



DPKO-DFS Specialised Training Materials

Prevention & Response to Conflict-Related Sexual Violence

Introduction



*“In no other area is our collective failure to ensure effective protection for civilians
more apparent
– and by its very nature more shameful –
than in terms of the masses of women and girls, but also boys and men,
whose lives are destroyed each year by sexual violence perpetrated in conflict”*

**Mr Ban Ki-moon
United Nations Secretary-General**



Questions



- An armed group/militia with historic precedence of using CRSV as tactic of war is operating clandestinely in your area of responsibility.

What is your response?

- The armed group/militia has moved close to a rival ethnic group village and is forming up to attack.

What is your response?

- A house to house search is going on & women & girls are screaming.

What is your response?



Introduction



Aim

To provide an overview of the relevance, challenges & organisational response to CRSV from a strategic perspective.

Scope

The session on 'Addressing CRSV at the Mission level comprises:

- Part I : CRSV Mandate.
- Part II : Definition, Principles & Context of CRSV.
- Part III : CRSV Legal Framework.
- Part IV : CRSV Profile.
- Part V : UN Approaches to Address CRSV.



Learning Outcomes



Comprehend/Understand:

- Specificities & requirements of the Mandate;
- Definition, principles & context;
- legal framework;
- Profile;
- UN approaches at the strategic level; &
- Roles & responsibilities of UNHQ entities.



Overview





CRSV: Mandate



- Address CRSV from a political, peace & security perspective.
- PoC to also include all forms of sexual violence.
- Specific protection for women & children.
- Deployment of WPA.
- Establishing MARA.
- Monitoring, help investigating, reporting & preventing sexual violations & abuses.
- Contributing to efforts to identify & prosecute perpetrators.



Definitions, Principles & Context





CRSV: Definition



- “Conflict-related sexual violence refers to incidents or patterns of sexual violence, that is rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization, or any other form of Sexual violence of comparable gravity, against women, men, girls or boys”.
- Such incidents or patterns occur in conflict or post-conflict settings or other situations of concern (e.g., political strife).

[UN Action Against Sexual Violence in Conflict](#)



CRSV: Dimensions & Linkages



- Direct or indirect nexus with the conflict or political strife.
- International character (can constitute war crimes, crimes against humanity, acts of torture or genocide).
- Link with the conflict may be evident in:
 - The profile & motivations of the perpetrator(s);
 - The profile of the victim(s);
 - The climate of impunity/weakened State capacity;
 - Cross-border dimensions; and/or,
 - The fact that it violates the terms of a ceasefire agreement.

UN Action Against Sexual Violence in Conflict



CRSV Principles



- Primary Responsibility of Host State.
- UN Peacekeepers Responsibility.
- Priority Obligation.
- Mission-wide Responsibility.
- Community-centric Approach.

- Gender-sensitive Approach.
- Survivor-centric Response.
- Non-exclusivity.
- Ethical Reporting.
- Integrality.
- Preventability.



Context



- Thrives in gender discrimination & inequalities.
- Widespread, endemic & invisible.
- Extent & impact difficult to ascertain.
- Disproportionate effect.
- Psychological & physical effects.
- IDPs, Refugees & people in DDR processes.
- Unreported/under reported & under responded.
- Stigma & banishment.
- Indicators, precedence, patterns & trends.
- Culture of impunity.
- Weak State capacities.



Legal Aspects





Legal Aspects



- A gross violation of IHRL, grave breach of IHL, International Criminal Law, International Customary Law & Refugee Law.
- A crime in most National legal systems.
- A threat to international peace & security (ICC Jurisdiction).
 - A war crime &/or crime against humanity &/or a form of torture &/or a constituent act of genocide (under ICC).
- A ‘tactic of war’.



Profile





Potential Victims



- Rival socio- politico-ethnic-religious individuals/groups/ communities & associated people.
- Other Personnel (disabled, elderly, orphans, detained persons, IDPs, refugees, etc.).



Patterns/Trends



- Attack on IDPs/refugees; protection sites/safe heavens; political leaders and their families; people undergoing DDR processes; religious/cultural institutions/monuments; community settlements;
- Waylaying of women/girls during subsistence/economic activities;
- House to house searches;
- Abduction/kidnapping/hostage taking;
- Predatory attacks/practices;
- Increased vulnerabilities (political strife, displacements, etc.);
- Forcible obtaining of logistical support;
- Abduction/forced recruitment of boys and girls;
- Punitive strikes/retribution against rival communities/groups;
- Scorched Earth Policy; &
- In detention as a form of torture & intimidation.



Perpetrators



- State actors (civil/military/police/gendarme officials/entities).
- Non-State actors (armed actors/groups, militias, organised criminal networks, former combatants, young men brutalised by conflict, etc).



Threats



- Rape (including torture);
- Sexual slavery (in camps & in the bush);
- Forced prostitution/pregnancy & enforced sterilization; &
- Any other sexual violence of comparable gravity (e.g. sexual mutilation, emasculation, branding, & forced marriage/abortion/incest, etc.).



CRSV : Motives



- Control of population, territory & natural resources.
- Political repression, sectarian violence & ethnic cleansing.
- Humiliation.

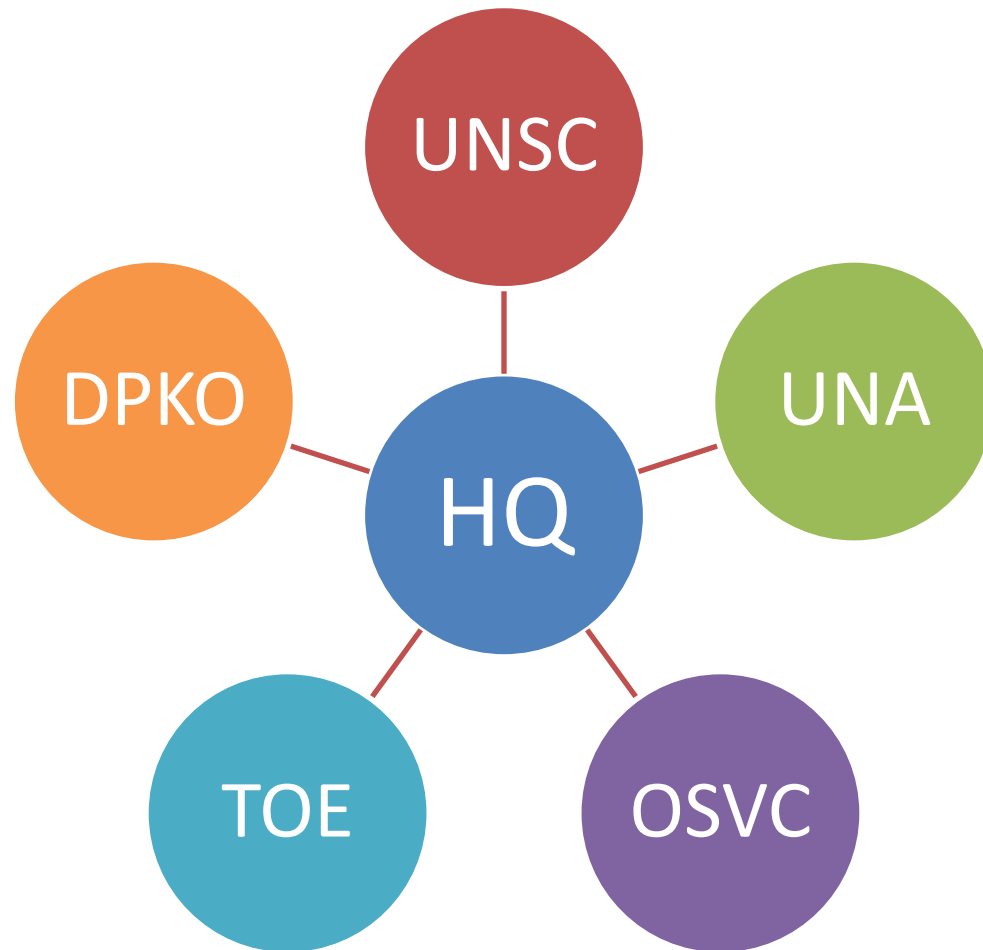


Strategic Approach





Framework at UNHQ





Strategic Measures

- * Inclusive.
- * Reflective.

- * Monitoring
- * Criminal Accountability
- * Judicial Process
- * National Forums
- * ICC/Tribunals
- * Deterrence & Prevention

- * Empowerment
- * Equality
- * Participation
- * Protection



- * Accountability
- * Responsiveness
- * Judicial Capacity

- * UNSC
- * UN Sanctions Committee
- * Targeted, graduated & State-specific

- * SCR 1960 (2010)
- * Secretary-General's Annual Report
- * Pattern & Collectivity

- * Prohibition
- * Accountability
- * Codes of Conduct
- * Investigation
- * Cooperate
- * Designate



DPKO/DFS Role



- Develops policy, guidance & training materials.
- Advises Senior Management & Mission leadership.
- Promotes human rights & a gender-sensitive approach.
- Mainstream/coordinate/implement CRSV mandate.
- Monitors trends & patterns of CRSV.



Takeaways



- Rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity, against women, men, girls or boys in a conflict or post-conflict situation constitute CRSV.
- A crime of IHRL/IHL/ICL.
- Punishable & preventable.
- Under-reported & under-responded.
- Address through peace process; women's participation; political engagement, eliciting commitments; listing of perpetrators; imposing sanctions & judicial processes.
- Proactive measures & credible responses to neutralise threats.
- Survivor & community centric.



Conclusion





Thank You

