

Conflict-related Sexual Violence: Summary of the Report of the United Nations Secretary-general, 2018¹

Original report: <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/04/report/s-2019-280/Annual-report-2018.pdf>

Acronyms:

CRSV = Conflict Related Sexual Violence

UN = United Nations

Sexual violence as a tactic of War and Terrorism: Patterns, Trends and Emerging Concerns:

- Since the UN Security Council Resolution 1888 on Conflict Related Sexual Violence, in 2009, there has been a vast change in understanding the intense reality in sexual violence and the deep need for prevention and response
 - it still remains essential to recognize and tackle gender inequality as the root cause and driver of sexual violence
 - male victims of sexual violence are still very prevalent as well as female victims due to the reality of intense and multiple discriminations
- The survivors were often targeted due to an actual or perceived membership of a political, ethnic or religious minority group
- United Nations Action continued to fund the Gender-based Violence Information Management System, an initiative that enables humanitarian actors to safely collect, store, analyse and share data related to sexual violence
- Mass underreporting results from the intimidation and stigmatization of survivors
 - This causes difficulty in the present analysis systems to know the true extent and nature of CRSV
- non-state actors such as armed groups, local militias and criminal elements were responsible for the majority of incidents
 - However, state actors were also implicated in all country situations
- Sexual violence is used to displace communities, expel so-called “undesirable” groups and to seize contested land and other resources

¹ This summary was written by Millie Sullivan, who has been collaborating with the SEMA network since 2019.

- Used as a means of repression, terror and control over community groups and minorities, as well as attacks on individuals
 - In this sense, it is used as a tactic of terrorism
 - 2018 report confirms the connection between sexual violence, trafficking and terrorism, especially in Nigeria
- Conflict related sexual violence is both a cause and a result of forced displacement
 - Many flee their homes due to sexual violence, whilst many become victims of sexual violence due to vulnerability with refugee status and lack of secure habitation
 - These attacks happen both by military figures but also state and international security forces
- Sexual violence remains a common result of political or election-related violence
 - This is due to either political identification or as an intimidation tool to punish political opponents or female human rights defenders
- Women's ability to bear children is often considered by armed parties during sexual violence, and forced impregnation or sterilization are used to control ethnic communities
- Rising trend of sexual violence against very young girls and boys – can be targeted to terrorise their family or wider communities
- Men and boys are also victims of CRSV
- Multiple consequences of CRSV include pregnancy, stigmatization, economic difficulties (as a result of stigmatization often) and sexually transmitted diseases such as HIV
 - Children born from CRSV also bear the burden of stigmatization and are often abandoned by their families and communities
- There are limited services for post-rape medical and psychosocial care in both urban, but particularly rural areas
- Lack of access to legal justice for survivors
 - Stigmatization can mean the loss of community protection
- In 2018, mixed progress was observed in terms of the investigation and prosecution of conflict related sexual violence with two important convictions being upheld on appeal
 - In the DRC, the Kavumu child rape case was affirmed
 - In Guatemala, the ground-breaking Sepur Zarco conviction for sexual and domestic slavery of Kekchi women during the internal armed conflict was upheld
 - However, Guatemala's bill no. 5377 aimed at reforming the Law on National Reconciliation explicitly excluded serious crimes, including sexual violence, from amnesties
 - Given the strategic and systematic use of sexual violence by terrorist organizations, it is of grave concern that no individuals from any such groups have been convicted for crimes of sexual violence
- In the search for accountability, survivors' needs must be a primary consideration.
 - Providing access to justice as well as protection and support before, during and after trial and ensuring that survivors are given access to transformative reparations

Response Recommendations:

- Strengthen prevention by reinforcing the agreement of State and non-State parties with Security Council resolutions on CRSV:
 - Security council to call upon State and non-State parties to make formal commitments to prevent and address CRSV
 - Specific command orders and codes per party
 - Investigation and prosecution of all credible allegations, including information reported by relevant UN entities from within the State and non-State parties
 - Access to monitoring and humanitarian assistance
 - Support efforts of humanitarian protection advisors and relevant UN parties to engage in dialogue with State and non-State parties to develop prevention plans
 - Address the existing gap in the agreement to preventing CRSV system through the possibility of a formal monitoring scheme, through which the UN Security Council could consistently monitor parties to conflict's actions to prevent CRSV
 - Continue to include sexual violence as a crime in its own right that can result in sanctions against perpetrators and/or countries.
 - Sanctions related to counter-terrorism should also consider CRSV and ensure that those who finance these groups through the sale or trafficking of women and children are also considered in the sanctions
 - Exert pressure on all individuals and parties by creating action that applies to anyone who commits, commands or condones sexual violence consistent with international criminal law, whether military or civilian
- Strengthen prevention and response to CRSV by making it a priority in all the work of the UN Security Council
 - Prevention of CRSV is reflected in all relevant country resolutions
 - The periodic field visits of the UN Security Council should include specific focus on prevention and response to CRSV in all areas of its engagement with national authorities
- Ensure national response to the UN Security Council resolutions (2242, 2331, 2388) that address the use of sexual violence as a tactic of terrorism and the use of trafficking in conflict to increase funds
 - Make sure survivors of CRSV committed by armed or terrorist groups are supported as real victims and not treated as terrorist associates
 - Prosecution of members of terrorist groups not only for their membership in the groups but for all their crimes of sexual violence
- Ensure consistent and reliable information of these crimes as a starting point for prevention and response at every level

- Give strength and more resources for the monitoring, analysis and reporting parties that focus on CRSV
- Ensure that all efforts to document and investigate sexual violence are survivor-centred and ensure safety, confidentiality and informed consent
- Ensure more effective prevention action by UN peacekeepers
 - Training of all peacekeeping personnel on issues relating to gender and CRSV
- Strengthen prevention by supporting a broad range of civil society actors and communities as a central part of all prevention and response efforts
 - Encourage the engagement of religious and traditional leaders to mitigate the stigma suffered by survivors and their children
 - Financially supporting these community and civil groups that aid survivors and enhance community-level protection methods
- Strengthen prevention by ensuring the criminal prosecution of perpetrators and easy access to justice for survivors
 - Support national authorities in their efforts to reform laws and strengthen investigation and prosecution whilst also making sure of survivor and witness protection laws and access to legal aid
 - Make sure that any amnesty or immunity agreements do not include any perpetrators of CRSV
 - Refer relevant events or individuals related to CRSV to the international criminal court to increase the likelihood of parties to prevent CRSV
- Support a survivor-centred and holistic concept of justice and accountability
 - Important need for survivor-centred responses due to the diversity of victims and their lack of collective identity
 - Support States making judicial adjustments to include access to justice for survivors
 - Encourage the inclusion of external actors in creating a state survivor reparation fund where needed/necessary
 - Consider survivor funding in peacebuilding activities with financial partners of the UN, such as the World Bank
- Strengthen prevention within security forces and organisations
 - Include financial aid and technical expertise to enhance military justice systems and make sure there are regulations put in place so individuals suspected of sexual violence are no longer kept in the security force
 - Increase the representation of women in national police services
- Make sure that gender analysis and training are included in plans for national disarmament and reintegration to reduce the threat of sexual violence and increase access to holistic care
 - Ceasefire and peace agreements should specifically include sections that demand the end of CRSV as well as disarmament

- Investigations into sexual violent incidents and patterns and their perpetrators should take place as part of a ceasefire agreement
 - Meaningful participation of women in political negotiations and inclusion of gender and CRSV experts
- The UN Security Council should address the lack of funding for care of victims of sexual and gender-based violence in conflict settings
 - Specific consideration should be given to the cultural and social status of victims
- Recognise that sexual violence is both a result and cause of displacement
 - Consideration of CRSV as a legitimate ground for asylum or refugee status
 - Consideration of resettlement support for survivors and projects that provide temporary protection through evacuation of vulnerable women and children to other countries
- Recognition that men and boys and also lesbian, gay, bisexual and transgender individuals are also targets of CRSV
- Recognition of the thousands of children born of wartime rape and the risk of a lifetime of marginalization
 - Ensure the right of mothers to transfer their nationality upon their children regardless of the perpetrator to avoid the risk of statelessness
 - Holistic care services that support survivors and their children
 - Support the rights of women and girls wishing to terminate unwanted pregnancy resulting from rape
- Support the growth of a more coordinated global response by strengthening the collaboration of regional and sub-regional organizations with the UN and their support systems
 - Fostering experience-sharing among affected countries is an important part of a global response
- To strengthen infrastructure established by the Security Council in the 1888 resolution to address CRSV continued deployment of women protection advisers in UN peace operations is essential