

The President of the Security Council presents her compliments to the members of the Council and has the honour to transmit herewith, for their information, a copy of a **letter dated 9 April 2015 from the Permanent Representative of Jordan to the United Nations** addressed to the Secretary-General, and its enclosure.

This letter and its enclosure will be issued as a document of the Security Council under the symbol S/2015/243.

9 April 2015



PERMANENT MISSION OF THE HASHEMITE KINGDOM OF JORDAN
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9 April 2015

Your Excellency,

I have the honour to forward to you the concept paper for the Security Council briefing on the theme entitled, "Sexual Violence in Conflict", which will be held on Thursday, 15 April 2015 (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

Please accept, Your Excellency, the assurances of my highest consideration.

Sincerely,

Dina Kavar
Ambassador
Permanent Representative

H.E. Mr. Ban Ki-Moon
Secretary-General
United Nations
New York, NY



Jordan Presidency of the Security Council

Open Debate

“Sexual Violence in Conflict”

(April 15, 2015 – 10am)

Throughout history, sexual violence has been widespread in armed conflict and continues to have devastating consequences for women, men, boys and girls as well as their families and communities. 2014 witnessed a spectacular rise in violent extremism throughout the globe, including in areas such as Iraq, Syria, Somalia, Nigeria, Mali, Libya and Yemen. This year’s report of the Secretary-General on conflict-related sexual violence (CRSV) brings to light new dimensions of the issue, such as the use of sexual violence as a tactic of terror by extremist groups in a number of settings, in particular Iraq, Syria, Somalia and Nigeria. It articulates how sexual violence is integrally linked with the objectives, ideology and funding of extremist groups, noting that women’s empowerment and sexual violence prevention should therefore be central to the international response.

Five key themes run through the report, and should form the substantive basis upon which the Open Debate should be shaped:

- 1) Sexual violence perpetrated by non-state actors account for the vast majority of incidents, although violations perpetrated by state actors, or armed groups associated with the state, also remain of grave concern. Accountability of all perpetrators is crucial as a key aspect of deterrence and prevention, and investigations and prosecutions must be survivor-centered and conducted in accordance with international standards.
- 2) The issue of comprehensive services for survivors is still a weak link, particularly in terms of the resources that the international community is dedicating. At the same time, it is important to think more broadly about including the issue of resources and livelihood support for survivors. Poverty reduction and development strategies, therefore, must have a window for sexual violence survivors who are among the most impoverished and economically marginalized.

3) Over the past years the issue of conflict-related sexual violence has been cemented as a peace and security issue relevant to the Security Council. Going forward, the Security Council must consider how to bring the full weight of the security sector behind the agenda. This will require articulating more precisely the role that security sector actors can play in prevention of conflict-related sexual violence, and getting their buy-in.

4) At the global level, a strong legal framework and tools exist, but the main challenge will be to drive the agenda to the ground by engaging national authorities for their leadership and ownership and to encourage them to take specific measures. As they commit, there will be expertise and resources required from the UN to support countries to implement their commitments.

5) Even when Governments are engaged, it is important to recognize that the bulk of violations are being committed by non-state actors. Therefore, among the major considerations are the political and operational challenges related to engagement with non-state actors, for specific commitments and measures.

Focus of the Open Debate:

Building on the Secretary General's report, the meeting will take place on Wednesday 15 April, at 10am, in the Security Council Chamber and will be public and open to all Member States. It will be chaired by Jordan, and will examine the emergence of violent extremist groups as perpetrators of sexual violence in conflict, the targeting of ethnic and religious minorities, among other minority groups, the vulnerability of women and girls during daily livelihood tasks such as farming and gathering water and firewood, the threat or use of sexual violence as a form of ill-treatment in detention settings, often against men and boys, the vulnerability of displaced persons and refugees, and in particular, the use of sexual violence to induce displacement, notably in the context of illicit exploitation of natural resources, and the severe lack of medical and other services, as well as reparations and livelihood support for survivors.

We encourage interventions focus on the following dimensions:

- Sexual violence as a tactic of terror, to serve key strategic imperatives of extremist groups
- Promoting women's participation in peace processes and ensuring sexual violence is reflected explicitly in peace agreements and ceasefires
- How the international community can best support national governments to fight impunity and drive accountability, as an important aspect of deterrence and prevention
- How the international community can best support strengthening the commitment and engagement of the security sector for prevention, specifically at the national level
- Increased medical, psychosocial, legal, economic support and services for survivors of conflict-related sexual violence
- Increased number of women peacekeepers

- Accelerated deployment of Women Protection Advisors and Gender Advisors in priority settings to ensure Security Council resolutions are implemented on the ground
- Implementation of early warning systems to identify escalating sexual violence in conflict
- Fostering national ownership, including mobile courts and mixed tribunals or broader truth and reconciliation commissions, to provide justice to survivors of sexual violence and therefore contribute to peace and security
- How best to support the efforts of the Office of the Special Representative to the Secretary General on Sexual Violence in Conflict in this respect
- How best to support the Team of Experts on the Rule of Law/Sexual Violence in Conflict, established pursuant to SCR 1888 (2009), which reports to the Special Representative to the Secretary General on Sexual Violence in Conflict.

Historical Overview on Recognizing Sexual Violence as an International Crime:

For centuries, sexual violence in conflict was tacitly accepted as an unavoidable part of war. A 1998 UN report on sexual violence and armed conflict notes that historically, armies considered rape one of the legitimate spoils of war. During World War II, all sides of the conflict were accused of mass rapes, yet neither of the two courts set up by the victorious allied countries to prosecute suspected war crimes — in Tokyo and Nuremberg — recognized the crime of sexual violence.

It was not until 1992, in the face of widespread rapes of women in the former Yugoslavia, that the issue came to the attention of the UN Security Council. For the first time ever, the Statute of the International Criminal Tribunal for the former Yugoslavia (ICTY, 1993) included rape as a crime against humanity, alongside other crimes such as torture and extermination, when committed in armed conflict and directed against a civilian population. In 2001, the ICTY became the first international court to find an accused person guilty of rape as a crime against humanity. Furthermore, the Court expanded the definition of slavery as a crime against humanity to include sexual slavery. Previously, forced labor was the only type of slavery to be viewed as a crime against humanity.

The International Criminal Tribunal for Rwanda (ICTR, 1994) also declared rape to be a war crime and a crime against humanity. In 1998, the ICTR became the first international court to find an accused person guilty of rape as a crime of genocide.

The Rome Statute of the International Criminal Court, in force since July 2002, includes rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or "any other form of sexual violence of comparable gravity" as a crime against humanity when it is committed in a widespread or systematic way. Arrest warrants issued by the ICC include several counts of rape as both a war crime and a crime against humanity.

UN Security Council Resolutions Related to Sexual Violence:

- The United Nations Security Council adopted seven resolutions to raise awareness and trigger action against sexual violence in conflict:
- Security Council resolution 1325 (2000) called on Member States to increase the participation of women in the "prevention and resolution of conflicts" and in the "maintenance and promotion of peace and security." It called upon parties involved in armed conflict to abide by international laws that protect the rights of civilian women and girls and to incorporate policies and procedures that protect women from gender-based crimes such as rape and sexual assault.
- Security Council resolution 1820 (2008) called for an end to the use of acts of sexual violence against women and girls as a tactic of war and an end to impunity of the perpetrators. It requested the Secretary-General and the United Nations to provide protection to women and girls in UN-led security endeavors, including refugee camps, and to invite the participation of women in all aspects of the peace process.
- Security Council resolution 1888 (2009) detailed measures to further protect women and children from sexual violence in conflict situations, such as asking the Secretary-General to appoint a special representative to lead and coordinate the UN's work on the issue, to send a team of experts to situations of particular concern, and to mandate peacekeepers to protect women and children.
- Security Council resolution 1889 (2009) reaffirmed resolution 1325, condemned continuing sexual violence against women in conflict situations, and urged UN Member States and civil society to consider the need for protection and empowerment of women and girls, including those associated with armed groups, in post-conflict programming.
- Security Council resolution 1960 (2010) asked the Secretary-General to list those parties credibly suspected of committing or being responsible for patterns of sexual violence in situations on the Council's agenda. It also called for the establishment of monitoring, analysis, and reporting arrangements specific to conflict-related sexual violence.
- Security Council resolution 2106 (2013) aimed to strengthen the monitoring and prevention of sexual violence in conflict.
- Security Council resolution 2122 (2013) reiterated the importance of women's involvement in conflict prevention, resolution and peace-building.