

High-level Open Debate on Conflict-Related Sexual Violence *Turning commitments into compliance*

Friday, 17 July 2020 at 10 am

1. Background and developments

“We must harness the transformative power of women’s leadership, and of amplifying the voices of survivors, to move from resolutions to results.” (S/2020/487)

20 years have passed since the Security Council adopted resolution 1325 (2000). In 2009, the Council established a specific UN mandate to address the scourge of conflict-related sexual violence (CRSV): resolution 1888 recognized CRSV as a violation of the rights of women and girls, a threat to international peace and security and an impediment to achieving gender equality and restoring peace.

Since then, intensified advocacy and action have led to significant normative, institutional and operational progress. Indeed, CRSV has become central to policy discussions about peace, security, civilian protection, and the Rule of Law. Moreover, enhanced documentation, linked with the deployment of Women’s Protection Advisers to the field, has deepened the international community’s understanding of CRSV.

Although many measures have been introduced, major gaps persist – particularly when it comes to accountability, access to justice and redress. This is why we need new decisive action by all stakeholders, including UN, Member States, civil society, activists and peace builders, to empower survivors and to protect their rights, ensure implementation of existing obligations, and improve accountability, prevention and deterrence. We need to address existing structural inequalities, discrimination and gender stereotypes. At the same time, we have to support and empower women as agents of change.

Ensuring a Survivor-Centered Approach

Conflict-related sexual violence remains a brutal reality of war and its aftermath. It contributes to the destruction of societies for decades to come by undercutting social cohesion and dehumanizing targeted groups. While disproportionately affecting women and girls, survivors are not a homogeneous group. Survivors often face discrimination based on factors including gender, ethnicity, disability and sexual orientation, calling for tailor-made and context-specific responses. Resolution 2467 therefore introduced the survivor-centered approach as the centerpiece of all CRSV prevention and response efforts. Any response to sexual violence must prioritize the rights, needs and wishes of survivors.

Timely access to comprehensive, high-quality and non-discriminatory services in conditions of safety and confidentiality is crucial to empower survivors. This includes medical care, sexual and reproductive health and rights, psychosocial support, legal services, access to justice and livelihood support. This enables survivors to engage in political, social and economic life – to become key stakeholders in recovery, reconciliation and development.

Implementing Existing Obligations and Complying with Prevailing Commitments

Resolution 2467 requests the Secretary General to analyze gaps in the implementation of the CRSV agenda. One gap identified was the significant lack of compliance with prevailing commitments. Over 70% of listed state and non-state parties are persistent perpetrators and have appeared in the annex of the Secretary General's annual report for more than five years. Only one party has so far been delisted.

The Secretary General thus recommends strengthening sanctions and targeted measures against those who do not implement existing obligations and commit, command or condone sexual violence. He argues this may increase perceived and actual costs for perpetrators and serve as a deterrent. In this respect, coherence between CRSV and targeted measures sends a clear signal underlining the gravity of these violations. Over the past year, some progress has been made: in the respective Committees, the Security Council listed two individuals for CRSV crimes.

Ensuring Accountability and Access to Justice

Conflict-related sexual violence represents a grave breach of International Humanitarian Law, a violation of human rights, and a crime of international concern under the jurisdiction of the International Criminal Court. Yet, it is still largely 'cost-free' and characterized by staggering rates of impunity. Therefore, accountability remains central in the fight against CRSV.

In each of the 19 countries covered in the Secretary General's annual report, survivors continue to face obstacles when accessing justice. Strengthening the reach and capacity of national institutions is critical to ensure justice for past crimes and prevent future ones. Judicial processes demonstrate that these crimes are not inevitable or collateral, but deliberate and preventable. This encourages more survivors to come forward and seek redress. As set out in Resolution 1888, the UN Team of Experts on the Rule of Law and Sexual Violence in Conflict assists national authorities to strengthen institutional safeguards against impunity for CRSV.

2. Objectives and Scope

The Open Debate will be organized by the German Presidency of the Security Council in collaboration with the Dominican Republic, as joint Co-Chairs of the Informal Expert Group on Women, Peace and Security.

Member States are encouraged to share their experience and assessment on the following questions:

- How can States and the UN protect human rights and address gender inequality as root causes of conflict?
- How can the Security Council ensure a holistic approach with attention to the link between equal and meaningful participation of women in peace processes and the prevention of CRSV?
- How can a survivor-centered approach be effectively implemented, turning 'victims' into empowered 'survivors'? What progress has been made in this respect since the adoption of SCR 2467?
- How can the Security Council better monitor compliance with its own resolutions and act upon breaches thereof? How can it enhance coherence between listing credibly suspected perpetrators and enacting sanctions? How should the international community deal with persistent perpetrators?
- How can women human rights defenders, peace builders and activists operate safely on the ground, and how can the international community protect them better including during the Covid-19 pandemic?
- How can national judicial mechanisms be strengthened to ensure accountability for CRSV? How can the international community support governments that face challenges in investigating and prosecuting CRSV?

3. Format

The Open Debate will be chaired by H.E. Mr. Heiko Maas, German Federal Minister for Foreign Affairs.

Briefers:

- Special Representative of the Secretary-General on Sexual Violence in Conflict, Pramila Patten
- Civil society speaker on behalf of the NGO Working Group on WPS
- Présidente Exécutive, Association des Femmes Juristes de Centrafrique (AFJC), Nadia Carine Therese Fornel-Poutou

Member States who are not currently Members of the Security Council will be able to submit written statements. All written statements that are submitted by 17 July to dppa-scsb3@un.org will be included in a written summary of the Open Debate.