=MEN coordinates the Dutch National Action Plan 1325. WO=MEN is a member of the NATO Civil Society Advisory Panel on Women, Peace & Security. More information: [www.wo-men.nl](http://www.wo-men.nl).