

Women, Peace and Security: Sexual Violence in Conflict and Sanctions



UN PHOTO/CRISTINA SILVEIRO

The Special Representative on Sexual Violence in Conflict, Zainab Hawa Bangura, during her visit to CAR.

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Security Council Report's third *Cross-Cutting Report on Women, Peace and Security* analyses statistical information on women, peace and security in country-specific decisions of the Security Council and developments in 2012, with a particular focus in the case study on the nexus between sexual violence in conflict and sanctions imposed by the Security Council. The report also examines the Council's inconsistency in including language on the UN's zero-tolerance policy on sexual exploitation and abuse for UN personnel in resolutions establishing or renewing mandates for peace missions. The report will also briefly touch on key developments on the women, peace and security agenda in early 2013.

The overarching observation of the report is that there has been significant pushback on

women, peace and security issues. However, this dynamic has largely been played out in difficult negotiations at the thematic level rather than in any particular rollback in country-specific decisions of the Council. The report also demonstrates that the Council has created several tools with considerable potential of having an impact on women, peace and security issues on the ground. It has not, however, applied these tools consistently or, in some cases, at all. It also seems as if the Council's focus on the broad women, peace and security agenda is uneven. In recent years, for example, the Council has regularly, if inconsistently, addressed sexual violence in conflict. However, there are some indications that the Council's focus is less sharp when it comes to the women's participation aspect of this thematic agenda.

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Since the publication of our first *Cross-Cutting Report on Women, Peace and Security* in 2010, there has been significant growth in the UN system's focus on this thematic issue. The first Special Representative of the Secretary-General on Sexual Violence in Conflict was appointed in February 2010, and in January 2011 a system-wide entity on women's equality and empowerment, UNWomen, was established. Both the head of UN Women and the Special Representative have briefed the Security Council regularly since taking up their respective positions.

Three years since the start of these institutional processes, it seems appropriate to examine how the establishment of these offices at UN headquarters, the continued deployment of gender expertise in the field as well as gender expertise supplementing the work of various sanctions committees' experts groups have complemented the Security Council's own approach to the women, peace and security agenda. This report will assess whether a more robust women, peace and security infrastructure has improved the flow of information to the Security Council and, if so, whether such improvement, in turn, has translated into an enhanced focus on these matters in Council decision-making, and in particular, in the work of its sanctions committees.

Specifically, this report examines the Council's follow-through on its own intention expressed in resolutions 1820 (2008), 1888 (2009) and 1960 (2010) to consider including designation criteria for the imposition of sanctions pertaining to acts of rape and other forms of sexual violence. To examine the nexus between sexual violence and activity by the Security Council and its sanctions committees, this report reviews the mandates of relevant sanctions regimes, the application of sanctions and relevant listing and designation criteria and reporting by associated expert groups on sexual and gender-based violence.

The report will consider the sanctions regimes imposed on Côte d'Ivoire, the Democratic Republic of Congo (DRC), Iraq, Liberia, Libya, Somalia and Sudan as examples of the Security Council's approach to women, peace and security issues—in particular whether such tools have been used to enhance accountability for sexual violence in armed conflict. In addressing the issue of

accountability for perpetrators of sexual violence, the case study will also briefly touch on parallel international justice mechanisms where they exist.

The past two years have been a time of particular division in the Council, with significant push-back by several permanent and elected Council members on the key thematic issues including on women, peace and security, children and armed conflict and protection of civilians. There has been repeated criticism by some Council members that the reporting on women, peace and security, particularly on sexual violence, has gone beyond its mandate by including countries that are not on the Security Council's agenda. However, the overarching observation of this study is that this push-back has largely played itself out in difficult and protracted negotiations at the thematic level but has not negatively impacted the integrity of the Council's women, peace and security normative framework.

Interestingly, despite this controversy at the thematic level, the women, peace and security agenda continued to be substantively applied in the Council's country-specific resolutions, the Council expanded its work at the committee-level when considering sexual violence or rape as designation criteria in various sanctions regimes and there has been regular interaction between the Council and UN Women and the Special Representative on Sexual Violence in Conflict. The Council's interaction with the Special Representative has been especially notable at both the Council level—insofar as she has briefed not only on her broader mandate but also on several country-specific situations—and her office's interactions with several expert groups of the Council's sanctions committees.

However, the study did reveal one area of concern regarding the Council's inclusion of the UN's zero-tolerance policy in its relevant resolutions. In a review of the resolutions in effect in 2012 for 12 peacekeeping operations and seven political and peacebuilding missions, only eight had mandates that included a reference to the zero-tolerance policy on sexual exploitation and abuse for UN personnel. In practice, the Council has not been involved in the matter and the issue has been left to the discretion of the Secretariat and troop-contributing countries.

Background And Normative Framework

Since the adoption of resolution 1325 in 2000, the Council has established a broad set of norms on women, peace and security. Successive Council resolutions have provided a framework that gives guidance to member states on the issue and possibilities for action. These resolutions also provide instruction to the Secretariat on the issue, as well as guide the Council's own consideration and possible additional measures.

The Council's decision to take up women, peace and security as a separate thematic topic in 2000 is seen as in line with its overall thematic agenda. The Council's first thematic resolutions—on protection of civilians and on children and armed conflict—were adopted the year before resolution 1325. Highlighting women, peace and security separately was partly due to the recognition that increasingly in armed conflicts, a significant number of attacks had occurred that specifically targeted women and girls. These sometimes took the form of systematic sexual violence.

Resolution 1325 (2000)

Resolution 1325 looked at several aspects of the impact of conflict on women and girls and expressed concern that armed conflict has a disproportionate effect on them. This impact is felt even when women and girls are not directly engaged in hostilities. Resolution 1325 recognised that women's needs should be taken into account by those planning demobilisation and reintegration programs. The resolution also stresses the importance of the equal participation of women in peace and security processes, as well as the need to increase their decision-making roles in conflict prevention and conflict resolution.

Resolution 1325 also emphasised the obligations that international law places on parties to conflicts to protect women in armed-conflict situations, including by taking special measures to protect women and girls from gender-based violence, and stressed state responsibility for ending impunity for such crimes.

Generally, resolution 1325 is balanced between increasing women's participation in all aspects of action and decision-making relevant to peace and security and highlighting women's rights and the importance of protecting women as a vulnerable subset of broader civilian-protection considerations.

Resolution 1820 (2008)

In the jurisprudence that came out of the International Criminal Tribunals for the Former Yugoslavia and Rwanda, it emerged that sexual violence had been a specific tactic of war and was recognised as a crime against humanity and also as an act of genocide. Additionally, evidence of widespread, systematic, brutal and highly publicised sexual violence perpetrated against the women of the eastern DRC played a pivotal role in creating the environment for the Council's next substantive decision on the women, peace and security agenda—resolution 1820, adopted in 2008.

Resolution 1820 addressed sexual violence in conflict and post-conflict situations and expressed the Council's willingness to use sanctions against perpetrators of sexual violence in armed conflict. Three months prior to the adoption of resolution 1820, the Council had added sexual violence in the DRC as a criterion for targeted sanctions through resolution 1807. Already in 2006, the 1572 Côte d'Ivoire Sanctions Committee had included rape and sexual abuse of women among the reasons for applying targeted sanctions to three individuals. Resolution 1572, which established the Côte d'Ivoire sanctions regime in 2004, had included "serious violations of human rights" among the criteria for sanctions.

In addition, resolution 1820 enumerated the possible measures parties could take to protect women and children from sexual violence and reinforced measures to end impunity. It noted that rape and other forms of sexual violence could constitute a war crime, a crime against humanity or an act with respect to genocide.

Resolution 1820 also requested the Secretary-General to continue and strengthen efforts to implement the policy of zero-tolerance of sexual exploitation and abuse in UN peacekeeping operations.

Resolution 1888 (2009)

Resolution 1888, adopted on 30 September 2009, aimed at strengthening efforts to end sexual violence against women and children in armed conflict and established the mandate of the Special Representative on Sexual Violence in Conflict. It also further developed language regarding the Council's consideration of expanding sanctions regimes to

include sexual violence as designation criteria and called for all relevant UN missions and bodies to share information with sanctions committees through expert groups.

This resolution included a range of measures to develop capacity to implement resolution 1820, including:

- a request for the Secretary-General to appoint a Special Representative;
- a request to deploy rapidly a team of experts to situations of particular concern with respect to sexual violence in armed conflict; and
- a decision to include specific provisions in peacekeeping mandates, as appropriate, for women's protection advisers.

The Secretary-General appointed the first Special Representative on Sexual Violence in Conflict, Margot Wallström (Sweden), on 2 February 2010. The current Special Representative—Wallström's successor, Zainab Hawa Bangura (Sierra Leone)—was appointed on 22 June 2012 and took up her office in September 2012.

Resolution 1889 (2009)

On 5 October 2009, the Council adopted resolution 1889, addressing the need to take into account women's protection and empowerment in post-conflict situations. This resolution reinforced resolution 1325, and as resolution 1888 did in relation to resolution 1820, focused on how to implement key elements of resolution 1325. In terms of practical application, it called upon the Secretary-General to submit to the Security Council a set of indicators for use at the global level to track implementation of resolution 1325.

Resolution 1960 (2010)

Resolution 1960, adopted on 16 December 2010, requested the Secretary-General to establish monitoring, analysis and reporting arrangements on conflict-related sexual violence. The resolution also called upon parties to armed conflict to make time-bound commitments to prohibit and punish perpetrators of sexual violence. The Secretary-General was asked to include in his annual reports on conflict-related sexual violence an annex listing parties credibly suspected of bearing responsibility for patterns of rape and other forms of sexual violence "as a basis for more focused United Nations engagement

Background And Normative Framework (con't)

with those parties, including, as appropriate, measures in accordance with the procedures of the relevant sanctions committees”.

The Council also reiterated in resolution 1960 its intention, when adopting or

renewing targeted sanctions in situations of armed conflict, to consider including rape and other forms of sexual violence as designation criteria. The resolution also called for the Special Representative on Sexual

Violence in Conflict to share with relevant Security Council sanctions committees, including through relevant expert groups, all pertinent information about sexual violence.

Key Developments at the Thematic Level

Since resolution 1325 was adopted in 2000 the Council has held an annual debate on women, peace and security with the head of UN Women briefing the Council at these debates since 2010. It has also held, since 2009, annual debates on sexual violence in conflict with the Special Representative briefing since 2010. This section tracks key developments at the thematic level in 2012 including: the presidential statements adopted in connection with the annual open debates on the implementation of resolution 1325 and the open debate on sexual violence; the eleventh report of the Secretary-General on women peace and security and the first report on conflict-related sexual violence; Security Council engagement with the Special Representative for Sexual Violence in Conflict and UN Women; and other Council engagement with the women, peace and security thematic issue such as in informal Arria formula meetings or during Council visiting missions.

Security Council Activity on Women, Peace and Security

Open Debate & Presidential Statement on Conflict-Related Sexual Violence

On 23 February 2012, the Council held an open debate on women, peace and security to consider the Secretary-General's report on conflict-related sexual violence (S/2012/33). Briefing the Council were then-Special Representative Margot Wallström, Under-Secretary-General for Peacekeeping Hervé Ladsous and Amina Megheirbi, representing the NGO Working Group on Women, Peace and Security and the head of Attawasul Association, a Libya-based organisation working on women's empowerment (S/PV.6722 and Resumption 1). Thirty-one member states in addition to Council members and the EU delegation to the UN participated in the debate.

The Council adopted a presidential statement that day commending the

Special Representative's work and inviting her to continue to provide briefings to the Council. The statement stressed the need for continued data collection under the monitoring, analysis and reporting arrangements on sexual violence in armed conflict, post-conflict situations and other relevant situations (S/PRST/2012/3).

Wallström presented the first-ever annual Secretary-General's report on conflict-related sexual violence, focusing on sexual violence as a threat to security and an impediment to peacebuilding. The report provided information in five categories:

- parties to armed conflict credibly suspected of committing or being responsible for rape or other forms of sexual violence (in Colombia, Côte d'Ivoire, DRC, Libya, Myanmar, Somalia, South Sudan and Sudan/Darfur);
- sexual violence in post-conflict situations (in Bosnia and Herzegovina, Central African Republic [CAR] and Chad, Liberia, Nepal, Sierra Leone, Sri Lanka, and Timor-Leste);
- sexual violence in the context of elections, political strife or civil unrest (in Egypt, Guinea, Kenya and Syria);
- sexual violence in other situations of concern (in Angola); and
- other concerns, such as allegations of sexual violence in the context of detention and border crossings in conflict situations.

The report also included an annex listing parties credibly suspected of committing or being responsible for rape and other forms of sexual violence in situations of armed conflict on the Council's agenda. The Council requested such an annex in resolution 1960, expressing its intention to use the list as a basis for more focused UN engagement with those parties, including taking measures through the relevant sanctions committees, as appropriate. The annex included

the Lord's Resistance Army (LRA) operating in the CAR, the DRC and South Sudan and various militias and government forces in Côte d'Ivoire and the DRC. (The nexus between armed groups perpetrating sexual violence and the Security Council's various sanctions regimes is examined in a later section of this report.)

The vast majority of the information provided in the Secretary-General's report on conflict-related sexual violence related to countries or situations either on the Council's agenda or that the Council had recently dealt with informally. However, some controversy arose over the inclusion of Colombia (an elected Council member at the time) and Egypt, countries not on the Council's agenda. The controversy was not so much due to concerns regarding the accuracy of the information but rather due to a question about whether such situations were a threat to international peace and security. There was also a certain degree of anxiety over what it might mean for a country to be cast in a negative light and appear in a report presented to the Security Council.

Some questions were also raised over situations not included in the report, such as Afghanistan, Haiti, Iraq, Israel/Palestine, Yemen and Zimbabwe. In relation to Afghanistan and Iraq, it seems the Office of the Special Representative was not able to get quality information from the UN missions on the ground. However, the omission of these situations in the report led to serious concerns among already sceptical Council members that there was a serious problem in the UN system if high-quality information on issues of sexual violence was not coming out of the UN missions in Afghanistan and Iraq. Generally, the Secretary-General's reporting on those countries has been more positive about political and security developments than the situations on the ground have

Key Developments at the Thematic Level (con't)

warranted. There have been concerns that such overly optimistic reporting may have been due to the political and electoral priorities of the US regarding its drawdown in Iraq in 2011 and in Afghanistan in 2014. Some member states believed the exclusion of these situations from the list were politically motivated, exacerbating existing perceptions of severe double-standards on the part of some P5 members. (Afghanistan and Yemen were included in the 2013 report on sexual violence, discussed later in this report.)

In relation to the situations identified in the report, Wallström said the report should be used as a tool to track linkages between sexual violence and insecurity; highlight the importance of enforcing command responsibility and vetting perpetrators from national security forces; and provide a baseline for systematic engagement with parties to armed conflict. She outlined the importance of sending a signal so that armed groups see sexual violence as a liability, inviting national and international scrutiny unless concrete measures were taken to end such violence.

The key point of contention during the debate and the difficult negotiations on the presidential statement was that the report covered more than just situations of armed conflict. While Council members were broadly supportive of including information on sexual violence in armed conflict and post-conflict situations, several members—including China, Colombia, India, Pakistan and Russia—were unhappy with the report's methodology. This was especially pertinent in relation to countries that arguably did not constitute threats to international peace and security and were therefore considered to be outside the purview of the Security Council. This led to suggestions during the negotiations on the presidential statement that the focus should be on sexual violence in armed conflict rather than conflict-related sexual violence, which was reflected in the final adopted text. However, the final text did make a reference to the need for reporting on “other situations relevant to the implementation of resolution 1888” (which created the post of the Special Representative).

Questions also arose during the negotiations on the presidential statement about the scope of the Special Representative's reporting mandate, with some Council members urging a more restrictive definition. Council

members committed to the Special Representative's role worried that a closely defined role would negatively impact the Special Representative's advocacy efforts and early-warning capacity, in turn limiting the Council's own conflict-prevention role. The final text of the presidential statement reaffirmed the Special Representative's mandate as set out in resolutions 1888 and 1960.

Presidential Statement & Open Debate on Women, Peace and Security

The 2012 open debate, planned for 29 October, had to be cancelled when UN headquarters closed for several days due to Hurricane Sandy. However, the Council did adopt a presidential statement on 31 October 2012 that highlighted the impact of women's civil society organisations, recognised the need in the Council's own work for more systemic attention to the women, peace and security agenda and welcomed the Secretary-General's call for enhanced women's participation, at all levels, in conflict prevention, conflict resolution and peacebuilding (S/PRST/2012/23).

The negotiations on this presidential statement were protracted, despite an initial draft that was based largely on previously agreed language. The most contentious issue was how the Council should refer to its previous decisions on women, peace and security. Apparently, China, India, Pakistan and Russia suggested additional language that would limit Council commitments to the 1325 agenda to armed conflict and post-conflict situations. This was in line with similar arguments made during the negotiations on the February 2012 presidential statement adopted during the open debate on conflict-related sexual violence when some members had expressed the view that situations that do not constitute threats to international peace and security were outside the purview of the Security Council.

A similarly difficult issue was the desire by the same set of Council members to use the language “concerned member states” versus “member states” throughout the text. This seemed to signal a growing sense of discomfort with the universal applicability of the women, peace and security agenda. However, a compromise was reached to use the former construct where there were references to conflict situations but maintain the use of

“member states” in areas that broadly referenced the 1325 agenda.

Council members committed to the broad women, peace and security agenda, in particular the EU members, Guatemala and the US, did not want to backslide on principles that have been accepted for 12 years. These members believed strongly that at the very least a reaffirmation of the women, peace and security agenda as set out in resolutions 1325, 1820, 1888, 1889 and 1960 should be maintained. They ultimately were able to prevail and there were no fundamental changes to the Council's position on this thematic issue.

For several weeks following the adoption of this presidential statement it was unclear whether the open debate would be rescheduled. However, on 30 November 2012 the Council held its open debate on women, peace and security to consider the Secretary-General's annual report on the implementation of resolution 1325 (S/2012/732). Briefing the Council were the Executive Director of UN Women, Michelle Bachelet; peacekeeping head Hervé Ladsous; and Bineta Diop, representing the NGO Working Group on Women, Peace and Security and the head of *Femmes Africa Solidarité*, an NGO empowering African women to assume leadership roles in peacebuilding (S/PV.6877 and Resumption 1). Forty member states in addition to Council members, the EU delegation to the UN and NATO's newly appointed representative for women, peace and security participated in the debate.

Bachelet presented the Secretary-General's report on resolution 1325, underscoring that wherever there is conflict women must be a part of the solution. She also made key recommendations, calling for the continuation of tracking and accountability systems for the implementation of women, peace and security commitments at regional and national levels (a reference to the 1325 indicators) and for women to have opportunities to engage in conflict resolution and peacebuilding.

Regarding conflict prevention, Bachelet said the report found that the effective prevention of violence against women and girls remained a challenge despite an increase in actors, including the Security Council, that are engaged in early warning and detection activities. As for women's participation, especially in formal peace processes, the report

Key Developments at the Thematic Level (con't)

found that of the 14 peace negotiations coled by the UN in 2011, only four had delegations that included women, and of nine peace agreements signed in 2011 only two—Somalia and Yemen—contained provisions on women, peace and security. Regarding elections, temporary special measures (or quotas) demonstrably increase the number of women candidates. Yet out of nine post-conflict elections in 2011, only Uganda used a gender quota, resulting in a parliament with 35 percent female representation. In the other eight elections, women won between four and 13 percent of the available seats.

Arria Formula Meetings on Women, Peace and Security

An Arria formula meeting provides an opportunity to pursue an issue in an informal format that allows Council members to hear the views of a diverse and informed range of actors with a stake in the issue. There were two such meetings on women, peace and security in 2012: one on the role of women in mediation and conflict resolution and another on gender components in peacekeeping operations.

Role of Women in Mediation and Conflict Resolution

On 8 March 2012—International Women's Day—the UK and Portugal held an Arria formula meeting to highlight the need for greater participation by women in mediation and conflict resolution. The key issue of the meeting was a discussion about the exclusion of women and gender expertise from peace processes and how that can lead to irreversible losses for women's rights because crucial conflict-related issues of concern to women remain unmentioned, and therefore unaddressed, in any arrangements for the implementation of peace accords.

Participants included Uganda's minister for water resources, Betty Bigombe, who was involved in mediation efforts with the LRA; the Secretary-General's Special Adviser, Jamal Benomar, who spoke about women's involvement in the mediation of the conflict in Yemen; and Shadia Marhaban from the Aceh Women's League, who was involved in mediation in Aceh, Indonesia. It seems Council members recognised a gap remained in implementing the mediation and conflict resolution aspects of resolution 1325.

Gender Components in Peacekeeping Operations

On 18 May 2012, at the initiative of Portugal, Council members met with gender advisers from UN peacekeeping operations in a closed Arria formula session. (This was a new use of the Arria format to facilitate informal interaction between Council members and internal UN stakeholders, in this case field-based peacekeeping personnel. The Arria formula has been more regularly used to allow Council members to have informal interaction with civil society.)

Gender advisers from UN missions in Afghanistan, Côte d'Ivoire and Haiti discussed the achievements and challenges in implementing the women, peace and security agenda in peacekeeping missions. A representative from the Policy, Evaluation and Training Division of the Department of Peacekeeping Operations (DPKO) also participated.

Portugal organised this meeting in cooperation with DPKO as a stocktaking exercise between Council members and gender advisers. (Gender advisers are responsible for integrating a gender perspective into all aspects of a peacekeeping mission and advising mission heads on gender accountability.) Typically, Council members are kept informed of overall mission activities by the head of the mission. A separate informal meeting with the gender advisers allowed Council members to focus specifically on gender issues and enabled the advisers to communicate directly with Council members.

Many of the gender advisers took the opportunity to stress to Council members the importance of including women's issues as an integral part of the programme during Council visiting missions, particularly in the light of the then upcoming May 2012 mission to West Africa. It seems they also highlighted the importance of gender language in Council resolutions, as well as ensuring that reports from their respective missions refer to the participation and protection of women in peacekeeping environments.

Council members welcomed the field perspective and sought clarification on women's participation in political and peace processes, prevention of sexual violence and the integration of gender concerns in security sector reform activities.

Council Visiting Missions in 2012

Resolution 1888 expressed the Council's intention to garner women's perspectives during its periodic field visits to conflict areas. The Council undertook three visiting missions in 2012, to Haiti, West Africa and Timor-Leste. We examined the terms of reference for each trip, the stakeholders with whom the Council met and subsequent reporting back to the Council.

Haiti

The Council visited Haiti from 13 to 16 February 2012; the mission was led by the US and included the participation of 14 Council members, most at the permanent representative level. (China was unable to join.) The primary focus of the visit was to assess MINUSTAH's role, evolution and eventual drawdown, with Haitian authorities emphasising the importance of not drawing the peacekeeping operation down too quickly.

Several issues pertinent to the women, peace and security agenda were included in the terms of reference for the visiting mission, including:

- security challenges, including gender and sexual-based violence;
- electoral reform, including the participation of women in the electoral process; and
- full compliance by MINUSTAH personnel with the UN zero-tolerance policy on sexual exploitation and abuse.

Council members met with civil society, including women's groups, and visited camps for internally displaced persons (IDPs) where women's protection is an issue. Council members also met Haitian parliamentarians who voiced concern over allegations of sexual misconduct by MINUSTAH personnel. (The case of Haiti and such misconduct by UN peacekeepers is discussed later, in a section of this report focusing on the UN's zero-tolerance policy.)

On 28 February, Ambassador Susan Rice (US) briefed the Council on the mission's activities (S/PV.6724). She reported on the Haitian National Police Academy, underscoring its efforts to recruit more women into the force and build capacity to combat sexual and gender-based violence. She said that during the Council's visit to IDP camps, UN police and camp leaders briefed Council members on efforts to protect women and other vulnerable groups from sexual violence.

Key Developments at the Thematic Level (con't)

In closing remarks, Rice acknowledged that many Haitians noted that allegations of sexual exploitation and abuse by UN personnel had eroded local support for MINUSTAH and undermined its work.

A written report on the visiting mission and its terms of reference was published on 11 July 2012 (S/2012/534).

West Africa

The Council conducted a visiting mission to West Africa from 19 to 23 May 2012 that included the participation of all 15 Council members, most at the permanent representative level. Morocco and the US co-led the Liberia leg of the mission; France and Togo co-led during the visit to Côte d'Ivoire that also included a meeting there with a delegation from the Economic Community of West African States (ECOWAS is headquartered in Abuja, Nigeria); and South Africa and the UK co-led during the Sierra Leone part of the trip.

In Liberia, the primary focus of the visiting mission was the country's efforts to improve its security and rule of law institutions in preparation for the eventual drawdown of the UN Mission in Liberia (UNMIL). In Côte d'Ivoire the Council wanted to assess the stabilisation process in the wake of the post-electoral crisis. Council members' meeting with the ECOWAS delegation was the first of its kind and focused on Guinea-Bissau, Mali and transnational issues in the region. In Sierra Leone Council members focused on the then-forthcoming November elections.

Women, peace and security issues were mentioned in the terms of reference for the Liberia and Sierra Leone legs of the visiting mission (S/2012/344):

- Liberia: to emphasise civilian protection, especially women and children; to assess progress in combating sexual and gender-based violence; and to underline support for civil society, including women's groups.
- Sierra Leone: to assess the progress achieved by the national authorities in the promotion of gender equality.

Council members had a very busy schedule visiting three countries over the course of five days. They met with all three heads of state, representatives of the government and opposition members, security sector representatives, the ECOWAS delegation,

personnel from UN peacekeeping operations and UN agencies, and visited refugee camps in border areas. Within this tight itinerary, Council members also fit in meetings with civil society, including women's groups, in Liberia and Sierra Leone.

On 31 May, the Council received a briefing from the ambassadors who had co-led different segments of the visiting mission to West Africa (S/PV.6777). On Liberia, Ambassador Rice reported that the Council's visit with UNMIL's all-female formed police unit demonstrated the value of women's participation in Liberia's security institutions. She said there were calls from civil society leaders for an increased role for women in government. However, Rice noted that in their briefings from UNMIL, it was clear that there were still challenges to addressing human rights abuses, especially sexual and gender-based violence.

On Sierra Leone, Ambassador Baso Sangqu (South Africa) echoed the call made by civil society leaders for greater representation of women in parliament in light of the then-upcoming elections. He said these civil society voices also stressed the role women can play in early-warning systems for conflict.

Unlike Liberia and Sierra Leone, women, peace and security issues were not incorporated into the terms of reference for the Côte d'Ivoire part of the trip. Subsequently, such issues were not addressed during the actual trip or in the follow-up briefing to the Council. One of the goals of the Côte d'Ivoire visit was to assess the stabilisation process in the wake of the post-election crisis and articulated in the terms of reference for the visit was to call on the government "to fight impunity and ensure impartial justice".

The lack of attention to the women, peace and security agenda during the Côte d'Ivoire part of the visiting mission is a notable gap given the significant spike in sexual violence there during the post-election crisis and the Council's stated aim to call on the government to fight impunity. Additionally, many gender advisers during the 18 May Arria formula meeting had stressed to Council members the importance of including women's issues as an integral part of the West Africa visiting mission. However, only the Liberia and Sierra Leone visits incorporated a gender perspective into its itineraries.

Timor-Leste

The Council conducted a "mini" visiting mission to Timor-Leste from 3 to 6 November 2012, led by South Africa with the participation of Azerbaijan, India, Pakistan, Portugal and Togo. The primary focus of the visiting mission was to reaffirm the Council's commitment to the promotion of the country's long-term stability in the lead-up to the conclusion of the UN Mission in Timor-Leste on 31 December.

Women, peace and security issues were mentioned once in the terms of reference for the visiting mission, encouraging the government to foster the role of women in an inclusive dialogue to promote the consolidation of peace. Council members met with representatives of the government, national police and UNMIT. Council members also included meetings with civil society, including women's groups.

On 12 November, Ambassador Sangqu briefed the Council on the mission's activities (S/PV.6858). He cited progress in recruiting women police officers but noted that challenges remained in implementing police-related aspects of the national plan of action against gender-based violence.

A written report on the visiting mission and its terms of reference were published on 28 November 2012 (S/2012/889).

The terms of reference and subsequent briefing to the Council had minimal references to women. However, the written report on the mission has more significant detail on the mission's assessment of the implementation of the women, peace and security agenda in Timor-Leste, including women's electoral participation; gender issues in public security and policing such as female recruitment; and combating gender-based and domestic violence and the need for adequate recourse and services for victims.

Overall, it appears that the women, peace and security agenda had been incorporated, in varying degrees, into each 2012 visiting mission, with the exception of the Côte d'Ivoire leg of the West Africa trip. The 2012 trips indicate that if women, peace and security issues are not included in the terms of reference, then it is less likely that there will be any concerted or spontaneous Council focus on such issues when they are in country as demonstrated by the Côte d'Ivoire visit.

Key Developments at the Thematic Level (con't)

Special Representative on Sexual Violence in Conflict

The Secretary-General appointed the first Special Representative on Sexual Violence in Conflict, Margot Wallström (Sweden), in February 2010. The current Special Representative, Zainab Hawa Bangura (Sierra Leone), took up her post in September 2012.

Under Wallström, the Office of the Special Representative established a five-point agenda: raising awareness of sexual violence as a phenomenon of conflict; addressing impunity for acts of sexual violence in conflict; empowering war-affected women to seek redress and realise their rights; engaging with political leaders to strengthen political will to address sexual violence; and advocating a coordinated international response for victims of sexual violence. Under Bangura, a sixth priority has been added, fostering national ownership, leadership and responsibility for addressing sexual violence. Her office has eight priority countries: Bosnia and Herzegovina, CAR, Colombia, Côte d'Ivoire, DRC, Liberia, South Sudan and Sudan.

The Office of the Special Representative has a number of tools to advance its advocacy mandate. With respect to the Security Council, these include briefing the Council on specific issues on the Council agenda; updating the Council on progress with the monitoring, analysis and reporting arrangements, or MARA, in its annual report; or interactions with the Council's sanctions committees and associated expert groups. Advocacy tools aimed more broadly include press releases, field visits and guidance notes.

Country-Specific Briefings

Resolutions 1888 and 1960 invited the Special Representative to brief the Council as relevant, especially regarding emerging patterns of attack. The Council's interaction with the Special Representative has been especially notable, insofar as she has briefed not only on her broader mandate but on several country-specific situations as well.

The practice began when Wallström briefed the Council in September 2010 on the July-August 2010 Walikale rapes in the DRC (S/PV.6378). In November 2011, Wallström briefed Council members again on the DRC in consultations following a public briefing by the Special Representative and head of the UN Organization Stabilization

Mission in the DRC (MONUSCO), Roger Meece.

Since taking up her office in September 2012, Bangura has briefed Council members on two country-specific situations—CAR and Syria.

CAR

Bangura visited the CAR from 5 to 12 December 2012, her first field visit in her capacity as Special Representative. While there, Bangura engaged with both the government and armed groups and was able to secure two agreements on conflict-related sexual violence. One was an agreement from the government to fight impunity for crimes of sexual violence and to protect vulnerable persons from sexual violence. The second was a joint communiqué of the Disarmament, Demobilization and Reintegration Steering Committee (made up of representatives of the government, armed groups and the UN) which included the requirement that armed groups immediately release women and children and commitments for command instructions that sexual violence should be prevented. In a 4 January letter, the Secretary-General transmitted this information to the Security Council and reported that Bangura stood ready to brief the Council (S/2013/8).

On 11 January 2013, Bangura briefed the Council along with Margaret Vogt, the Special Representative and head of the UN Integrated Peacebuilding Office in the CAR (BINUCA), on the uprising by the Seleka rebels and subsequent ceasefire agreements with the CAR government (S/PV.6899). It appears that the briefing had impact. When the Council renewed BINUCA through resolution 2088 on 24 January 2013, the text included strengthened references to women, peace and security issues, in contrast to more general language found in the previous renewal in resolution 2031 (2011). In particular, resolution 2088 included new language on the necessity of women's participation in peacebuilding, welcomed the 12 December 2012 agreements on conflict-related sexual violence, and called on all parties in the CAR to issue clear orders regarding sexual violence and facilitate victims' access to services.

The resolution also called for the full implementation of the ceasefire. As communicated to the Council during the 11 January

briefing by Vogt and Bangura, this ceasefire included a prohibition on sexual violence as a condition of the ceasefire agreement. The inclusion of sexual violence as an element of a ceasefire definition and security mechanisms (i.e., defined acts that would be considered a breach of the ceasefire) is an important step in setting up conflict resolution and mediation mechanisms with a baseline for gender sensitivity. If such definitions are in ceasefire provisions, then they will be more likely to be included in any subsequent peace process, enhancing the chances of women's perspectives being taken into account from the very first stages of any post-conflict process.

Syria

On 27 February 2013, Bangura briefed Council members in informal consultations—along with OCHA head Valerie Amos and the High Commissioner for Refugees, António Guterres—on the catastrophic humanitarian situation in Syria. Bangura told Council members that civilians in Syria are the target of sexual violence by all parties to the conflict, citing patterns of systematic rape by the government and allied militias. Sexual violence and sexual torture were also reportedly prevalent and used by the authorities in the context of detention. She also reported allegations of reprisal rape by armed opposition groups and foreign fighters, including those affiliated with Islamist groups, in areas perceived to be pro-government. Often those displaced by the spiralling Syrian conflict cite rape as one of the main reasons for fleeing. She called on the Security Council to ensure that any international peacemaking mechanism include expertise to address sexual violence and urged the Council to condemn sexual violence in Syria, noting the absence of such references in the 2012 resolutions authorising the short-lived UN mission there (discussed in more detail later in this report). The prevalence of sexual violence in the Syrian conflict was also included in the 2013 report on sexual violence.

Interactions with Sanctions Committees and Expert Groups

The Special Representative's office has had interactions, to varying degrees, with at least four of the Security Council's sanctions committees or expert groups. (Such interactions are difficult to systematically track as

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committee meetings are not public and no record is available.)

In the case of Côte d'Ivoire, the Council has formalised its request for such interaction in recent resolutions renewing the sanctions and Group of Experts' mandate. Resolutions 1980 (2011) and 2045 (2012) condemned acts of violence targeting women and in what is the first and to-date only instance in a country-specific situation, recalled resolution 1960 and welcomed information-sharing between the Special Representative for Sexual Violence in Conflict and the 1572 Côte d'Ivoire Sanctions Committee. (The Special Representative visited Côte d'Ivoire in November 2011.)

In the case of the DRC, the interaction was a briefing related to incidents of mass rapes in January and June of 2011 near Fizi in South Kivu. On 6 December 2011, at the request of then-elected Council member Germany, the 1533 DRC Sanctions Committee was briefed by the then-Special Representative Wallström, on issues related to her mandate in the DRC. Also, the Group of Experts assisting the 1533 DRC Sanctions Committee noted they had established cooperative links with the Office of the Special Representative. (The Special Representative has visited DRC five times: April and October 2010, February 2011, January 2012 and March 2013.)

In the case of Sudan, the Panel of Experts assisting the 1591 Sudan Sanctions Committee noted the Office of the Special Representative as one of their Secretariat-based interlocutors. In addition, the office has helped identify a consultant with gender expertise to supplement the Panel's work. (The Special Representative has never undertaken a field visit to Sudan.)

Similarly, in the case of Somalia, the Office of the Special Representative helped to identify a consultant with gender expertise for the Monitoring Group assisting the 751/1907 Somalia-Eritrea Sanctions Committee. (The Special Representative's first visit to Somalia was in early April 2013.)

2013 Report of the Secretary-General on Sexual Violence in Conflict

At press time, an open debate was scheduled in April 2013 to discuss the Secretary-General's second report on sexual violence in conflict (S/2013/149). The title of the 2013

report is slightly different from 2012. In 2012 the report was on "conflict-related sexual violence" while the 2013 report's title is "sexual violence in conflict". The distinction is subtle but significant.

In 2012, some Council members had significant concerns that the term "conflict-related" sexual violence was too broad and led to reporting by the Secretary-General on countries that arguably did not constitute threats to international peace and security. Whereas, the term "sexual violence in conflict" seems to narrow the reporting to situations where security is a concern. The change in the 2013 title seems to reflect that the Secretary-General was receptive to the concerns expressed in 2012. However, Council members that are supportive of a more robust reporting mandate for the Special Representative may view this as a setback.

This report was the first to be presented under Bangura's stewardship of the Special Representative's Office and highlighted several emerging concerns such as sexual violence against men and boys, particularly in the context of detention; the practice of forced marriage by armed groups; the links between sexual violence and natural resource extraction; and the correlation between sexual violence and inadequate security sector reform and disarmament, demobilisation, and reintegration efforts. The report provided country-specific information in three categories:

- parties to armed conflict credibly suspected of committing or being responsible for rape or other forms of sexual violence (in Afghanistan, CAR, Colombia, Côte d'Ivoire, DRC, Mali, Myanmar, Somalia, South Sudan, Sudan/Darfur, Syria and Yemen);
- sexual violence in post-conflict situations (in Bosnia and Herzegovina, Liberia, Libya, Nepal, Sierra Leone, Sri Lanka and Timor-Leste); and
- other situations of concern (in Angola, Guinea and Kenya).

Situations added to the 2013 report (as compared with the 2012 report) include Afghanistan, Mali and Yemen and situations dropped were Chad and Egypt. (Egypt was dropped from the annex, however, the Special Representative issued a statement on 3 April 2013 expressing dismay at the appalling attacks that continue to target women protesters in Egypt.) Libya was shifted from the

armed conflict category in 2012 to the post-conflict category in 2013. Syria was moved from the situations of concern category in 2012 to the armed conflict category in 2013. The 2012 category of sexual violence in the context of elections, political strife or civil unrest was removed. Guinea and Kenya had been included in this category in 2012 and were shifted to situations of concern in 2013.

As in 2012, the current report also included an annex listing parties credibly suspected of committing or being responsible for rape and other forms of sexual violence in situations of armed conflict on the Council's agenda. The list could be used as a basis for more focused UN engagement with those parties, including taking measures through the relevant sanctions committees. Both the 2012 and 2013 reports on sexual violence also made several concrete recommendations including a call on the Security Council to adopt targeted or graduated measures against those who commit, command or condone sexual violence. (The nexus between armed groups perpetrating sexual violence and the Security Council's various sanctions regimes is examined later in this report.)

The 2013 annex had several significant additions: the Syrian government forces and its allied militia, the *Shabbiha*; the Seleka rebels in the CAR and various armed groups in Mali. It also included several changes as compared with the 2012 list. The LRA continued to be described as operating in the CAR and the DRC but the 2012 listing of LRA as active in South Sudan was removed in 2013. For the DRC, the same set of militias, armed groups and government forces remained on the list and there were several additions such as the Congolese national police, the M23 rebel group and several more Mai-Mai groups in the Kivus. The same set of militias, armed groups and government forces in Côte d'Ivoire remained in the annex.

The 1960 MARA Arrangements

The Special Representative's office has taken some preliminary steps to roll out the monitoring, analysis and reporting arrangements (MARA) in 2012, allowing the arrangements to take root and mature.

Resolution 1960 (2010) was adopted following a successful push the previous year on the children's agenda to add sexual violence as a trigger for including a state or an armed

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group in its annexes (annex one are situations on the Council's agenda and annex two are situations not on the Council's agenda) of the annual report on children and armed conflict. It was at this time that there began to be a more marked overlap between the women's and children's thematic agendas around the issue of sexual violence, bringing into focus the need to track violations against women and girls in a similarly efficient way as had been established for children and armed conflict. Resolution 1960 established the monitoring, analysis and reporting arrangements on conflict-related sexual violence; called upon parties to armed conflict to make specific, time-bound commitments to prohibit and punish sexual violence; and asked the Secretary-General to monitor those commitments.

The first report on conflict-related sexual violence was issued in January 2012 and included updates on the MARA modalities and the terms of reference for women's protection advisers (S/2012/33). The primary purpose of the MARA is to ensure the systematic gathering of timely and accurate information on conflict-related sexual violence to feed into the Office of the Special Representative and form the basis of the Secretary-General's annual report on sexual violence as well as to improve the mission-specific periodic reporting.

The nascent MARA are already having some impact as the quality of information received from the field throughout 2012 has improved and in turn led to a more comprehensive and nuanced sexual violence report in 2013 (S/2013/149). As the MARA develops, a further added value might be its capacity to be used as an early-warning and conflict-prevention tool. The role of women's protection advisers in this reporting process is central. Such an adviser is to work with the head of mission, in collaboration with gender components and in coordination with other UN actors, to strengthen the mission's response to conflict-related sexual violence. Women's protection advisers would also be specifically responsible for implementing the MARA and its reporting function.

The addition of women's protection advisers in peacekeeping missions was welcomed in resolutions 1888 and 1960. Structurally, women's protection advisers are the responsibility of the Special Representative, but

since her office does not have a field presence, DPKO is the operational arm. Following the issuance in June 2011 of the Special Representative's provisional guidance note on the implementation of resolution 1960, the implementation of the MARA has begun in the field, largely within existing resources (i.e. gender or human rights components). In the current environment of budget constraints and low political will in the Council to expand the women, peace and security agenda, there seems to be reluctance by the Secretariat to create new posts. Currently, only one mission—the UN Mission in South Sudan (UNMISS)—has women's protection advisers. However, temporary catalytic funding has been found for the deployment of women's protection advisers in 2013 in BINUCA, MONUSCO and the UN Operation in Côte d'Ivoire (UNOCI). Aside from capacity issues, there are other challenges to the reporting and monitoring tasks, such as access difficulties and the ethical implications of taking victims' testimony where there are no referral services and furthermore, there may often be safety risks for both victims and witnesses.

Implementation of the MARA is linked to women's protection advisers, but given their limited deployment and the lack of resources—beyond the temporary funding identified above—to deploy more in the near future, it is unclear how reporting will proceed in any comprehensive and sustainable manner. Reporting through the human rights or gender components of peace missions has raised concerns about the feasibility of adding additional tasks to already-strained capacities. Under these circumstances, unless the Council unambiguously includes language in country-specific resolutions, as it did in resolution 2098 in March 2013 renewing MONUSCO, requesting the deployment of women's protection advisers, finding the resources from within the UN system to secure such posts will be very difficult. The 2013 report on sexual violence in armed conflict made specific requests for women's protection advisers to be included as parts of UN assessment teams and reported that such expertise should be considered a requirement for UN missions in Libya, Mali, Somalia and Syria.

Team of Experts

The Team of Experts on Rule of Law and Sexual Violence in Conflict derives its

mandate from resolution 1888, which called on the Secretary-General to identify expertise to deploy to situations of concern with respect to sexual violence in armed conflict in order to assist national authorities and strengthen the rule of law. The Team became operational in May 2011 and is part of the Office of the Special Representative.

The Team's priorities in 2012 included providing technical assistance and support to the governments of DRC, Guinea and Liberia to investigate and prosecute cases of sexual violence; assisting the government of South Sudan in its legislative reform relating to sexual violence and assessing judicial capacity to respond to such incidents; and facilitating experience-sharing between Côte d'Ivoire and its neighbours Liberia and Sierra Leone on addressing sexual violence.

Field Visits

As mentioned previously, the Office of the Special Representative has a number of tools to advance its advocacy mandate, including field visits. In the cases of Angola, the CAR, DRC and Guinea these visits have resulted in joint communiqués in which these governments have made commitments to address sexual violence issues. The visit to Colombia resulted in an agreed framework for cooperation.

Field visits have been undertaken in ten countries, six of which are priority countries for the Special Representative: Bosnia and Herzegovina, CAR, Colombia, Côte d'Ivoire, DRC and Liberia. The only priority countries which the Special Representative has not visited are South Sudan and Sudan. (The Office of the Special Representative has eight priority countries.)

UN Women

UN Women, which was created in 2010 and became operational in January 2011, views resolution 1325 on women, peace and security as one of several international agreements guiding its work, in that the resolution recognised that war affects women differently and reaffirmed the need to increase women's role in decision-making with regard to conflict prevention and resolution. In an October 2010 presidential statement, the Council invited UN Women to contribute regularly to the Council's work on women, peace and security (S/

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SRSG ON SEXUAL VIOLENCE IN CONFLICT FIELD VISITS

COUNTRY	SPECIAL REPRESENTATIVE	DATES	JOINT COMMUNIQUÉS
DRC	Margot Wallström	April 2010 October 2010 February 2011 January 2012	
	Zainab Bangura	March 2013	Yes
Liberia	Margot Wallström	June 2010	
Bosnia and Herzegovina	Margot Wallström	November 2010	
Angola	Margot Wallström	March 2011	Yes
Côte d'Ivoire	Margot Wallström	November 2011	
Guinea	Margot Wallström	November 2011	Yes
Sierra Leone	Margot Wallström	November 2011	
Colombia	Margot Wallström	May 2012	
CAR	Zainab Bangura	December 2012	Yes
Somalia	Zainab Bangura	April 2013	

PRST/2010/22). The Executive Director of UN Women, Michelle Bachelet (Chile), has briefed the Council semi-annually since she took up her post—presenting the annual 1325 report in the fall of 2011 and 2012 and, in addition, has briefed Council members in consultations on 12 April 2011 and in public on 24 April 2012.

April 2012 Briefing to the Security Council

On 24 April 2012, Council members were briefed on women, peace and security by Bachelet and the Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous (S/PV.6759).

Bachelet focused her briefing on women's participation as voters and candidates as well as the issue of gender-based election-related violence. She also addressed gender issues in amnesty provisions in transitional justice mechanisms—citing Mali, Nepal and Yemen as examples—and the concern that amnesties for war crimes against women contribute to a post-conflict environment of impunity for gender-based violence.

In closing remarks, she made concrete recommendations for the Council's work on the women, peace and security agenda, including:

- encouraging gender-sensitive constitutional and legal reform in mandate renewals and discouraging legal restrictions on

women in the name of reconciliation; and

- addressing the barriers to women's participation in elections in countries on the Council's agenda.

Her briefing to the Council in November 2012 in the context of its annual open debate on the implementation of resolution 1325 is detailed earlier in this report.

Unlike the Special Representative, the head of UN Women has not briefed the Council on any country-specific situation outside of broader briefings relating to her mandate. It seems that there had been interest among some Council members to have Bachelet brief on her 9 January 2013 visit to Mali—in particular, alongside the head of the Department of Political Affairs, Jeffrey Feltman, who briefed on the situation on 22 January. Nevertheless, no agreement was reached amongst Council members and no such country-specific briefing by Bachelet occurred. (On 15 March, Bachelet announced her plans to step down as head of UN Women.)

The 1325 Indicators

UN Women plays a central role in reporting to the Council on a set of indicators for use at the global level to track the implementation of resolution 1325.

Resolution 1889 asked the Secretary-General to submit to the Security Council a

set of indicators to track implementation of resolution 1325. A preliminary set was submitted in April 2010, subsequently revised and then resubmitted to the Security Council in September 2010. In its 26 October 2010 presidential statement adopted following the open debate commemorating the tenth anniversary of resolution 1325, the Council supported taking forward the indicators as an initial framework for the UN system and member states to track implementation of resolution 1325 (S/PRST/2010/22).

However, this presidential statement also reflected difficult compromise language on the indicators that was necessary to achieve the consensus required for a presidential statement to be adopted.

The Security Council supports taking forward...the set of indicators...for use as an initial framework to track implementation of its resolution 1325 in situations of armed conflict and post-conflict and other situations relevant to the implementation of resolution 1325, as appropriate, and taking into account the specificity of each country.

Language such as “taking forward”, “initial”, “relevant”, “specificity” and “appropriate” allowed two competing interpretations to flourish. For Council members strongly supportive of the indicators, it was understood as an endorsement of the indicators and to mean “develop and use”. For those members less comfortable with the indicators, it allowed for a more ambiguous reading and meant that the issue could be revisited in the future and that the indicators were not necessarily universally applicable.

These indicators established a comprehensive set of goals to report on progress in the areas of prevention, protection, participation and relief and recovery as they apply to the women, peace and security agenda. To track them effectively requires not only inputs by the UN system but also from member states. A high-level review of the indicators is expected in 2015 and it is at this juncture that most Council members feel this issue could be most appropriately reopened in any substantial way.

There has been reporting on the indicators in the Secretary-General's 2011 and 2012 reports on resolution 1325, both of which included information on the 1325 indicators vis-à-vis the UN system and Security Council

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agenda countries, i.e. countries where the UN already has systems in place to collect relevant information. The final phase of reporting on the indicators relies on voluntary inputs from member states at large. UN Women anticipates undertaking consultations with member states on this voluntary process prior to inviting them to report in 2015.

Addressing this third phase of reporting is particularly complex because it requires consultations with member states. Though such reporting will be voluntary, its prospect has continuously generated a certain level of resistance from some Council members—particularly permanent members China and Russia. Council members who follow the issue closely anticipate difficulty if the past three years give any sign of what is to come.

The reporting on the indicators in 2011

triggered a critical response by some Council members, reflecting the divide in the Council over the universality of the applicability of the women, peace and security agenda. The difficulties in agreeing to the indicators in 2010 and the critical response experienced in 2011 led to a more muted approach by the Council to the indicators in 2012.

Notably, there was no reference to the indicators in the 31 October 2012 presidential statement, nor were the indicators a particular focus of Bachelet's 30 November briefing. It seems Council members supportive of tracking implementation of resolution 1325 at a global level are of the view that the indicators have been endorsed and it is now a technical issue that does not require Council attention in the near term. In this context, it seems the indicators were intentionally

absent from the October 2012 presidential statement, as these Council members felt it would be counter-productive to open the issue for negotiation at this juncture. In their view, it was important to give UN Women the space to carry out the reporting it had been assigned to do.

Other aspects of the 1325 agenda are not nearly as controversial as the indicators and are broadly supported in principle though practical implementation remains elusive. Like the sexual violence aspect of the women, peace and security agenda, the indicators are provocative largely due to the broad scope of the reporting mandate, which is not necessarily limited to armed conflict or post-conflict situations or situations that are already on the Council's agenda.

Cross-Cutting Analysis For 2012

This section of the report analyses statistical information on women, peace and security in country-specific decisions of the Security Council and trends in 2012. It examines resolutions and presidential statements adopted by the Security Council, country-specific reports of the Secretary-General and peace missions' mandates.

Resolutions Adopted by the Security Council

We analysed all 53 resolutions adopted by the Security Council in 2012, dividing them into country-specific and thematic categories. For both categories we looked at the total number of resolutions adopted and then focused on those reasonably expected to address women, peace and security issues to identify those that did.

For country-specific resolutions, it seemed reasonable to expect references to women, peace and security when the Council established or extended peacekeeping operations or political missions in situations of armed conflict or post-conflict situations. We excluded technical resolutions (like roll-over extensions); peacekeeping missions not charged with supporting post-conflict processes in host countries, such as the UN Interim Force in Lebanon (UNIFIL) or the

UN Disengagement Observer Force in the Golan Heights (UNDOF); and the extensions of expert groups assisting sanctions committees dealing with matters where women, peace and security issues were not reasonably expected to be part of the scope of work (for example, non-proliferation).

For the thematic resolutions, we excluded from the count those relating to issues such as piracy, non-proliferation, counterterrorism and technical resolutions on international tribunals.

Country-Specific Resolutions

Of the 53 resolutions adopted by the Security Council in 2012, 43 were country-specific. We found that 32 resolutions on country-specific situations could be reasonably expected to contain references to women. The number of actual relevant resolutions with references to women was 29, or 91 percent. This is a significant increase from the 63 percent (25 of 40) registered in 2011. However, only 66 percent (21 of 32) of the relevant resolutions in 2012 contained references to women in operative paragraphs, with the remaining references to women contained in preambular paragraphs.

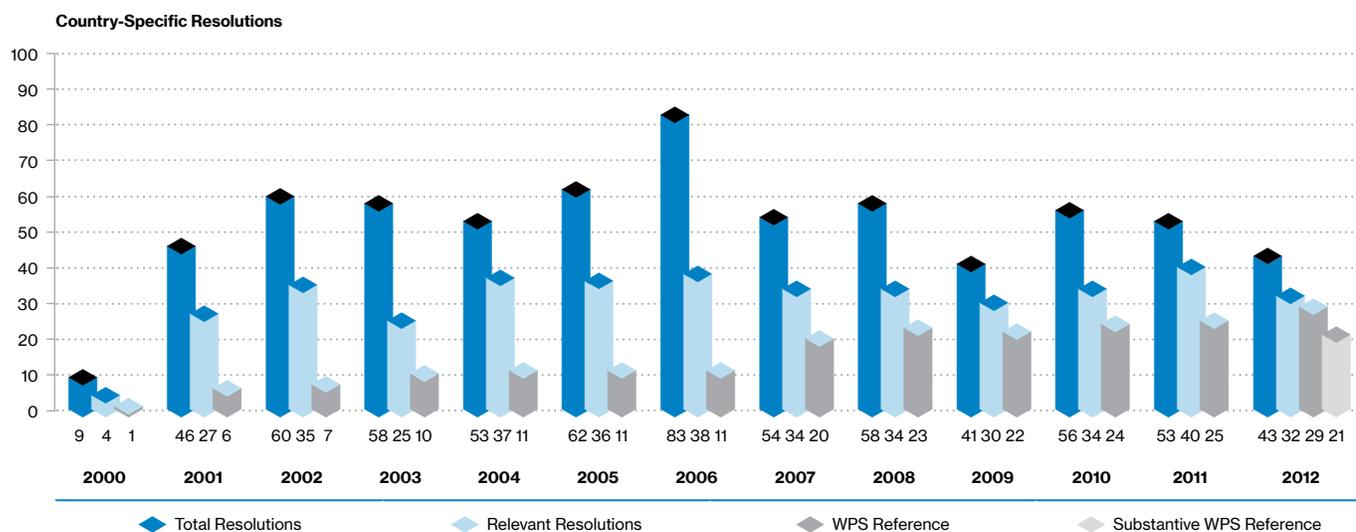
Upon closer examination of situations that were on the Council's agenda in both 2011

and 2012, references to women were relatively constant. Most of the 2012 resolutions had at least one corresponding resolution in 2011.

The rise in mentions of women, peace and security issues in relevant resolutions from 63 percent (25 of 40) in 2011 to 91 percent in 2012 (29 of 32) can partly be explained by the overall percentage being affected by the higher number of country-specific resolutions adopted in 2011 (53) versus 2012 (43). However, the dramatic percentage rise in 2012 also seems to indicate a trend by the Council to incorporate women, peace and security language at the outset, when it becomes seized of a new situation or a changing dynamic.

Such an emerging situation in 2012 was Mali. All three of the Council's resolutions on Mali contained substantive references to women's participation or sexual violence in conflict, both of which are aspects of the women, peace and security agenda (resolutions 2056, 2071 and 2085). Similarly, there were significant changing dynamics on the ground in situations of which the Council was already seized, including the emergence of the rebel group M23 in the eastern DRC, the Taliban's participation in potential reconciliation talks in Afghanistan and a coup d'état in Guinea-Bissau. As discussed

Cross-Cutting Analysis For 2012 (con't)



below, the Council included references to women, peace and security issues in each of the resolutions adopted in response to these situations.

Afghanistan

The Council adopted resolution 2041 on 22 March 2012, renewing the UN Assistance Mission in Afghanistan (UNAMA) with extensive references to the women, peace and security agenda. UNAMA was given responsibility for building internal Afghan capacity to monitor and implement provisions of the constitution and relevant international treaties, in particular to ensure the full enjoyment by women of their human rights. The resolution also reiterated the need for the full, equal and effective participation of women in peace processes, post-conflict strategies and the economic, social and political life of Afghanistan, in particular representation in governance institutions. Resolution 2041 also recognised that there had not been enough progress toward gender equality and called for enhanced efforts to protect women and girls from violence and to ensure equal access to justice.

On 9 October the Council renewed the authorisation of the International Security Assistance Force (ISAF) in resolution 2069, echoing many of the references found in resolution 2041 but also emphasising civilian protection, in particular of women, children and other vulnerable groups. The resolution also welcomed the Afghan plans for increased recruitment of women and training in gender

issues in its police sector.

On 17 December the Council modified the Taliban sanctions regime in resolution 2082, allowing for a number of exemptions to make it easier for listed individuals to travel in order to participate in meetings in support of peace and reconciliation. Interestingly, respect for the Afghan constitution, including its provisions on human rights and the rights of women, was part of the de-listing criteria.

DRC

On 27 June 2012 the Council adopted resolution 2053, renewing MONUSCO and urging effective participation of women in elections. Most of the references to women in resolution 2053 address the issue of sexual violence and impunity. The Council urged the DRC government to fight impunity for crimes against women and children, including for crimes committed by illegal armed groups or elements of the security forces. This renewal of MONUSCO was also the first resolution to include the M23 as part of the Council's recurring demand that all armed groups immediately cease all forms of violence against the civilian population, including rape and other forms of sexual abuse.

On 20 November, the Council adopted resolution 2076, condemning the M23's actions, including sexual and gender-based violence, and expressing its intention to consider additional targeted sanctions against the leadership of the M23 and those providing

it with external support—an indirect reference to Rwanda and Uganda. (In 2008, sexual violence was added as a listing criterion for targeted sanctions in the DRC sanctions regime.)

A week later, on 28 November, the Council adopted resolution 2078, renewing the DRC sanctions regime and its Group of Experts and noting serious human rights abuses, including sexual and gender-based violence, committed by the M23 and other armed groups. The resolution called for accountability and decided to take measures against individuals committing such serious violations. By 31 December, five individuals and two entities had been added to the DRC sanctions list; the inclusion of three of these individuals and both entities was explicitly justified due to allegations of rape, sexual abuse, sexual violence or targeting women. (The DRC and the emergence of the M23 are discussed in greater detail in a case study in the section of this report examining the intersection between sexual violence in conflict, impunity and sanctions imposed by the Security Council.)

Guinea-Bissau

The Council adopted one resolution on Guinea-Bissau in 2012. Resolution 2048 established a sanctions committee and imposed a travel ban on five senior officers who led the 12 April 2012 coup d'état in that country. There were no significant references to women in the resolution but the Council did include a condemnation of all acts of violence, including explicitly against

Cross-Cutting Analysis For 2012 (con't)

women in one of the preambular paragraphs. However, a significant gap in the resolution was that it did not address women's participation in any of the post-coup processes.

Mali

On 5 July 2012, the Council adopted resolution 2056—its first on the situation in Mali—expressing its full support for the joint efforts of ECOWAS, the AU and the transitional authorities to attempt to re-establish constitutionality and the territorial integrity of Mali in the aftermath of the 22 March 2012 coup d'état by some members of the armed forces, a spreading Tuareg rebellion and the presence of Al-Qaida-affiliated terrorists in the north. The Council also called on all parties in the north of Mali to cease all abuses and condemned attacks against the civilian population, including sexual violence. The resolution also urged women's involvement in mediation efforts and stressed the importance of women's participation and empowerment during all stages of the mediation process.

Resolution 2071, adopted on 12 October, expressed the Council's readiness to respond positively to a request from the transitional authorities in Mali regarding an intervention force to assist the armed forces to reclaim northern Mali. The resolution reiterated the Council's condemnation of human rights abuses committed in the north by armed rebels, terrorists and other extremist groups, including violence against its civilians, notably women and children. The Council also reiterated its demand that all groups in the north of Mali cease all abuses, including sexual violence, stressing such acts may amount to crimes under the Rome Statute of the International Criminal Court (ICC). (Mali's transitional authorities referred the situation in the north since January 2012 to the ICC on 18 July 2012.)

On 20 December the Council adopted resolution 2085, authorising the deployment of an African-led International Support Mission in Mali (AFISMA). The resolution echoed the condemnation of violence against civilians that the Council had articulated in resolutions 2056 and 2071. It recalled all of the Council resolutions on women, peace and security and called upon all military forces in Mali to take them into account. Regarding a UN presence in Mali, the resolution requested the

Secretary-General to ensure the relevant capacity to advise on ways to mitigate any adverse impact of military operations on the civilian population, including on women and children.

The three resolutions that are outliers to this overall trend of the inclusion of women, peace and security language in 91 per cent of relevant resolutions are related to the short-lived UN Supervision Mission in Syria (UNSMIS) and the renewal of the UN Mission for the Referendum in Western Sahara (MINURSO).

Syria

Reports by the Human Rights Council's Commission of Inquiry on Syria, echoed in the Secretary-General's January 2012 and March 2013 reports on sexual violence, indicate that violent response by the Syrian authorities to the widespread anti-government protests and armed opposition groups has included sexual assault, rape and sexual torture of women, men and children. There are also reports of sexual torture of male detainees by military and security forces in detention facilities. As the crisis has worsened, allegations of sexual violence being committed by all parties in the conflict have widened. (However, reports throughout 2012 indicated that the violations by armed opposition groups had not reached the intensity and scale of those committed by government forces and affiliated militias.)

The three resolutions adopted on Syria in 2012 and the three vetoed draft resolutions—two in 2012 and one in 2011—were primarily concerned with the cessation of violence and a political transition in Syria, though all three vetoed draft resolutions did contain references to women. Council members were aware of the sexual violence dimensions of the conflict but none of the resolutions establishing or renewing UNSMIS in 2012 included any references to women, peace and security—despite efforts to include such language during the negotiations leading up to the adoptions of resolutions 2042, 2043 and 2059.

On 14 April 2012, the Council adopted resolution 2042, authorising the deployment of 30 military observers to Syria, requesting proposals for a UN supervision mechanism and underscoring the Council's expectation that the government would keep its

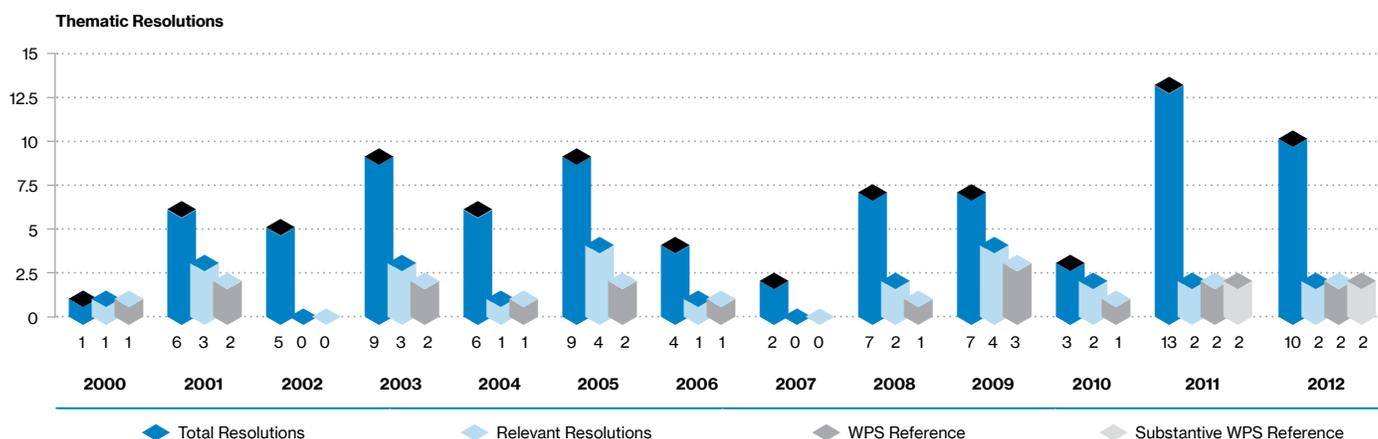
commitments under the six-point plan of then-Special Envoy Kofi Annan. Resolution 2042 did not contain any references to women, although it condemned widespread violations of human rights by the authorities, as well as any human rights abuses by armed groups. References to sexual violence—similar to those in the 16 February General Assembly resolution (A/RES/66/253)—were dropped during negotiations.

A week later, the Council adopted resolution 2043, establishing UNSMIS to monitor a cessation of armed violence and the implementation of Annan's six-point plan. This resolution did not include any references to women either, despite efforts by the P3 and elected members Germany and Portugal to include condemnation of sexual violence and other abuses against women as well as specifying the need for UNSMIS's civilian component to include gender expertise. Neither reference survived the negotiations leading to the draft resolution that was adopted on 21 April.

Resolution 2059 was adopted on 20 July—the day the original UNSMIS mandate expired—as a final technical rollover. The adoption of resolution 2059 followed protracted negotiations of a draft resolution that had been vetoed the previous day by China and Russia, with Pakistan and South Africa abstaining (S/2012/538). The vetoed draft resolution sought to tie the UNSMIS renewal to a Chapter VII decision to impose sanctions if Syria's commitments under the six-point plan to cease violence and withdraw to barracks were not met within ten days. This draft included a reference that women must be fully represented in all aspects of any political transition in Syria.

Two previous vetoed draft resolutions on Syria included references to women. The draft resolution vetoed by China and Russia in February 2012 with all other members voting in favour condemned the widespread and gross violations of human rights, including sexual violence, by the authorities (S/2012/77). The draft resolution vetoed in October 2011—also by China and Russia, with Brazil, India, Lebanon and South Africa abstaining—condemned human rights violations and the use of force against civilians by the authorities and expressed profound regret at the deaths of thousands of people, including women and children (S/2011/612).

Cross-Cutting Analysis For 2012 (con't)



The three vetoed resolutions were primarily blocked due to the threat of sanctions and not because of any specific language on women, peace and security. It is nevertheless notable that in two of the three resolutions adopted on Syria related to UNSMIS, references to sexual violence specifically and the women's agenda broadly were among the issues which were dropped during the negotiation process.

Western Sahara

MINURSO's mandate was established by resolution 690 in April 1991 to implement a referendum (yet to be held) to enable the people of Western Sahara to choose between independence and integration with Morocco. The mission was most recently renewed in April 2012 by resolution 2044 and did not include any references to women, peace and security, despite the fact that its mandate includes issues covered by resolution 1325, such as negotiations toward a peaceful political solution. MINURSO's mandate has never included references to women and in this way is similar to several older missions whose establishment predates resolution 1325.

The pre-resolution 1325 establishment of a mandate does not necessarily preclude its subsequent revision in the women, peace and security context. A case in point is the UN Peacekeeping Force in Cyprus (UNFICYP), which used to fall into this category until its renewal in December 2011. Resolution 2026 renewed UNFICYP and included its first reference to women by recalling that civil society, including women's groups, is essential to the political process and that women play an important role in peace processes.

This language was maintained in 2012 when UNFICYP was renewed in resolution 2058.

It is unlikely that the language in any MINURSO renewal resolution will be significantly altered in the near term as Morocco, a current elected member of the Council, is particularly vested in maintaining the mandate as is.

Thematic Resolutions

The Security Council adopted ten thematic resolutions in 2012. Of those, only two could be considered relevant to the women, peace and security agenda: one on UN and AU cooperation and another on children and armed conflict.

Cooperation with Regional Organisations, in particular the AU

The first resolution adopted by the Council in 2012 was resolution 2033 on 12 January, focusing on cooperation between the UN and the AU. The resolution recalled all of the Council's resolutions on women, peace and security and reaffirmed women's role in mediation, conflict prevention and resolution and peacebuilding. The Council also reaffirmed the importance of the prevention of, and protection from, sexual violence. In an operational paragraph, the resolution stressed the need for the UN and AU to ensure that women and gender perspectives are fully integrated into all peace and security efforts undertaken by the two organisations.

Children and Armed Conflict

On 19 September 2012, the Council adopted resolution 2068 on children and armed conflict, a topic which often overlaps with the women, peace and security agenda,

particularly as it relates to civilian protection and conflict-related sexual violence. In its 2012 resolution on children and armed conflict, the Council condemned all violations of applicable international law involving the recruitment and use of children by parties to armed conflict, as well as their re-recruitment, killing and maiming, rape and other sexual violence.

Of the remaining eight thematic resolutions, five were on staffing issues related to international judicial mechanisms, two dealt with counterterrorism and non-proliferation and one was on piracy in the Gulf of Guinea.

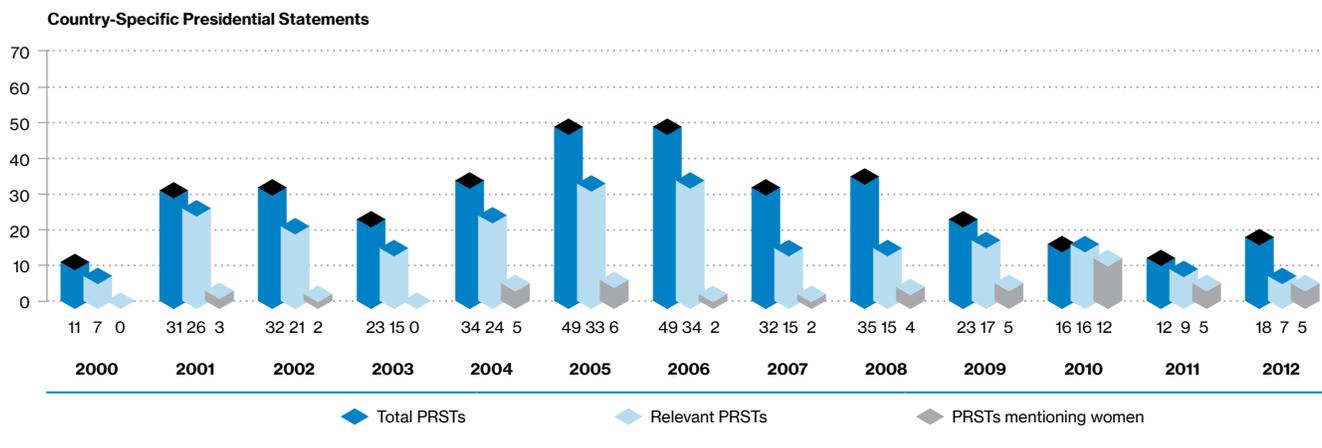
Significantly, in both 2011 and 2012, the Council included substantial references to aspects of the women, peace and security agenda in each of its relevant thematic resolutions.

Presidential Statements Adopted by the Security Council

The Security Council usually issues a presidential statement in response to a significant development on the ground in situations on its agenda or to highlight key points following a thematic open debate or the release of key documents by the Secretariat. Presidential statements do not have the same weight as resolutions and consequently the language can sometimes be less restrained than in resolutions. However, presidential statements need to be adopted by consensus, which in practice gives each of the 15 members an informal veto power. Presidential statements are considered formal decisions and are very thoroughly negotiated.

In 2012, the Security Council adopted 29 presidential statements, compared with 22 in

Cross-Cutting Analysis For 2012 (con't)



2011. As was done with the resolutions in the previous section, the 29 presidential statements adopted in 2012 have been differentiated as either country-specific or thematic in nature. In 2012 there were 11 thematic presidential statements and 18 country-specific presidential statements.

We have considered as not relevant any presidential statement issued in response to a specific incident, such as an election, multilateral event or security incident. However, we have included as relevant any presidential statement that expands upon the general situation, and as such, presents an opportunity to reinforce key points of the women, peace and security agenda.

Country-Specific Presidential Statements

The number of country-specific presidential statements that could reasonably be expected to address the women, peace and security agenda was seven, with five actually including some reference to women. With 71 percent of the relevant presidential statements containing a reference to women (five of seven), 2012 saw an increase over the 56 percent registered in 2011 (five of nine). (However, both years had the same number of relevant country-specific presidential statements with references to women, five; considerably lower than the 12 registered in 2010.)

The rate of country-specific presidential statements with references to women has been fairly consistent since 2010 (in that the rate has been higher than 50 percent) though there remains room for improvement. Arguably, the lower rate before 2010 could be due to the generally reactive nature of

presidential statements, which tend to focus on an immediate message rather than a comprehensive outline of issues connected to a larger situation.

The recent trend toward increasing references to women in country-specific presidential statements seems to reflect a greater comfort with including language related to protection of vulnerable groups, like women, and bringing attention to the issue of sexual violence in conflict—such as in the 2012 presidential statements on the Sahel, DRC and on the LRA in Central Africa. Only one country-specific presidential statement—on Yemen—included any reference to the women’s participation aspect of the women, peace and security agenda. Below we discuss these presidential statements as well as the two outliers—Mali and Syria.

Central Africa (Lord’s Resistance Army, or LRA)

Following briefings by the head of the UN Office for Central Africa (UNOCA) on 29 June and 18 December 2012, the Council issued presidential statements on LRA attacks in the region, condemning the LRA’s use of rape, sexual slavery and other sexual violence and reiterating the need for a comprehensive approach to the humanitarian situation, including assistance to victims of sexual violence (S/PRST/2012/18 and S/PRST/2012/28).

Democratic Republic of the Congo

On 19 October 2012 the Council condemned M23 activities, expressing its intention to apply targeted sanctions, and called for those responsible for sexual violence

to be apprehended, brought to justice and held accountable for violations of applicable international law (S/PRST/2012/22). (The DRC and the emergence of the M23 are discussed in greater detail in a case study in the section of this report examining the intersection between sexual violence in conflict, impunity and sanctions imposed by the Security Council.)

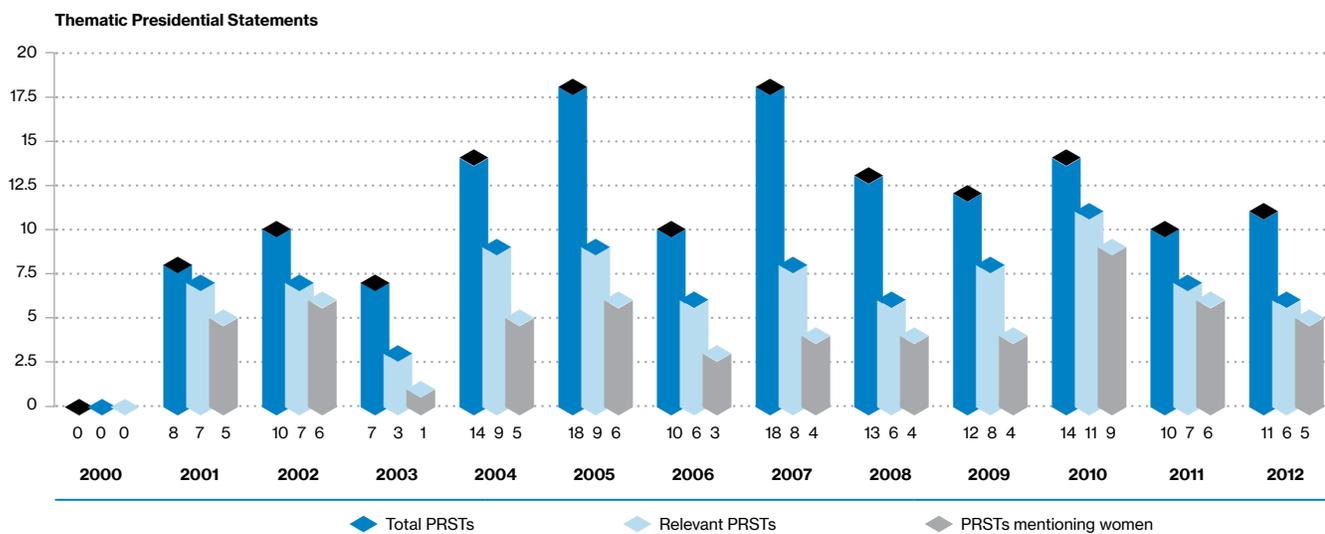
The Sahel

The Council held a high-level meeting on the Sahel at the initiative of Morocco on 10 December 2012 and adopted a presidential statement expressing serious concern over the insecurity and the significant ongoing humanitarian crisis in the Sahel region (S/PRST/2012/26). In addition, the statement condemns the human rights abuses committed in the region by terrorist and other extremist groups, including violence against civilians, notably women and children.

Yemen

The Council adopted a presidential statement on 29 March 2012 welcoming the transfer of power to President Abdrabuh Mansour Hadi and emphasising that the political transition should involve the full and effective participation of women (S/PRST/2012/8).

Cross-Cutting Analysis For 2012 (con't)



There were two notable exceptions to the overall positive trend of including references to women in country-specific presidential statements: Mali and Syria. The Council adopted two presidential statements on each situation and neither included references to women.

Mali

As discussed above, the Council incorporated strong references to the women, peace and security agenda in the three resolutions it adopted on Mali in 2012. However, there were no such references in the two presidential statements adopted earlier that same year. On 26 March 2012, the Council condemned the forcible seizure of power in Mali on 22 March and called for the restoration of constitutional order (S/PRST/2012/7). The statement also expressed concern about the humanitarian situation, which had been complicated by the presence of armed and terrorist groups, as well as by the proliferation of weapons from within and outside the region. This was a reaction to a discrete incident in a quickly emerging situation, so it is not surprising that this presidential statement did not include references to women.

As the scope of the conflict became more apparent, the Council responded on 4 April to a spreading Tuareg rebellion in the north, condemning the seizure of territory by rebels and expressing alarm over the presence of Al-Qaida-affiliated terrorists. The statement stressed the importance of human rights and the safety of civilians and also urged all parties to seek a peaceful

solution through appropriate political dialogue (S/PRST/2012/9). At this juncture, it would have been reasonable to expect that the Council could have made references to women. In particular, language could have been added regarding women's participation in mediation and conflict resolution and protection as a vulnerable group.

Syria

On 21 March 2012, the Council adopted a presidential statement endorsing then-Special Envoy Kofi Annan's six-point plan for a political solution to the Syrian crisis (S/PRST/2012/6). The majority of the text was devoted to Annan's plan, and the Council was not eager to fundamentally change the proposal put forth by its envoy. As discussed above, at this time in 2012 the Council would have been aware of the sexual-violence aspect of the conflict. In addition, the Secretary-General had briefed the Council on 12 March, and he had underscored the importance of women's participation in the political transformations taking place across the Arab world (S/PV.6734). In this context, it should have been possible to reference the women, peace and security agenda in a presidential statement focused on a political solution to a violent crisis. However, there were no references to women in the statement and indeed, given the divisions in the Council over its approach to the Syrian crisis, it is likely that in order to be adopted the text needed to stay tightly focused on endorsing Annan and the six-point plan.

On 5 April 2012, the Council adopted another presidential statement, calling on the government to cease violence by 10 April and the opposition to cease all violence 48 hours thereafter (S/PRST/2012/10). This statement was adopted to send a very specific message regarding the Council's expectations that the government meet its commitments under Annan's plan and as such could not reasonably be expected to include references to women.

It is important to keep in mind that a call to cease violence is distinctly different from endorsing a negotiated ceasefire agreement. If there ever were to be a negotiated ceasefire in Syria it would be reasonable to expect any Council endorsement to include a call for women's participation in any such mediation and conflict resolution processes and to include a call for women's needs to be reflected in security and post-conflict arrangements, in particular due to the sexual violence dimension of the conflict.

Thematic Presidential Statements

In 2012 there were 11 thematic presidential statements addressing such issues as the rule of law; transnational organised crime; non-proliferation; counterterrorism; UN cooperation with the Arab League; women, peace and security; piracy; post-conflict peacebuilding and international judicial mechanisms.

Of the 11 issued, six could reasonably be expected to address women, and five actually did. The overall proportion of relevant thematic presidential statements mentioning women remained fairly consistent at 86

Cross-Cutting Analysis For 2012 (con't)

percent in 2011 (six out of seven) and 83 percent in 2012 (five out of six).

Rule of Law

On 19 January 2012, the Council adopted a statement on justice and the rule of law as an indispensable element for peaceful coexistence and the prevention of armed conflict. The Council reiterated its concern about those who are the most vulnerable to armed conflict, including women, children and displaced persons, and expressed particular concern about sexual and gender-based violence in conflict situations (S/PRST/2012/1). However, it is interesting to note that, in a statement focused on rule of law, the reference to sexual and gender-based violence was not complemented by a reference to accountability for such violations. This stands in contrast to the one explicit reference to accountability in relation to piracy off the coast of Somalia that was found in the statement—an issue important to Russia.

Women, Peace and Security

Following the open debate on the Secretary-General's first report on conflict-related sexual violence (S/2012/33), the Council adopted a statement on 23 February 2012, commending the work of the Special Representative on Sexual Violence in Conflict and stressing the need for continued data collection under the MARA on sexual violence (S/PRST/2012/3).

Later in the year, the Council adopted a statement on 31 October recognising the need in the Council's own work for more systematic attention to the women, peace and security agenda and welcomed the Secretary-General's call for enhanced women's participation, at all levels, in conflict prevention, conflict resolution and peacebuilding (S/PRST/2012/23).

Special Court for Sierra Leone

On 9 October 2012, the Council issued a presidential statement following briefings by the president and prosecutor of the Special Court for Sierra Leone, emphasising the need for further pledges of voluntary contributions in order to allow the Court to complete its mandate in a timely manner (S/PRST/2012/21). The Council also recognised the Court for its work in the area of women, peace and security.

Post-Conflict Peacebuilding

On 20 December 2012, following an open debate on the Secretary-General's post-conflict peacebuilding report (S/2012/746), the Council adopted a presidential statement that included references to the critical role of women in conflict resolution and peacebuilding (S/PRST/2012/29). It took four rounds of negotiations for Council members to reach agreement on the text, and one of the more contentious issues was language recognising the importance of addressing violence against women in peace processes.

However, the final version of the presidential statement indicates that these differences were overcome, with relevant language on these matters being retained. The presidential statement has extensive references to women, including:

- Mobilising civilian expertise in the aftermath of conflict, in particular from women as vital for successful UN peacebuilding endeavours.
- Underlining the primary role of national governments affected by armed conflict to enhance participation of women in prevention and resolution of conflict and in peacebuilding, including by consulting relevant women's organisations from the earliest stages of planning and priority-setting.
- Reiterating the importance of addressing crimes committed against women in armed conflict, including killing and maiming and sexual violence issues from the outset of peace processes, mediation efforts, ceasefires and peace agreements, particularly in provisions for security arrangements, transitional justice and reparations as well as in the context of security sector reform.

The thematic presidential statements on rule of law and the Special Court for Sierra Leone included minimal, though important, references to women, and it does not appear that those references were particularly controversial amongst Council members. However, as discussed above, the statements with extensive and substantial references to the women, peace and security agenda with direct impact on the UN's and the Security Council's normative approach to the thematic issue of women, peace and security were subject to extensive negotiations.

Illicit Flows

The one thematic presidential statement that we considered relevant but did not contain any references to women was a 25 April 2012 statement on threats to international security caused by illicit cross-border trafficking and movement (S/PRST/2012/16). The statement focuses on the threats posed by linkages between armed conflict; terrorism; proliferation of weapons of mass destruction, small arms and light weapons; transnational organised crime; piracy; and drug and human trafficking. As the statement includes a focus on systemic issues, including human trafficking, it could be reasonably expected to include a reference to the women, peace and security agenda as well. Similarly, the inclusion of weapons proliferation, in particular small arms and light weapons, may have warranted a reference to women. The 2012 report on conflict-related sexual violence flagged the proliferation of small arms as a contributing factor to the prevailing insecurity in Darfur. The 2013 report on sexual violence in conflict also highlighted the linkages between the widespread availability of illicit small arms and light weapons and conflict-related sexual violence.

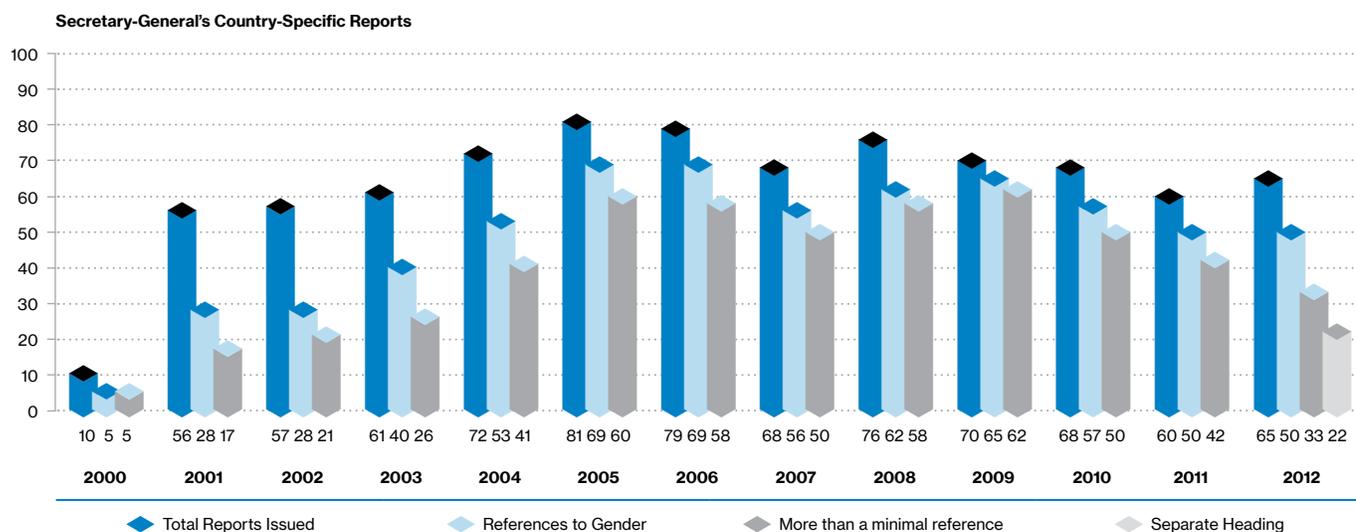
Secretary-General's Reports on Country-Specific Situations

In resolution 1325, the Council requested that the Secretary-General include in his reporting to the Council, where appropriate, information on progress on incorporating a gender perspective throughout peacekeeping missions and on all other aspects relating to women and girls. The Council reinforced this request in resolution 1820, asking the Secretary-General to systematically include in his written reports on conflict situations his observations and recommendations to the Council concerning the protection of women and girls from all forms of sexual violence.

The content of these Secretary-General's reports reflects the level of attention being given to these issues by the Secretariat and field missions. Additionally, the reports remain a key (and sometimes primary) source of information for Council members as a foundation for negotiating positions.

In keeping with the methodology used in our previous cross-cutting reports, the

Cross-Cutting Analysis For 2012 (con't)



analysis is based on a review of all country-specific reports submitted by the Secretary-General to the Council since the adoption of resolution 1325. In this report, we have strengthened the analysis of the Secretary-General's reports in 2012 by attempting to gauge the relative depth of references to women and gender issues in the reports. We have laid out the number of reports with a reference to gender issues and then broken down which reports include their own section on gender. We have then tracked aspects of the women, peace and security agenda that are included in other parts of the report, for example reporting on gender and security-sector reform. (Please see the chart on pages 20 and 21.)

In 2012 the Secretary-General submitted 83 reports. Of these, 65 were either country-specific reports or regional reports relating to country-specific situations. (This compares with 88 reports in 2011, of which 60 were country-specific reports.) Of the 65 reports on country-specific situations in 2012, 50 included a reference to gender issues pursuant to resolutions 1325 and 1820. (Our cross-cutting reports have always excluded from the count those country-specific reports addressing issues that are quite divorced from the women, peace and security angle such as Somalia piracy issues, the reports on

the Iraq Compensation Fund and missing Kuwaiti nationals and property.)

In 2012, 34 percent (22 of 65) of the country-specific reports followed the increasing tendency of the Secretary-General to report on gender as a separate section that cuts across missions' mandates, though this practice is far from universal. (For example, some missions continue to incorporate gender issues into human rights issues.) In addition, there has been an increase in reporting specifically on instances of sexual violence since the adoption of resolution 1820 in 2008.

Since the adoption of resolution 1325 in 2000, the number of references to gender gradually increased from being included in about half of all country-specific reports to the mid-80 percent range until 2011 (with a peak of about 90 percent in 2009). However, the percentage of Secretary-General's reports that include references to gender issues declined in 2012 to 77 percent from about 83 percent in 2011. This is largely due to the statistical impact of six reports on the UN Interim Security Force for Abyei (UNISFA)—a new mission established in mid-2011—that did not include, nor were expected to include, references to gender.

It may be helpful to note the significant positive statistical impact if the following 13

reports were excluded from the study:

- six reports on UNISFA, which monitors the Abyei area on the Sudan/South Sudan border;
- three reports on UNIFIL, which is concerned with the withdrawal of Israeli and militia forces from southern Lebanon;
- two reports on resolution 1559, which called for all foreign forces to withdraw from Lebanon and for the disbanding and disarming of all Lebanese and non-Lebanese militias; and
- two reports on UNDOF, established in 1974 to observe a buffer zone in the Golan Heights between Syria and Israel.

Each of these reports focuses on border-monitoring activities or border-related issues and do not include references to women. In such a case, we would be dealing with a set of 52 relevant country-specific reports (versus 65), 50 of which include references to gender, or 96 percent. However, the number of reports with more than minimal references to gender—51 percent (33 of 65) or, applying the “13 report discount” as detailed above, 63 percent (33 of 52)—demonstrates that there are still plenty of opportunities to improve reporting on the women, peace and security agenda by the Secretary-General.

Cross-Cutting Analysis For 2012 (con't)

Methodology and Key

Below is a chart designed to track the reporting on various aspects of the women, peace and security (WPS) agenda in the Secretary-General's reports on country-specific situations. It indicates instances of reporting on women's participation, sexual and gender-based violence (SGBV), relevant training activities carried out by peace operations, inputs by the Secretariat to advance

the women, peace and security agenda and other ad-hoc reporting. This chart will demonstrate whether one or all of these aspects were reported on in at least one of the country-specific reports to the Security Council in 2012 (most peace missions submit multiple reports throughout a calendar year).

In addition, we have attempted to assess whether the reporting during 2012 could be considered as robust (**r**); appropriate to the

mandate (**a**); minimal reference (**mr**); or not relevant (**n**). While such an assessment may be subjective to a certain degree, we have tried to be as objective as possible when judging the quality of reporting on the women, peace and security agenda by giving greater weight to substantial and recurring narrative reporting and less weight to short and ad-hoc references.

Mission	Number of Reports	Separate Section for WPS	SGBV	Gender	Women's Participation Political Participation	Dialogue & Reconciliation	Public Security	Legislative Frameworks	SGBV Incidents of	Accountability for Human Trafficking	Training Gender Awareness	Combat/Investigate SGBV	Secretariat Inputs SG Recommendations	UN Women	WPS Agenda	Zero-Tolerance Policy	Miscellaneous Development Issues	Human Rights	Disaggregated Gender Data	Assessment
Afghanistan (UNAMA)	4				•	•	•	•	•	•	•		•	•	•		•	•	•	a
Abyei (UNISFA)	6																			n
Central Africa (UNOCA/LRA)	2			•	•			•		•			•	•	•		•	•	•	a
Central African Republic (BINUCA)	2			•	•	•		•	•		•	•	•		•		•			a
Côte d'Ivoire (UNOCI)	3		•				•			•	•	•	•					•	•	mr
Cyprus (status of negotiations)	1					•														mr
Cyprus (UNFICYP)	1																			n
Darfur (UNAMID)	3				•	•	•		•	•	•	•						•	•	a
DRC (MONUSCO)	3		•		•	•	•		•	•	•	•	•	•					•	r
Golan Heights (UNDOF)	2																			n
Guinea-Bissau (restoration of constitutional order)	3																			n
Guinea-Bissau (UNIOGBIS)	1			•	•	•	•						•	•	•				•	a
Haiti (MINUSTAH)	2			•	•	•			•	•	•	•				•	•	•	•	r
Iraq (UNAMI)	3				•		•		•	•			•	•	•		•		•	a

Cross-Cutting Analysis For 2012 (con't)

Mission	Number of Reports	Cross-Cutting Analysis																	Assessment		
		Separate Section for WPS	SGBV	Gender	Women's Participation Political Participation	Dialogue & Reconciliation	Public Security	Legislative Frameworks	SGBV Incidents of	Accountability for	Human Trafficking	Training Gender Awareness	Combat/Investigate SGBV	Secretariat Inputs SG Recommendations	UN Women	WPS Agenda	Zero-Tolerance Policy	Miscellaneous Development Issues		Human Rights	Disaggregated Gender Data
Kosovo (UNMIK)	4				•	•	•	•	•	•	•				•	•		•			a
Lebanon (1559 Report)	2																				n
Lebanon (UNIFIL)	3																				n
Liberia (UNMIL)	2			•	•	•	•	•	•	•	•	•					•			•	a
Libya (UNSMIL)	2				•		•	•	•		•	•	•		•	•				•	a
Mali	1							•	•					•					•		a
Palestine	1																				n
Sahel (effects of the Libyan crisis on...)	1																	•			mr
Sierra Leone (UNIPSIL)	2			•	•	•	•	•	•	•	•	•	•	•	•	•		•			r
Somalia (AMISOM)	2	•			•	•	•	•	•	•	•	•	•	•	•			•	•	•	r
South Sudan (UNMISS)	3	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•			•	r
Syria (UNSMIS)	1				•			•											•		mr
Timor-Leste (UNMIT)	2				•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	r
West Africa (UNOWA)	2			•	•	•	•	•	•		•				•	•			•	•	r
Western Sahara (MINURSO)	1																	•			mr

Cross-Cutting Analysis For 2012 (con't)

Mission Mandates

Council-mandated missions can include peacekeeping operations, special political missions and peacebuilding support missions. Since the adoption of 1325, a significant proportion of resolutions establishing and renewing Council-mandated missions contain a reference to women, peace and security issues. An exception to this general trend in 2012 included the mandates of UNISFA in Abyei and the mandate of the short-lived UNSMIS mission in Syria, authorised from

April to August 2012.

There continue to be several, mostly older missions, established prior to the adoption of resolution 1325, whose mandates do not reference women, for example the UN Mission in Kosovo (UNMIK), MINURSO in Western Sahara, UNIFIL in Lebanon, UNDOF in the Golan Heights and until 2011 UNFICYP in Cyprus. However, as part of the trend to make a gender perspective a standard part of peacekeeping operations, each of these missions has a gender focal point or a gender adviser.

UNMISS in South Sudan is a good example of a peacekeeping operation with a robust mandate vis-à-vis the participation and protection aspects of the women, peace and security agenda and mission staff that includes a gender adviser and several women's protection advisers. In 2012, UNMISS was the only political or peacekeeping mission with deployed women's protection advisers.

PEACEKEEPING OPERATIONS IN 2012

	ESTABLISHED	RENEWED	MANDATE INCLUDED		MISSION STAFF INCLUDED	
			WPS	Zero Tolerance	Gender Advisor or Focal Point	WPAs
UNSMIS (Syria)	April 2012	July 2012 (S/RES/2059 for a final 30 days)	No	No	No	No
UNMISS (South Sudan)	July 2011	July 2012 (S/RES/2057 for a year)	Yes	Yes	Yes	Yes
UNISFA (Abyei)	June 2011	November 2012 (S/RES/2075 for 6 mo.)	No (but preambular reference)	Yes	No	No
MONUSCO (DRC)	May 2010	June 2012 (S/RES/2053 for a year)	Yes	No	Yes	No (but expected in 2013)
UNAMID (Darfur)	July 2007	July 2012 (S/RES/2063 for a year)	Yes	No	Yes	No
UNMIT (Timor-Leste)	August 2006	February 2012 (S/RES/2037 for a final period ending 31 Dec 2012)	Yes	Yes	Yes	No
MINUSTAH (Haiti)	June 2004	October 2012 (S/RES/2070 for a year)	Yes	Yes	Yes	No
UNOCI (Côte d'Ivoire)	February 2004	July 2012 (S/RES/2062 for a year)	Yes	No	Yes	No (but expected in 2013)
UNMIL (Liberia)	September 2003	September 2012 (S/RES/2066 for a year)	Yes	No	Yes	No
Peacekeeping Operations Established Prior to Resolution 1325						
UNMIK (Kosovo)	June 1999 (S/RES/1244)	NA	No	No	Yes	No
MINURSO (Western Sahara)	April 1991	April 2012 (S/RES/2044 for a year)	No	Yes	Yes	No
UNIFIL (Lebanon)	March 1978 (expanded in August 2006)	August 2012 (S/RES/2064 for a year)	No	Yes	Yes	No
UNDOF (Golan Heights)	May 1974	December 2012 (S/RES/2084 for 6 mo.)	No	Yes	Yes	No
UNFICYP (Cyprus)	March 1964	July 2012 (S/RES/2058 for 6 mo.)	No (but preambular reference)	Yes	Yes	No

Cross-Cutting Analysis For 2012 (con't)

POLITICAL AND PEACEBUILDING MISSIONS IN 2012

	ESTABLISHED	RENEWED	MANDATE INCLUDED		MISSION STAFF INCLUDED
			WPS	Zero Tolerance	Gender Advisor or Focal Point
UNSMIL (Libya)	September 2011	March 2012 (S/RES/2040 for a year)	Yes	No	No (mission includes expertise in women's empowerment)
BNUB (Burundi)	January 2011	December 2011 (S/RES/2027 for 13 mo.)	Yes	No	No (mission is utilizing UNDP gender expertise)
UNIOGBIS (Guinea-Bissau)	January 2010	December 2011 (S/RES/2030 for 14 mo.)	Yes	No	Yes
BINUCA (CAR)	January 2010	December 2011 (S/RES/2031) for 13 mo.)	Yes	No	Yes (in addition, WPA is expected in 2013)
UNIPSIL (Sierra Leone)	August 2008	September 2012 (S/RES/2065 for 6 mo.)	Yes	No	Yes
UNAMI (Iraq)	August 2003	July 2012 (S/RES/2061 for a year)	No (but preambular reference)	No	Yes
UNAMA (Afghanistan)	March 2002	March 2012 (S/RES/2041 for a year)	Yes	No	Yes

The UN's Zero-Tolerance Policy in 2012

The UN's zero-tolerance policy on sexual exploitation and abuse by UN peacekeepers deserves separate consideration. A "zero-tolerance" provision for sexual misconduct by UN personnel has been inserted—rather inconsistently—into Council peacekeeping mandates in recent years while such references are virtually non-existent in resolutions establishing or renewing mandates for political or peacebuilding missions.

This section reviews the mandates in effect in 2012 for UN peacekeeping, political and peacebuilding missions for references to the UN's zero-tolerance policy and whether there was any reporting on this policy in relevant Secretary-General's reports in 2012. It will also examine the incident in Haiti in early 2012 as a case study of how the UN's zero-tolerance policy was implemented.

It has been six years since the Security Council last focused on the issue of sexual exploitation by peacekeeping personnel. Most Council activity on the issue was between 2002 and 2006 following disturbing reports of sexual exploitation and abuse by UN personnel of vulnerable people—often the very

people that the UN was supposed to protect.

The Council's first decision signalling concern about allegations of sexual abuse by UN field personnel was in resolution 1400 on 28 March 2002 renewing the mandate of the UN Mission in Sierra Leone (UNAMSIL). In it, the Council expressed "serious concern at allegations that some United Nations personnel may have been involved in sexual abuse of women and children in camps for refugees and internally displaced people in the region." Allegations of sexual abuse by personnel of other missions followed. (For detailed background, please see SCR's February 2006 *Update Report on Sexual Exploitation and Abuse by UN Peacekeeping Personnel*.)

In October 2002, the Secretary-General issued a report on his investigation into sexual exploitation of refugees by aid workers in West Africa referencing actions taken by the UN High Commissioner for Refugees to prevent exploitation, including the High Commissioner's zero-tolerance policy for sexual abuse and exploitation (A/57/465).

In October 2003, the Secretary-General issued a bulletin on special measures for

protection from sexual exploitation and sexual abuse (ST/SGB/2003/13). The bulletin provided clear definitions of such misconduct and clarified that its policy was applicable to all UN staff: military, police and civilian. The UN Conduct and Discipline Unit defines zero-tolerance as a policy that will not tolerate sexual exploitation and abuse and a policy that includes measures to prevent such abuse and to discipline all persons who are found to have committed such abuse.

References in peacekeeping mandates to the zero-tolerance policy started to appear following a March 2005 report by Prince Zeid Ra'ad Zeid al-Hussein (Jordan), a former peacekeeper appointed by Secretary-General Kofi Annan as his Special Adviser on Sexual Exploitation and Abuse. This report presented an alarming picture of a widespread and largely tolerated phenomenon of sexual abuse and exploitation by UN peacekeeping personnel and put forward a series of concrete recommendations on training and accountability as well as disciplinary and criminal measures (A/59/710).

On 31 May 2005, the Council adopted a

The UN's Zero-Tolerance Policy in 2012 (con't)

THE UN'S ZERO-TOLERANCE POLICY IN 2012

PEACEKEEPING OPERATION	RESOLUTIONS IN EFFECT IN 2012	REFERENCES TO ZERO-TOLERANCE POLICY	ALLEGATIONS OF SEXUAL ABUSE & EXPLOITATION IN 2012	TOTAL MISSION PERSONNEL IN 2012
UNISFA (Abyei)	S/RES/2047 S/RES/2075	Yes	1	4,117
UNFICYP (Cyprus)	S/RES/2058	Yes	0	1,074
UNOCI (Côte d'Ivoire)	S/RES/2062	No	3	12,408
UNDOF (Golan Heights)	S/RES/2052 S/RES/2084	Yes	0	1,152
UNAMID (Darfur)	S/RES/2063	No	0	25,248
MONUSCO (DRC)	S/RES/2053	No	25	23,622
MINUSTAH (Haiti)	S/RES/2070	Yes	8	11,434
UNIFIL (Lebanon)	S/RES/2064	Yes	0	11,997
UNMIL (Liberia)	S/RES/2066	No	9	10,551
UNMISS (South Sudan)	S/RES/2057	Yes	9	9,754
UNMIT (Timor-Leste)	S/RES/2037	Yes	2	NA (the mission concluded on 31 December 2012)
MINURSO (Western Sahara)	S/RES/2044	Yes	1	492
Missions Excluded from Review: UNMIK, UNTSO, UNMOGIP			0	886
2012 TOTAL			58	112,735
POLITICAL OR PEACEBUILDING MISSION	RESOLUTIONS IN EFFECT IN 2012	REFERENCES TO ZERO-TOLERANCE POLICY	ALLEGATIONS OF SEXUAL ABUSE & EXPLOITATION IN 2012	TOTAL MISSION PERSONNEL IN 2012
UNAMA (Afghanistan)	S/RES/2041	No	1	2,095
BNUB (Burundi)	S/RES/2027	No	0	127
BINUCA (CAR)	S/RES/2031	No	0	160
UNIOGBIS (Guinea-Bissau)	S/RES/2030	No	1	139
UNAMI (Iraq)	S/RES/2061	No	0	1,094
UNIPSIL (Sierra Leone)	S/RES/2065	No	0	84
UNSMIL (Libya)	S/RES/2040	No	0	162
Excluded from Review: UNPOS, UNSCO, UNOWA, UNSCOL, UNRCCA, UNOCA			0	308
2012 TOTAL			2	4,169

presidential statement recognising the shared responsibility of the Secretary-General and member states to take every measure to prevent sexual exploitation and abuse by peacekeepers and reiterating the importance of ensuring that sexual exploitation and abuse are properly investigated and appropriately punished (S/PRST/2005/21). Specifically, in the presidential statement the Council committed to include relevant provisions for prevention, monitoring, investigation and

reporting of misconduct cases in its resolutions establishing or renewing mandates. It also asked the Secretary-General to report on the matter in his regular periodic mission reports by providing a summary of the preventive measures taken to implement a zero-tolerance policy and of the outcome of actions taken against personnel found culpable of sexual exploitation and abuse.

In the context of resolution 1820 on women, peace and security adopted in 2008, the

Council requested the Secretary-General to continue and strengthen efforts to implement the policy of zero-tolerance of sexual exploitation and abuse in UN peacekeeping operations and urged troop- and police-contributing countries to take appropriate preventive action, including pre-deployment and in-theatre awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel. (This request was reiterated in resolutions 1888 and 1960.)

The UN's Zero-Tolerance Policy in 2012 (con't)

However, in practice the Council has not been involved in the matter, and the issue has been left to the discretion of the Secretariat and troop-contributing countries. In a review of the resolutions in effect in 2012 for 12 peacekeeping operations and seven peace or peacebuilding missions, only eight had mandates that included a reference to the Secretary-General's zero-tolerance policy (see chart).

This oversight becomes more alarming when one considers that the four peacekeeping mandates that did not have such a reference in 2012—Côte d'Ivoire, Darfur, DRC and Liberia—are among the largest UN peacekeeping operations. These operations represent 64 percent of peacekeeping personnel and 64 percent of the allegations of sexual abuse and exploitation in 2012 (37 of 58). Similarly, the two largest political missions—UNAMA in Afghanistan and UNAMI in Iraq—do not have a reference to the zero-tolerance policy in their mandates. These missions represent 76 percent of personnel deployed in political or peacebuilding missions.

Regarding the request in the May 2005 presidential statement for the Secretary-General to report on zero-tolerance matters in his regular periodic mission reports, in 2012 only reports for Haiti, Liberia, South Sudan and Timor-Leste included any such reference. All four missions had allegations of sexual exploitation and abuse in 2012. Only the Haiti and Liberia reports referenced such allegations. None of these reports included the outcome of the investigations into these allegations even though such reporting was also requested in the May 2005 presidential statement. More worrisome is that missions in Abyei, Côte d'Ivoire, the DRC and Western Sahara also had allegations of sexual exploitation and abuse in 2012 and there was no corresponding reporting in the Secretary-General's 2012 reports on these missions.

While the lack of such a reference in mission mandates does not exempt UN personnel from adhering to the UN's zero-tolerance policy, the Council's inconsistent referencing of this policy in its own decisions and the lack of consistent reporting by the Secretary-General in his reports to the Council are noteworthy.

Six peacekeeping missions have consistently included references to the zero-tolerance policy after the adoption of the May 2005 presidential statement on the issue: UNDOF and UNFICYP since June 2005,

UNIFIL since July 2005, MINURSO since April 2006, UNMIT since August 2006 and MINUSTAH since February 2007.

Two newer peacekeeping missions have similarly included a reference consistently since their establishment: UNISFA since June 2011 and UNMISS since July 2011. The exception was the short-lived UN Supervision Mission in Syria, or UNSMIS, which did not include a reference to this policy in resolutions 2042, 2043 or 2059.

The Council has a spotty record at best of including the UN's zero-tolerance policy in the mandates of UNOCI in Côte d'Ivoire, UNAMID in Darfur, MONUSCO in the DRC and UNMIL in Liberia.

The earliest mention of the zero-tolerance policy in a DRC peacekeeping mandate was in resolution 1592 of March 2005. However, there has been no significant period during which the reference was consistently included in all mandate renewals. The last MONUSCO mandate renewal to include it was resolution 1925 (2010). (However, as this report goes to press it is worth mentioning that resolution 2098, adopted on 28 March 2013, did include a strong reference to the zero-tolerance policy and the Council requested to be kept informed if cases of sexual exploitation and abuse occur.)

The first reference to the policy in a peacekeeping mandate for Côte d'Ivoire was in resolution 1609 of June 2005, in line with the request laid out in the May 2005 presidential statement. The policy was not referred to again in any of the mandate renewals until January 2008 in resolution 1795, where it remained a part of mandate renewals—aside from technical rollovers—until June 2010 in resolution 1933. It has not appeared since.

The UN Mission in Liberia, or UNMIL, has only had two references to the zero-tolerance policy in its mandate renewals since it was established in 2003—in resolution 1626 (2005) and 1712 (2007).

The first and only reference for the AU-UN Mission in Darfur (UNAMID) was in resolution 1769 (2007)—the resolution that established the mission.

Regarding political or peacebuilding missions, of the seven reviewed none had any reference to the zero-tolerance policy in any of the resolutions renewing or establishing their mandates. The sole exceptions were references in resolutions 1734 (2006) and 1793

(2007) renewing the UN Integrated Office in Sierra Leone (UNIOSIL), the predecessor to the current UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL).

Missions excluded from this review include those that are not renewed annually through a Security Council resolution, such as UNMIK in Kosovo. Similarly, many regional offices, such as UNOWA, are not established or renewed by Security Council resolutions. In these cases the Council does not have a regular opportunity to include references to the zero-tolerance policy. Finally, there are two missions authorised by the Security Council which are not comprised of UN personnel: ISAF in Afghanistan is a NATO mission and AMISOM in Somalia is an AU mission.

However—while AMISOM was excluded from the review for the reason mentioned above—it is worth noting that resolution 2093 adopted on 6 March 2013 to renew the mission's authorisation also included, for the first time, a request for the AU mission to apply policies consistent with the UN's zero-tolerance policy on sexual exploitation and abuse in the context of peacekeeping. This addition seems to reflect a forward-looking approach towards the future UN presence in Somalia when AMISOM troops may be rehatted as UN personnel.

Haiti

Council members are aware that incidents of sexual exploitation by peacekeepers undermine the credibility of UN peacekeeping. Here, we look at one such incident, which occurred in Haiti in 2012 and demonstrates the damage such misconduct inflicts on the host community and on the UN's reputation.

On 16 January 2012, the UN Stabilization Mission in Haiti (MINUSTAH) alerted UN headquarters about allegations of sexual exploitation and abuse of minors by peacekeepers in Gonaïves and Port-au-Prince. These allegations were reported to the Security Council in both the Secretary-General's 29 February 2012 MINUSTAH report (S/2012/128) and in the 8 March briefing by the head of MINUSTAH, Special Representative Mariano Fernández (S/PV.6732).

Following the allegations, there were protests by Haitians, demanding the mission's departure. The Haitian senate adopted a resolution requesting the Secretary-General

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to revoke the immunity of the peacekeepers implicated in the Gonaïves case—presumably so that the accused could be tried under Haitian law. (The UN has no authority to prosecute as the relevant troop-contributing country has jurisdiction.) These allegations were also brought up during the Security Council's visiting mission to Haiti from 13 to 16 February 2012. It seems Haitian legislators shared frank and critical views with Council members regarding the alleged sexual abuse by MINUSTAH personnel. (The US—the lead on the Haiti visiting mission—briefed the Security Council on the visit in open chamber on 28 February 2012 [S/PV.6724] and again in informal consultations on 6 March 2012.)

According to media reports, a court-martial was held by Pakistan's military in early March—in their compound in Haiti—and three Pakistani peacekeepers were found guilty of sexual exploitation and abuse of a minor. On 8-9 March 2012 a senior Pakistani official visited Haiti to inform authorities there that the individuals would be dishonourably discharged and jailed upon their repatriation to Pakistan. Subsequently, it seems two of these peacekeepers were removed from service following repatriation. One was imprisoned for a year and others in the chain of command received disciplinary admonishments.

Pakistan, which is also an elected member of the Security Council, said during the debate following the 8 March briefing that any such misconduct should be investigated and prosecuted and reiterated that the zero-tolerance policy was also its policy (at this time the nationality of the peacekeepers involved in the Gonaïves incident was still confidential). Also during the 8 March debate, Haiti praised the national authorities of the two troop-contributing countries (not mentioned by name but presumably in reference to the incidents detailed here and by four Uruguayan peacekeepers in September 2011) that tried in their own courts members of their contingents accused of sexually abusing Haitian minors.

In comments to the media on 21 March 2012, UN Police Adviser Ann-Marie Orlor said that DPKO tracks any action taken by the troop- or police-contributing country and any officer repatriated on disciplinary grounds is barred from consideration for future service with the UN.

Neither the Secretary-General's 31 August 2012 MINUSTAH report (S/2012/678) nor the subsequent debate on the report on 3 October (S/PV.6842) made any specific reference to the January incident, and neither made any reference to the fate of the peacekeepers following repatriation.

When the Council adopted resolution 2070 on 12 October 2012 to extend the MINUSTAH mandate, it included an explicit reference to the zero-tolerance policy, requested the Secretary-General to keep the Council informed of such misconduct and urged troop- and police-contributing countries to ensure that acts involving their personnel were properly investigated and punished. Despite the general request in the May 2005 presidential statement and the specific request in resolution 2070 for the Secretary-General to keep the Council informed, the outcome regarding the fate of the accused in their home countries was never reported on by the Secretary-General in a MINUSTAH report.

Enhancing Accountability and Transparency for Violations of the Zero-Tolerance Policy

On 22 January 2013, Fernández gave his final briefing to Security Council members in informal consultations. Regarding the UN's zero-tolerance policy, it seems he conveyed to the Council that the reputation of the UN is a fundamental priority and MINUSTAH had worked hard to apply the principle of zero-tolerance. Results, however, were not optimal. He proposed, in the cases of abuses of minors, that the objective should be to proceed locally against the accused and that if they are sentenced the sentence could be completed in their home country. (Similar arrangements exist in bilateral relations for criminal prosecutions of nationals in foreign jurisdictions.) Fernández considered such measures a necessary restriction to the immunity of peacekeepers to increase the effectiveness and coherence of the zero-tolerance policy.

While the suggestion to restrict peacekeepers' immunity is unlikely to gain traction for practical reasons—first and foremost, due to the objections of troop-contributing countries—DPKO has said that a priority for 2012 was to take effective action in implementing the zero-tolerance policy among peacekeeping personnel and match it with 100 percent accountability. In remarks to the

media on 23 January 2012, in the immediate aftermath of the allegations arising in Haiti, Assistant Secretary-General for Peacekeeping Operations Edmond Mulet suggested creating a “blacklist” of troop-contributing countries that do not effectively hold their troops accountable. On 21 February, in remarks to the General Assembly's Special Committee on Peacekeeping Operations (the C34), Under-Secretary-General for Peacekeeping Hervé Ladsous said DPKO would redouble its efforts to eliminate the breaches of discipline that jeopardised the trust of the people and countries peacekeepers are mandated to serve.

There are several immediate options to ensure the implementation of the Council's previous decisions on this matter:

- Consistently include references to this policy in all resolutions renewing mandates for peacekeeping, political or peacebuilding missions.
- Welcome DPKO's efforts to enhance accountability for violations of the UN's zero-tolerance policy on sexual exploitation and abuse—particularly in resolutions renewing missions where there are credible reports of such misconduct. (For example, the language in resolution 2070 renewing MINUSTAH in Haiti following the January 2012 incident was very strong and specific to the situation.)
- Reiterate the importance of its request in the May 2005 presidential statement for specific follow-up reporting on the implementation of accountability measures once accused peacekeepers are repatriated to enhance the transparency of efforts by police- and troop-contributing countries to address such violations.

Case Study: Sexual Violence in Conflict and Sanctions

This case study examines the nexus between sexual violence in conflict and activity by the Security Council and its subsidiary sanctions committees established under Article 29 of the UN Charter. It reviews the mandates of the sanctions committees, the application of sanctions, the designation criteria, the targeted listings and the reporting by associated expert groups on sexual and gender-based violence. The review will proceed chronologically in its examination of sanctions applied to Somalia, Iraq, Liberia, the DRC, Côte d'Ivoire, Sudan and Libya. The earliest sanctions regimes are reviewed first in order to demonstrate the trajectory of the inclusion of the women, peace and security agenda in general, and the sexual violence in conflict aspect in particular, in the sanctions-related work of the Security Council and its sanctions committees.

Sanctions have largely been used as a preventative tool by the Council which is also an aspect of their use vis-à-vis sexual violence in conflict. However, in addressing impunity, sanctions also provide utility as an accountability tool for perpetrators of sexual violence. In this context, the case studies will also briefly touch on parallel international justice mechanisms where they exist and examine

whether there is any symmetry between those who are listed by the sanctions committees and those who have been indicted or tried by such international courts.

Excluded from this review are sanctions regimes no longer in effect and current sanctions regimes related to non-proliferation (1718 DPRK Sanctions Committee and 1737 Iran Sanctions Committee) or the specificity of an incident (1636 Lebanon Sanctions Committee related to the 2005 assassination of former Prime Minister Rafiq Hariri and the 2048 Guinea-Bissau Sanctions Committee related to the 12 April 2012 coup d'état). Also, regarding the 751/1907 Committee concerning Somalia and Eritrea, the arms embargo and targeted sanctions against Eritrea are not examined.

Similarly, the committees related to Al-Qaida and the Taliban were also outside the scope of this *Cross-Cutting Report* due to the counterterrorism focus of these particular sanctions regimes. However, it is important to note that resolution 1267 that established the 1267 Taliban Sanctions Committee and was adopted on 15 October 1999—a year before resolution 1325 on women peace and security—reiterated the Council's deep concern over the continuing violations of international

humanitarian law and of human rights, particularly discrimination against women and girls. Resolution 1333, adopted on 19 December 2000, maintained these references to women and expanded the sanctions regime to include Al-Qaida. However, references to women in resolutions related to the 1267 Taliban/Al-Qaida Sanctions Committee fell away following the US-led bombing of Afghanistan in October 2001. Such references were not to reappear until June 2011 when the Council adopted resolution 1988 cleaving Taliban sanctions from the Al-Qaida regime in anticipation of possible reconciliation talks in Afghanistan. Since 2011, resolutions on Taliban sanctions have included respect for the Afghan constitution, including its provisions on human rights and the rights of women, as part of the delisting criteria.

Meanwhile, the 2013 Secretary-General's report has identified ongoing patterns of sexual violence in Afghanistan, in both Taliban and government controlled areas. Security Council Report will examine in next year's *Cross-Cutting Report* the Afghanistan case in-depth with a look ahead to the risks to fulfilling the broad women, peace and security agenda in Afghanistan in light of the anticipated completion of ISAF's drawdown by the end of 2014.

Somalia (751/1907 Committee)

Somalia has experienced large-scale political violence for more than two decades since the fall of the regime of President Mohamed Siad Barre in early 1991. During this time sexual and gender-based violence has been widespread. However, it was only on 29 July 2011 in resolution 2002 that the Council expanded the Somalia sanctions regime to include sexual and gender-based violence as designation criteria for targeted sanctions.

Following the fall of the Barre regime, the

Council adopted resolution 733 in January 1992 imposing an arms embargo, which had little impact in curbing the fighting between various factions on the ground. In April 1992, the Council adopted resolution 751 establishing the 751 Somalia Sanctions Committee, albeit without any panel of experts assisting it and no reporting obligation on member states, thereby largely condemning it to inactivity over the first decade of its existence.

This inactivity was paralleled by a similar

lack of Council attention to the political or humanitarian situation in Somalia following the March 1995 withdrawal of the UN peacekeeping presence—initially deployed in April 1992 as the UN Operation in Somalia (UNOSOM) and then UNOSOM II in March 1993. Notably, the UNOSOM missions were among the first where cases of violence committed by peacekeepers, including cases of rape, torture and sexual exploitation, were exposed by the media and came under public scrutiny.

KEY UN DOCUMENTS ON SOMALIA SANCTIONS Security Council Resolutions S/RES/2093 (6 March 2013) extended AMISOM's authorisation; included a partial and temporary repeal of the arms embargo for 12 months; and included the strongest language on sexual and gender-based violence in any AMISOM resolution to date. S/RES/2060 (25 July 2012) extended the mandate of the Monitoring Group and deplored all acts of sexual and gender-based violence. S/RES/2036 (22 February 2012) increased AMISOM's troop ceiling and imposed a ban on importing charcoal from Somalia; it also made an explicit reference to women, peace and security resolutions. S/RES/2002 (29 July 2011) expanded the Somalia sanctions regime to include sexual and gender-based violence in the criteria for targeted sanctions. S/RES/1882 (4 August 2009) regarding children and armed conflict, expanded the triggers for listing parties to conflict in the Secretary-General's report to include rape and other sexual violence against children. S/RES/1844 (20 November 2008) expanded the Somalia sanctions regime and imposed targeted sanctions. S/RES/1772 (20 August 2007) renewed AMISOM and modified the sanctions regime, and referenced women's participation in the intra-Somali political process and to women as a vulnerable group in the context of protection of civilians. S/RES/1425 (22 July 2002) established a Panel of Experts, now called the Monitoring Group. S/RES/1356 (19 June 2001) established humanitarian exemptions to the arms embargo. S/RES/751 (24 April 1992) established the 751 Somalia Sanctions Committee. S/RES/733 (23 January 1992) established the arms embargo on Somalia. Security Council Presidential Statements S/PRST/1999/31 (12 November 1999) and S/PRST/1999/16 (27 May 1999) expressed concern about violations of the arms embargo and about the deteriorating situation in Somalia; both statements included references to women. Monitoring Group Report S/2012/544 (11 July 2012) was the first report after the Somalia sanctions regime expanded its criteria for designation to include sexual and gender-based violence; it confirmed all parties to the conflict routinely violated resolution 2002, including acts of gender-based violence.

Somalia (751/1907 Committee) (con't)

During this period of disengagement from Somalia, the Council did adopt two presidential statements in 1999 expressing concern about violations of the arms embargo imposed by resolution 733 and about the deteriorating political, military and humanitarian situation in Somalia (S/PRST/1999/16 of 27 May and S/PRST/1999/31 of 12 November). Neither statement addressed the issue of sexual violence in conflict specifically, though the 27 May statement mentioned women in the context of condemning attacks against civilians. The 12 November statement welcomed the role of women's civil society groups in the context of finding a peaceful solution to the crisis. The 12 November statement also signalled the Council's reengagement with Somalia by asking the Secretary-General to review the UN's role in the country.

The next substantive action by the Council with respect to Somalia was the adoption of resolution 1356 in June 2001, which established certain exemptions to the arms embargo for non-lethal military equipment. Resolution 1425, adopted in July 2002, finally established a Panel of Experts—now called the Monitoring Group—to assist the Committee with improving enforcement of the arms embargo.

For the 16 years between 1992 and 2008, the arms embargo and various exemptions to it had been the sole focus of the Somalia sanctions regime. (For more background on the arms embargo, please refer to our 16 September 2008 *Special Research Report No. 4: Anatomy of a Sanctions Regime*.) Therefore it is not surprising that there were no references to the women, peace and security agenda in any of the Somalia sanctions-related resolutions prior to 2008 or in any report of the Monitoring Group. The only exception was resolution 1772, adopted in August 2007, which referenced women's participation in the intra-Somali political process and women as a vulnerable group in the context of protection of civilians. However, these references were in relation to the authorisation of AMISOM and not in relation to the arms embargo, which was modified in the same resolution to create an exemption for AMISOM.

In 2008, as the crisis in Somalia only seemed to be worsening, the Council decided to strengthen the sanctions regime to target spoilers, particularly the Islamist *Al-Shabaab* rebels who were gaining territorial control. On

20 November 2008, the Council, after nearly two months of discussions, adopted resolution 1844 on targeted sanctions, expanding the regime to include a travel ban and assets freeze on violators of the arms embargo, individuals who threatened the peace, security and stability of Somalia or those who impede the delivery of or access to humanitarian assistance. (This was the first time the Council imposed sanctions related to obstruction of humanitarian assistance.) However, despite expanded criteria, the women, peace and security agenda was not yet a part of the discussion of Somalia and sanctions.

Resolution 2002, adopted in July 2011, included the first, extensive and substantive references to the women, peace and security agenda in the context of the Somalia sanctions regime. In particular, resolution 2002 stated that political and military leaders recruiting or using children in armed conflict, as well as individuals committing violations involving the targeting of civilians, including sexual and gender-based violence, could be subject to targeted measures. In the preambular paragraphs of resolution 2002, the Council recalled all of the thematic resolutions on women, peace and security—1325, 1820, 1888, 1889 and 1960—and reiterated its condemnation of sexual and gender-based violence as a violation of international law. The Council also stressed accountability and said that the existing criteria for targeted measures under the Somalia sanctions regime needed to be further strengthened.

The decision to expand the listing criteria for the Somalia sanctions regime followed a 23 May 2011 briefing by the Special Representative for Children and Armed Conflict to the Sanctions Committee, during which she proposed that a new listing criteria related to children be added to the sanctions regime, including sexual violence against children. (The Council had previously adopted resolution 1882 in August 2009 expanding the triggers for listing parties to conflict in the Secretary-General's report on children and armed conflict to include rape and other sexual violence against children.) It seems several Council members, in particular Germany, Portugal, the UK and the US, also felt it was important to include other protection-related criteria, such as a reference to sexual and gender-based violence more broadly applicable to women and not just specifically

to children. This approach gained support from other Council members as well given the heightened focus in the Security Council on sexual violence in conflict in the previous years, the prevalence of sexual violence in Somalia and the precedent set by the Council in the case of the 1533 DRC Sanctions Committee in 2008 by including such criteria in its regime. (The DRC, discussed below, is currently the only other sanctions regime that includes sexual and gender-based violence as criteria for targeted sanctions.)

The first report of the Monitoring Group following the adoption of resolution 2002 was published in July 2012 and confirmed that all parties to the conflict routinely violated resolution 2002, including acts of gender-based violence (S/2012/544). The references to sexual and gender-based violence in Somalia were comprehensive, especially considering that the Monitoring Group's mandate had not allowed for any such reporting in the entire decade of its existence. The report detailed trends of sexual and gender-based violence in areas controlled by *Al-Shabaab*, such as forced marriages to militants, and in areas controlled by the Transitional Federal Government (TFG), noting a particular risk for such violence in camps for internally displaced persons. In particular, there were numerous reports that security guards and TFG soldiers at distribution points for humanitarian aid demanded sex in exchange for access to aid. The report also stated that a culture of impunity prevailed for such crimes throughout the country, with governing authorities downplaying or denying the involvement of their forces. Many women in TFG-controlled areas did not trust the authorities to investigate since it was often TFG security forces who were believed to be the perpetrators. Another disturbing trend noted by the report was that 30 percent of reported sexual-violence cases related to children. Similar accounts of the phenomenon of sexual violence in Somalia were included in both the January 2012 (S/2012/33) and March 2013 (S/2013/149) reports of the Secretary-General on sexual violence.

Three subsequent decisions on the Somalia sanctions regime adopted after resolution 2002 maintained references to women. Resolution 2036 of February 2012 increased AMISOM's troop ceiling and imposed a ban on importing charcoal from Somalia. It also made an explicit reference to the women, peace and

Somalia (751/1907 Committee) (con't)

security resolutions and expressed concern at the impact of the dire humanitarian situation, in particular on women and children. Resolution 2060 of July 2012 extended the mandate of the Monitoring Group and deplored all acts of sexual and gender-based violence in violation of applicable international law. Resolution 2093 of March 2013 re-authorised AMISOM and decided for a period of 12 months the arms embargo established in January 1992 should not apply to deliveries of certain weapons and equipment to the Somali National Security Forces to enable the extension of state

authority in areas recovered from *Al-Shabaab*. It also included some of the strongest language on sexual and gender-based violence in any AMISOM resolution to date. There are concerns, however, that the temporary and partial repeal of the arms embargo may exacerbate the pervasiveness of sexual violence. The 2013 Secretary-General's report on sexual violence in conflict suggests a link between spikes in sexual violence and intensified military operations against *Al-Shabaab*. The report also notes that the majority of attacks are carried out with automatic weapons, reaffirming the widespread

availability of arms and the need for disarmament and arms control mechanisms.

Despite expanding criteria for targeted sanctions in resolution 2002, the sustained references to women, peace and security in subsequent Somalia sanctions resolutions and a preponderance of evidence presented by the Monitoring Group in its July 2012 report, the 751 Somalia Sanctions Committee at press time had designated no individuals for violations relating to international human rights or humanitarian law generally or for sexual and gender-based violence specifically.

Iraq (1518 Committee)

After months of tense diplomacy in late 2002 and early 2003, the US and the UK abandoned the effort for a Security Council resolution authorising military action against Iraq. On 20 March 2003, the US led a coalition that invaded Iraq and toppled the regime of Saddam Hussein, declaring an end to major combat operations on 1 May. On 22 May, the Security Council adopted resolution 1483, which recognised the occupying powers, removed most of the sanctions that had been imposed on Iraq under resolution 661 (1990) and established an asset freeze against personal accounts of and entities owned by members of the previous regime. It also recalled resolution 1325 in one of its preambular paragraphs in the context of forming a government affording equal rights to all citizens without regard to ethnicity, religion or gender.

The 1518 Iraq Sanctions Committee was established in November 2003 to identify individuals and entities pursuant to resolution 1483. This decision by the Council was technical without any references to the broader political or security situation, let alone references to the women, peace and security agenda. No panel of experts was ever established to assist the 1518 Committee—the successor to the 661 Committee, which had been established in connection with the economic sanctions imposed on Iraq following its invasion of Kuwait in August 1990.

On 8 June 2004, the Council adopted

resolution 1546, which endorsed the formation of the interim government in Iraq and recalled the continuing obligations of member states under the Iraq sanctions regime. Though this resolution did not recall resolution 1325 specifically, it did make a preambular reference to the importance of human rights, including the rights of women, during the political transition. Although resolution 1546 was the first substantive decision by the Council on the shaping of the new state, specific references to resolution 1325 on women, peace and security, in particular the importance of women's political participation, were notably absent.

Resolutions 1483 and 1546 only made brief and general references to women's rights demonstrating that the Council failed to take into consideration either the broader aspects of resolution 1325 or the particular aspect of armed conflict's disproportionate impact on women. Indeed, in the aftermath of the US-led intervention, significant displacement of women and children and abuse and sexual exploitation of women and girls, including prostitution and trafficking, increased. Further, these resolutions did not take into consideration issues of sexual violence or sexual torture in instances of detention—both by occupation forces and Iraqi security forces.

Such issues would have been politically difficult to address in the Council given that the US is a permanent member and had

led the Iraq invasion after being unable to secure the Council's authorisation. But leaving that assessment aside, there were a series of other factors that would have made it extremely unlikely that the Council would have addressed such issues in its sanctions work at that time.

The basis for designation on the assets freeze list in resolution 1483 was related to the financial assets of the former regime located outside Iraq. Further, the Iraq sanctions regime was established as a consequence of inter-state conflict, first the Iraqi invasion of Kuwait in 1990 and then the US-led invasion of Iraq in 2003. The 661 Iraq sanctions regime was established in 1990, a decade before the adoption of resolution 1325 on women, peace and security in 2000. The most current iteration of the Iraq sanctions regime was established in 2003, five years before the Council adopted resolution 1820 on 18 June 2008, its first specific decision on sexual violence in conflict. Consequently, the fact that none of the individuals listed under the Iraq sanctions regime were designated for human rights violations generally or sexual and gender-based violence specifically is to be expected.

KEY UN DOCUMENTS ON IRAQ SANCTIONS Security Council Resolutions S/RES/1546 (8 June 2004) endorsed the formation of the interim Iraqi government and referenced the importance of the rights of women during the Iraqi political transition. S/RES/1518 (24 November 2003) established the 1518 Iraq Sanctions Committee. S/RES/1483 (22 May 2003) recognised the occupying powers; established sanctions against the previous Iraqi government; and recalled resolution 1325.

Liberia (1521 Committee)

Sexual violence was not a factor in the genesis of the sanctions regime in Liberia, despite its prevalence during 14 years of nearly continuous civil war, when sexual and gender-based violence was used as a weapon of war.

As described in the January 2012 report on conflict-related sexual violence, the consequences of sexual violence during Liberia's civil wars are still reverberating in Liberia (S/2012/33). The report noted that the high levels of sexual violence still prevailing in Liberia can be traced to its legacy of conflict, with post-war sexual violence taking on new characteristics, such as gang rapes and the sexual abuse of very young children. Survivors are also tormented by routine encounters with former rapists. The breakdown of families owing to men being killed, detained or displaced during the conflict has left many women and their children at heightened risk of sexual exploitation and trafficking. The March 2013 report echoed the concern from the previous report that the majority of reported sexual violence cases were perpetrated against children younger than 12 years of age. It also reported that impediments remained for survivors' access to the formal justice system (S/2013/149).

The first civil war in Liberia broke out in 1989 with attacks by the rebel National Patriotic Front of Liberia and its dissident Independent National Patriotic Front of Liberia, led respectively by Charles Taylor and Prince Yormie Johnson. Following the seizure of Monrovia and the assassination of President Samuel Doe on 9 September 1990, and despite continuing and expanding violence, an interim Government of National Unity was installed on 22 November 1990 and its successor Council of State on 7 March 1994. Once the warring parties signed on to the 17 August 1996 Abuja II ceasefire and peace accord, and despite some delays, general elections were held on 19 July 1997. One of the main drivers of the violence, Taylor, was elected by a landslide.

The second civil war broke out as opposition to Taylor grew, starting with a 1 April 1999 raid from neighbouring Guinea, resulting in his resignation in August 2003 and his seeking asylum in Nigeria. The years of civil war in Liberia had a destabilising effect on the whole region, in particular Sierra Leone and eventually spilled over into Côte d'Ivoire in 2002.

In response to Taylor's support of the rebel

Revolutionary United Front in neighbouring Sierra Leone, the Council adopted resolution 1343 in March 2001, banning diamond exports from Liberia and reinstating an arms embargo originally imposed during the first civil war by resolution 788 (1992). Neither resolution 788 nor 1343 referenced the issue of sexual violence in conflict, with the former predating any normative framework on women, peace and security by almost a decade. Resolution 1343, however, was adopted five months after the adoption of resolution 1325.

In December 2003, following the end of the second civil war, the Council adopted resolution 1521, imposing an arms embargo and a travel ban and assets freeze on Taylor and individuals linked to him, as well as embargoes on diamond and timber exports fuelling the conflict. Resolution 1521 established the 1521 Liberia Sanctions Committee (which succeeded the 1343 Liberia Sanctions Committee) and a Panel of Experts. Neither resolution 1521 nor any of the subsequent resolutions renewing, modifying or terminating sanctions over the past decade have referenced women, peace and security issues. None of the Panel of Experts reports—some 26 since 2001—contain any significant reporting on women, peace and security issues generally or on issues of sexual violence in conflict specifically—the Panel was never assigned to track or report on such activity. Consequently, the fact that no individual on either the travel ban or assets freeze lists is designated for human rights violations generally or sexual and gender-based violence specifically is to be expected.

Parallel to the Liberia sanctions regime, the Council played a role in establishing the Special Court for Sierra Leone on 14 August 2000 through resolution 1315. On 7 March 2003, the Special Court indicted Taylor, who was still serving as president, on charges related to his involvement in the Sierra Leone civil war. On 17 March 2006, newly elected president, Ellen Johnson Sirleaf, formally requested his extradition from Nigeria. Pursuant to the extradition request, on 16 June 2006, the Council adopted resolution 1688 modifying Taylor's travel ban so that he could appear before the Special Court. On 26 April 2012, the Court handed down a guilty verdict against Taylor for, *inter alia*, crimes against

humanity, including rape, sexual slavery and sexual violence and sentenced him to fifty years in jail. Nine months after his conviction by the Special Court, Taylor appealed his sentence during a January 2013 hearing. Appeals judges are expected to make a decision on the Taylor case by 30 September, the date by which the Court is to conclude all of its work.

The Special Court for Sierra Leone demonstrates the Council's focus on accountability, even while issues of sexual violence in conflict were absent from the Council's work on the Liberia sanctions regime. Resolution 1315—which requested the establishment of the Special Court—specified the UN understanding that amnesty provisions of the Sierra Leone Lomé peace agreement did not apply to international crimes of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law. It is noteworthy that resolution 1325 on women, peace and security was adopted two months later and similarly stressed the need for amnesty provisions of peace agreements to exclude genocide, crimes against humanity and war crimes, including those relating to sexual and other violence against women and girls. Resolution 1325 also called on all armed parties to a conflict to protect women and girls from gender-based violence and emphasised member states' responsibility to end impunity for war crimes, including sexual violence.

It seems a fair conclusion that the prevalence of sexual violence during the civil wars in Liberia and Sierra Leone is a demonstrable point where the Security Council was making connections between the nascent women, peace and security agenda, the destabilising effects of mass sexual violence, impunity and accountability. Nevertheless, taking such issues into account in the context of sanctions as a means to enhance accountability for gross violations of human rights was not yet a part of the Council's thinking. The various iterations of sanctions regimes imposed by the Council on Liberia since the early 1990s attempted to stem conflict by focusing on arms trafficking and the resource extraction that linked the conflicts in Liberia, Sierra Leone and Côte d'Ivoire. It would take another eight years and mass rapes in the DRC for the usefulness of sanctions in such cases to come into sharp relief.

KEY UN DOCUMENTS ON LIBERIA SANCTIONS [Security Council Resolutions S/RES/1688](#) (16 June 2006) modified former Liberian President Charles Taylor's travel ban so that he could appear before the Special Court for Sierra Leone. [S/RES/1521](#) (22 December 2003) established the 1521 Liberia Sanctions Committee and expanded the regime to include targeted measures as well as embargoes on diamond and timber exports. [S/RES/1343](#) (7 March 2001) banned diamond exports from Liberia and reinstated an arms embargo. [S/RES/1315](#) (14 August 2000) helped establish the Special Court for Sierra Leone. [S/RES/788](#) (19 November 1992) established an arms embargo on Liberia.

DRC (1533 Committee)

The ongoing conflict in the DRC began in the aftermath of the 1994 Rwandan genocide, pitting diverse rebel groups as well as various neighbouring countries' forces against each other and the regime of President Mobutu Sese Seko who had ruled the country—named Zaire between 1971 and 1997—since 1965. The DRC has never fully consolidated peace since its independence in 1960.

Currently, the combatants most active in the eastern DRC are the rebel group *Forces démocratiques de libération du Rwanda* (FDLR) whose leaders were involved in the 1994 Rwandan genocide and, since early 2012, the 23 March Movement (M23), a rebel group mainly operating in North Kivu. The M23 was formed when former members of the *Congrès national pour la défense du peuple* (CNDP)—ostensibly backed by Rwanda—who had been integrated into the DRC army, *Forces armées de la République Démocratique du Congo* (FARDC), began to protest the lack of full implementation of the 23 March 2009 peace deal between the CNDP and the government. Several smaller rebel groups also operate in other parts of the country.

Sanctions were first imposed in the DRC through resolution 1493, adopted on 28 July 2003. The resolution imposed an arms embargo on all foreign and Congolese armed groups and militia operating in North Kivu and South Kivu and Ituri regions of the eastern DRC. In March 2004, the Council adopted resolution 1533, establishing the 1533 DRC Sanctions Committee and its associated Group of Experts. Since, sanctions have been modified and strengthened over the years to include, among other things, travel bans and asset freezes on individuals

and expanded designation criteria.

Sexual violence has been rampant and widely used as a tactic of war, and in the last decade the DRC has probably been the country-specific situation where the Council has paid most attention to gender-based violence. In a ground breaking move in March 2008, the Council added sexual violence in the DRC as a criterion for targeted sanctions when it adopted resolution 1807. (The Council adopted resolution 1807 three months before resolution 1820—the first resolution to specifically address the issue of sexual violence in conflict and post-conflict situations.)

The scale of atrocities committed against women throughout the various stages of the conflict in eastern DRC cannot be overstated. The Council has been made aware of the situation, including through the Group of Experts. The first references to sexual violence in a Group of Experts report was in January 2007 in the context of children (S/2007/40). The Group began reporting on such issues after the Council adopted resolution 1698 in July 2006, which expanded the designation criteria to include individuals recruiting or targeting children in situations of armed conflict. In its February 2008 report, the Group included references to rape and sexual abuse in relation to children but also brief references to reports of rape, sexual abuse and sexual slavery in areas where various rebel groups operated (S/2008/43). In its December 2008 report, the first following the adoption of resolution 1807, the Group included a section dedicated to serious violations of international law targeting women and children, which included reports

of sexual violence (S/2008/773).

In 2009, two joint military campaigns—Kimia and Kimia II—conducted by the DRC and Rwanda against the FDLR in the east and against the LRA in the north, resulted in a dramatic increase in violence against civilians by all sides. The joint military operations were followed by deliberate and targeted retaliatory attacks by the FDLR on civilians. Estimates indicate over 8,000 women were raped in 2009 in the provinces of North Kivu and South Kivu. (MONUC supported FARDC in the Kimia II operation.)

In its May 2009 report, the Group of Experts included information on high levels of sexual violence committed by military agents, systematic in some cases, and identified cases of command responsibility by members of rebel groups and DRC forces (S/2009/253). In its November 2009 report, the Group included a dedicated section on sexual violence and also identified names of several individuals who had committed rape or had a command position over others who had committed sexual violence (S/2009/603).

A major atrocity took place from 30 July through 2 August 2010 when several hundred armed men—apparently elements of the FDLR and the Mai-Mai tribal militia—raided about a dozen villages in North Kivu's Walikale region and committed mass rape. The November 2010 report by the Group of Experts detailed these attacks and found connections linking economic interests by the criminal networks in FARDC that were competing to control mineral-rich areas at the expense of civilian protection. "Not only has this led to collusion with armed groups in order to attack rival FARDC

KEY UN DOCUMENTS ON DRC SANCTIONS [Security Council Resolutions S/RES/2098](#) (28 March 2013) established a new mandate for MONUSCO that includes an intervention brigade. [S/RES/2078](#) (28 November 2012) renewed the sanctions regime and the Group of Experts and expressed concern at the persistence of serious human rights abuses, including sexual and gender-based violence committed by the M23 and other armed groups. [S/RES/2076](#) (20 November 2012) signaled intent to consider additional targeted sanctions against not only the leadership of the M23 but also those providing it with external support – an indirect reference to the allegations made by the Group of Experts about Rwanda and Uganda. [S/RES/2053](#) (27 June 2012) renewed MONUSCO. [S/RES/1952](#) (29 November 2010) renewed the DRC sanctions regime and Group of Experts and requested the Group to investigate command responsibility for acts of sexual violence. [S/RES/1925](#) (28 May 2010) established MONUSCO. [S/RES/1807](#) (31 March 2008) renewed the DRC sanctions regime and included sexual and gender-based violence as criteria for targeted sanctions. [S/RES/1533](#) (12 March 2004) established the 1533 DRC Sanctions Committee and its Group of Experts. [S/RES/1493](#) (28 July 2003) imposed an arms embargo on all foreign and Congolese armed groups and militia operating in North and South Kivu and Ituri. **Security Council Presidential Statement S/PRST/2012/22** (19 October 2012) signaled the Council's intent to consider imposing targeted sanctions on the M23 leadership acting in violation of the arms embargo and the sanctions regime, which includes acts of sexual violence. **Security Council Press Statements SC/10876** (31 December 2012) included the listing of the M23, FDLR and Eric Bagege of the M23. [SC/10842](#) (30 November 2012) included the listing of Baudoin Ngaruye of the M23. [SC/10819](#) (17 November 2012) reiterated the Council's intent to impose targeted sanctions. [SC/10812](#) (12 November 2012) included the listing of Sultani Makenga of the M23. [SC/10461](#) (28 November 2011) included the listing of Ntabo Ntaberi Sheka, of the Mai-Mai Sheka, for the Walikale incident. [SC/10441](#) (8 November 2011) following a briefing in consultations by the Special Representative for Sexual Violence in Conflict, the Council issued a press statement expressing deep concern about the persistent high levels of sexual violence in the DRC. [SC/10099](#) (1 December 2010) included Innocent Zimurinda, currently of the M23, and formerly of the FARDC at the time of his listing (integrated from the CNDP). [SC/10018](#) (13 August 2010) the listing of Jérôme Kakwavu Bukande was modified to include the fact he was one of the five senior FARDC officers who had been accused of sexual violence and whose cases the Security Council had brought to the government's attention. **Group of Experts Reports S/2012/843** (12 November 2012) alleged external support for the M23 from neighbouring countries Rwanda and Uganda and included extensive references to widespread sexual violence in the eastern DRC. [S/2010/596](#) (15 November 2010) included reports on the Walikale mass rapes, linking it to natural resource extraction. [S/2009/603](#) (23 November 2009) included a dedicated section on sexual violence and identified names of several individuals who had committed rape or had a command position over others who had committed sexual violence. [S/2009/253](#) (14 May 2009) reported on high levels of sexual violence committed by military agents and identified cases of command responsibility by members of rebel groups and Congolese forces. [S/2008/773](#) (10 December 2008) the first report by the Group following the adoption of resolution 1807, included a section dedicated to serious violations of international law targeting women and children, which included reports of sexual violence. [S/2008/43](#) (11 February 2008) included brief references to reports of rape, sexual abuse and sexual slavery in areas where various rebel groups operated. [S/2007/40](#) (25 January 2007) included the first references to sexual violence in a DRC Group of Experts report, in the context of children.

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commanders, but it has given both national and foreign armed groups free reign over large swaths of uncovered territory... As a result, no FARDC unit remained along the stretch of villages where the mass rape took place” (S/2010/596). The nexus between sexual violence and resource extraction in the case of the DRC was also highlighted in the Secretary-General’s 2013 report on sexual violence. The report said two major patterns were observed: armed groups targeting civilians to control areas rich in natural resources and armed groups and elements of the FARDC undertaking ethnically-based retaliations against communities for political or economic gain.

By late 2010, despite its Group of Experts having identified in its reports several individuals who had committed sexual crimes, the 1533 DRC Sanctions Committee had listed only five individuals due to allegations of rape, sexual abuse or sexual violence. However, when the Council adopted resolution 1952 on 29 November 2010—renewing the sanctions regime and the mandate of the Group of Experts—it also assigned the Group the task of investigating, inter alia, command responsibility for acts of sexual violence. A year later, on 28 November 2011, Ntabo Ntaberi Sheka was added to the sanctions list due to command responsibility for the Walikale incident (SC/10461).

There were several documented incidents of mass rapes near Fizi in South Kivu in 2011. On 1 January 2011 there was a mass rape of 60 women by elements of the FARDC. A military court in South Kivu sentenced Lieutenant Colonel Kibibi Mutaware to 20 years for sending troops to rape, beat and loot civilians—the first time the DRC convicted a high-ranking military officer for conflict-related sexual violence. (Mutaware was part of an ex-CNDP unit integrated into the FARDC.) In June of that year, FARDC fighters from the same group, under the command of Colonel Kifarur Niragiye, reportedly raped up to 170 women in the same area. Both incidents were detailed in the Secretary-General’s January 2012 report on conflict-related sexual violence (S/2012/33). According to that report, Niragiye was never taken into custody and was appointed as a commander of a different FARDC regiment in October 2011.

On 6 December 2011, at the request of

Germany, an elected Council member at the time, the 1533 DRC Sanctions Committee was briefed by then-Special Representative on Sexual Violence in Conflict Wallström on issues related to her mandate in the DRC. Wallström provided the Committee with one name for potential listing for acts of sexual violence, yet to date that name has not been added to the sanctions list. Wallström had previously briefed Council members on 8 November, following which the Council issued a press statement expressing deep concern about the persistent high levels of sexual violence in the DRC (SC/10441).

In 2012, Council members followed the emergence of the M23 and its destabilising impact in the eastern DRC. On 19 October 2012, the Council adopted a presidential statement strongly condemning M23 activities, including sexual and gender-based violence, as well as signalling the Council’s intent to consider imposing targeted sanctions on the M23 leadership acting in violation of the arms embargo and the sanctions regime, which includes acts of sexual violence (S/PRST/2012/22). The intent to consider targeted sanctions was reiterated in a 17 November press statement (SC/10819).

Around the same time, the sanctions regime and the Group of Experts were to be renewed in November. However, the November 2012 report of the Group of Experts raised some difficulties among Council members (S/2012/843). The report alleged external support for the M23 from neighbouring Rwanda and Uganda, with both countries denying the allegations. The report also included extensive references to widespread sexual violence in the eastern DRC and identified cases of sexual violence committed by the M23, FDLR and other rebel groups, including rape and sexual slavery. The report was particularly sensitive for the Council as Rwanda had been elected on 18 October to serve on the Security Council with a term beginning on 1 January 2013.

M23 activity intensified, and the rebel group captured Goma, the provincial capital of North Kivu, on 20 November 2012. The same day, the Council adopted resolution 2076, again signalling its intention to consider additional targeted sanctions against not only the leadership of the M23 but also those providing it with external support—an indirect reference to the allegations made by

the Group of Experts about Rwanda and Uganda. The M23 withdrew from Goma on 1 December following a declaration by the International Conference on the Great Lakes Region, which includes the DRC, Rwanda and Uganda.

On 28 November, the Council adopted resolution 2078, renewing the sanctions regime and the mandate of the Group of Experts. The resolution expressed concern at the persistence of serious human rights abuses and humanitarian law violations against civilians in the eastern DRC, including sexual and gender-based violence committed by the M23 and other armed groups, and called for accountability.

In remarks to the press following his briefing on the DRC to Council members on 18 December 2012, Under-Secretary-General for Peacekeeping Operations Hervé Ladsous said that at least 126 women had been raped during the 20 November M23 offensive and that it appeared that most of the rapes were committed by elements of the FARDC. On 21 December, a spokesman for the High Commissioner for Human Rights said cases of rape by M23 fighters in Goma and surrounding areas had also been documented. (At press time, the DRC government announced on 2 April 2013 that it would hold the perpetrators of this incident accountable. According to media reports, the announcement followed a 25 March letter from the head of MONUSCO asking the government to take action on the rapes. The announcement also followed a field visit by Special Representative Bangura in late March that resulted in a joint communiqué where the government committed to address conflict-related sexual violence.)

By 31 December 2012—just hours before Rwanda took up its seat on the Security Council—five individuals and two entities were added to the sanctions list. Three of these individuals and both entities were explicitly justified by allegations of rape, sexual abuse, sexual violence or targeting women:

- Sultani Makenga, a member of M23, responsible for serious violations of international law involving the targeting of women and children in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement (SC/10812 of 12

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November 2012);

- Baudoin Ngaruye, a member of M23 and previously recommended by the Group of Experts for designation in 2008 and 2009, responsible for, and for committing, severe violations of human rights and international law, including recruitment of child soldiers and often targeting women (SC/10842 of 30 November 2012);
- Eric Badege, a member of M23, responsible for serious violations involving the targeting of children or women in situations of armed conflict and several major incidents of indiscriminate killings of civilians, including women and children (SC/10876 of 31 December 2012);
- FDLR, one of the largest foreign armed groups operating in the territory of the DRC, for committing serious violations of international law involving the targeting of women and children in armed conflict, including killing and maiming, sexual violence and forced displacement (SC/10876); and
- M23, an armed group operating in the DRC that has been complicit in and responsible for committing serious violations of international law involving the targeting of women and children in situations of armed conflict, including killing and maiming, sexual violence, abduction, and forced displacement (SC/10876).

In addition to Makenga and Ngaruye, the November 2012 report by the Group of Experts had also profiled three other senior M23 commanders, one of whom also had a background of sexual violence and of targeting women.

Bosco Ntaganda, an ICC indictee with a pending arrest warrant since 22 August 2006 for war crimes committed in Ituri and for crimes against humanity, such as murder, rape, sexual slavery and persecution, was the third such commander profiled. Ntaganda is currently under ICC custody. He surrendered himself voluntarily on 22 March 2013 after turning himself in to the US embassy in Rwanda on 18 March. Ntaganda has been on the sanctions list since November 2005, but the justification for his designation has not been updated to include sexual violence.

Including Ntaganda, the ICC has issued arrest warrants for six individuals in relation to the situation in the DRC, all six are also on the 1533 DRC Sanctions Committee's

consolidated list. Five of these arrest warrants were issued on counts that include rape or sexual slavery or both in the context of war crimes and crimes against humanity. Similar to Ntaganda, the justification for their listing has not been updated to include such designation criteria. (The warrants were for Ntaganda, Germain Katanga, Callixte Mbarushimana, Sylvestre Mudacumura and Mathieu Chui Ngudjolo. In resolution 2098, the Council called for the DRC government's cooperation with the ICC in relation to Mudacumura, who is at large. The ICC did not confirm the charges against Mbarushimana and he was released in 2011. Ngudjolo was acquitted of all charges and released by the ICC in December 2012.)

What has been less central in the work of the 1533 DRC Sanctions Committee and its Group of Experts is any particular attention to the FARDC, and its role as a perpetrator of sexual violence in the eastern DRC. There is nothing in the Group's mandate that would limit its ability to focus on such violations. Nevertheless, while the Group has not completely overlooked such violations, its work in this particular area is rather cursory. It is possible that the Group recognises that addressing violations by the FARDC might be too politically sensitive an issue for Council members who would be sympathetic to sovereignty issues, especially in the context of the government's attempts to impose control over its security forces and to arrest and try perpetrators of sexual violence. Furthermore, Council members are also cognizant of the necessity of maintaining good relations with the government, as the DRC hosts the largest UN peacekeeping operation—MONUSCO. (In 2009, with the approaching 50th anniversary of the country's independence, DRC President Joseph Kabila indicated that he wanted the UN to begin drawing down its operation by the time of the anniversary in June 2010. The Council's visiting mission to the country in May 2009 seems to have underscored to both parties the necessity of an ongoing peace operation in the DRC. Subsequently, the Council adopted resolution 1925 in May 2010 establishing MONUSCO to supersede its predecessor mission, MONUC, with 2,000 fewer troops.)

While there are five FARDC officers on the sanctions list, only two have designations

that include sexual violence or rape: Jérôme Kakwavu Bukande and Innocent Zimurinda (who is now part of the M23).

Kakwavu was first listed in November 2005, before sexual violence became a reason for designation. However, his designation was modified on 13 August 2010 to include the fact that he was one of the five senior FARDC officers accused of sexual violence whose cases the Council had brought to the attention of the DRC government during its visiting mission to the DRC in 2009 (SC/10018). On 25 March 2011, the High Military Court in Kinshasa opened a trial against Kakwavu for war crimes. However, at press time it was unclear whether there was any progress or outcome from the trial. The last two references to the trial in official reporting to the Council were in the 2013 report on sexual violence (S/2013/149) and the October 2011 MONUSCO report (S/2011/656), both of which noted that the trial was ongoing. (None of the four remaining FARDC officers—Colonels Mobuli, Mosala and Safari and Major Pitchen—were on the DRC sanctions list, nor were they ever subsequently added following the 2009 Council visit. The 2013 sexual violence report provided an update on these four—without attribution to their names—one was killed, one was acquitted, one is at large and another is awaiting trial.)

Zimurinda is a former member of the CNDP who was integrated into the FARDC in 2009 and joined the M23 in May 2012. He was one of the five senior commanders profiled in the November 2012 Group of Experts report. He was in the FARDC at the time of his listing on 1 December 2010 for multiple human rights abuses, including many related to child recruitment while in the FARDC, but those involving responsibility for the rape of a large number of women and girls were incidents that occurred in 2007 when he was a part of the CNDP (SC/10099).

In contrast to the Group of Experts report, both the January 2012 and March 2013 reports of the Secretary-General on sexual violence have extensive references to violations by both the FARDC and various rebel groups. The reports detail instances of mass rapes perpetrated as a form of retaliation by the FARDC against the population for alleged collaboration with the “enemy” or as

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an instrument to assert economic or political control over the population. Of the documented cases of rape during both reporting periods perpetrated by armed parties to the conflict, almost half were attributed to the FARDC and the Congolese national police. However, the reports note that this high number may also be attributable to the fact that it is easier to monitor violations by national security forces. The 2012 sexual violence report highlighted a particular concern with the weak command-and-control structure of the FARDC and the impunity enjoyed by high-ranking officers responsible for human rights violations, including sexual violence. The 2013 sexual violence report detailed efforts by the DRC government to arrest and try perpetrators with at least 49 FARDC elements sentenced for sexual violence in conflict-related provinces during the reporting period. The government has said that most incidents attributable to the FARDC were committed by former armed elements integrated into the FARDC and the

national police, emphasising the need for a better vetting process.

Resolution 1960—the most recent resolution adopted on the thematic issue of women, peace and security—requested the inclusion of an annex in the annual reports on conflict-related sexual violence (as a basis for possible sanctions) that lists parties credibly suspected of bearing responsibility for patterns of rape and other forms of sexual violence. The first such annex was included in the January 2012 sexual violence report and, regarding the DRC, included in its annex the FARDC, FDLR, LRA and several Mai-Mai groups in the Kivus, as well as other armed groups. (The M23 had not yet emerged at the time this report was published. However, the M23 was included in the annex of the 2013 report on sexual violence, as was the Congolese national police and other Mai-Mai groups.) As stated above, there was increasing sexual violence in the Kivus over the course of 2012 and possibly because of more focused attention to the matter, both the FDLR and

M23 were added to the sanctions list on 31 December 2012 with designations that included sexual violence.

The Council adopted resolution 2098 on 28 March 2013, establishing a new mandate for MONUSCO that includes an intervention brigade to carry out offensive operations to neutralise armed groups in the DRC. This resolution is not sanctions-specific, other than reiterating MONUSCO's existing task to monitor the implementation of the arms embargo in cooperation with the Group of Experts. However, it does include the strongest references to sexual violence to date in the DRC context and takes specific note, in a preambular paragraph, of the 2013 report on sexual violence in conflict and its annex, issued less than two weeks prior to the adoption of resolution 2098. (No such reference to the January 2012 conflict-related sexual violence report was made in resolution 2053, the previous MONUSCO renewal adopted in June 2012.)

Côte d'Ivoire (1572 Committee)

Côte d'Ivoire has experienced political violence and instability since 2002, when years of civil war in Liberia led to the destabilisation of Sierra Leone and eventually spilled over into western Côte d'Ivoire. Both the government and the rebel *Forces nouvelles* recruited former combatants from the civil wars in Liberia and Sierra Leone to fight in the west, where they committed many of the serious human rights abuses perpetrated in these neighbouring armed conflicts, including sexual violence.

The 2002-2004 civil war in Côte d'Ivoire effectively split the country in two, with the rebel *Forces nouvelles* controlling the north and the government of then-President Laurent Gbagbo controlling the south. In the years since the end of the civil war, the country has continued to experience serious

insecurity accompanied by human rights violations. During this period, sexual violence against women and girls has remained widespread due to weak legal and security institutions, with a significant spike during the post-electoral crisis in late 2010 and early 2011.

Despite its prevalence, sexual violence was not central to the formation of the Côte d'Ivoire sanctions regime. Resolution 1572, adopted on 15 November 2004, established the Côte d'Ivoire sanctions regime and was the first to include serious violations of human rights as a designation criterion for targeted sanctions. Specific references to sexual violence have been consistently included in Council resolutions related to the Côte d'Ivoire sanctions regime starting with resolution 1842, adopted on 29 October 2008, though not as listing criteria for targeted

measures, as in the DRC and Somalia cases. These references appeared four months after the adoption of resolution 1820 (2008), the first on sexual violence in conflict, and seven months after the Council adopted resolution 1807 (2008), which added sexual violence as a listing criterion as part of the DRC sanctions regime.

Resolution 1572 also imposed an arms embargo on Côte d'Ivoire, established the 1572 Côte d'Ivoire Sanctions Committee and included the possibility of sanctions against individuals found to be obstructing the peace process, violating human rights, publicly inciting hatred and violence and violating the embargo. However, it made no reference to sexual violence or to the women, peace and security agenda. Similarly, no references to women, peace and security were included

KEY UN DOCUMENTS ON CÔTE D'IVOIRE SANCTIONS [Security Council Resolutions S/RES/2045](#) (26 April 2012) and [S/RES/1980](#) (28 April 2011) renewed the sanctions regime and the Group of Experts and welcomed information-sharing between the Special Representative for Sexual Violence in Conflict and the 1572 Committee. [S/RES/1975](#) (30 March 2011) imposed targeted measures on former President Laurent Gbagbo and four of his inner circle. [S/RES/1967](#) (19 January 2011) reiterated readiness to impose targeted measures. [S/RES/1962](#) (20 December 2010) renewed UNOCI, reaffirmed readiness to impose targeted measures, and condemned numerous acts of sexual violence. [S/RES/1643](#) (15 December 2005) widened the sanctions regime to include a diamonds embargo. [S/RES/1584](#) (1 February 2005) established the Group of Experts. [S/RES/1572](#) (15 November 2004) imposed an arms embargo and targeted measures and established the 1572 Côte d'Ivoire Sanctions Committee. [Security Council Press Statement SC/8631](#) (7 February 2006) included the listing of individuals implicated in serious human rights abuses, including rape and sexual abuse of women. [Group of Experts Report S/2012/766](#) (15 October 2012) was the latest report, since its formation in early 2005, the Group of Experts has been monitoring the arms and diamonds embargo and consequently, to date, none of the Group's reports, including this one, has included any specific reporting on sexual and gender-based violence.

Côte d'Ivoire (1572 Committee) (con't)

in either resolution 1584 (2005) establishing the Group of Experts or in resolution 1643 (2005), which widened sanctions to include a diamonds embargo.

It was more than a year after adoption of resolution 1572 in November 2004 that the 1572 Côte d'Ivoire Sanctions Committee imposed targeted measures on specific individuals implicated in serious rights abuses on 7 February 2006 (SC/8631). Interestingly, despite no references to the women, peace and security agenda in any of the resolutions authorising the sanctions regime, the three individuals listed were cited for rape or the sexual abuse of women as part of the justification for their designation. There would be no additional listings under the Côte d'Ivoire sanctions regime until the post-electoral crisis and the adoption of resolution 1975 in March 2011.

Presidential elections were to be a key element of a process agreed upon under the 6 April 2005 Pretoria Agreement and the March 2007 Ouagadougou Agreement meant to return the country to peace and democracy. The elections were repeatedly postponed due to delays caused by the parties, and in particular by President Gbagbo in his effort to remain in power. They were finally held on 31 October 2010, with former Prime Minister Alassane Ouattara receiving 54.1 percent of the vote in the second-round elections on 28 November 2010. However, Gbagbo refused to cede power, and the situation quickly deteriorated. Violent clashes between Gbagbo forces and Ouattara supporters resulted in considerable civilian casualties, and serious violations of human rights and humanitarian law were committed.

The January 2012 Secretary-General's report on conflict-related sexual violence noted an increase in politically and ethnically motivated rape and gang rape during the post-election crisis, committed by all parties to the conflict, including government forces and those of various rebel and militia groups. The annex to the report also listed several armed militia groups, former rebel groups and the Ivorian security force, *Forces Républicaines de Côte d'Ivoire*, or FRCI, as parties credibly suspected of being responsible for patterns of rape or other forms of sexual violence. The March 2013 report of the Secretary-General on sexual violence in conflict noted an improvement in the security

situation in some regions of Côte d'Ivoire but in the west there remained alarming patterns of sexual violence targeting non-native populations largely perpetrated by armed men, including militia groups and the FRCI. The report highlighted that slow DDR and SSR processes of former militias has left the west awash with guns, exacerbating sexual violence.

On 20 December 2010, the Council renewed the mandate of the UN Operation in Côte d'Ivoire (UNOCI) in resolution 1962, condemning numerous acts of sexual violence whose perpetrators had been given impunity and reaffirming its readiness to impose measures, including targeted sanctions, against persons who threatened the peace process or committed serious violations of human rights and international humanitarian law. The Council reiterated its readiness to impose measures again in resolution 1967 in January 2011, but there was no reference to sexual violence as there was in resolution 1962. The situation steadily deteriorated in the next two months, with a sharp increase in inter-communal and inter-ethnic confrontations.

On 30 March 2011, nearly four months after the outbreak of violence, the Council adopted resolution 1975, imposing targeted measures on Gbagbo and four members of his inner circle, including his wife Simone Gbagbo. The resolution noted that the ICC may decide its jurisdiction over the situation and included several references to women, peace and security, with an operational paragraph condemning all violence against civilians, including rape and other forms of sexual violence. On 11 April, Gbagbo was captured following military operations conducted by UNOCI, France and forces loyal to Ouattara.

On 3 May 2011, Ouattara asked the ICC Prosecutor to investigate serious crimes committed since the elections. (Ouattara was inaugurated as president on 21 May after the Constitutional Council ruled in his favour on 5 May.) On 23 November the ICC issued an arrest warrant against Gbagbo for four counts of crimes against humanity as an indirect co-perpetrator of murder, rape, persecution and other inhuman acts. Gbagbo was transferred to The Hague on 30 November after the 1572 Sanctions Committee decided to lift the travel ban against him the day before. (In November 2012, the ICC also

issued an arrest warrant for Simone Gbagbo for the same four counts of crimes against humanity.)

Resolutions 1980 (2011) and 2045 (2012) renewed the Côte d'Ivoire sanctions regime and the Group of Experts, they both also condemned acts of violence targeting women. Furthermore, both recalled resolution 1960 and welcomed information-sharing between the Special Representative for Sexual Violence in Conflict and the 1572 Sanctions Committee. (The Special Representative had visited Côte d'Ivoire in November 2011.) The references in resolutions 1980 and 2045 to such information-sharing, in line with resolution 1960, were the first for a country-specific resolution. However, the relevant operational paragraph in thematic resolution 1960 on women, peace and security is more comprehensive and includes information-sharing with both sanctions committees and expert groups. It is important to note that both resolutions 1980 and 2045 used language on information-sharing that seems to indicate it should be done only at the Committee-level. Perhaps due to the specific nod to sharing information at Committee-level, it should not be surprising that the Group of Experts did not interpret such a reference as widening its reporting mandate. In fact, there was no mention of sexual and gender-based violence in its most recent report (S/2012/766).

The Group of Experts has been largely responsible for monitoring the arms and diamonds embargo. As with the Liberia sanctions regime, the Security Council has attempted to stem conflict by focusing on arms trafficking and resource extraction. Unlike the Liberia sanctions regime, however, resolution 1325 on women, peace and security predates the Côte d'Ivoire sanctions regime by four years. Since 2008 the resolutions authorising the sanctions and the Group of Experts have condemned sexual violence and called for accountability. Since 2011, these resolutions have also specifically called for information-sharing between the Special Representative and the 1572 Sanctions Committee. However, to date, none of the reports by the Group of Experts have included any specific reporting on sexual and gender-based violence in Côte d'Ivoire.

Resolution 2045 also stressed accountability for post-electoral violence and welcomed the close cooperation of the Ivorian

Côte d'Ivoire (1572 Committee) (con't)

government with the ICC. Resolution 1975 imposed targeted measures on Laurent and Simone Gbagbo, and they are the only two from the 1572 Committee's consolidated list for whom the ICC has issued arrest warrants. While the ICC charges against both

include rape and other sexual violence, their designation on the sanctions list has not been updated to reflect such violations. (Sexual violence is not an explicit listing criterion for the Côte d'Ivoire sanctions regime as it is in the DRC and Somalia sanctions regimes.

Nevertheless, that did not impede the 1572 Sanctions Committee from including rape and sexual abuse of women as serious human rights violations and therefore as justification for the designation of the three individuals originally listed in 2006.)

Sudan (1591 Committee)

Although there had been violence before, a coordinated rebel attack on 25 April 2003 on El-Fasher and Nyala by the Sudan Liberation Movement/Army and the Justice and Equality Movement, changed the scope and scale of the conflict in Darfur. The government of Sudan responded by sending troops to this western region and recruiting tribal militias, known as the *Janjaweed*, who engaged in brutal attacks against the civilian population.

Since the beginning of the crisis, sexual violence has been present in the Darfur conflict, and staggering reports of campaigns of terror and rape against women, children and men have been constant. Indeed, condemnation of indiscriminate attacks on civilians, including sexual violence, was included in the first Council pronouncement on the Darfur situation, a 25 May 2004 presidential statement (S/PRST/2004/18)—issued a full four years before the Council adopted resolution 1820 on sexual violence in conflict in June 2008.

Recent reports indicate the continuing prevalence of sexual and gender-based violence. The January 2012 and March 2013 Secretary-General's reports on sexual violence echoed observations made in recent reports by the Panel of Experts assisting the 1591 Sudan Sanctions Committee (S/2013/79 and S/2011/111) insofar as the groups most vulnerable to sexual and gender-based violence continue to be women and girls in internally displaced persons' camps, with spikes in incidents of sexual violence,

particularly by government forces, following armed clashes between the army and various armed groups. (However, these reports also note that due to access constraints there is no information on the extent of sexual violence in areas controlled by armed movements.)

Sexual and gender-based violence has been consistently included in the resolutions authorising the Sudan sanctions regime and in the reporting of the Panel of Experts. However, to date, the criteria for targeted sanctions do not explicitly include sexual violence and consequently none of the individuals listed by the 1591 Sudan Sanctions Committee are designated for sexual violence or rape, though one individual is listed for violations of international humanitarian and human rights law and other atrocities. (Unlike the Côte d'Ivoire case, this language has not lent itself to any specific description of the alleged violations.)

The sanctions regime, first established on 30 July 2004 by resolution 1556, only covers Darfur, and not the entire country. Resolution 1556 imposed an arms embargo against non-state actors and condemned all acts of violence against civilians, including rape. Initially, the sanctions were largely symbolic, as the Council only established the 1591 Sudan Sanctions Committee and its associated Panel of Experts on 29 March 2005. Resolution 1591 also expanded the arms embargo to all parties to the conflict and established a travel ban and assets freeze. It furthermore specifically condemned sexual violence but defined

its listing criteria for targeted sanctions more generically as individuals who commit violations of international humanitarian or human rights law or other atrocities.

Two days later, the Council adopted resolution 1593 on 31 March 2005, referring the situation in Darfur to the ICC, by a vote of 11 in favour, none against and four abstentions (Algeria, Brazil, China and the US). (The ICC referral followed a report by a commission of inquiry, established by the Council, which concluded that war crimes and crimes against humanity had been committed in Darfur, including rape and other forms of sexual violence [S/2005/60]. The commission recommended that the Council refer the situation in Darfur to the ICC.)

In a unique procedural move by the US, the Council adopted resolution 1672 in April 2006, listing four individuals under the Sudan sanctions regime. It was the first time sanctions had been applied to an individual or entity via a resolution. Previously, all listings had been agreed to at the sanctions committee-level, the proceedings of which are not public and which work by consensus—all 15 Council members are concurrently members of the sanctions committees and must unanimously agree to any listing. In contrast, a resolution only requires nine positive votes and no veto. At that time, the suggested listing of individuals had been continuously blocked at the Committee-level. The US strategy was to “name and shame” the individuals in a

KEY UN DOCUMENTS ON SUDAN SANCTIONS [Security Council Resolutions S/RES/2091](#) (14 February 2013) and [S/RES/2035](#) (17 February 2012) requested the Panel to provide the 1591 Sudan Sanctions Committee with information on individuals who commit atrocities, including sexual and gender-based violence. [S/RES/1945](#) (14 October 2010) was the first instance in a Sudan sanctions resolution that the Panel of Experts had been specifically required to report on sexual and gender-based violence. [S/RES/1672](#) (25 April 2006) listed four individuals under the Sudan sanctions regime. [S/RES/1593](#) (31 March 2005) referred the situation in Darfur to the ICC. [S/RES/1591](#) (29 March 2005) widened the arms embargo; established a travel ban and assets freeze; established the 1591 Sudan Sanctions Committee and its Panel of Experts; and specifically condemned sexual violence. [S/RES/1556](#) (30 July 2004) imposed an arms embargo on non-state actors in Darfur, and condemned all acts of violence against civilians, including rape. [Security Council Presidential Statement S/PRST/2008/21](#) (16 June 2008) was on Sudan's cooperation with the ICC. [S/PRST/2004/18](#) (25 May 2004) condemned indiscriminate attacks on civilians, including sexual violence. [Security Council Meeting Records S/PV.6887](#) (13 December 2012) and [S/PV.6778](#) (5 June 2012) were briefings by the ICC Prosecutor. [S/PV.6397](#) (14 October 2010) was a briefing by the UK on a Council visiting mission to Darfur, highlighting the situation of victims of sexual and gender-based violence. [S/PV.5423](#) (25 April 2006) was the vote on resolution 1672, listing individuals under the Sudan sanctions regime, with 12 in favor, no negative votes, and three abstentions by China, Russia and Qatar. [Panel of Experts Reports S/2013/79](#) (22 January 2013) was published on 5 February 2013 and included a section on sexual and gender-based violence. [S/2011/111](#) (20 September 2010) was published on 8 March 2011 and included substantial reporting on sexual and gender-based violence, indicating that groups most vulnerable to such attacks were women and girls in IDP camps. [S/2007/584](#) (2 October 2007) was the first time the report included a dedicated section on sexual and gender-based violence. The Panel has continued to do so since.

Sudan (1591 Committee) (con't)

resolution, gambling that even if the resolution was vetoed the names and the voting record would be public. However, of the four listed only one was a government official despite a list of eight individuals generated by the UK which had included several senior government officials. It seems the US was opposed to including any government officials and only acceded to listing one mid-level government official after this information was leaked to the press. In the end, the resolution was adopted with 12 positive votes, no negative votes and abstentions by China, Russia and Qatar (S/PV.5423). Despite this precedent and the resolve to bring pressure to bear on the parties in Darfur, until 2010, most of the subsequent Sudan sanctions resolutions adopted after resolution 1672 were essentially little more than renewals of the mandate of the Panel of Experts.

On 14 October 2010, the Council adopted resolution 1945, renewing the mandate of the Panel of Experts and strengthening the enforcement of the arms embargo. The resolution required states exporting weapons to Sudan to obtain end-user certificates to ascertain that the weapons would not be transferred to Darfur. China abstained on the vote. Earlier that day, the UK had briefed the Council on the Darfur leg of a visiting mission to Sudan that had taken place earlier that month, from 6 to 10 October. The UK highlighted the dire situation in Darfur, including the situation of victims of sexual and gender-based violence (S/PV.6397).

Of importance for the women, peace and security agenda, resolution 1945 was also the first instance in a Sudan sanctions resolution that the Panel of Experts had been specifically required in an operational paragraph to report on violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence. Notably, however, all publicly available Panel of Experts reports to the 1591 Sudan Sanctions Committee have, without exception, included extensive reporting on women, rape, rape as an instrument of war and sexual and gender-based violence. Even prior to being specifically required to do so by resolution 1945, the Panel has included a dedicated section on sexual and gender-based violence since its October 2007 report (S/2007/584).

Resolution 2035 adopted in February 2012 further strengthened the regime by

determining that listing criteria could apply to entities. The resolution also included reinforced language on reporting tasks regarding sexual and gender-based violence in that it requested the Panel of Experts to provide the Committee with information on individuals and entities that met the listing criteria of resolution 1591, i.e., “individuals...who commit violations of international humanitarian or human rights law or other atrocities.” It is notable that in both resolutions—1945 and 2035—atrocities are more specifically defined and include sexual and gender-based violence. Resolution 2091, adopted in February 2013, included abuses of children as well. The relevant operational paragraph of resolution 2091 is worth quoting in full:

6. Requests the Panel of Experts to continue to coordinate its activities as appropriate with the operations of UNAMID and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2005), paragraph 7 of resolution 1591 (2005), and paragraph 10 of resolution 1945 (2010), progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence and grave violations and abuses against children, and other violations of the above-mentioned resolutions, and to provide the Committee with information on the individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution 1591;

Iterations of this operational paragraph are in resolutions 1945, 2035 and 2091 and have been consistently strengthened each year. The importance of the language is that it has specifically defined atrocities in relation to the original listing criteria articulated in resolution 1591. While some Council members are very supportive of the inclusion of such language regarding Panel of Experts' investigations of perpetrators of grave violations, it has left some other Council members uncomfortable and concerned that the evidence from such investigations could be used to implicitly add to the designation criteria for the 1591 Sudan Sanctions

Committee.

The ICC issued its first Darfur-related arrest warrants in 2007 and has initiated proceedings against seven individuals for mass atrocities. Four remain at large, though their whereabouts are well known: President Omar Al-Bashir of Sudan; Ahmad Harun (former interior minister, appointed as head of an official human rights commission of inquiry following the issuance of the ICC arrest warrant, and after that appointed governor of South Kordofan state); Ali Kushayb (a *Janjaweed* leader in Sudan's custody at the time of the ICC arrest warrant who was subsequently released and is thought to be in Darfur); and Minister of Defence Abdel Rahim Mohamed Hussein (formerly the interior minister and Bashir's representative in Darfur). The charges against all four include rape, either in the context of war crimes, crimes against humanity or both.

The issuance of the arrest warrant on 4 March 2009 against President Bashir had an immediate consequence on the ground in Darfur. The same day, Sudan expelled 13 international NGOs from Darfur for “political interference” which in Sudan's view, as part of the larger political context, included lies about the prevalence of sexual and gender-based violence in Darfur. A second arrest warrant was issued against Bashir on 12 July 2010 on genocide charges. In August 2010, Sudan expelled UNHCR staff, reportedly due to awareness campaigns about sexual and gender-based violence in Darfur and because of allegations that they were distributing “rape detectors” to bolster the ICC's genocide case against Bashir. The Government of Sudan has recently claimed an improved environment for women, noting a decrease in reported cases of sexual and gender-based violence. However, the 2011 Panel of Experts report suggested the decrease might actually be a result of fewer women being willing to report their ordeals. (After the March 2009 expulsion of NGOs, the health clinics run by those organisations reverted to Sudan's Ministry of Health; the report says that according to victims, this limited the incentive to report their cases since they did not trust government-run clinics.)

The Council has been silent regarding the lack of cooperation by Sudan and other parties in apprehending the four men wanted by the ICC, with the exception of a 16 June 2008

Sudan (1591 Committee) (con't)

presidential statement, drafted by Costa Rica, an elected Council member at the time, that reiterated resolution 1593 and the obligation of the Government of Sudan and all other parties to the conflict in Darfur to cooperate fully with the ICC (S/PRST/2008/21).

The ICC Prosecutor has repeatedly asked the Council to compel Sudan to cooperate with the Court. On 5 June 2012, in his last briefing to the Council, then-Prosecutor Luis Moreno-Ocampo expressed concern that—despite being well aware of the ongoing indiscriminate attacks on civilians, including

sexual violence—the Council showed little inclination to follow through on its own referral of the situation in Darfur to the ICC (S/PV.6778). The new Prosecutor, Fatou Bensouda, echoed similar concerns about the need for Council follow-through at a 13 December 2012 briefing (S/PV.6887).

Currently there is no crossover between the seven ICC indictees, in particular the four “at large” individuals, and the four individuals listed under the Sudan sanctions regime. The 2013 sexual violence report also underscored that in the case of Darfur, impunity remains

a major challenge, particularly when the alleged perpetrators are government soldiers or police. The fact that two of the at-large individuals wanted by the ICC have been promoted to positions of power and responsibility is a clear signal of Sudan’s declared intent not to surrender them to the Court, but there is no agreement in the 1591 Sudan Sanctions Committee on imposing targeted sanctions against any of the ICC indictees as a tool to enhance accountability. (In fact, there have been no additions since the original listing in April 2006.)

Libya (1970 Committee)

The Council adopted resolutions 1970 and 1973 on the situation in Libya in the space of three weeks following the violent government crackdown on anti-government demonstrators in Libya in late February 2011, with reports of mass killings, arbitrary arrests, detention and torture of protestors and the use of tanks, helicopters and military aircraft to attack protestors indiscriminately. Reports of sexual violence emerged during the conflict (February to October 2011); however, this issue has not been addressed in the context of the 1970 Libya Sanctions Committee.

On 26 February the Council adopted resolution 1970, which referred the situation in Libya to the ICC, imposed an arms embargo and targeted sanctions (assets freeze and travel ban) and established the 1970 Libya Sanctions Committee. Resolution 1973 of 17 March authorised all necessary measures to protect civilians in Libya and to enforce the arms embargo, imposed a no-fly zone, strengthened the sanctions regime and established a Panel of Experts. While both resolutions had language indicating that systematic attacks against civilians might amount to crimes against humanity, neither made any specific reference to the women, peace and security agenda. (Previous sanctions imposed on Libya related to the 1988

Lockerbie bombing were suspended in 1999 and finally lifted in 2003.)

Shortly after the fall of Tripoli on 24 August 2011, resolution 2009, adopted on 16 September, was adopted to modify the arms embargo and partially lift some assets freezes. Resolution 2009 also established the UN Support Mission in Libya (UNSMIL), and included a reaffirmation of resolutions 1325, 1820, 1888, 1889 and 1960 and emphasised the importance of women’s participation in the post-conflict political process. There was also a condemnation of sexual violence and a call on the interim authorities to ensure accountability for violations of international humanitarian and human rights law, including sexual violence.

Resolution 2016, adopted in October 2011, removed the no-fly zone and the provisions for the use of force for the protection of civilians and reiterated the importance of women’s participation in the post-conflict phase. Resolution 2017, adopted that same month, expanded the tasks of the Panel of Experts assisting the 1970 Sanctions Committee to include assessing threats of terrorism, specifically arms proliferation from Libya to the region. While resolution 2017 did not include any references to women, it is important to note that it was adopted in the context of the escalating crises in the Sahel

and Mali, where reports of conflict-related sexual and gender-based violence have also emerged. The March 2013 report on sexual violence details the increase in reported cases in sexual violence in 2012, citing rebel groups bolstered by heavily armed Tuareg fighters returning from Libya; as well as the targeting of women and girls contributing to mass displacement by the *Mouvement National de Libération de l’Azawad*, led by a former colonel of the Libyan army; and similar targeting by *Al-Qaida au Maghreb Islamique*, *Ansar Dine*, and *Mouvement pour l’Unité et le Jihad en Afrique de l’Ouest*. (All four groups are listed in the annex to the 2013 sexual violence report.)

Both resolution 2040 (2012) and resolution 2095 (2013) eased the arms embargo, extended the mandate of the Panel of Experts and renewed UNSMIL. There are extensive references in both to women in relation to the UNSMIL renewal, similar to the references in resolutions 2009 and 2016, but strengthened with more specific language regarding sexual violence against women, men and children including in prison and detention centres. These resolutions called for accountability and mandated UNSMIL to help the authorities develop institutions responsive to women and vulnerable groups. (However, the 2013 report on

KEY UN DOCUMENTS ON LIBYA SANCTIONS Security Council Resolutions S/RES/2095 (14 March 2013) and S/RES/2040 (12 March 2012) renewed UNSMIL and the Panel of Experts. S/RES/2017 (31 October 2011) was on arms proliferation from Libya to the region. S/RES/2016 (27 October 2011) lifted the no-fly zone and the provisions for the use of force for the protection of civilians and reiterated the importance of women’s participation in the post-conflict phase. S/RES/2009 (16 September 2011) established UNSMIL, modified the arms embargo, partially lifted some assets freezes, included a condemnation of sexual violence. S/RES/1973 (17 March 2011) authorised all necessary measures to protect civilians in Libya and enforce the arms embargo, imposed a no-fly zone, strengthened the sanctions regime, and established the Panel of Experts. S/RES/1970 (26 February 2011) referred the situation in Libya to the ICC, imposed an arms embargo and targeted sanctions, and established the 1970 Libya Sanctions Committee. Security Council Meeting Records S/PV.6855 (7 November 2012); S/PV.6772 (16 May 2012); S/PV.6647 (2 November 2011) and S/PV.6528 (4 May 2011) were briefings by the ICC Prosecutor.

Libya (1970 Committee) (con't)

sexual violence in conflict notes that there have been few tangible commitments by the Libyan government to address the problem of sexual violence and there has been no new legislation, policies, programmes or services for survivors.) There are no such direct references in these resolutions to women, gender, sexual violence or rape in relation to the mandate of the Panel of Experts.

The January 2012 report of the Secretary-General on conflict-related sexual violence details allegations of sexual violence committed by parties to the Libyan conflict (S/2012/33). Sexual violence was reportedly prevalent in areas besieged by the former regime of Muammar Qaddafi and was used as a form of punishment against those who rebelled against the regime. The report noted, however, that it was too early to determine whether such security forces had received orders to carry out rape against women, men and children during the conflict. Separately, the report also noted that members of the former Qaddafi forces in detention report having been subjected to torture and ill treatment to elicit confessions for crimes of which they had been accused, including rape and other forms of sexual violence. They deny having received orders to rape from their superiors. The March

2013 report on sexual violence echoed this concern about acts of revenge carried out against those arrested and accused of perpetrating sexual violence during the conflict.

Parallel to establishing the Libya sanctions regime, the Council also referred the situation in Libya to the ICC and requested regular briefings by the Prosecutor. In the first such briefing on 4 May 2011, the Prosecutor noted that the High Commissioner for Human Rights had highlighted sexual violence as a weapon of war in the context of Libya, that the Special Representative on Sexual Violence had also alleged that such crimes had occurred and that the ICC investigation had uncovered evidence of sexual violence (S/PV.6528). At subsequent briefings on 2 November 2011, 16 May and 7 November 2012, the Prosecutor updated the Council on continuing investigations into alleged cases of sexual violence by Qaddafi's forces and other gender-based crimes committed in Libya (S/PV.6647, S/PV.6772 and S/PV.6855).

Although the issue of sexual violence in the Libya conflict was brought to the Council's attention and was reflected in several decisions by the Council on Libya, the sanctions imposed on Libya were more similar to the 2003 Iraq sanctions regime in that they

used travel bans and assets freeze targeting the financial assets of individuals closely associated with the former government. While it would not have been reasonable to expect the Council to use sexual violence as a designation criterion for targeted sanctions at the outset of the conflict in resolutions 1970 and 1973, it could have done so in subsequent sanctions-related resolutions. By early 2011, as demonstrated by the Côte d'Ivoire and DRC cases above, the use of sanctions was an established part of the Council's toolbox as a means to enhance accountability for gross violations of human rights. However, most of the subsequent decisions on the sanctions regime, adopted after Qaddafi's forces were routed, were made to lift or modify the existing sanctions, easing provisions rather than strengthening them.

Because sexual violence was never incorporated into the sanctions regime as a designation criterion or as part of the reporting mandate of the Panel of Experts, it is not surprising that none of the individuals subject to targeted sanctions under the Libya sanctions regime have been listed for rape or sexual violence. Only one individual was listed for human rights abuses, the now-deceased former Libyan leader Muammar Qaddafi.

Observations: Sexual Violence in Conflict and Sanctions

Starting in 1990, the Council began using sanctions to address conflict. Early on, the Council relied primarily on arms embargoes to stem conflict but also on comprehensive sanctions imposed on a whole country or a party to a conflict or on commodity embargoes (such as petroleum) to cripple a party's ability to function. The concept of sanctions was sharpened during the 1990s to move from sanctions affecting entire populations to include targeted measures aimed at changing behaviour or to constrain certain activities of specific individuals responsible for particular actions that the Council wanted to minimise. In the 1990s and the 2000s the Council also began to include sanctions on commodities such as timber, diamonds and charcoal to staunch natural resource extraction that was funding conflict. Many of these

sanctions regimes were established prior to or shortly after the adoption of resolution 1325 on women, peace and security. Given the way in which the Council used sanctions at the time, combined with the lack of any well-established framework in the Council to provide guidance otherwise, it is not surprising that the Council did not take into account the devastating impact that conflict has on women's lives when it established the early sanctions regimes, despite widespread sexual violence in many of the affected countries.

As highlighted in SCR's second *Cross-Cutting Report on the Rule of Law* (January 2013), the evolution of the concept of "targeted sanctions" or "smart sanctions" and the shift away from comprehensive sanctions has also affected issues of individual accountability. The use of targeted sanctions focusing

on specific individuals who hold decision-making powers or are personally suspected of bearing the greatest responsibility for serious violations of international law—in the context of women, peace and security—emerged in the mid-2000s.

Following the adoption of resolution 1820 in 2008, references to the Council's concern regarding sexual violence increased in resolutions renewing sanctions regimes and similarly increased in expert groups' reports submitted to the relevant sanctions committees. However, the Council has used individual sanctions to explicitly address sexual and gender-based violence in armed conflict in only two instances. It added sexual violence as a criterion for targeted sanctions in the DRC through resolution 1807 (2008) and did the same for Somalia

Observations: Sexual Violence in Conflict and Sanctions (con't)

in resolution 2002 (2011). However, only the 1533 DRC Sanctions Committee has listed individuals for such violations. The 751 Somalia Sanctions Committee has not, despite its ability to do so.

The cases of Côte d'Ivoire and Sudan provide interesting examples of how the imposition of targeted measures for serious violations of human rights and international humanitarian law can generate other opportunities to address sexual violence.

In resolution 1572 (2004), the Council added serious violations of human rights and international humanitarian law to the designation criteria for the Côte d'Ivoire sanctions regime, and while sexual violence is not a specific listing criterion, rape and sexual abuse are specifically mentioned in the justification for designation of individuals as part of a larger set of serious human rights abuses.

In the case of Sudan, the original listing criteria from resolution 1591 (2005) included violations of international humanitarian or human rights law or other atrocities. Seven years later, the Council requested in resolution 2035 (2012) that the Panel of Experts provide information on individuals meeting this original listing criterion and in the same operational paragraph defined atrocities as including sexual and gender-based violence. However, despite consistent reporting from the Panel of Experts on sexual and gender-based violence and the interesting construction in resolution 2035 requesting the Panel to identify individuals for listing, the 1591 Sudan Sanctions Committee has not expanded the list from the original four in 2006.

The DRC and Somalia cases also provide interesting examples of how the more robust mechanisms for the thematic issue of children and armed conflict can positively impact the protection aspects of the women, peace and security agenda at the sanctions

committee-level and in the work of their respective expert groups.

In the case of Somalia, resolution 2002 (2011) expanded the listing criteria to include sexual violence following a 23 May 2011 briefing by the Special Representative for Children and Armed Conflict to the Somalia Sanctions Committee during which she proposed that a new listing criterion related to sexual violence against children be added to the sanctions regime. Many Council members agreed that if the Council were to expand the listing criteria then other protection-related criteria more broadly applicable to women, and not just specifically to children, should also be included.

In the case of the DRC, the first mention of sexual violence in a Group of Experts report predated the adoption of resolution 1820 by more than a year. Sexual violence was referenced in the Group's January 2007 report in the context of children; resolution 1698 (2006) had expanded sanctions criteria to include the recruitment or targeting of children in armed conflict. A subsequent report by the Group made brief and more general references to sexual abuse, not just in the specific context of children, in areas where rebel groups operated. While these references were minimal in relation to the women, peace and security agenda, they do nevertheless demonstrate a certain level of independence and flexibility in the expert group's reporting.

It was clear in the cases of the DRC and Somalia that—despite the prevalence of sexual violence in both situations—the expert groups' reporting on such issues only became comprehensive after the Council had included listing criteria for such violations.

The case of Sudan demonstrates, however, that listing criteria for sexual and gender-based violence are not necessarily the trigger for consistent and robust reporting on

sexual violence by expert groups. References to rape or sexual violence have been included in the resolutions authorising the sanctions regime since it was established in 2004, and reporting on such issues has been similarly consistent in the expert group's reports submitted to the 1591 Sudan Sanctions Committee, despite the fact that the criteria for targeted sanctions do not explicitly include sexual violence.

Côte d'Ivoire provides a very different and interesting counter-example to the logic of increased reporting by expert groups on sexual violence correlating to a specific Council mandate to do so. Since resolution 1842 (2008), references to sexual violence have been included consistently in all subsequent resolutions relating to the Côte d'Ivoire sanctions regime, though not specifically as a listing criterion for targeted measures. Further, resolutions 1980 (2011) and 2045 (2012) welcomed information-sharing between the 1572 Côte d'Ivoire Sanctions Committee and the Special Representative on Sexual Violence in Conflict. Nevertheless, to date, none of the expert group's reports have included any specific reporting on sexual and gender-based violence.

While the Council has cultivated some avenues for addressing sexual violence in conflict vis-à-vis sanctions committees and associated expert groups, this study has revealed that the Council has failed to apply these tools consistently or at all. This appears to be true when considering sanctions as a preventative and incapacitating measure, or to enhance accountability, to be applied to perpetrators of sexual violence in conflict. The inconsistency is related to the overall political climate which is cautious not only about expanding the women, peace and security agenda but also the application of sanctions. In this context, achieving any consistent confluence between the two is extremely challenging.

Council Dynamics in 2012 on Women, Peace and Security

The last two years have been particularly difficult for advancing the women, peace and security agenda in the Security Council. One factor is the deep division within the Council as a consequence of the intervention in

Libya following the adoption of resolution 1973 (2011), compounded by the failure of the Council to address the dire situation in Syria. In addition, there has been a particular constellation of elected members,

including most notably India and Pakistan, which have tended to align more closely towards less progressive positions on this thematic issue. Such support has provided the necessary pillar for Russia and China to

Council Dynamics in 2012 on Women, Peace and Security (con't)

be more confident in conveying their more restrictive view of the purposes of the UN Charter and the role of the Council in maintaining international peace and security than they might otherwise be without a broader base of support amongst the elected Council members. This has not been universally true across the range of issues before the Security Council, but it does seem to be a particular dynamic in the Council's consideration of its thematic agendas, including women, peace and security.

Regarding conflict-related sexual violence and to some extent the 1325 indicators, some Council members point out that the Secretary-General has gone beyond his mandate by including in his reports countries that are not on the agenda of the Security Council. On the broader women, peace and security agenda, there is a more general concern amongst Council members about "Christmas tree" resolutions that include a reference to everything and achieve nothing

as priorities get lost in the mix.

These criticisms are common and have not constituted a new development in 2012, but what is striking is that they seem to have become more strident over the past two years as the UN's institutional processes for dealing with gender issues have strengthened and subsequent engagement with the Security Council has similarly increased. Despite this pushback, Council members strongly committed to the women, peace and security agenda have held the line over the last two years and avoided any rollback of the normative framework on the issue. They have managed to persuade more reticent or indifferent Council members of the value of regular inclusion of references to women in Council decisions. Portugal, which rotated off the Council at the end of 2012, was particularly effective in its argument that references to women should not be viewed as an "add on" and that Council mandates must

provide UN peace missions the means to ensure that half of the population can participate in the processes the UN is responsible for facilitating: elections, political participation, mediation and other post-conflict structures. Such processes cannot be retrofitted to include women's voices, making an early incorporation of a gender perspective crucial.

It is too early to tell whether 2013 will see the reversal of the pushback trend from the last two years. However, it is quite possible. One of the more conservative elected members on this issue, India, rotated off the Security Council at the end of 2012. New Council members Argentina, Australia and Luxembourg are strong advocates of the women, peace and security agenda. The other two new Council members, the Republic of Korea and Rwanda, are anticipated to be supportive of this thematic issue even if it is not explicitly their priority during their tenure on the Security Council.

Cross-Cutting Observations and Possible Future Options

The overarching observation of this study has found that the pushback trend of the last two years has largely played itself out in difficult and protracted negotiations at the thematic level but has not negatively impacted the integrity of the women, peace and security normative framework.

Interestingly, despite the controversy among Council members at the thematic level, the women, peace and security agenda has continued to be substantively applied in country-specific resolutions. For example, in 2012 there seemed to be a trend for the Council to incorporate women, peace and security language at the outset when it became seized of a new situation, such as in its resolutions on Mali, or in response to a changing dynamic, such as the emergence of the M23 in the DRC. The outliers from this overall positive trend were Guinea-Bissau and Syria.

The Council expanded its work at the sanctions committee-level when considering sexual violence or rape as designation criteria in various sanctions regimes as a tool to enhance accountability. To further strengthen its work in this regard the Council could, however:

- Expand the designation criteria in other relevant sanctions regimes where sexual violence in conflict is persistently perpetrated. Perhaps specifically taking up the Secretary-General's call in his 2013 report on sexual violence for the Sanctions Committees on Côte d'Ivoire, Somalia, Sudan and Al-Qaida in the context of Mali to focus on such issues.
- Request sanctions committees, when updating their consolidated lists, to harmonise designation criteria for listed individuals by including any relevant charges from international justice mechanisms (for example, in the case of the 1533 DRC Sanctions Committee, Bosco Ntaganda has been on the sanctions list since 2005, but the justification for his designation has not been updated to include sexual violence despite an ICC arrest warrant that included charges for such violations).
- Formally call for information-sharing between the Special Representative on Sexual Violence in Conflict and the sanctions committees and associated expert groups, as is the case with the 1572 Côte d'Ivoire Sanctions Committee.
- Welcome the submission of perpetrators' names by the Special Representative to the relevant sanctions committees and ensure follow-up at committee-level to determine whether to adopt targeted or graduated measures against such individuals or entities.
- Formally require expert groups assisting sanctions committees to include, where relevant, reporting on sexual and gender-based violence and to include gender experts as part of the composition of such expert groups.

The interaction by the Special Representative on Sexual Violence in Conflict with the Council has been especially notable. The Special Representative has briefed not only on her broader mandate but also on several country-specific situations. The Council could consolidate into practice briefings by the Special Representative prior to mandate renewals or on unfolding situations of conflict where sexual violence is a concern. Similarly, the Council could extend such a practice to the Executive Director of UN Women, in particular

Cross-Cutting Observations and Possible Future Options (con't)

when the Council is considering a mandate to support post-conflict structures in a country-specific situation, which should ensure broad participation and decision-making by women.

Implementation of the monitoring and reporting arrangements, or MARA, has begun but is proceeding slowly. MARA tasks are linked to women's protection advisers, but in 2012 the first and only advisers were only deployed to UNMISS in South Sudan. Facing a difficult fiscal situation and low political will, the Secretariat will be hard-pressed to deploy more advisers without a clear mandate from the Council. To bolster the capacity of MARA reporting, the Council could include in relevant country-specific resolutions an unambiguous request for the deployment of women's protection advisers—as it did in March 2013 when it renewed the MONUSCO mandate in resolution 2098.

Regarding Security Council visiting missions, whenever the women, peace and security agenda was incorporated into the terms of reference, the Council engaged with relevant stakeholders on the ground, albeit to varying degrees. However, when such issues were not included in the terms of reference, then the issue was subsequently overlooked by Council members when they were in country. The

Council could make a concerted effort to consistently incorporate a gender perspective into its terms of references for visiting missions. It is clear that such interactions and stakeholder feedback will not occur spontaneously.

While the study revealed a continued positive trend in reporting by the Secretary-General on women, peace and security issues in his country-specific reports, there remains room for improvement. In particular, the Council could request more robust reporting on gender issues and the inclusion of a separate section covering women, peace and security. Several country-specific reports in 2012 did not use such a separate heading or section, such as those on Afghanistan, Darfur, Iraq, Kosovo and Libya. This should be achievable as the UN missions in these countries had personnel with gender expertise in 2012. This could also be an objective for any reporting coming out of a possible UN peacekeeping mission in Mali.

Another area of concern revealed by this study was the inconsistency of the Council in including language in resolutions on the UN's zero-tolerance policy on sexual exploitation and abuse by its own personnel. An immediate measure the Council could take is ensuring consistent inclusion of this policy in

all resolutions renewing or establishing peace mission mandates and specifically reiterating its call from the May 2005 presidential statement for follow-up reporting on such allegations in relevant Secretary-General's reports.

The Council has created several tools with considerable potential of having an impact on women, peace and security issues on the ground. It has not, however, applied these tools consistently or, in some cases, at all. This is true regarding the lack of uniform inclusion of the UN's zero-tolerance policy in Council resolutions establishing or authorising missions. Regarding sexual violence in conflict, the Council has been regularly engaged with the issue—even if the expansion of designation criteria, the application of sanctions for such atrocities or calls for accountability is less than consistent. In contrast, there are worrying indications that the Council's focus is less sharp when it comes to the women's participation aspect of this thematic agenda. While some of this is certainly related to the overall political climate and pushback described earlier, it also appears that in some cases it may be simply due to lapses in oversight of the broad spectrum of issues presented by the women, peace and security agenda.

Key UN Documents on Women, Peace and Security

Security Council Thematic Resolutions

[S/RES/1960](#) (16 December 2010) requested the establishment of monitoring, analysis and reporting arrangements on conflict-related sexual violence; requested an annex (as a basis for possible sanctions) in annual sexual violence reports listing parties credibly suspected of bearing responsibility for patterns of rape and other forms of sexual violence; reiterated the Council's intention to consider sexual violence as designation criteria in its sanctions committees; called for information sharing between the Special Representative and sanctions committees and associated expert groups.

[S/RES/1889](#) (5 October 2009) decided that women's protection and empowerment should be taken into account in post-conflict planning; requested a set of indicators to track implementation of resolution 1325 at the global level.

[S/RES/1888](#) (30 September 2009) strengthened UN system structures to respond to sexual violence; established the mandate of the Special Representative for Sexual Violence in Conflict.

[S/RES/1820](#) (19 June 2008) addressed sexual

violence in conflict and post-conflict situations; enumerated measures for protection and to end impunity; and expressed the Council's willingness to use sanctions against perpetrators of sexual violence in armed conflict.

[S/RES/1325](#) (31 October 2000) recognised that conflict has a disproportionate impact on women; promoted women's participation in various peace and security processes; expressed the Council's willingness to incorporate a gender perspective into peacekeeping missions, called on all parties to protect women and girls from gender-based violence and to put an end to impunity for such crimes.

Security Council Sanctions-Related Resolutions

[S/RES/2078](#) (28 November 2012) on the DRC sanctions regime and decided to take measures against individuals committing serious human rights abuses, including sexual and gender-based violence, specifically mentioning the M23.

[S/RES/2045](#) (26 April 2012) and [S/RES/1980](#) (28 April 2011) on the Côte d'Ivoire sanctions regime and welcomed information sharing between the Special

Representative and the 1572 Sanctions Committee.

[S/RES/2091](#) (14 February 2013) and [S/RES/2035](#) (17 February 2012) requested the Panel to provide the Sudan 1591 Sanctions Committee with information on individuals who commit atrocities, including sexual and gender-based violence.

[S/RES/2002](#) (29 July 2011) expanded the Somalia sanctions regime to include sexual and gender-based violence as criteria for targeted sanctions.

[S/RES/1807](#) (31 March 2008) renewed the DRC sanctions regime and included sexual and gender-based violence as criteria for targeted sanctions.

Security Council Presidential Statements

Women, Peace and Security

[S/PRST/2012/23](#) (31 October 2012) highlighted the impact of women's civil society organisations, recognised the need in the Council's own work for more systematic attention to the women, peace and security agenda and welcomed the Secretary-General's call for enhanced women's participation, at all levels, in conflict prevention, conflict resolution and peacebuilding.

Key UN Documents on Women, Peace and Security (con't)

[S/PRST/2012/3](#) (23 February 2012) followed the first open debate on conflict-related sexual violence; commended the work of the Special Representative; stressed the need for continued data collection under the monitoring, analysis and reporting arrangements on sexual violence.

[S/PRST/2011/20](#) (28 October 2011) expressed concern about challenges that hinder the implementation of resolution 1325; underlined the importance of the mandate of the Special Representative; requested a comprehensive overview women's participation in mediation and preventive diplomacy in the next Secretary-General's report.

[S/PRST/2010/22](#) (26 October 2010) supported taking forward the 1325 as an initial framework for the UN system and member states to track implementation of resolution 1325; expressed its intention to convene a high-level review in five years.

[S/PRST/2010/8](#) (27 April 2010) requested the Secretary-General to undertake more consultation on the global indicators to implement resolution 1325.

[S/PRST/2008/39](#) (29 October 2008) reinforced aspects of resolution 1325.

[S/PRST/2007/40](#) (23 October 2007) sought a report in 2010 on the implementation of the 2008-2009 UN System Action-Plan to implement resolution 1325.

[S/PRST/2007/5](#) (7 March 2007) was on women, peace and security on the occasion of International Women's Day.

[S/PRST/2006/42](#) (26 October 2006) asked the Secretary-General to report in 12 months on implementation of his Action Plan to implement resolution 1325.

[S/PRST/2005/52](#) (27 October 2005) reiterated aspects of resolution 1325 on the occasion of the fifth anniversary of the resolution.

[S/PRST/2004/40](#) (28 October 2004) welcomed the Secretary-General's report on the implementation of 1325 by the UN system.

[S/PRST/2002/32](#) (31 October 2002) responded to the first Secretary-General's report on the impact of conflict on women and girls.

Other

[S/PRST/2012/29](#) (20 December 2012) was on peacebuilding and included extensive references the critical role of women in conflict resolution and peacebuilding.

[S/PRST/2005/21](#) (31 May 2005) recognised the shared responsibility of the Secretary-General and member states to take every measure to prevent sexual exploitation and abuse by peacekeepers and reiterating the importance of ensuring that sexual exploitation and abuse are properly investigated and appropriately punished.

Security Council Meeting Records

Open Debates on Women, Peace and Security

[S/PV.6877](#) and [Res.1](#) (30 November 2012); [S/PV.6642](#) and [Res.1](#) (28 October 2011); [S/PV.6411](#) and [Res.1](#) (26 October 2010); [S/PV.6196](#) and [Res.1](#) (5 October 2009); [S/PV.6005](#) and [Res.1](#) (29 October 2008); [S/PV.5916](#) and [Res.1](#) (19 June 2008); [S/PV.5766](#) and [Res.1](#) (23 October 2007); [S/PV.5556](#) and [Res.1](#) (26 October 2006); [S/PV.5294](#) and [Res.1](#) (27 October 2005); [S/PV.5066](#) and [Res.1](#) (28 October 2004); [S/PV.4852](#) and [Res.1](#) (29 October 2003); [S/PV.4635](#) and [Res.1](#) (28 to 29 October 2002); [S/PV.4589](#) and [Res.1](#) (25 July 2002); [S/PV.4208](#) and [Res.1](#) and [Res.2](#) (24 to 25 October 2000)

Open Debates on Sexual Violence

[S/PV.6722](#) and [Res. 1](#) (23 February 2012); [S/PV.6453](#) and [Res. 1](#) (16 December 2010); [S/PV.6195](#) (30 September 2009)

Briefings by the Special Representative on Sexual Violence in Conflict

[S/PV.6899](#) (11 January 2013) was by Special Representative Bangura on the uprising by the Seleka rebels and subsequent ceasefire agreements with the CAR government.

[S/PV.6515](#) (14 April 2011) was by Special Representative Wallström on the implementation of resolution 1960; an update on the activities of her office's Team of Experts; and on situations in Libya, Côte d'Ivoire, and the DRC.

[S/PV.6378](#) (7 September 2010) was by Special Representative Wallström on the July 2010 Walikale rapes in the DRC.

[S/PV.6302](#) (27 April 2010) was the first briefing by Wallström to the Council on her plans to implement her mandate as the first Special Representative on Sexual Violence in Conflict.

Briefing by the Executive Director of UN Women

[S/PV.6759](#) (24 April 2012) was by the head of UN Women, Michelle Bachelet, on women's political participation as voters and candidates, gender-based election-related violence and gender issues in transitional justice mechanisms.

Security Council Letters

[S/2013/8](#) (4 January 2013) the Secretary-General informed the Security Council that Special Representative Bangura stood ready to brief the Council on her December field visit to the CAR in the context of

its consideration of the uprising by the Seleka rebel alliance.

Secretary-General's Reports

Implementation of Resolution 1325

[S/2012/732](#) (2 October 2012); [S/2011/598](#) (29 September 2011); [S/2010/498](#) (28 September 2010); [S/2010/173](#) (6 April 2010); [S/2009/465](#) (16 September 2009); [S/2008/622](#) (25 September 2008); [S/2007/567](#) (12 September 2007); [S/2006/770](#) (27 September 2006); [S/2005/636](#) (10 October 2005); [S/2004/814](#) (13 October 2004); [S/2002/1154](#) (16 October 2002)

Sexual Violence

[S/2013/149](#) (12 March 2013) was the second annual report on sexual violence in conflict.

[S/2012/33](#) (13 January 2012) was the first annual report on conflict-related sexual violence.

Implementation of Resolution 1820

[S/2010/604](#) (24 November 2010) was the second report in response to resolution 1820 and included proposals for the monitoring, analysis and reporting arrangements on conflict-related sexual violence.

[S/2009/362](#) (15 July 2009) was the first report in response to resolution 1820.

Women and Peacebuilding

[S/2010/466](#) (7 September 2010) was a report on women and peacebuilding.

General Assembly Documents

[A/RES/63/311](#) (14 September 2009) established UN Women.

[A/59/710](#) (24 March 2005) was a report by Prince Zeid Ra'ad Zeid al-Hussein of Jordan, then the Secretary-General's Special Adviser, on sexual abuse and exploitation by UN peacekeeping personnel that included a series of concrete recommendations on training and accountability as well as disciplinary and criminal measures.

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