Prevention & Response to Conflict-Related Sexual Violence

Strategic level
“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
Aim

To provide an overview of the relevance, challenges and organisational response to Conflict-Related Sexual Violence from a strategic perspective.
LEARNING OUTCOMES

At the end of this session, participants will be able to:

- Comprehend the Context of CRSV
- Explain definition, & principles;
- List and explain the legal framework;
- List Specificities & requirements of the Mandate
- Understand the UN approaches at the strategic level;
- List roles & responsibilities of UNHQ entities.
STRUCTURE

• CRSV: Overview (Mandate, Definitions, Principles, Linkages and Differences).
• CRSV - Realities, Patterns, Potential Victims, Perpetrators and Motives.
• CRSV Legal Framework.
• Specificities & requirements of the CRSV Mandate.
• UN approaches at the strategic level
• roles & responsibilities of UNHQ entities
CRSV Overview

(Mandate, Definitions, Principles, Linkages and Differences)
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.
UN – STM Conflict-Related Sexual Violence
Module 1: Strategic level

CRSV: Definition

• “Conflict-related sexual violence refers to incidents or (for SCR 1960 listing purposes) 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.**

### UN – STM Conflict-Related Sexual Violence

### Module 1: Strategic level

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CRSV

Context, Patterns, Potential Victims, Perpetrators and Motives
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.
CRSV is usually committed as part of/during:

- 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.
Potential Victims

- Rival socio-politico-ethnic-religious individuals/groups/communities & associated people.

- Other Personnel (disabled, elderly, orphans, detained persons, IDPs, refugees, etc.).
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.).

An eight-year-old girl, shown at a safe house in Monrovia, Liberia, was told by her aunt to “keep quiet” about her father’s molestation and eventual rape.

Vivian (left), a caregiver at a safe house in Monrovia, Liberia, coaches an eleven-year-old rape victim.
CRSV: Motives

- Control of population, territory & natural resources.
- Political repression, sectarian violence & ethnic cleansing.
- Humiliation (men & women).
Legal Aspects
Legal Aspects

- 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’.
Strategic Approach
Framework at UNHQ

At the UNHQ level, following entities support implementation of CRSV mandate:

- UNSC
- OHCHR
- UNA
- DPKO
- SRSG-SVC
- TOE
Strategic Measures

**Peace Process**
- *Inclusive.
- *Reflective.

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

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

**WPS**
- *Empowerment of women
- *Equality
- *Participation in mediation
- *Protection

**Political Dialogue**
- *Accountability
- *Responsiveness
- *Judicial Capacity

**Strategic Approaches**
- *Inclusive.
- *Reflective.

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

**Listing**
- *Secretary-General’s Annual Report
- *Pattern & Collectivity

**Prevention & Response to Conflict-Related Sexual Violence**

**DPKO & DFS/ITS**

07/02/2017

UN – STM Conflict-Related Sexual Violence

Module 1: Strategic Level

UN – CRSV STM/1st Edition – 2017

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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.
Role and Responsibilities of Members States and Regional/Sub-Regional Organizations:
Members States Role

- Heighten awareness and responsiveness to PoC,
- Ensure full compliance of the zero tolerance policy on SEA,
- Include the full range of crimes of SV in national penal legislation
- Include specific training on sexual and gender-based violence
- Support national and international programs that assist victims
- Deploy higher percentage of women peacekeepers in peacekeeping operations;
- Encouraged to lend expertise on SV investigation and response; and,
- Respect international jurisdiction for the violation of international law.
Regional and Sub-regional Bodies Role

- Taking measures to increase the representation of women in mediation processes and decision-making processes with regard to conflict resolution and peacebuilding;
- Providing information on situations of armed conflict in which SV has been widely or systematically employed against civilians;
- Analysing the prevalence and trends of sexual violence in situations of armed conflict;
- Proposing strategies to minimize the susceptibility of women and girls to such violence;
- Establishing benchmarks for measuring progress in preventing and addressing SV; and
- Collecting timely, objective, accurate, and reliable information on the use of CRSV.
Summary of Key Messages

- 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
QUESTIONS?
Thank you

Merci

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Gracias

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