



Mission permanente de la France
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Moving from a Culture of Impunity to a Culture of Deterrence: The Use of Sanctions in Addressing Sexual Violence in Conflict

The missions of the Kingdom of the Netherlands, Côte d'Ivoire, France and Peru will co-host an Arrria meeting of the Security Council on the use of sanctions in addressing sexual violence in conflict on Monday October 22, from 3PM to 5PM in the ECOSOC Chamber.

Background

"Many of the atrocities enumerated in the present report could have been prevented if more had been done, early and collectively. I therefore urge the international community to give that agenda the investment and action it deserves, so as to replace horror with hope." - Secretary-General António Guterres, 27 March 2018

The awarding of the Nobel Peace Prize for Peace to Ms. Nadia Murad and Dr. Dennis Mukwege on October 5 is a further recognition of the violence and injustice perpetrated against women and girls; and of the brutal targeting of the Yazidi people and women's suffering from conflict in the Democratic Republic of the Congo (DRC) in particular. As importantly, it is a call to take decisive action against sexual violence: against ISIS, in the DRC or elsewhere.

A decade ago, the Council adopted the groundbreaking resolution 1820 (2008), which recognized the issue of conflict-related sexual violence as a threat to international peace and security and firmly rooted it on its agenda. OP5 provided for the use of targeted sanctions against the perpetrators of conflict-related sexual violence, which was further amplified and renewed in resolutions 1888 (2009), 1960 (2010), 2106 (2013) and 2242 (2015). That year, the Council included, for the first time, sexual violence as part of the designation criteria in the sanctions regime on the DRC.

In his latest report on Conflict-Related Sexual Violence (S/2018/250), the first recommendation the Secretary-General makes to the Council is "to include sexual violence as part of the designation criteria for sanctions, to ensure that dedicated expertise on gender and conflict-related sexual violence informs the work of sanctions committees and monitoring entities, and to continue to invite the Special Representative on Sexual Violence in Conflict to share information with sanctions committees, as appropriate".

A recent [review](#) by Georgetown University's Institute for Women, Peace and Security of the use by the Council of targeted sanctions to address sexual violence in conflict found that the sanctions tool offers significant — but as yet largely unexploited— potential to advance women's protection from sexual violence in situations of armed conflict. It recommended that the Council systematically and immediately incorporate sexual violence as a stand-alone criterion when adopting new sanctions regimes, and should not hesitate to list perpetrators when there is repeated evidence of their conduct. The review was presented at the French mission to the UN in July 2018. The main conclusion of the meeting was that the Council should resort more to the use of sanctions against targeted perpetrators whenever the criteria exist, and should adopt new criteria where they do not yet exist.

On 27 January 2017, the Council inserted for the first time such a stand-alone criterion in the sanctions regime for the Central African Republic, through OP17(c) of resolution 2339 (2017). Most recently, on 13 July 2018, a similar criterion was included into the sanctions regime for South Sudan, through OP14(e) in resolution 2428 (2018). Ten out of fourteen existing sanctions regimes include text that directly or indirectly refers to sexual violence and hence would – in theory, yet seldom in practice – allow for listing.

The SG's report released last April listed a total of 47 parties credibly suspected of committing or being responsible for patterns of rape or other forms of sexual violence in situations of armed conflict, including twelve state actors (from the DRC, Myanmar, Somalia, the Sudan, South Sudan and the Syrian Arab Republic). Resolution 1960 (2010) expresses the Council's intention to use this list as a basis for more focused United Nations engagement with those parties, including, as appropriate, measures in accordance with the procedures of the relevant sanctions committees. While most parties are potentially covered by existing sanctions regimes, parties from Myanmar and Syria are not.

Objective

The purpose of this Arria formula is for the Council to look at ways to better use sanctions, in support of its pursuit of accountability and as a key element of the prevention of conflict-related sexual violence. It has three objectives.

- First, to take stock of the use of the present sanctions architecture and explore ways to strengthen its response to sexual violence.
- Second, to collect the views of Member States on innovative ways in which the Council could use sanctions in response to listing on the Annex of the SG's annual report. For countries where there is currently no sanctions regime in place, this could include the establishment of a country-specific sanctions regime limited to sexual violence as its single designation criterion.
- Third, to keep the discussion moving forward at the Council, involving incoming members to ensure longer term follow-up.

The meeting will enable both panelists and participants to discuss the following three questions:

1. What could the Council do more to fully exploit the potential of sanctions to deter widespread conflict related sexual violence and to coerce and constrain the individuals involved?
2. How could the Council better use existing sanctions regimes? How could the Council better deliver on its commitment in OP6 of resolution 2242 to ensure that relevant expert panels have the necessary expertise on gender and conflict-related sexual violence?
3. How should the Council take action on the parties listed in the SG's report for sexual violence in conflict, in situations when no sanctions regime has been established?

Panelists

- Ms. Rita Lopidia, Executive Director and Founder of EVE Organization, head of South Sudan Women's Coalition
- H.E. Ms Pramila Patten, Special Representative of the SG on Sexual Violence in Conflict
- Dr. Rebecca Brubaker, Senior Policy Advisor at the Centre for Policy Research at UN University
- Mr. Ruben de Koning, Coordinator of the Panel of Experts on Mali and former Coordinator of the Panel of Experts on the Central African Republic
- Dr. Hans-Jakob Schindler, Senior Director Counter Terrorism Project, former Coordinator ISIL (Da'esh), Al-Qaida and Taliban Monitoring Team

Format

Following introductory remarks by the Chair, abovementioned panelists will deliver presentations. The floor will then be opened for Council Members, starting with the co-hosts. Subsequently, affected countries and incoming Council Members are invited to speak. These countries can indicate their interest by sending an email to liesbeth.mol@minbuza.nl. The speaking time is set to a maximum of 3 minutes.

The Arria will be held in the ECOSOC Chamber and is open for all UN Member States, Permanent Observers, non-governmental organizations and the press. Interpretation will be available in all official languages of the United Nations. This Arria will be broadcast on UN Web TV. Should Member States object to such online coverage, please confer to one of the co-hosts.

Wrap-up

An informal summary of the Arria meeting will be shared with interested parties.