

Women, Peace and Security



Somali journalists demand the release of Abdiiaz Abdirur Ibrahim in Mogadishu on January 27, 2013. Abdiiaz was arrested after reporting on a rape case allegedly involving government soldiers.

2014, No. 2
16 April 2014

This report is available online at securitycouncilreport.org.

For daily insights by SCR on evolving Security Council actions please subscribe to our "What's In Blue" series at whatsinblue.org or follow [@SCRtweets](https://twitter.com/SCRtweets) on Twitter.

This is Security Council Report's fourth *Cross-Cutting Report on Women, Peace and Security*. These reports systematically track the Security Council's work on women, peace and security, highlighting trends that have developed since the matter first emerged as a distinct thematic issue in 2000. The present report covers the period of January to December 2013 and analyses statistical information on women, peace and security in country-specific decisions of the Security Council. It furthermore examines five sanctions regimes as well as the Council-related work of UN Women and the Office of the Special Representative on Sexual Violence in Conflict. It includes reviews of gender expertise in UN missions and the implementation of the zero-tolerance policy on sexual exploitation and abuse by UN personnel. Finally, it also discusses Council dynamics and outlines possible options to improve the Council's effectiveness in this area. The main conclusion of the report is that there has been progress in several areas in 2013 including the adoption of two new

resolutions on women, peace and security, important and substantive references to gender issues in resolutions authorising non-UN peacekeeping missions and a generally more robust inclusion of women, peace and security references across the board in most relevant Council decisions. However, 2013 also saw a retraction in several important areas that could negatively impact the quality of information transmitted to the Council on women, peace and security issues, potentially hampering its capacity to respond to early indications of conflict. There have also been other developments that raise questions about the Council's willingness to grapple consistently with accountability issues. The study also found that there continue to be signs that the Council's focus is less sharp when it comes to the women's participation aspect of this agenda—the overwhelming majority of the new and substantive references to women, peace and security in 2013 Council decisions were protection related. •

Executive Summary

2	Executive Summary
3	Background and Normative Framework
4	Key Developments at the Thematic Level
5	Security Council Activity on Women, Peace and Security
7	“Arria-Formula” Meeting on Women, Peace and Security
7	Field Perspectives from Gender Practitioners in Peacekeeping Operations
9	The Special Representative on Sexual Violence in Conflict
13	UN Women
14	Cross-Cutting Analysis for 2013
14	Resolutions Adopted by the Security Council
18	Presidential Statements Adopted by the Security Council
21	Secretary-General’s Reports on Country-Specific Situations
25	UN Mission Mandates
27	The UN’s Zero-Tolerance Policy
31	Security Council Sanctions Committees
32	Somalia
34	Democratic Republic of the Congo
36	Côte d’Ivoire
37	Sudan
39	Central African Republic
39	Council Dynamics
40	Cross-Cutting Observations and Possible Future Options
42	Key UN Documents on Women, Peace and Security

Security Council Report’s fourth *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 other related developments in 2013.

The report further examines the sanctions regimes imposed on the Central African Republic (CAR), Côte d’Ivoire, the Democratic Republic of Congo (DRC), Somalia and Sudan as examples of 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 study also briefly touches on parallel international justice mechanisms where they exist.

The report reviews the Council’s inclusion of language on the UN’s zero-tolerance policy on sexual exploitation and sexual misconduct for UN personnel in resolutions establishing or renewing mandates for UN missions, as well as in one case of the Council authorising the AU-led mission in Somalia, AMISOM.

The past three years have been a time of particular divisions in the Council, with significant push-back by several permanent and elected Council members on key thematic issues including on women, peace and security. There have been repeated calls by some Council members for the Secretary-General’s reporting on women, peace and security, particularly on sexual violence, to have a narrower focus and only include countries that are on the Security Council’s agenda.

Despite this controversy, in 2013 the Council adopted two new resolutions on women, peace and security that codified many practical and concrete ways the agenda can be implemented. Resolution 2106 focused on accountability for perpetrators of sexual violence in conflict while resolution 2122 addressed the persistent gaps in the implementation of the women, peace and security agenda and the Council made several commitments to improve its own work in this area.

Further, the women, peace and security agenda continued to be included in Council decisions across the board in 2013. An important development was substantive language in resolutions authorising two non-UN led peacekeeping missions—MISCA in the CAR and AMISOM in Somalia, in part a

reflection of the Secretary-General’s publishing in March 2013 of the human rights due diligence policy on UN support to non-UN security forces. And there were also new references to women, peace and security in other thematic resolutions on counter-terrorism, peacekeeping and small arms that were adopted in 2013.

However, the overarching observation of this study is that 2013 also saw a retraction in several important areas with the potential to negatively impact the quality of information transmitted to the Council and its capacity to respond to early indications of conflict which raise serious questions about the Council’s willingness to grapple consistently with accountability issues.

Over the course of the past three years China and Russia—along with some elected Council members—have argued that the scope of the reporting on women, peace and security should be more narrowly focused and should not include situations that in their view do not constitute threats to international peace and security. The constant pushback seems to have yielded the desired result and a trend that emerged in 2012 was consolidated in 2013—in that language in women, peace and security outcomes now consistently refer to “armed conflict and post-conflict situations” rather than the more general “conflict”. This dynamic has now extended to the Secretary-General’s 2014 report on conflict-related sexual violence (which covers the calendar year 2013). Previous reports included countries that were not armed conflict or post-conflict situations in what is now the discontinued category of “other situations of concern”.

In 2013 the Council focused on accountability for sexual violence in resolution 2106 and the Special Representative on Sexual Violence in Conflict reflected a similar focus in her briefings to the Council as well as in her press releases. However, despite the higher degree of rhetorical focus on accountability in 2013, the dedicated section on accountability was dropped in the Secretary-General’s 2014 sexual violence report along with its accountability-specific recommendation to the Council, including ICC referrals.

Finally, while the Council did increase its calls for the deployment of women protection advisers in seven missions there were only two corresponding calls for the implementation of the monitoring, analysis and reporting

Executive Summary (con't)

arrangements for tracking sexual violence—seen by some Council members as crucial to gather information to keep the Council better apprised of women's protection issues and capable of providing early warning of conflict.

The study also found that there continue to be worrying signs that the Council's focus is less sharp when it comes to the women's participation aspect of this agenda—the overwhelming majority of the new and

substantive references to women, peace and security in 2013 decisions by the Council were protection related.

The study also revealed continuing inconsistency of the Council in including a reference to the UN's zero-tolerance policy when establishing or renewing the mandates of UN operations.

Regarding sanctions, the Council's work in 2013 was largely without new developments

when considering sexual violence or rape as designation criteria in various sanctions regimes as a tool to enhance accountability. However, the CAR proved to be the exception with the Council expressing the intent to impose targeted measures for sexual violence in December 2013 and followed through with that intent in January 2014.

Background and Normative Framework

Since the adoption of resolution 1325 on 31 October 2000, the Security Council has established a broad spectrum of norms on women, peace and security addressing issues ranging from increasing women's participation in all aspects of action and decision-making relevant to peace and security to highlighting women's rights and the importance of protecting women as a vulnerable subset of broader civilian-protection considerations. 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 UN 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 issue 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.

Following the adoption of resolution 1325 it would be nearly eight years before the Council would substantively address the issue again. Between 2008 and 2010 the Council had an astounding level of normative activity on the women, peace and security agenda and adopted resolutions 1820, 1888, 1889 and 1960 addressing a range of issues such as women's protection and empowerment in

post-conflict situations and sexual violence in conflict including monitoring arrangements for such violations.

In 2013 the Council adopted two new resolutions on this thematic issue. Resolution 2106 focuses on accountability for perpetrators of sexual violence in conflict and stresses women's political and economic empowerment. Resolution 2122 addressed the persistent gaps in the implementation of the women, peace and security agenda.

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 stressed 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.

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 could be an act of genocide if certain conditions are met. 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 on 19 June 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 stressed the need 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

Background and Normative Framework (con't)

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 expanding Security Council sanctions regimes to include sexual violence as designation criterion 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.

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 with those parties, including, as appropriate, measures in accordance with the procedures of the relevant sanctions committees". The Council reiterated 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.

Resolution 2106 (2013)

Resolution 2106 was adopted on 24 June 2013 and addressed impunity and effective justice for crimes of sexual violence in conflict. It highlighted that states bear the primary responsibility to protect civilians but also drew attention to the range of sexual violence offences in the Rome Statute of the International Criminal Court (ICC) and the statutes of the ad hoc international criminal tribunals. The resolution linked national

responsibility to address sexual violence and women's political and economic empowerment as central to long-term prevention strategies. It also explicitly called for addressing sexual violence concerns in disarmament, demobilisation and reintegration processes; security sector reform processes and in justice sector reform initiatives.

Resolution 2122 (2013)

Resolution 2122 was adopted on 18 October 2013 to address the persistent gaps in the implementation of the women, peace and security agenda. This was the first resolution since resolution 1325 (2000), that substantially addressed the participation aspects of the women, peace and security agenda as the five resolutions adopted on this thematic issue since 2000 largely focused on sexual violence in conflict and other protection aspects of the agenda.

This resolution recognised that the Security Council needed to receive better information on implementation of this aspect of the agenda to improve its own work. The resolution requested:

- more regular briefings by the Executive Director of UN Women;
- that UN officials, in particular Special Envoys, Special Representatives and the Department of Political Affairs and the Department of Peacekeeping Operations, include information on women, peace and security in their briefings and reports to the Council;
- commissions of inquiry to report on gender-specific elements of conflict; and
- the Secretary-General to undertake a global study ahead of the High-Level 2015 Review to assess progress at the global, regional and national levels in implementing resolution 1325.

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 2013 including: the resolutions adopted in connection with the annual open debates on the implementation of resolution 1325 and the

open debate on sexual violence; the twelfth report of the Secretary-General on women peace and security and the second report on conflict-related sexual violence; Security Council engagement with the Special Representative for Sexual Violence in Conflict and

Key Developments at the Thematic Level (con't)

UN Women; and other Council engagement with the women, peace and security agenda such as in “Arria-formula” meetings or during Council visiting missions.

Security Council Activity on Women, Peace and Security

Open Debate on the Secretary-General’s Report on Sexual Violence in Conflict

On 17 April 2013, the Security Council held an open debate on women, peace and security to consider the Secretary-General’s annual report on sexual violence in conflict (S/2013/149) following a briefing by the Secretary-General and Zainab Bangura, his Special Representative on the issue. In addition, Saran Keita Diakité—the head of the Mali chapter of the Women, Peace and Security Network of the ECOWAS region—spoke on behalf of the New York-based NGO Working Group on Women, Peace and Security. Louise Mushikiwabo, the Foreign Minister of Rwanda which held the Council presidency in April, presided over the debate in which 41 member states, in addition to Council members, participated (S/PV.6948).

Bangura highlighted several emerging concerns presented in the 2013 report on sexual violence in conflict, such as sexual violence against men and boys, particularly in the context of detention; the practice of forced marriage to members of 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 (SSR and DDR). 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).

Compared with the 2012 Secretary-General’s report (S/2012/33), three situations

were added (Afghanistan, Mali and Yemen) and two were dropped (Chad and Egypt). The category of sexual violence in the context of elections, political strife or civil unrest that was part of the 2012 report was removed.

As in 2012, the 2013 report also had an annex of those credibly suspected of committing or being responsible for rape or other forms of sexual violence in situations of armed conflict on the Council’s agenda. The annex had three significant additions: the Syrian government forces and their allied militia, the Shabbiha; the Séléka rebels in the CAR; and several armed groups in Mali. There were also additions under the existing DRC listing, such as the national police, the March 23 (M23) rebels and several more Mai-Mai groups in the Kivus.

Bangura also updated the Council on her trips to the CAR in December 2012, the DRC in late March 2013, Somalia in early April 2013 and the G8 ministerial meeting in London in mid-April 2013 where foreign ministers highlighted the need to address impunity and hold perpetrators to account for acts of sexual violence in armed conflict.

There was no outcome following the open debate, however, it served as a starting point for discussions on resolution 2106 that was adopted on 24 June 2013.

Open Debate on Sexual Violence in Conflict and Resolution 2106

On 24 June 2013, at the initiative of the UK, president of the Council in June, the Security Council held a ministerial-level open debate on women, peace and security with a focus on sexual violence in conflict (S/PV.6984). UK Foreign Secretary William Hague presided and the Secretary-General and Special Representative Bangura briefed. Jane Anywar, a lawyer from Uganda, spoke on behalf of the Women’s Initiatives for Gender Justice based at The Hague and Angelina Jolie, Special Envoy of the UN High Commissioner for Refugees, also addressed the Council.

Fifty-nine member states, in addition to Council members, participated in the open debate that focused on addressing impunity and effective justice for crimes of sexual violence in conflict. There was also discussion of different restorative and punitive justice mechanisms; the incentives and disincentives of international judicial mechanisms versus national justice systems; and how the

Council could best support Bangura’s work on accountability issues.

The same day the Council adopted resolution 2106 with 46 member states as co-sponsors. The adoption of the resolution followed two weeks of difficult and protracted negotiations. The main point of contention was language related to the mandate of the Special Representative to interact with non-state actors. These concerns were raised primarily by Azerbaijan, China, Pakistan and Russia and echoed issues raised during the negotiations earlier that month on a 17 June 2013 presidential statement on children and armed conflict (S/PRST/2013/8).

Like in the children and armed conflict negotiations, the issue of communicating with non-state actors was particularly sensitive. It is possible that the issue became even more controversial in the women, peace and security context since the 2013 report on sexual violence in conflict included the Syrian government forces, including the Syrian Armed Forces, the intelligence forces and the Shabbiha militia (but not the armed opposition groups) on the list of parties credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence. Azerbaijan, China, Pakistan and Russia apparently wanted language stressing that any contact with non-state parties needed to be made with the consent of the concerned government and at the request of these governments. However, for some of the other members—in particular Argentina, Australia, France, Guatemala, Luxembourg, the UK and the US—this would be a restriction that would make it difficult for the Special Representative to carry out her mandate and was strongly rejected.

Another issue was the use of “conflict-related sexual violence” versus “sexual violence in armed conflict and post-conflict situations”. The distinction is subtle but significant. Azerbaijan, China, Pakistan and Russia expressed significant concerns that the term “conflict-related sexual violence” was too broad, resulting in reporting by the Secretary-General on situations that arguably do not constitute threats to international peace and security and therefore are outside the purview of the Security Council. Whereas the term “sexual violence in armed conflict and post-conflict situations” indicated reporting should be only on situations where security is

Key Developments at the Thematic Level (con't)

a concern. There is no reference to “broader” conflict-related sexual violence in resolution 2106 and the latter, narrower term was used throughout. This has been an ongoing issue and was prominent in relation to the 2012 report on sexual violence as well.

This issue reflects a fundamental and increasingly entrenched disagreement among Council members over both what is within the purview of the Council and what is within the scope of the Secretary-General’s reporting mandate. In June 2013, several other draft texts were similarly affected by such pushback. During negotiations on a draft presidential statement in the lead up to the 19 June open debate on conflict prevention and natural resources, China and Russia sought to explicitly limit the focus of the text to “countries in armed conflict and post-conflict situations that pose a threat to international peace and security”. In the end consensus was not reached and the draft was not adopted. This issue of whether situations that are not specifically armed conflict or post-conflict should be brought before the Council was also raised during the negotiations on the 17 June children and armed conflict presidential statement.

References to the ICC were a sensitive issue as well during negotiations on resolution 2106 on women, peace and security. In 2013, Rwanda also objected to such references in the 15 April presidential statement on prevention of conflicts in Africa (S/PRST/2013/4) and the 17 June presidential statement on children and armed conflict.

Despite difficult negotiations over these fundamental issues, resolution 2106 included several elements which many Council members view as strengthening the women, peace and security agenda.

In particular, in recent years there has been an increasing concern among member states and civil society that the Council has been too focused on the protection aspects of the women, peace and security agenda to the detriment of the participation aspects. Resolution 2106 includes a reference to women’s political and economic empowerment as central to the long-term prevention of sexual violence. It also highlights the need for issues of sexual violence to be addressed in mediation efforts, peace agreements, cease-fire agreements, security arrangements and transitional justice mechanisms.

Striving to be more systematic in its

approach to this thematic issue, the Council in resolution 2106 acknowledges the need for better monitoring of women, peace and security commitments when establishing or reviewing missions; issuing public statements; in terms of reference for visiting missions; in commissions of inquiry; and in the work of its sanctions committees.

It also explicitly references the need for effective participation of women, particularly to address sexual violence concerns in disarmament, demobilisation and reintegration processes; security sector reform processes; and in justice sector reform initiatives. There is also strong language on the importance of providing timely assistance to survivors of sexual violence, including sexual and reproductive health, psychosocial, legal and livelihood support and other multi-sectoral services.

Finally, as resolution 2106 requests future annual reports from the Secretary-General, there is no longer a need for a resolution or a presidential statement to request each report separately.

Annual Open Debate on Women, Peace and Security and Resolution 2122

On 18 October 2013, the Council held its annual open debate on women, peace and security with a focus on women, rule of law and transitional justice in conflict-affected situations (S/PV.7044). The Secretary-General, Executive Director of UN Women Phumzile Mlambo-Ngcuka and UN High Commissioner for Human Rights Navi Pillay briefed. Brigitte Balipou, founder of the Association of Women Jurists of the Central African Republic, spoke on behalf of the NGO Working Group on Women, Peace and Security. Fifty-eight member states, in addition to Council members, as well as representatives of the AU, EU, NATO and the OSCE participated.

This was Mlambo-Ngcuka’s first briefing to the Council following her appointment on 19 August 2013 as the new Executive Director of UN Women, replacing Michelle Bachelet, who had stepped down earlier in the year. She presented the Secretary-General’s annual report on the implementation of resolution 1325 (S/2013/525). The report noted the increased attention from the international community to sexual violence in conflict and called for greater attention to the full spectrum of threats faced by women and girls. The report also highlighted that

despite the emergence of improved practices in the implementation of resolution 1325, there remained a deficit in opportunities for women to exercise leadership and there was continued underrepresentation of women in conflict prevention, conflict resolution, protection and peacebuilding processes. As for the Council, the report identified a gap in that linkages between security and women’s participation are often not made.

Resolution 2122 was adopted the same day. It was the first resolution since resolution 1325, adopted in 2000, that substantially addresses the participation aspects of the women, peace and security agenda. The five resolutions adopted on this thematic issue in the interim largely focused on sexual violence in conflict and other protection aspects of the agenda. The resolution highlighted and strengthened language regarding gender equality, women’s participation at all levels of decision-making and women’s access to justice as critical to peace and security. It also recognised women’s economic empowerment as a foundation of post-conflict stability and addressed a broad range of human rights violations against women beyond sexual violence, such as unequal citizenship rights.

Resolution 2122 provides a strong framework for the Council to take action on women’s participation and leadership and to more systematically implement this thematic agenda in its own work. The resolution requested:

- more regular briefings by the Executive Director of UN Women;
- UN officials, in particular special representatives and the Department of Political Affairs and the Department of Peacekeeping Operations, to include information on women, peace and security in their briefings and reports to the Council;
- UN envoys to invite women to participate in conflict resolution processes and report to the Council on progress made in this regard;
- commissions of inquiry to report on gender-specific elements of conflict;
- the Council to undertake a visiting mission dedicated to women, peace and security in 2014; and
- the Secretary-General to undertake a global study ahead of the High-Level 2015 Review to assess progress at the global, regional and national levels in implementing resolution 1325.

Key Developments at the Thematic Level (con't)

The negotiations leading up to the adoption of resolution 2122 were lengthy due to the broad scope of the draft. One of the main sticking points echoed the negotiations of resolution 2106 in that there was a push to ensure that language in resolution 2122—despite the universal applicability of the women, peace and security agenda—reflected that situations that do not constitute threats to international peace and security were outside the purview of the Security Council. This was achieved by referring to “armed conflict and post-conflict situations” rather than the more general “conflict”—very similar to the compromise language reached in resolution 2106. Resolution 2122 also recognised the Council’s need for improved gender analysis but during negotiations the language was tightened to specify “situations of concern on the Council’s agenda.” This has been an ongoing dynamic for several years in the Council with China, Pakistan and Russia at the forefront of consistently arguing for a more narrow interpretation of both the women, peace and security and the children and armed conflict agendas as it applies to the Council’s own work.

Two other important areas were omitted from the final text of resolution 2122. References to the need for gender advisers and women protection advisers to monitor human rights abuses in UN missions were dropped during negotiations. Also excluded, apparently due to objections from troop-contributing countries (TCCs), was a reference to the importance of TCCs adequately vetting armed forces to exclude perpetrators of past human rights violations. This was an issue that came up with regard to the troops deployed by Chad in the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) as Chad was on the Secretary-General’s lists for having recruited child soldiers. (Chad had been elected the day before the adoption of resolution 2122 to serve as a member of the Security Council in 2014 and 2015.)

Despite long negotiations to tighten the scope of resolution 2122, Council members were broadly supportive of the spirit of the resolution which provides a strong framework for the Council to take action on women’s participation and leadership and to more systematically implement this thematic agenda in its own work.

As discussed above, resolution 2122 sets out an operational framework aimed

at improving the quality of gender analysis received by the Council in briefings and reports on country-specific situations, results of investigations by UN-established commissions of inquiry and in other thematic areas such as post-conflict peacebuilding, protection of civilians and the rule of law. It reiterates the Council’s intention to take into account a gender perspective when establishing and renewing political and peacekeeping mandates, requests the leadership of UN missions to regularly assess security threats faced by women and girls and consult with women’s civil society groups on the ground. It also requests the Secretary-General to make gender expertise available to UN mediation teams to support peace talks and peacebuilding processes.

“Arria-Formula” Meeting 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 was one such meeting on women, peace and security in 2013.

Field Perspectives from Gender Practitioners in Peacekeeping Operations

Building on the 18 May 2012 closed-“Arria-formula” meeting between Council members and gender advisers, Council members Australia and Guatemala organised an open “Arria-formula” meeting, in cooperation with DPKO, a year later. The focus of the 17 May 2013 meeting was to hear from gender advisers and women protection advisers about on their progress and challenges in implementing the women, peace and security agenda in peacekeeping operations.

Panelists included Under-Secretary-General for Peacekeeping Hervé Ladsous; Gaynel Curry, the first women protection adviser ever deployed and who served in the UN Mission in South Sudan (UNMISS); Elsie Effange-Mbella, a senior gender adviser in the UN Stabilisation Mission in the DRC (MONUSCO); and Lucien LeClair, a police adviser for the UN Stabilisation Mission in Haiti (MINUSTAH).

A key priority of the meeting was to take advantage of the presence of MONUSCO’s senior gender adviser and a former women

protection adviser from UNMISS to clearly demonstrate to Council members how the two fulfil different roles and how both add value to peacekeeping operations. (Gender advisers are responsible for integrating a gender perspective into all aspects of a peacekeeping mission. Women protection advisers have a specific mandate to address conflict-related sexual violence.)

Ladsous focused on DPKO’s mandate to protect and empower women and girls through its peacekeeping operations. He also discussed DPKO’s deployment of gender advisers and women protection advisers in the field. A significant majority of peacekeeping and political missions have gender advisers but by May 2013 only UNMISS had women protection advisers.

Curry was the first women protection adviser ever deployed and she discussed what that role entails and explained how UNMISS could be used as an operational model for such expertise in other peacekeeping operations. Effange-Mbella, in addition to clarifying what a gender adviser does, commented on her specific role in MONUSCO in the context of the recent authorisation of an intervention brigade and the transfer of some MONUSCO tasks to the UN Country Team. LeClair focused on his experience as a police adviser for MINUSTAH’s sexual and gender based violence team and the mission’s activities related to security sector reform, training and capacity-building of the Haitian National Police.

Several member states who participated in the meeting acknowledged the Council’s progress in strengthening gender expertise language in resolutions establishing or renewing mandates for peacekeeping or political missions. However, many questions were raised about how these mandates are implemented on the ground, in particular in regards to MINUSMA. Resolution 2100 called for the deployment of women protection advisers as part of MINUSMA’s mandate, but several participants pointed out that it was unclear whether the envisioned gender expertise for the mission would have direct access to the mission’s senior leadership in order to feed a gender perspective into mission activities such as political and civil affairs, electoral assistance, human rights, rule of law and security institutions—all of which are relevant to the broader women, peace and security agenda.

Key Developments at the Thematic Level (con't)

Council members supportive of the women, peace and security agenda noted that convening “Arria-formula” meetings featuring gender practitioners from the field in both 2012 and 2013 might consolidate into an annual practice.

Council Visiting Missions in 2013

Resolution 1888 expressed the Council’s intention to garner women’s perspectives during its periodic field visits to conflict areas. Resolution 2122 expressed the Council’s intent to focus one of its periodic field visits on women, peace and security in advance of the 2015 High-Level Review—however, at press time no concrete plans for such a mission had been actively discussed.

The Council undertook two visiting missions in 2013, to Yemen and the Great Lakes Region and Addis Ababa. Below, we examined the terms of reference for each trip, the stakeholders with whom the Council met and subsequent reporting back to the Council.

Yemen

The Council visited Yemen’s capital, Sana’a, on 27 January 2013; the mission was co-led by Morocco and the UK and included the participation of 14 Council members. (The US was represented on the visiting mission by its ambassador to Yemen.) This was the first Council visiting mission to Yemen.

Council members met with President Abdrabuh Mansour Hadi, parliamentarians, civil society and Gulf Cooperation Council members to demonstrate support for Yemen’s stability, warning against spoilers and stressing that the Council stands ready to take measures against those seeking to derail the political transition process.

There were no references to women, peace and security in either the terms of reference (S/2013/61) or in the briefing back to the Council on the visit (S/PV.6916). This seems a missed opportunity as there could have easily been a discussion of gender in the main components of the visit’s agenda that included a review of the National Dialogue Conference, working towards elections, restructuring of the security and armed forces, ending all armed conflicts and addressing the economic as well as the humanitarian situation.

There were a few cursory references to the women, peace and security agenda in

the written report of the visiting mission (S/2013/173), including:

- women’s and girls’ access to reproductive health care;
- women’s participation in the National Dialogue Conference; and
- the discussion of women’s rights in the National Dialogue Conference.

However, the written reports are largely for the record and not used as a basis for Council discussion. The women, peace and security agenda did not figure prominently, if at all, in this visit as evidenced by its absence in the terms of reference, no discernible meetings with women leaders or civil society while in Yemen, no discussion during the briefing on the visit and only limited references in the written report.

The Great Lakes Region and Addis Ababa

The Council conducted a visiting mission to the Great Lakes Region and Addis Ababa from 4-8 October 2013 that included the participation of all 15 Council members, most at the permanent representative level. France and Morocco co-led on the DRC leg of the mission; the US on the Rwanda leg; the UK on the Uganda leg; and Azerbaijan and Rwanda on the Addis Ababa leg.

Some issues pertinent to the women, peace and security agenda were included in the terms of reference (S/2013/579), particularly in relation to the DRC, including:

- to address the issue of sexual violence and stress that the participation of women is essential to any long-term prevention and protection response;
- to ensure the full participation of women in conflict resolution and peace processes; and
- to recognise the need for comprehensive security sector reform, in particular with regard to the screening and vetting of troops integrated in the DRC armed forces.

While in Kinshasa, high on the agenda was the issue of the Kampala talks—the Ugandan-mediated talks between the DRC and the M23. The DRC stressed that in any agreement, amnesty should not be granted to M23 members who have committed serious crimes. This call was echoed by Council members, adding that there were clear lessons from the past about the consequences of integrating armed groups into the national

security structures without rigorous vetting and that such mistakes cannot be repeated. (This is in reference to the fact that the M23 is comprised of former rebel units which had previously been integrated into the DRC army, the *Forces Armées de la République Démocratique du Congo* [FARDC].)

Issues of government accountability were also raised by Council members in discussions with the ministries of the interior, defense and justice. Council members asked about the government’s follow-up to the human rights violations, including sexual violence, perpetrated by FARDC soldiers and M23 combatants from late 2012 in the Kivus and expressed concern with the limited judicial follow through and what appeared to be delays in the cases of FARDC involvement.

While in Goma, Council members attended a round table discussion with NGOs working on child protection issues and on sexual violence in conflict. Council members were told that the widespread insecurity and gross violations of human rights caused by foreign and national armed groups could not be understated. A clear message from these groups to Council members was the need to fight impunity as a priority. Civil society representatives also expressed scepticism that the DRC would be able to deliver accountability to victims through an impartial and effective judicial system.

Council members also toured a camp in Goma for the internally displaced where they met with women leaders of the community. It was an emotional exchange with the women describing their displacement, deaths of family members and their own experiences of sexual violence at the hands of armed groups. The women in the group had harsh words for Rwanda and the M23’s responsibility for such violations in the region, including continuous shelling of their camp.

Despite the fact that the Council included the women, peace and security agenda in the terms of reference and engaged in discussions with high-level officials on accountability issues for sexual violence and received clear messages from civil society on these issues, there was no substantial discussion of these messages in New York during the Council’s briefing on the visiting mission (S/PV.7045).

There was no written report on the visiting mission available at time of writing.

Key Developments at the Thematic Level (con't)

The Special Representative on Sexual Violence in Conflict

The current Special Representative, Zainab Hawa Bangura (Sierra Leone), took up her post in September 2012. The Office of the Special Representative has established a six-point agenda, including 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; advocating a coordinated international response for victims of sexual violence; and fostering national ownership, leadership and responsibility for addressing sexual violence. The office has 12 priority countries: Bosnia and Herzegovina, CAR, Colombia, Côte d'Ivoire, DRC, Liberia, Libya, Mali, Somalia, South Sudan, Sudan and Syria. Four of these priority countries were added in 2013: Libya, Mali, Somalia and Syria.

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 its agenda; updating the Council on progress with the monitoring, analysis and reporting arrangements (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, joint communiqués 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. In 2013, Bangura briefed Council members on two such country-specific situations—the CAR and Syria.

Central African Republic

Bangura visited the CAR from 5-12 December 2012, her first field visit in her capacity as Special Representative. (The Seleka rebels took up arms on 10 December 2012.) 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 a joint communiqué with the government to fight impunity for crimes of sexual violence and to protect vulnerable persons from sexual violence. The second was an agreement with a steering committee—comprised of representatives of the government, armed groups and the UN—that required armed groups to immediately release women and children and commitments for command instructions that sexual violence should not be committed. In a 4 January 2013 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 (S/PV.6899) along with the head of the UN Integrated Peacebuilding Office in the CAR (BINUCA). 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 stressed women's participation in peacebuilding, welcomed the 12 December 2012 agreements on conflict-related sexual violence, called on all parties in the CAR to issue clear orders regarding sexual violence and facilitate victims' access to services. It also specifically welcomed the efforts of the Special Representative to address sexual violence in the country.

The resolution also called for the full implementation of the ceasefire. As Bangura told the Council during the 11 January briefing, this ceasefire included a prohibition on sexual violence as a condition of the ceasefire agreement. Unfortunately, this ceasefire agreement did not hold. Nevertheless, 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 when CAR participates in any post-conflict process.

The situation in the CAR continued to dramatically deteriorate in 2013. Seleka rebels seized the capital Bangui on 24 March and violations of international humanitarian law and human rights violations became widespread with the humanitarian situation becoming increasingly dire. In response, the Council adopted resolution 2121 in October, reinforcing BINUCA's mandate and calling upon the parties in the CAR to engage with the Special Representative.

On 5 December, the Council adopted resolution 2127, authorising the deployment of an African-led International Support Mission in the CAR (MISCA), and reiterated the call for all parties to engage with the Special Representative. The resolution also established an arms embargo and a sanctions committee and expressed intent to impose targeted measures against those undermining peace and security, including by engaging in acts of sexual violence. Further, it asked the Secretary-General to undertake the necessary preparations for the possible transformation of MISCA into a UN peacekeeping operation—negotiations of a resolution to do just that had begun at time of writing. As part of those arrangements, between 17-21 December, a senior staff member from the Special Representative's Office undertook a joint visit along with the Special Representative for Children and Armed Conflict and the Special Adviser on the Prevention of Genocide.

On 22 January 2014, the Council had a briefing on the human rights and humanitarian situation in the CAR (S/PV.7098). Bangura was one of the briefers and she reported that between January and November 2013, the UN had recorded at least 4,530 cases of sexual violence perpetrated by armed men, with more assaults reported during December's attacks in Bangui. Later that month on 28 January, the Council adopted resolution 2134 renewing BINUCA's mandate, imposing targeted sanctions that included sexual violence as part of the designation criteria—the third sanctions regime to do so following those related to the DRC and Somalia.

The Office of the Special Representative has been consistently engaged in the CAR, and Bangura was one of the first high-level UN officials to draw the Council's attention to the recent conflagration of events there. Such focus has likely been a factor in the significant expansion of women, peace and security

Key Developments at the Thematic Level (con't)

references in resolutions 2088, 2121, 2127 and 2134, all adopted between January 2013 and January 2014. (The full gender content of these resolutions will be further discussed in a later section of this report, see page 14.)

Syria

On 27 February 2013, Bangura briefed Council members in consultations—along with Under-Secretary-General for Humanitarian Affairs Valerie Amos and 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. 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. 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.

On 18 April 2013, the Council held a briefing on the humanitarian situation in Syria where Bangura briefed, again alongside Amos and Guterres as well as the Special Representative on Children and Armed Conflict Leila Zerrougui (S/PV.6949). Bangura reiterated the points raised in February and reported further that Syrian refugees cited rape or the fear of rape by armed men as one of the main reasons why women and girls flee conflict-affected cities. She stressed that the systematic practice of sexual violence in detention as part of an organised policy against women, men and even children was appalling. She also highlighted the findings on Syria from the 14 March 2013 Secretary-General's report on sexual violence in conflict (S/2013/149) that she had briefed the Council on the previous day (S/PV.6948). In that report, Syrian government forces and the Shabbiha were added to the annex listing parties credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence.

Consultations followed the briefing, after which the Council read out agreed “elements to the press” largely focused on humanitarian

access but which also strongly condemned incidents of sexual violence. This condemnation was repeated in the 2 October 2013 presidential statement on humanitarian access (S/PRST/2013/15).

These two acknowledgments of the sexual violence dimension of the Syrian conflict stand in contrast to reactions to a similar set of issues in the CAR. The divisive Council dynamics on Syria have prevented any concrete action on human rights violations broadly, let alone sexual violence specifically.

The 1960 MARA Arrangements and Women Protection Advisers

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 group in the annexes of the children and armed conflict annual reports. This brought into focus the need to track violations against women and girls in a similarly efficient way.

Resolution 1960 established the monitoring, analysis and reporting arrangements (MARA) 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. Another 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.

In April 2013 there was interest among some Council members to formulate a mechanism to systematically use the MARA—in particular to more fully realise its potential as an early warning indicator of conflict and to track commitments by parties to armed conflict. However, it seems the idea failed to take root. It is telling that in resolution 2106, adopted two months later in June, there was only one specific reference to the MARA to request the accelerated implementation of the monitoring arrangement “as appropriate” in armed conflict and post-conflict situations. Council members' wariness about institutionalising the MARA is also demonstrated by the fact that they were only specifically referenced in two country-specific resolutions in

2013: resolution 2109 renewing UNMISS in South Sudan and in resolution 2098 renewing MONUSCO in the DRC. Arguably, the MARA should have also been referenced in relation to UN missions in Afghanistan, the CAR, Côte d'Ivoire, Darfur, Iraq, Liberia, Libya, Mali and Somalia.

The role of women protection advisers in the MARA reporting process is central. Such an adviser is to work with the head of mission, with other units such as human rights or protection clusters, and in coordination with other UN actors, to strengthen the mission's response to conflict-related sexual violence. 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.

The addition of women's protection advisers in peacekeeping missions was welcomed in resolutions 1888 and 1960. More recently, while resolution 2106 did not deliver a MARA mechanism, it did specifically call for the further deployment of women protection advisers and the need for the Council to continue to assess whether additional advisers are needed when planning and reviewing political and peacekeeping missions.

In 2013, in addition to resolution 2106, the Council also specifically called for women protection advisers when it:

- adopted resolution 2086 on a multidimensional approach to peacekeeping;
- renewed MONUSCO in the DRC in resolution 2098;
- established UNSOM in Somalia in resolution 2102;
- renewed UNMISS in South Sudan in resolution 2109;
- established the MINUSMA mandate in Mali in resolution 2100;
- renewed UNOCI in Côte d'Ivoire in resolution 2112;
- renewed UNAMID in Darfur in resolution 2113; and
- renewed BINUCA in the CAR in resolution 2121.

However, despite the reinforced call for women protection advisers in both thematic and country-specific resolutions, like in 2012, there seems to have been continued reluctance by the Secretariat in 2013 to create new posts and by heads of missions to include such staffing as part of their regular budget.

Key Developments at the Thematic Level (con't)

Currently, only three missions have women protection advisers as part of their regular budget—UNMISS (9 advisers), MINUSMA (1 adviser) and UNSOM (1 adviser). However, temporary catalytic funding was provided by UN Action Against Sexual Violence in Conflict for the deployment of women protection advisers in 2013 to MONUSCO (1 adviser) and UNOCI (1 adviser). (UN Action unites the work of 13 UN entities with the goal of ending sexual violence in conflict. The entities are: UNICEF, UN Women, UNFPA, WHO, UNAIDS, UNHCR, OHCHR, OCHA, PBSO, DPKO, UNODC, UNDP and DPA.)

Implementation of the MARA clearly hinges on women's protection advisers, but given their limited deployment and the lack of resources—beyond the small numbers and temporary funding identified above—it is unclear how reporting will proceed in any comprehensive and sustainable manner. Under these circumstances, the Council may wish to continue to unambiguously request the deployment of women protection advisers in greater numbers to all relevant missions and follow-up on such requests with the heads of missions.

The 2013 report on sexual violence in armed conflict specifically recommended women protection advisers should be considered a requirement for UN missions in Libya, Mali, Somalia and Syria. While advisers were deployed to MINUSMA and UNSOM, it seems the Council did not heed the call in the case of UNSMIL in Libya. (The mission in Syria withdrew in August 2013.)

Interactions with Sanctions Committees and Expert Groups

Since 2011, the Special Representative's Office has had interactions of various types with at least four of Security Council sanctions committees or expert groups assisting the committees: on Côte d'Ivoire, DRC, Sudan and Somalia. However, it seems in 2013 there were no such interactions. (Such engagement is difficult to systematically track as 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 resolutions renewing the sanctions and the mandate of the Group of Experts. Resolutions 1980 (2011), 2045 (2012) and 2101 (2013) recalled resolution 1960 and

welcomed information-sharing between the Special Representative for Sexual Violence in Conflict and the 1572 Côte d'Ivoire Sanctions Committee.

In the case of the DRC, in 2011 the Special Representative briefed the 1533 DRC Sanctions Committee on incidents of mass rapes.

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.

Similarly, in the case of Somalia, the Office of the Special Representative has in the past helped to identify a consultant with gender expertise for the Monitoring Group assisting the 751-1907 Somalia-Eritrea Sanctions Committee.

2014 Report of the Secretary-General on Conflict-Related Sexual Violence

At press time, an open debate was expected in April 2014 to discuss the Secretary-General's third report on conflict-related sexual violence (S/2014/181). The title of the 2014 report is the same as the 2012 title, but slightly different from 2013. In 2013 the report was on "sexual violence in conflict" while the titles for the 2012 and 2014 reports are "conflict-related sexual violence". As discussed earlier in this report, 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" used in 2013 narrowed the reporting to situations where security is a concern. The change in 2014 back to "conflict-related" sexual violence title seems to reflect a compromise possibly detrimental to the scope of the Secretary-General's reporting. The report will retain the title, ostensibly with broader reporting implications. However, the section of the report where such situations would be brought to the attention of the Council, namely "other situations of concern" was dropped in 2014. It will be interesting to see if the Secretary-General will bring back "situations of concern" in future reports under the broad prerogatives provided

by Article 99 of the UN Charter.

The 2014 report is the second to be presented under Bangura as Special Representative and highlights several concerns such as sexual violence in the context of contested political processes; sexual violence as a driving factor of displacement; sexual violence against men and boys; lack of access to justice for survivors; and the correlation between sexual violence and inadequate security sector reform and disarmament, demobilisation and reintegration efforts.

The 2014 report only provides country-specific information in two categories:

- Category A: Parties credibly suspected of committing or being responsible for rape or other forms of sexual violence in Afghanistan, the CAR, Colombia, Côte d'Ivoire, DRC, Mali, Myanmar, Somalia, South Sudan, Sudan/Darfur, Syria and Yemen; and
- Category B: Sexual violence in post-conflict situations in Angola, Bosnia and Herzegovina, Cambodia, Liberia, Libya, Nepal, Sierra Leone and Sri Lanka.

The only situation added to the 2014 report (as compared with the 2013 report) was Cambodia. Angola was shifted from "other-situations of concern" in 2013 to the post-conflict category in 2014. Timor-Leste was removed. As mentioned, a third category of "other situations of concern" was dropped in 2014. Also, the phrase "armed conflict" in Category A in 2013 was changed to just "conflict" in 2014. In theory that change may broaden the scope for reporting, but in practice no new situations were added in this category in 2014.

As in 2013, 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. The 2014 report on sexual violence also made several concrete recommendations including a call on the Security Council to adopt targeted measures against those who commit, command or condone sexual violence and when reviewing targeted sanctions to include designation criteria pertinent to sexual violence where appropriate. (The nexus between armed groups perpetrating sexual violence, the Security Council's

Key Developments at the Thematic Level (con't)

various sanctions regimes and the ICC is examined later in this report.)

The 2014 annex added South Sudan: Sudan People's Liberation Army; South Sudan National Police Service; Sudan People's Liberation Movement/Army in opposition; and the Lord's Resistance Army (LRA). (South Sudan had been previously listed in 2012 but was removed in 2013.)

It also included several other changes as compared with the 2013 list. Armed opposition elements in Syria were added to the existing listing that already included Syrian government forces, intelligence forces and allied militias. Anti-Balaka forces were added to the existing CAR entry that included ex-Seleka forces and the LRA. For the Côte d'Ivoire and the DRC, the set of militias, armed groups and government forces remained largely unchanged in the annex.

Finally, despite the focus on accountability for sexual violence in the 17 April 2013 open debate, in resolution 2106 and in the Special Representative's own press releases (discussed below) the dedicated section on accountability was dropped in the 2014 report. Also, unlike 2012 and 2013,

the specific accountability recommendation to the Council, including ICC referrals, was removed. The report does not include any explanation as to why this section and its recommendation were dropped. (The ICC has been a sensitive issue in 2013 with Rwanda objecting consistently to such references in the 15 April 2013 presidential statement on prevention of conflicts in Africa, the 17 June 2013 presidential statement on children and armed conflict and also during negotiations on resolution 2106 on women, peace and security.)

Field Visits

As mentioned previously, the Office of the Special Representative has a number of tools to advance its advocacy mandate, including field visits. Field visits have been undertaken in 10 countries since the office was established: Angola, Bosnia and Herzegovina, CAR, Colombia, Côte d'Ivoire, DRC, Guinea, Liberia, Sierra Leone and Somalia. In the cases of Angola, the CAR, DRC, Guinea and Somalia these visits have resulted in joint communiqués between the UN and the respective governments in which the latter have made

commitments to address sexual violence issues.

In 2013, visits were undertaken to Bosnia and Herzegovina, the CAR, DRC, and Somalia. A field visit to Syria was planned for 2013, but it never materialised since the government would have only allowed the Special Representative access in Damascus. Joint communiqués were agreed between the UN and the DRC and Somalia.

DRC: The 30 March 2013 joint communiqué commits the DRC to address sexual violence issues in the areas of fighting impunity, security sector reform, vetting mechanisms for the national army, mineral resource management and supporting services to survivors.

Somalia: The 7 May 2013 joint communiqué commits Somalia to develop and implement a legal framework to criminalise acts of sexual violence; investigate, prosecute and adjudicate such crimes; implement vetting mechanisms for the national forces; ensure protection for survivors; witnesses and journalists who report sexual violence; and strengthen protection from sexual violence in IDP camps and support services to survivors.

FIELD VISITS BY THE OFFICE OF THE SPECIAL REPRESENTATIVE ON SEXUAL VIOLENCE

COUNTRY	SPECIAL REPRESENTATIVE	DATES	JOINT COMMUNIQUÉS
DRC	Margot Wallström	April 2010 October 2010 February 2011 January 2012	
	Zainab Bangura	March 2013 October 2013	YES
Liberia	Margot Wallström	May 2010	
Bosnia and Herzegovina	Margot Wallström	November 2010	
	Zainab Bangura	June 2013	
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
	Bangura's Chief of Staff, Nancee Oku Bright	December 2013	
Somalia	Zainab Bangura	April 2013	YES

Key Developments at the Thematic Level (con't)

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 2013 included the CAR, Côte d'Ivoire, DRC and Somalia.

In February and March 2013, the Team of Experts, in cooperation with UN Women, helped assess the capacity of national authorities in the CAR to address impunity for conflict-related sexual violence in line with its commitment under the joint communiqué signed in December 2012.

In June 2013, the Team facilitated experience-sharing exercise for ministries, police, judiciary, military and civil society in Côte d'Ivoire to learn from Sierra Leone's experience in addressing conflict-related sexual violence. The Team also supported Côte d'Ivoire authorities in forming its draft national strategy to combat gender-based violence.

The Team of Experts has continued to help the DRC strengthen its capacity to investigate and prosecute crimes of sexual violence committed by the DRC's national forces. In February 2013, an expert was deployed to provide support to the DRC authorities on investigating and prosecuting a number of cases of sexual violence, including in Minova, Bweremana, Camp Katindo and Kitchanga. Following the 30 March 2013 joint communiqué, the Team of Experts assessed the government's capacity to address impunity for sexual violence crimes and helped define an implementation plan.

In December 2013 the Team of Experts carried out a technical assessment in Somalia in partnership with UN Women and the UK Preventing Sexual Violence Initiative. This mission, which built on the commitments under the 7 May 2013 joint communiqué, assisted the government to identify ways to address conflict-related sexual violence, notably with regard to addressing impunity, ensuring accountability and providing services to survivors. The Team is drafting an implementation plan.

Press Releases

The Special Representative uses press releases to signal concern about sexual violence. In 2013 there was a particular focus on highlighting accountability and justice issues, which makes the elimination of the accountability section all the more unexpected. It is useful to note that in her advocacy role, her statements are not circumscribed by issues on the Council's agenda.

Cambodia: On 1 March 2013, the Special Representative welcomed the recent decision by the Extraordinary Chambers in the Courts of Cambodia to annul a previous ruling that would have prevented it from trying crimes of sexual violence committed during the Khmer Rouge regime.

Kenya: On 1 March 2013, the Special Representative urged the authorities in Kenya to ensure that civilians of all ethnic and political backgrounds can exercise their right to vote in safety and security, and to guarantee that the post-election period be free of the politically motivated rape which occurred in the wake of the 2007 and 2008 elections.

Somalia: On 4 March 2013, the Special Representative welcomed a decision by a Mogadishu court to overturn the conviction and one year sentence of a woman who claimed to have been raped by security forces in an IDP camp. Bangura said it was a welcome step toward justice, but more was required.

DRC: On 19 March 2013, the Special Representative welcomed the decision by Bosco Ntaganda, an M23 leader, to turn himself in to face criminal charges outlined in two indictments issued by the ICC for war crimes and crimes against humanity, including rape and sexual slavery, committed in Ituri between 2002 and 2003.

Egypt: On 3 April 2013, the Special Representative said women in post-revolutionary Egypt must be free from fear of sexual violence and was dismayed by the appalling attacks that have continued to target women protesters in Egypt, as well as by the messages sent by prominent religious and political leaders, that women are to blame for these sexual attacks.

G8 Declaration on Sexual Violence: On 11 April 2013, the Special Representative said the declaration affirmed the conviction that this crime constitutes a fundamental threat to international peace and security, and as such requires an operational and strategic security and justice response.

Guatemala: On 12 April 2013, the Special Representative welcomed the efforts by Guatemala to investigate crimes of sexual violence that occurred during the 36-year civil war and urged authorities to ensure a fair trial and protections for the witnesses and others involved.

CAR: A 21 December 2013 joint statement of the Special Representatives for Sexual Violence in Conflict and Children and Armed Conflict, along with the Special Adviser on the Prevention of Genocide, called on the CAR authorities, local communities and the international community to take urgent measures to prevent the country from plunging into a full-scale sectarian conflict and to protect the civilian population, particularly women and children from atrocities.

Guidance Notes

The Office of the Special Representative developed two guidance notes in 2013 on reparations for conflict-related sexual violence and another for mediators on addressing conflict-related sexual violence in ceasefire and peace arrangements.

UN Women

On 19 August 2013, Phumzile Mlambo-Ngcuka (South Africa) was sworn in as the new Executive Director of UN Women, replacing Michelle Bachelet, who stepped down earlier in the year.

UN Women views resolution 1325 as one of several international documents guiding its work. In a 26 October 2010 presidential statement, the Council invited UN Women to contribute regularly to the Council's work on women, peace and security (S/PRST/2010/22). Resolution 2122 reiterated this call by welcoming more regular briefings by the head of UN Women. However, in 2013 such briefings were limited to presenting the annual 1325 report, as discussed earlier. (In both 2011 and 2012, Bachelet had briefed semi-annually.)

Key Developments at the Thematic Level (con't)

Unlike the Special Representative, until very recently, the head of UN Women had not briefed the Council on any country-specific situations. Early in 2013, there had been interest among some Council members to have Bachelet brief on her visit to Mali on 7-11 January 2013—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 country-specific briefing by either Bachelet or Mlambo-Ngcuka occurred in 2013.

However, on 18 March 2014 Mlambo-Ngcuka reported on her 18-19 February visit to South Sudan to the Council during an UNMISS briefing alongside Under-Secretary-General for Peacekeeping Hervé Ladsous.

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 facilitate such tracking. These indicators were submitted in 2010 and the Council supported taking them forward as an initial framework for the UN system and member states to track implementation of resolution 1325 (S/PRST/2010/22). A high-level review of the indicators, facilitated by UN Women, is expected in 2015.

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.

There has been reporting on the indicators in the Secretary-General's 2011, 2012 and 2013 reports on resolution 1325. This reporting has included information on the 1325 indicators vis-à-vis the UN system and Security Council 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. As part of this exercise, resolution 2122 requested the Secretary-General to undertake a global study ahead of the High-Level 2015 Review to assess progress at the global, regional and national levels in implementing resolution 1325.

Cross-Cutting Analysis for 2013

This section of the report analyses statistical information on women, peace and security in country-specific decisions of the Security Council and trends in 2013. It examines resolutions and presidential statements adopted by the Security Council, country-specific reports of the Secretary-General and the mandates of active UN political and peacekeeping missions.

Resolutions Adopted by the Security Council

We analysed all 47 resolutions adopted by the Security Council in 2013, 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 rollover 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 and technical resolutions on international tribunals.

Country-Specific Resolutions

Of the 47 resolutions adopted by the Security Council in 2013, 41 were country-specific. We found that 30 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 28 (93.3 percent). This is a slight increase from the 90.6 percent (29 of 32) registered in 2012. Furthermore, 73.3 percent (22 of 30) of the relevant resolutions in 2013 contained references to women in operative paragraphs, with the remainder

containing preambular language only. This is an increase over the 65.6 percent registered in 2012 (21 of 32).

Upon closer examination of situations that were on the Council's agenda in both 2012 and 2013, general references to women were relatively constant. This explains the small increase (from 90.6 to 93.3 percent) of relevant resolutions with references to women, peace and security between 2012 and 2013.

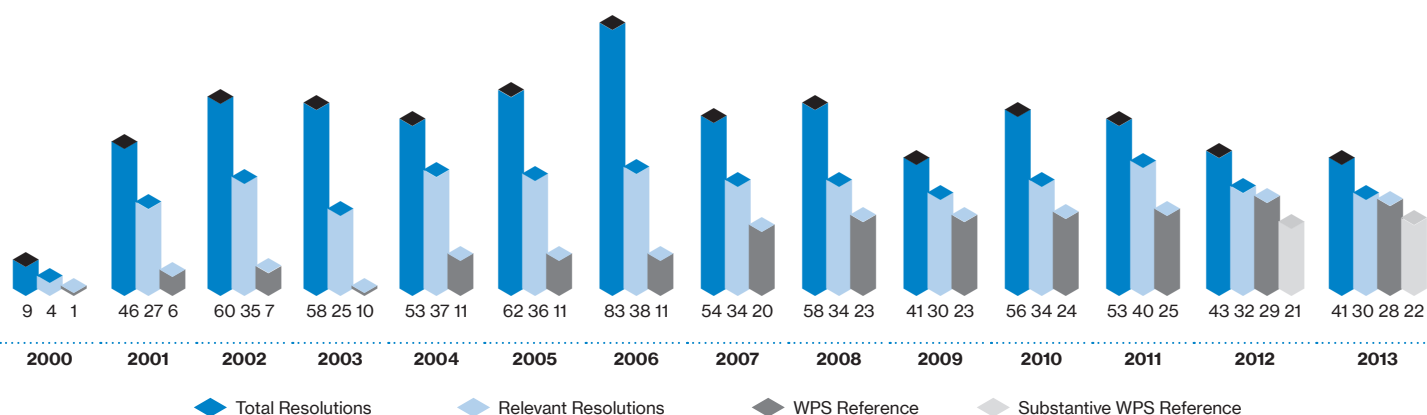
The rise in mentions of women, peace and security issues in operative paragraphs from 65.6 percent (21 of 32) in 2012 to 73.3 percent in 2013 (22 of 30) is due to Council resolutions adopted in 2013 on the CAR, Côte d'Ivoire and Somalia—none of which had corresponding resolutions in 2012 with such operative paragraphs.

Central African Republic

As discussed previously in this report, 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

Cross-Cutting Analysis for 2013 (con't)

COUNTRY-SPECIFIC RESOLUTIONS



on the necessity of women’s participation in peacebuilding, called on all parties in the CAR to issue clear orders regarding sexual violence and to facilitate victims’ access to services.

The situation in the CAR continued to dramatically deteriorate in 2013. Seleka rebels took over the capital Bangui on 24 March and violations of international humanitarian law and human rights violations became widespread with the humanitarian situation becoming increasingly dire. In response, the Council adopted resolution 2121 in October, reinforcing BINUCA and requested the deployment of women protection advisers and mandated the mission to monitor, investigate and report on violations committed against women including all forms of sexual violence in armed conflict. The resolution also reiterated its call upon all parties to the armed conflict to issue clear orders against sexual violence and to hold perpetrators accountable.

While resolution 2121 had strong protection language, it did not include any language regarding women’s political participation and empowerment despite the fact there was an existing framework for political transition under the 11 January 2013 Libreville Agreements. Nor did it include a gender perspective in the operational paragraphs of the resolution focusing on DDR or SSR processes.

On 5 December, the Council adopted resolution 2127 and authorised the deployment

of the AU-led MISCA operation. This resolution also remedied the oversight in resolution 2121 by stressing the importance that the transitional authorities ensure women’s full and equal participation in all discussions pertinent to the resolution of the conflict and in all phases of electoral processes. It established an arms embargo and a sanctions committee and expressed intent to impose targeted measures against those undermining peace and security, including by engaging in acts of sexual violence. (Subsequently, on 28 January 2014, the Council adopted resolution 2134, imposing targeted sanctions that included sexual violence as part of the designation criteria.)

Resolution 2127 also requested the Secretary-General to establish a Commission of Inquiry for the CAR and requested a report by May 2014. Fatimata M’Baye, a lawyer in Mauritania actively involved in the fight for women’s rights, was appointed as a member of the Commission in January 2014. Further, UN Women has provided a consultant with relevant gender expertise to the Commission. It will be interesting to see whether the Commission’s report will take up the recommendation from resolution 2122 on women, peace and security that all UN-established Commissions of Inquiry investigating situations on the Council’s agenda “include in their briefings information on the differentiated impacts of armed conflict on women and girls, especially emphasizing

recommendations to advance accountability, justice and protection for victims.”

Finally, it is an important development in 2013 that the MISCA authorisation made specific reference to the human rights due diligence policy on UN support to non-UN security forces. The core principle of the policy is that the UN cannot provide support where there is a risk that entities receiving such support commit grave human rights violations, including rape and sexual violence, and where the relevant authorities fail to take corrective or mitigating measures. This policy was transmitted by the Secretary-General in a note verbale in October 2011, yet it failed to get traction in Council resolutions authorising non-UN missions. The Secretary-General re-circulated the policy in a letter to the Security Council dated 25 February 2013, urging the Council to take the policy into account during their deliberations (S/2013/110).

Côte d’Ivoire

On 30 July 2013, the Council adopted resolution 2112 renewing UNOCI. This resolution included new and substantive language on women, peace and security in stark contrast to the 2012 renewal in resolution 2062 which did not include any operational paragraphs referencing women.

In 2013, the Council outlined very specific and substantive tasks with women, peace and security elements for UNOCI in operational paragraphs on:

Cross-Cutting Analysis for 2013 (con't)

- women's participation in dialogue and reconciliation efforts and accountability;
- protection of women in armed conflict, including through the deployment of women protection advisers;
- women's differentiated needs in DDR processes;
- SSR processes, in particular facilitating vetting and training of national security forces to prevent sexual and gender-based violence; and
- supporting government compliance with international humanitarian and human rights law, especially as it pertains to sexual and gender-based violence.

Somalia

In 2013, the Council established the UN Support Mission in Somalia (UNSOM) and also authorised a significant troop increase for the AU Mission in Somalia (AMISOM).

In early 2013, UN Women invested considerable energy and time in ensuring all of the stakeholders within the UN system were focused on a women, peace and security perspective for Somalia and worked closely with Council members in the lead up to the 6 March adoption of resolution 2093 that renewed the AMISOM authorisation and partially lifted the arms embargo.

The 2012 renewal of AMISOM had minimal preambular references to women, peace and security issues, blandly recalling previous resolutions and expressing concern over the humanitarian situation affecting women. Resolution 2093, in contrast reflects a remarkable increase in substantive references to women. Importantly—like the MISCA authorisation in resolution 2127—resolution 2093 saw the first reference to the human rights due diligence policy on UN support to non-UN security forces in an AMISOM authorisation. The policy had been in effect since October 2011 but did not appear in any AMISOM resolution until resolution 2093 was adopted on 6 March 2013. The policy had only been made public in a letter to the Security Council on 5 March 2013 (S/2013/110).

Importantly, in relation to the government, the resolution:

- urges the promotion of increased representation of women at all decision-making levels in Somali institutions;
- welcomes the commitment to hold Somali forces accountable for allegations of

sexual violence;

- urges the government to develop and implement a comprehensive strategy to prevent and respond to sexual violence; and
- stresses bringing to justice any perpetrator of such acts.

It requests AMISOM to strengthen women's protection, including through:

- the deployment of women protection advisers;
- implementation of zero-tolerance policy on sexual exploitation and abuse by its peacekeeping personnel;
- protecting civilians and calls for the immediate cessation of all acts of violence, including sexual and gender based violence and stresses accountability; and
- strengthening protection in IDP camps, condemning all human rights violations, including sexual violence, committed against IDPs by all parties, including armed groups and militias.

On 12 November 2013, AMISOM's troop strength was increased in resolution 2124 and its mandate was extended to October 2014. It called on the government to ensure the equitable participation of women in national political processes in an operational paragraph regarding the finalisation of the constitution by 2015 and the holding of credible elections in 2016.

UNSOM was established by resolution 2102 on 2 May 2013. In it the Council reiterated many of the concerns expressed in the AMISOM resolutions, such as pervasive sexual and gender-based violence, particularly in IDP camps and the related need to end impunity and hold perpetrators accountable.

Women, peace and security elements of UNSOM's mandate include a reporting mandate to monitor, investigate and report to the Council on violations or abuses committed against women, including sexual and gender-based violence. The new mission was also mandated to build the capacity of the government to:

- promote women's empowerment, including through the provision of gender advisers;
- prevent and respond to conflict-related sexual and gender-based violence, including through the development of a national strategy and the provision of women protection advisers; and

- strengthen justice institutions, in particular with respect to crimes against women.

The UNSOM mandate includes strong protection language and gives UNSOM an important role in building the government's capacity and reporting sexual and gender based violence back to the Council. However, there are no substantial references to women's participation in the areas of the resolution dealing with the 2016 elections, political participation, reconciliation, dialogue and decision making processes.

Despite the enormous leap in terms of substantive language in both the UNSOM and AMISOM resolutions there are still several obstacles when it comes to implementation. There are three challenges in particular for the women, peace and security agenda for the Council to consider.

One is the lack of a clear request by the Council for UNSOM to drill down with the government on the importance of women's participation. It is unclear why the much stronger references to women's participation in the AMISOM resolutions should not also be reflected in UNSOM decisions.

Second, AMISOM's overarching focus on counter-terrorism operations against Al-Shabaab, strongly supported by the international community, will drain focus away from implementation of other tasks—including those related to women, peace and security.

Finally, the partial lifting of the arms embargo, when the Monitoring Group that assists the 751/1907 Somalia-Eritrea Sanctions Committee has highlighted serious institutional and potentially criminal lapses in the regulation of small arms and light weapons under government custody, will test the coherence of any UN strategy to counter pervasive sexual violence in Somalia. The Council's partial lifting of the arms embargo stands in direct contrast to the trend identified by the Special Representative in her 2013 report—that the widespread availability of illicit small arms and light weapons is linked to conflict-related sexual violence—and her related recommendation for effective arms control measures. The same linkage was also highlighted in the Secretary-General's 2013 report on small arms (S/2013/503)

Other Observations

The CAR, Côte d'Ivoire and Somalia all provide examples of the Council establishing

Cross-Cutting Analysis for 2013 (con't)

in 2013 substantive, operational mandates incorporating important elements of the women, peace and security agenda in contrast to previous years. However, it is worth noting several other country-specific resolutions in 2013 also had a substantial increase in women, peace and security references:

- resolution 2098 renewing MONUSCO in the DRC;
- resolution 2100 establishing MINUSMA in Mali;
- resolution 2109 renewing UNMISS in South Sudan;
- resolution 2113 renewing UNAMID in Darfur;
- resolution 2116 renewing UNMIL in Liberia; and
- resolution 2120 renewing the ISAF authorisation in Afghanistan.

The two cases that are outliers to the overall trend of consolidating the inclusion of women, peace and security language in relevant resolutions are Guinea-Bissau and Western Sahara.

In the case of [Guinea-Bissau](#), resolution 2048 of 18 May 2012—adopted in response to the 12 April 2012 military coup—had a significant gap in that it did not address women’s participation in any of the post-coup processes. On 22 February 2013, resolution 2092 was likewise adopted with no references to women. It extended the mandate of UNIOGBIS for three months to allow the new Special Representative time to conduct an assessment of the situation on the ground and recommend how to restructure

the mission. The resolution was more substantial than a technical rollover so it could not be excluded from our analysis. However, when the Council adopted resolution 2103 on 22 May 2013 renewing UNIOGBIS and adjusting its mandate, important references to women, peace and security reappeared.

Regarding [Western Sahara](#), the MINURSO mandate was established by resolution 690 on 29 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 on 25 April 2013 by resolution 2099 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 resolutions have never included references to women as is the case with several older missions established prior to resolution 1325. It was also unlikely that the language in the MINURSO renewal resolution would have been significantly altered as Morocco was an elected member of the Council in 2013, and was particularly vested in maintaining the mandate as is.

Finally, regarding [Syria](#) the word “women” appears once in resolution 2118, adopted on 27 September 2013, which required the destruction of Syria’s chemical weapons, called for the convening of the Geneva II peace talks and endorsed the establishment of a transitional governing body. As such, it needed to be included in our analysis of

relevant resolutions with a women, peace and security reference. However, the reference was minimal at best and appeared in the annex to the resolution which included the text of the 30 June 2012 Geneva Communiqué which spells out that “women must be fully represented in all aspects of the transition.” However, the Council touched upon the Geneva Communiqué in several other areas of resolution 2118, not just the annex, and could have taken the opportunity to strengthen references to the women peace and security agenda, especially given that the Geneva talks are mediated by the UN.

Thematic Resolutions

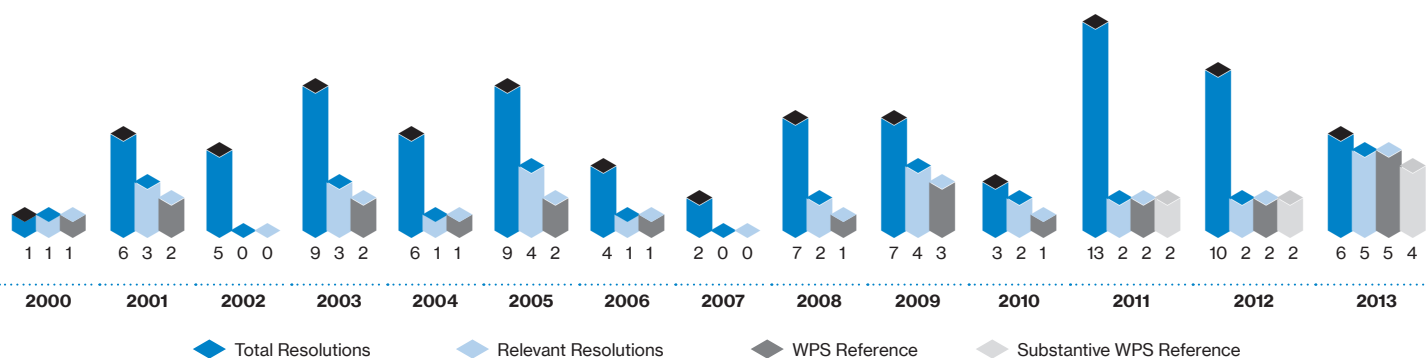
The Security Council adopted six thematic resolutions in 2013. Of those, five could be considered relevant to the women, peace and security agenda: peacekeeping; sexual violence in conflict; small arms; women, peace and security; and counter-terrorism.

Just as in 2012, all relevant thematic resolutions included references to women. Only 80 percent (four of five) had substantive references in operational paragraphs in 2013 versus all in 2012. However, given the overall increase in the number of relevant thematic resolutions in relation to total thematic resolutions (five of six in 2013 versus two of 10 in 2012)—it is difficult to paint the 20 percent dip in 2013 as a meaningful indicator.

Counter-Terrorism

The one thematic resolution that did not include operative paragraphs on women,

THEMATIC RESOLUTIONS



Cross-Cutting Analysis for 2013 (con't)

peace and security was resolution 2129 adopted on 17 December 2013 to extend the mandate of the Counter-Terrorism Executive Directorate (CTED). However, it is important to note that resolution 2139 represents the first reference in the Council's work to the links between terrorism, human trafficking and women, peace and security. The resolution recalled the adoption of resolution 2122 on women, peace and security and reaffirmed the intention to increase attention to these issues, including in threats caused by terrorist acts. It also expressed concern regarding the connection between terrorism, transnational organised crime and illicit activities such as human trafficking. The Council, nevertheless, stopped short of providing concrete directives in the resolution as to how CTED should increase its attention to this link.

Peacekeeping

Resolution 2086 on a multidimensional approach to peacekeeping was adopted on 21 January 2013. It was the first time since resolution 1353 (2001) that the Council adopted a resolution on peacekeeping. The resolution highlights the considerable evolution in peacekeeping thinking and practice in recent years.

During negotiations, there were differences of opinion on how extensively the resolution should reference the importance of combating sexual and gender-based violence. Ultimately, references were retained as a balance was struck between those who wanted more detailed language and those who preferred to be more concise. The references that remain in resolution 2086 nevertheless cover the broad spectrum of women, peace and security issues. They are an improvement over resolution 1353 which had no discussion of gender aspects of peacekeeping, despite being adopted after resolution 1325.

Resolution 2086 reaffirms the commitment to the full, equal and effective participation of women in the prevention and resolution of conflict and peacebuilding. The resolution addresses how peacekeeping operations can support the efforts of the host government to include women in decision-making roles and support the efforts of the host authorities in SSR and protection of civilians, including from all forms of sexual and gender based violence. Importantly, it underlines the importance of deploying peacekeepers in

adherence to the UN's zero tolerance policy for sexual exploitation and abuse. Finally, it includes the need to appoint gender advisers and women protection advisers to peacekeeping missions.

Women, Peace and Security

Resolutions 2106 and 2122 on women, peace and security have been exhaustively discussed earlier in this report.

Small Arms

On 26 September 2013, the Security Council adopted resolution 2117, its first ever resolution on small arms. It highlighted the link between small arms proliferation and sexual violence. (Both the Special Representative's 2013 report on sexual violence in conflict as well as the Secretary-General's 2013 report on small arms had also stressed this link.)

During the course of the negotiations, it seems one of the more difficult discussions centred on the relevance of language reflecting the women, peace and security agenda. Due mainly to reservations expressed by China, some references to the link between small arms and gender-based violence were not retained in the final text, but otherwise the agreed language is fairly comprehensive.

Resolution 2117 recalls that small arms proliferation has a disproportionate impact on violence perpetrated against women and girls, and exacerbates sexual and gender-based violence. It urges women's full and meaningful participation in all policymaking to combat small arms proliferation, including in DDR, SSR and justice initiatives.

Other Observations

The remaining thematic resolution was on staffing issues related to international judicial mechanisms. Significantly, in both 2012 and 2013, the Council included substantial references to aspects of the women, peace and security agenda in each of its relevant thematic resolutions. Despite difficult negotiations with Council members not as supportive to the women, peace and security agenda, important references were retained in the resolutions on counter-terrorism, peacekeeping and small arms.

Presidential Statements Adopted by the Security Council

The Security Council often resorts to issuing

a presidential statement (PRST) in response to a significant development on the ground in situations on its agenda or to highlight key points following a thematic open debate. 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 2013, the Security Council adopted 22 presidential statements, compared with 29 in 2012. As was done with the resolutions in the previous section, we categorised the 22 presidential statements adopted in 2013 as either country-specific or thematic in nature. In 2013 there were nine thematic and 13 country-specific presidential statements.

We have considered as not relevant any presidential statement issued in response to a specific development, 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.

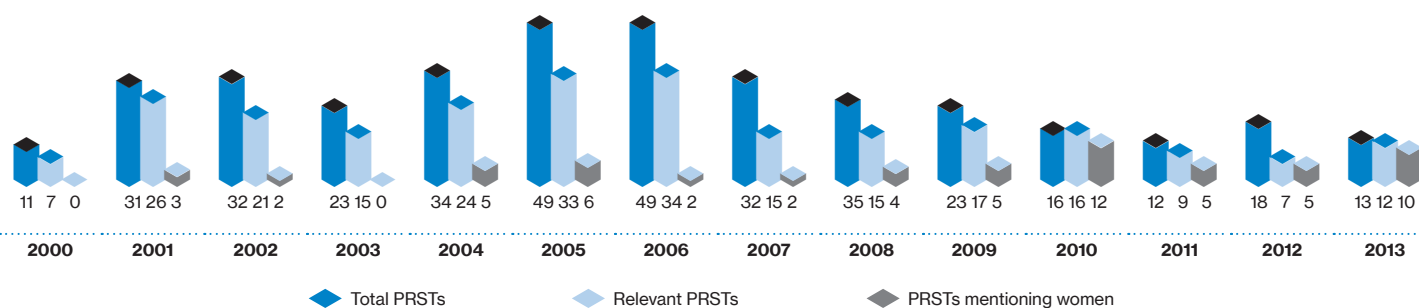
Country-Specific Presidential Statements

The number of country-specific presidential statements that could reasonably be expected to address the women, peace and security agenda was 12, with 10 actually including some reference to women. The year 2013 saw the highest ever rate of relevant presidential statements containing a reference to women at 83.3 percent (10 of 12), an increase over the 71.4 percent registered in 2012 (five of seven).

The proportion of country-specific presidential statements with references to women has increased significantly since 2010. Arguably, the lower rate before 2010 could be due to the generally reactive nature of presidential statements at that time, which tended to focus on an immediate message. In most recent practice, the Security Council has used press statements as a "reactive voice" for quick messaging while presidential statements are more commonly used to set out a comprehensive outline of issues connected to a larger situation.

Cross-Cutting Analysis for 2013 (con't)

COUNTRY-SPECIFIC PRESIDENTIAL STATEMENTS



Like in 2012, 2013 reflects the trend toward increasing references to women in country-specific presidential statements, reflecting 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 2013 presidential statements on the DRC, the LRA, Somalia and Syria. Of these four, three also included strong references to accountability (with Syria being the exception).

Another positive trend is greater inclusion of language on women’s participation. In 2012, only one country-specific presidential statement—on Yemen—included a reference to women’s participation whereas in 2013 such language appeared in presidential statements on the DRC, Guinea-Bissau, Somalia and Yemen.

Below we discuss two examples of country-specific presidential statements in 2013 that reflected strong language on accountability, participation and protection aspects of the women, peace and security agenda: DRC and Somalia. We will also highlight Sudan-South Sudan and Libya as the two outliers (i.e., situations in which references to women were not included in relevant presidential statements).

Democratic Republic of the Congo

On 25 July 2013, the Council adopted a presidential statement calling on the DRC

and the countries of the region to implement their respective commitments under the 24 February 2013 Peace, Security and Cooperation (PSC) Framework and called on all countries of the region not to tolerate or provide assistance or support of any kind to armed groups, an indirect reference to elected Council member Rwanda (S/PRST/2013/11). The presidential statement was adopted in response to ongoing attacks by the M23 in the eastern DRC.

Overall this presidential statement included much stronger language on women, peace and security than a similar 2012 presidential statement on the M23 (S/PRST/2012/22). The 25 July 2013 presidential statement commended Special Envoy Mary Robinson on her efforts to promote the full and effective participation of women in the implementation of the PSC Framework. It stressed that all armed groups cease all violence, including sexual and gender based violence and recalled that such violations are war crimes, and called for the investigation and prosecution of those responsible. It called upon the government of the DRC to end all acts of sexual violence committed by its national army and hold accountable those responsible for such violations, regardless of military rank. The Security Council further called on the government to improve vetting and establish more effective judicial mechanisms within its security forces.

On 14 November 2013, the Council

adopted another presidential statement on the cessation of hostilities between the DRC and the M23 (S/PRST/2013/17). It had strong references to the accountability, protection and participation aspects of the women, peace and security agenda, similar to the 25 July 2013 statement. It also included new language specifically calling on the government to expedite investigation into the 2012 Minova rapes and that combatants responsible for human rights abuses and violations of international humanitarian law should not be eligible for integration into state security forces. (For more information on the Minova rapes, please see our 10 April 2013 *Cross Cutting Report on Women, Peace and Security: Sexual Violence in Conflict and Sanctions*.)

Somalia

On 6 June 2013, the Council adopted a presidential statement following the International Conference on Somalia held the previous month in London (S/PRST/2013/7). This statement included strong language on women, peace and security issues, in stark contrast to the 2012 presidential statement adopted following the same conference the previous year which had no references to women (S/PRST/2012/4). The leap in quality is likely a product of the Special Representative’s participation at the London Conference as well as the increased focus by both the Special Representative and UNWomen on Somalia in 2013.

In the presidential statement, the Security

Cross-Cutting Analysis for 2013 (con't)

Council calls for the full inclusion of women in all political processes in a paragraph referencing political reconciliation, constitutional review and preparations for 2016 elections. It is notable that the presidential statement welcomed the signing by Somalia of the joint communiqué with the UN on the prevention of sexual violence and underlined the importance of full and swift implementation of these commitments. The Council also expressed deep concern at reports of sexual violence perpetrated against IDPs by organised armed groups and members of the Somali armed forces and called for the government to hold all perpetrators accountable.

Relevant Presidential Statements without References to Women

There were two notable exceptions to the overall trend of including references to women in country-specific presidential statements: Libya and Sudan/South Sudan. The Council adopted a presidential statement on each situation and neither included references to women.

Sudan/South Sudan

In the case of Sudan/South Sudan, the Council adopted a presidential statement on 23 August 2013, in particular to address the challenges facing implementation of the 27 September 2012 cooperation agreements and reiterate concern about the highly volatile situation in Abyei (S/PRST/2013/14). There were no references to women, peace and security.

In 2012, the Council had adopted three

presidential statements on Sudan/South Sudan border issues (S/PRST/2012/5, 12 and 19). In 2012, like 2013, all of the statements noted violence but made no specific mention of women. In 2012, we determined that due to the tight focus on border issues those presidential statements would not be considered relevant. However, the 2013 presidential statement was considered relevant as the UN Interim Security Force for Abyei (UNISFA) reports in 2013 began to include information on instances of sexual and gender based violence. Further, on 29 May 2013 the Council adopted resolution 2104 renewing UNISFA and included new language on women's participation, the need for human rights monitoring, including of sexual and gender-based violence and reiterated its concern at the lack of cooperation by the parties on these issues.

With this in mind, the 23 August presidential statement could have also been used as an opportunity to reinforce relevant women, peace and security provisions in the areas of the text focused on violence against civilians and dialogue and negotiations between the parties.

Libya

The Council adopted a presidential statement on 16 December 2013 to address the worsening security situation and political divisions in Libya (S/PRST/2013/21). There were no references to women even though the statement addressed issues of political transition, inclusive national dialogue, strengthening of political and security institutions,

human rights violations and such violations in instances of detention. All of these issues have a gender dimension, are addressed in the UNSMIL mandate and, as such, this statement could have included women, peace and security elements.

Thematic Presidential Statements

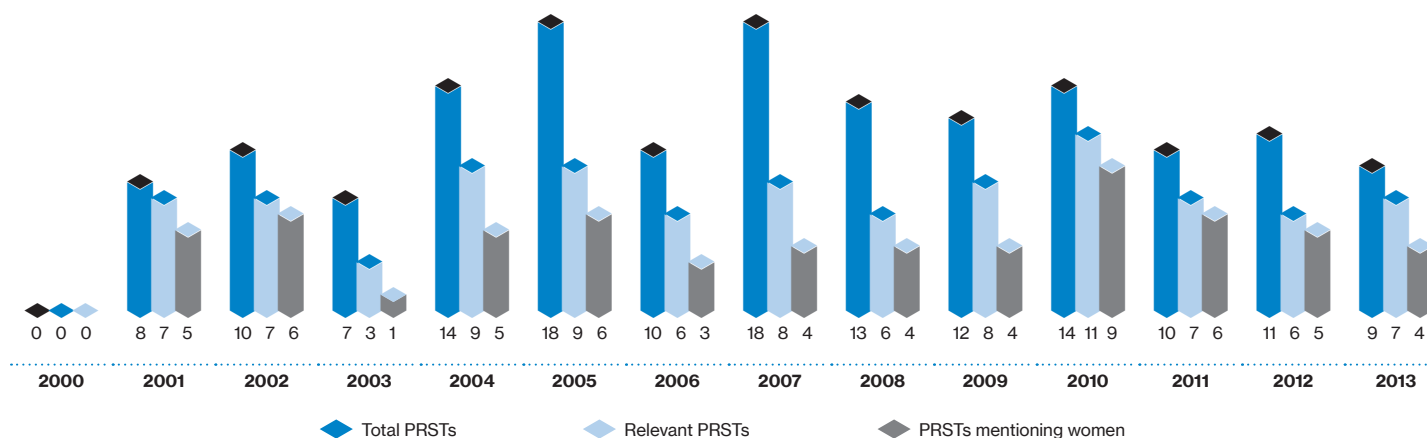
In 2013 there were nine thematic presidential statements of which seven could reasonably be expected to address women, and four actually did. The overall proportion of relevant thematic presidential statements mentioning women dipped to 57.1 percent in 2013 (four of seven) from 83.3 percent in 2012 (five of six).

The four relevant thematic presidential statements that included references to the women, peace and security agenda addressed such issues as the UN's cooperation with regional organisations, protection of civilians, children and armed conflict and conflict prevention in Africa.

Protection of Civilians

On 12 February 2013, the Council adopted a presidential statement on protection of civilians (S/PRST/2013/2). This statement had stronger language on sexual violence in conflict than the previous presidential statement on the issue adopted on 22 November 2010 (S/PRST/2010/25). It also included new language on the importance of the protection of women including through the appointment of gender advisers and women protection advisers in UN missions.

THEMATIC PRESIDENTIAL STATEMENTS



Cross-Cutting Analysis for 2013 (con't)

Conflict Prevention in Africa

On 15 April 2013, the Council adopted a presidential statement on conflict prevention and addressing the root causes of conflict in Africa. It highlighted the political exclusion of women as one of the factors in prolonging conflicts and reaffirmed the need for women's empowerment. The Council welcomed the intention of its Ad Hoc Working Group on Conflict Prevention and Resolution in Africa to incorporate gender perspectives in its work.

Children and Armed Conflict

On 17 June 2013 the Council adopted a presidential statement on persistent perpetrators of violations and abuses against children in situations of armed conflict (S/PRST/2013/8). Like other recent Council outcomes on this thematic issue, there was overlap with the women, peace and security agenda in the context of sexual violence in conflict.

Cooperation with Regional Organisations

On 6 August the Council adopted a presidential statement on cooperation with regional organisations (S/PRST/2013/12). Overall, it included a considerable amount of references to human rights, including new language on issues related to women's participation and protection. It also stressed the need for gender perspectives to be fully integrated into all peace and security efforts undertaken by the UN and regional organisations, including by building the necessary capacity.

Relevant Presidential Statements without References to Women

Of the seven relevant presidential statements, three that did not include references to women were on drug-trafficking in West Africa and the Sahel, a comprehensive approach to counter-terrorism and the challenges of fighting terrorism in Africa.

The lack of references to women in these particular statements demonstrates a consistent gap in the Council's work to recognise the connections between the women, peace and security agenda, terrorism and international organised crime. As discussed earlier in this report, on 17 December 2013, that gap was initially addressed when CTED was renewed by resolution 2129, which for the first time elucidated links between terrorism,

international organised crime, human trafficking and women, peace and security. It will be important to monitor whether this disconnect continues in 2014.

Counter-Terrorism

On 15 January 2013 the Council adopted a presidential statement on a comprehensive approach to counter-terrorism (S/PRST/2013/1) and on 13 May adopted another counter-terrorism focused presidential statement on the challenges of fighting terrorism in Africa (S/PRST/2013/5). Neither referenced women. However, it is reasonable to expect that references to women's participation would have been incorporated in parts of both texts that addressed conflict prevention and resolution, rule of law, protection of human rights, good governance, tolerance and inclusiveness as elements needed to fight terrorism. Further, the 13 May presidential statement explicitly mentioned terrorist groups in Mali and Somalia, both places where sexual violence is pervasive which would have warranted women's protection references. Finally, counter-terrorism strategies have a different impact on women that could have also been referenced, for example women's rights are often bartered as an element of "appeasement" when a government pursues peace negotiations with conservative elements associated with terrorism.

Drug-Trafficking in West Africa and the Sahel

On 18 December 2013, the Council adopted a presidential statement on drug trafficking in West Africa and the Sahel that did not have explicit references to women (S/PRST/2013/22). However, in the statement the Council did express concern over the increasing links between drug trafficking and other forms of transnational organised crime, including arms trafficking, human trafficking and terrorism. As the statement includes a focus on issues such as arms and human trafficking, it could be reasonably expected to include a reference to the women, peace and security agenda as well, especially since the Secretary-General's June 2013 report on this issue included reporting on sexual exploitation due to trafficking and the need for gender responsive SSR (S/2013/359). In addition, both the Secretary-General's 2013 report on sexual violence in conflict and the report on small arms highlighted the linkages

between the widespread availability of illicit small arms and conflict-related sexual violence. There was a similar absence in a 2012 presidential statement on illicit cross-border trafficking (S/PRST/2012/16).

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.

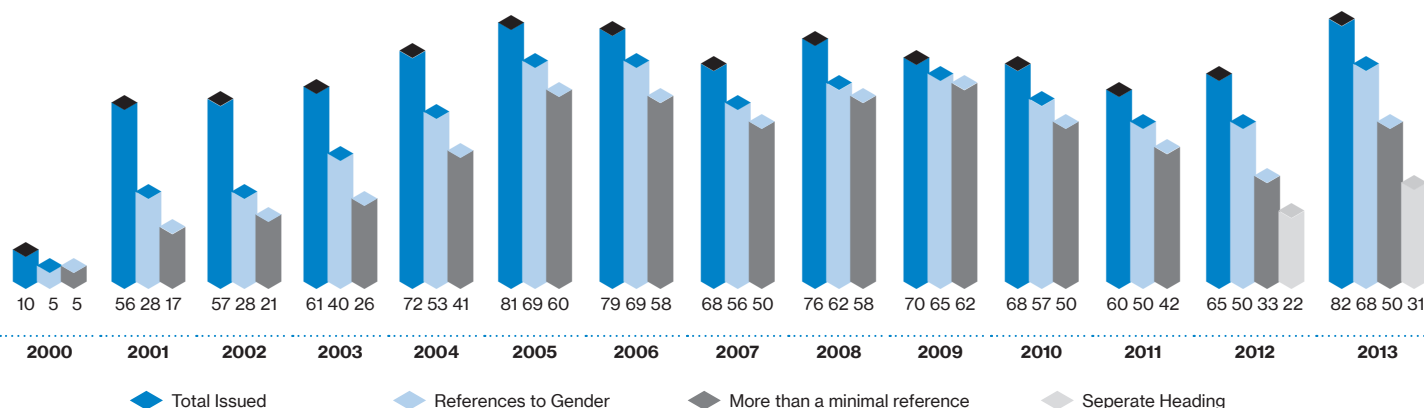
The content of these Secretary-General's reports reflects the level of attention being given to these issues by the Secretariat and field missions. Additionally, the reports remain a key (and sometimes primary) source of information for Council members as a foundation for negotiating positions.

In keeping with the methodology used in our previous cross-cutting reports, the analysis is based on a review of all country situation reports submitted by the Secretary-General to the Council since the adoption of resolution 1325. Since 2012, we have also attempted to gauge the relative depth of references to women and gender issues in the Secretary-General's reports. We have laid out the number of reports with a reference to gender issues and then broken down which reports have more than a minimal reference and of those which include their own section on gender. We have then tracked aspects of the women, peace and security agenda that are reported on, for example reporting on gender and security-sector reform. (Please see the chart on pages 23 and 24.)

In 2013, the Secretary-General submitted 102 reports. Of these, 82 were either country-specific reports or regional reports relating to country-specific situations. This compares with 83 reports in 2012, of which 65 were country-specific reports. (Our cross-cutting reports have always excluded from the count those country-specific reports addressing issues that are quite remote from the women,

Cross-Cutting Analysis for 2013 (con't)

SECRETARY-GENERAL'S COUNTRY-SPECIFIC REPORTS



peace and security angle such as Somalia piracy issues, the reports on the Iraq Compensation Fund, missing Kuwaiti nationals and property and more recently the reports on the destruction of Syrian chemical weapons.)

The large increase in the number of Secretary-General country-specific reports does not reflect new situation-specific items on the Council's agenda. Rather it reflects the proliferation of additional reporting for deteriorating situations in existing agenda situations such as in the CAR, DRC, Golan Heights or reporting on restructured or new missions in Guinea-Bissau, Mali and Somalia.

Of the 82 reports on country-specific situations in 2013, 83 percent (68 of 82) included a reference to gender issues pursuant to resolutions 1325 and 1820, an increase over the 77 percent registered in 2012 (50 of 65).

Sixty-one percent (50 of 82) of the 2013 country-specific reports included more than a minimal reference to gender issues, a considerable increase over the 2012 rate of 51 percent (33 of 65). In addition, since the adoption of resolution 1820 in 2008, there continues to be an increase in reporting specifically on instances of sexual violence, as well as the attendant issues of prevention and accountability.

In 2013, 38 percent (31 of 82) 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. While this practice is far from universal, it is a slight increase over the 2012 rate of 34 percent (22 of 65). (For example, some missions continue to incorporate gender issues into human rights issues.)

All UN missions that used a separate gender section in their reporting in 2012 continued the practice in 2013. In addition, both UNAMI reports for Iraq and the MINUSMA reports for Mali began to use a separate gender section in 2013 reports—a practice that should continue in a systematic way. UNAMID in Darfur and UNSMIL in Libya have never used a separate gender section for reporting and adopting such a practice could be a step towards improving the missions' reporting to the Council.

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-situation reports to the mid-80 percent range (with a peak of about 90 percent in 2009). However, it may be helpful to note the significant positive statistical impact if the following nine reports were excluded from the study:

- 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
- four reports on UNDOF, established in 1974 to observe a buffer zone in the Golan Heights between Israel and Syria.

Each of these reports focuses on border-monitoring activities or border-related issues and do not include references to women. In 2012, the six UNISFA reports were a part of this batch that we considered could feasibly be excluded due to its focus on border monitoring—but in 2013 reports of sexual violence in Abyei disallowed the exclusion of these reports this year.

If the nine reports identified above were excluded, we would be dealing with a set of 73 relevant country-specific reports (versus 82), 68 of which include references to gender, or 93 percent. However, the number of reports with more than minimal references to gender—61 percent (50 of 82) or, applying the “nine report discount” as detailed above, 68 percent (50 of 73)—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 2013 (con't)

Qualitative Assessment of the Secretary-General's Country-Specific Reports

Methodology and Key

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

This chart reflects whether one or all of

these aspects were reported on in at least one of the country-specific reports to the Security Council in 2013 (most missions submit multiple reports throughout the calendar year).

It is also important to note that this chart is not meant to assess whether reporting on certain aspects of the women, peace and security agenda indicate progress or deterioration in a certain country situation. In other words, if the Secretary-General reports on accountability issues related to sexual violence in conflict it could either mean there is impunity or there has been progress with investigations and prosecutions. The assessment is only meant to indicate if the Secretary-General reported on that aspect of the

agenda or not—whether it impacts women positively or negatively is beyond the scope of this particular assessment.

However, we have attempted to assess whether the reporting during 2013 could be considered as robust (r); appropriate to the mandate (a); minimal references (mr); and no references (n).

While such an assessment may be subjective, we have tried to be as objective as possible when judging the quality of reporting by giving greater weight to substantial and recurring narrative reporting and less weight to short and ad-hoc references. The presence of a separate section on women is also a key factor in assessing the reporting.

Mission	Number of Reports	Separate Section for WPS	SViC	Gender	Women's Participation	Political Participation	Dialogue, Reconciliation & Conflict Prevention	Public Security	NAP/Gender Strategies	Legislative Frameworks	SGBV Incidents of	Accountability for	Training	Gender Awareness	Prevent/Combat/Investigate SGBV	Secretariat Inputs	SG Recs/Observations	UN Women	SFRSG SVIC	WPS Agenda	Zero-Tolerance Policy	Miscellaneous	Development Issues	Human Rights	Human Trafficking	Protection of Civilians	Disaggregated Gender Data	Assessment
Afghanistan (UNAMA)	4				•	•	•			•	•	•	•	•	•	•	•	•		•		•	•			•	•	a
Abyei (UNISFA)	6										•																	mr
Burundi (BNUB)	1			•	•		•	•	•	•	•	•	•	•	•					•		•				•		a
Central Africa (UNOCA/LRA)	2			•	•	•				•	•				•	•		•		•		•	•		•	•		a
CAR (BINUCA)	3	•			•	•	•	•	•	•	•					•			•	•		•	•		•	•		r
CAR (recs for MISCA)	1										•	•			•	•							•		•			a
Côte d'Ivoire (UNOCI)	3		•			•	•	•	•	•	•	•		•	•				•		•		•	•		•		a
Cyprus (UNFICYP)	3					•					•	•																mr
Darfur (UNAMID)	4				•	•	•				•	•	•	•	•					•		•	•		•	•		mr
DRC (MONUSCO)	5		•		•		•	•	•	•	•	•	•	•	•	•		•	•			•	•		•	•		a
DRC (PSC Framework)	3		•		•	•					•				•	•			•	•		•			•	•		r
Golan Heights (UNDOF)	4																											n

Cross-Cutting Analysis for 2013 (con't)

Mission	Number of Reports	Separate Section for WPS	SVIC	Gender	Women's Participation Political Participation	Dialogue, Reconciliation & Conflict Prevention	Public Security	NAP/Gender Strategies	Legislative Frameworks	SGBV Incidents of	Accountability for	Training Gender Awareness	Prevent/Combat/Investigate SGBV	Secretariat Inputs SG Recs/Observations	UN Women	SRSG SVIC	WPS Agenda	Zero-Tolerance Policy	Miscellaneous Development Issues	Human Rights	Human Trafficking	Protection of Civilians	Disaggregated Gender Data	Assessment
Guinea-Bissau (constitutional order)	3				•	•								•						•	•		•	mr
Guinea-Bissau (UNIOGBIS)	3	•		•	•	•	•	•	•	•		•	•	•	•		•		•	•	•		•	r
Haiti (MINUSTAH)	2			•	•	•	•		•	•		•	•	•	•			•		•	•	•	•	a
Iraq (UNAMI)	3			•	•	•	•	•	•	•		•	•	•	•		•		•	•	•		•	r
Kosovo (UNMIK)	4				•	•		•	•	•		•	•		•		•			•	•			a
Lebanon (1559 Report)	2																							n
Lebanon (UNIFIL)	3				•																	•		mr
Liberia (UNMIL)	2			•	•	•	•	•	•	•		•	•	•	•		•		•	•	•		•	r
Libya (UNSMIL)	2				•		•					•		•							•		•	mr
Mali (options for a UN mission)	1				•	•				•				•						•	•			a
Mali (MINUSMA)	2		•		•	•	•			•	•	•	•		•		•						•	a
Palestine	1																					•		mr
Sahel (UN strategy)	1				•	•	•		•	•		•		•	•				•	•	•			r
Sahel/W. Africa (Transnational Organized Crime)	1						•			•											•		•	mr
Sierra Leone (UNIPSIL)	2			•	•	•	•	•	•	•		•	•	•	•				•	•			•	r
Somalia	2		•		•					•	•			•	•								•	mr
Somalia (UNSOM)	2		•	•	•			•	•	•		•	•	•			•					•	•	a
Somalia (AU-UN Joint TAM)	1																					•		mr
South Sudan (UNMISS)	3	•	•		•	•	•	•	•	•		•	•	•	•		•	•	•	•		•	•	a
West Africa (UNOWA)	2			•	•	•		•						•	•		•		•	•			•	a
Western Sahara (MINURSO)	1					•	•			•	•			•					•					a

Cross-Cutting Analysis for 2013 (con't)

UN Mission Mandates

Council-mandated missions reviewed in this section include peacekeeping operations, special political missions and peacebuilding support missions (not included are missions authorised by the Council but implemented by other regional or subregional organisations). Since the adoption of 1325, a significant proportion of resolutions establishing and renewing Council-mandated missions contains a reference to women, peace and security issues.

There continue to be several, mostly older missions, established prior to the adoption of resolution 1325, whose mandates do not reference women as part of the mandate, for example UNMIK in Kosovo, MINURSO in Western Sahara, UNIFIL in Lebanon, UNDOF in the Golan Heights and UNFICYP in Cyprus.

However, nearly all of the current missions, established following the adoption of 1325, include women, peace and security as part of their operative mandate. There are two notable exceptions to this trend which are the mandates for UNISFA in Abyei and UNAMI in Iraq.

Abyei

This absence is particularly puzzling as reports of sexual violence appeared in the Secretary-General's UNISFA reports in early 2013. When the Council renewed the mandate in 2013 it only strengthened language regarding women's participation and protection in the preambular paragraphs, not in the

operational ones.

Iraq

Similarly, the latest renewal of the UNAMI mandate did not have any strengthened language on women, peace and security and reiterated the same language from the previous year in its preambular paragraphs. The security situation deteriorated significantly in Iraq in 2013 as the country prepared for potentially contentious elections in 2014. The 2013 renewal could have been an opportune time to include references to women's participation and empowerment in the operational parts of UNAMI's mandate focusing on assistance to the government with elections, national dialogue, reconciliation, constitutional review, rule of law and humanitarian issues. However, the operational part of UNAMI's mandate has not changed since the adoption of resolution 1770 in 2007—and in that resolution the word “woman” does not appear.

Women Protection Advisers

Resolution 2086 of 21 January 2013 on peacekeeping was the first resolution adopted in 2013. The resolution specifically reiterated the importance of promoting gender equality and the empowerment of women in post-conflict situations when establishing and renewing the mandates of UN missions, including through the appointment of gender advisers and women protection advisers. The need for gender expertise and MARA reporting in UN missions was further underlined in

resolutions 2106 and 2122 on women, peace and security adopted later in the year. However, resolution 2086 on peacekeeping could have also called for the implementation of the MARA in these missions—where there has been less progress.

There was an increase in 2013 in the number of appointments of women protection advisers that may correlate to the references in the three thematic resolutions mentioned above as well as direct calls by the Council in 2013 for such advisers to be deployed to UN missions in the CAR, Côte d'Ivoire, Darfur, DRC, Mali, Somalia and South Sudan. Of these, at time of writing, the only mission that had not identified a women protection adviser for deployment was UNAMID in Darfur. However, the numbers of these advisers are still small in relation to the need on the ground—with most missions only having one women protection adviser. Furthermore, the long-term nature of these positions may not be sustainable as some of these posts are paid by extra-budgetary or catalytic funding. There is still ample room for the Council to underscore the importance of these advisers and for the Secretariat to heed the call more robustly.

Another gap is linking the deployment of women protection advisers to the implementation of the MARA. The only two resolutions to do so in 2013 were resolutions 2109 and 2098, renewing the missions in South Sudan and the DRC respectively.

PEACEKEEPING OPERATIONS IN 2013

MISSION	ESTABLISHED	RENEWED	MANDATE INCLUDED					MISSION STAFF INCLUDED	
			WPS	Zero-Tolerance	Gender Expertise	WPAs	MARA	Gender Expertise	WPAs
MINUSMA (Mali)	April 2013 in S/RES/2100 through June 2014	NA	Yes	Yes	No	Yes	No	Yes	Yes
UNMISS (South Sudan)	July 2011	July 2013 (S/RES/2109 for a year)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UNISFA (Abyei)	June 2011	November 2013 (S/RES/2126 for six mo.)	No	Yes	No	No	No	No	No
MONUSCO (DRC)	May 2010	March 2013 (S/RES/2098 for a year)	Yes	Yes	No	Yes	Yes	Yes	No (will deploy in 2014)
UNAMID (Darfur)	July 2007	July 2013 (S/RES/2113 for a year)	Yes	No	Yes	No	No	Yes	No

Cross-Cutting Analysis for 2013 (con't)

PEACEKEEPING OPERATIONS IN 2013

MISSION	ESTABLISHED	RENEWED	MANDATE INCLUDED					MISSION STAFF INCLUDED	
			WPS	Zero-Tolerance	Gender Expertise	WPAs	MARA	Gender Expertise	WPAs
MINUSTAH (Haiti)	April 2004	October 2013 (S/RES/2119 for a year)	Yes	Yes	No	No	No	Yes	No
UNOCI (Côte d'Ivoire)	February 2004	July 2013 (S/RES/2112 for 11 mo.)	Yes	No	No	Yes	No	Yes	No (will deploy in 2014)
UNMIL (Liberia)	September 2003	September 2013 (S/RES/2116 for a year)	Yes	No	Yes	No	No	Yes	No

Peacekeeping Operations Established Prior to Resolution 1325

UNMIK (Kosovo)	June 1999 (S/RES/1244)	NA	No	No	No	No	No	Yes	No
MINURSO (Western Sahara)	April 1991	April 2013 (S/RES/2099 for a year)	No	Yes	No	No	No	Yes	No
UNIFIL (Lebanon)	March 1978 (expanded in August 2006)	August 2013 (S/RES/2115 for a year)	No	Yes	No	No	No	Yes	No
UNDOF (Golan Heights)	May 1974	December 2013 (S/RES/2131 for 6 mo.)	No	Yes	No	No	No	Yes	No
UNFICYP (Cyprus)	March 1964	July 2013 (S/RES/2114 for 6 mo.)	No	Yes	No	No	No	Yes	No

POLITICAL AND PEACEBUILDING MISSIONS IN 2013

MISSION	ESTABLISHED	RENEWED	MANDATE INCLUDES					MISSION STAFF INCLUDES	
			WPS	Zero Tolerance	Gender Expertise	WPAs	MARA	Gender Expertise	WPAs
UNSOM (Somalia)	May 2013 in S/RES/2102 for a year	NA	Yes	Yes	Yes	Yes	No	Yes	Yes
UNSMIL (Libya)	September 2011	March 2013 (S/RES/2095 for a year)	Yes	No	No	No	No	Yes	No
BNUB (Burundi)	January 2011	February 2013 (S/RES/2090 for a year)	Yes	No	No	No	No	Yes	No
UNIOGBIS (Guinea-Bissau)	January 2010	May 2013 (S/RES/2103 for a year)	Yes	No	No	No	No	Yes	No
BINUCA (CAR)	January 2010	January 2013 (S/RES/2088 for a year)	Yes	No	No	Yes	No	Yes	No

Cross-Cutting Analysis for 2013 (con't)

POLITICAL AND PEACEBUILDING MISSIONS IN 2013

MISSION	ESTABLISHED	RENEWED	MANDATE INCLUDES					MISSION STAFF INCLUDES	
			WPS	Zero Tolerance	Gender Expertise	WPAs	MARA	Gender Expertise	WPAs
UNIPSIL (Sierra Leone)	August 2008	March 2013 (S/RES/2097 for a year)	Yes	No	No	No	No	Yes	No
UNAMI (Iraq)	August 2003	July 2013 (S/RES/2110 for a year)	No	No	No	No	No	Yes	No
UNAMA (Afghanistan)	March 2002	March 2013 (S/RES/2096 for a year)	Yes	No	No	No	No	Yes	No

The UN's Zero-Tolerance Policy

The UN's zero-tolerance policy on sexual exploitation and abuse by UN peacekeepers deserves separate consideration. A "zero-tolerance" provision for sexual exploitation and abuse 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 2013 for UN peacekeeping, political and peacebuilding missions for references to the zero-tolerance policy and whether there was reporting on this policy in relevant Secretary-General's reports in 2013.

Background

The Security Council began to focus on the issue of sexual exploitation by peacekeeping personnel in the early 2000s, 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.

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 announced that this 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. It

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 Ambassador 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. The 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 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 itself 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 (TCCs/PCCs) to take appropriate preventative 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, 1960 and 2106. Furthermore, when resolution 2106 was adopted, reference to this policy was strengthened urging member states to ensure full accountability, including prosecutions, in cases of such conduct involving their nationals. In past resolutions addressing this issue, there were only vague calls for "accountability". While it is beyond the scope of this report to track case-by-case dispensation of allegations of sexual exploitation and abuse by UN personnel, it seems the most common approach has been for peacekeepers to be repatriated and removed from service.

In practice the Council has not been involved in following-up allegations of sexual exploitation and abuse, and the issue has been left to the discretion of the Secretariat and troop-contributing countries.

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

Qualitative Assessment of the UN's Zero-Tolerance Policy

Methodology and Key

Below is a chart designed to reflect Council activity and Secretariat reporting to the Council on sexual abuse and exploitation (SAE) by UN personnel in 2013. The chart tracks whether the Council included the zero-tolerance policy on sexual abuse and exploitation as part of the mandate of UN missions. It will also track whether the Council specifically requested the Secretary-General to report

back on misconduct and whether police- and troop-contributing countries were specifically requested to undertake pre-deployment training, preventive measures and/or disciplinary action. The chart also tracks the Secretary-General's country-specific reports and whether the Secretariat reported on sexual abuse and exploitation, specifically or generally, and whether reports included a separate section on conduct and discipline. Finally it tracks, by mission, the number of UN personnel and number of allegations in 2013.

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 the UN Office for West Africa (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.

UN'S ZERO-TOLERANCE POLICY IN 2013

	Mission Personnel	Allegations of SAE	Security Council Resolutions				Secretary-General's Reports		
			Resolutions	References to Zero-Tolerance	Requests Misconduct Reporting	Requests TCC training and/or disciplinary action	Include References to SAE	SAE references relate to an allegation	Conduct & Discipline Section
Peacekeeping Operations									
UNISFA (Abyei)	4,287	0	S/RES/2104 & 2126	Yes	Yes	No	No	NA	No
UNFICYP (Cyprus)	1,083	1	S/RES/2089 & 2114	Yes	Yes	Yes	No	NA	No
UNOCI (Côte d'Ivoire)	11,290	4	S/RES/2112	No	No	No	Yes	Yes	Yes
UNDOF (Golan Heights)	1,373	0	S/RES/2108 & 2131	Yes	Yes	Yes	No	NA	No
UNAMID (Darfur)	23,866	1	S/RES/2113	No	No	No	No	NA	No
MONUSCO (DRC)	25,739	23	S/RES/2098	Yes	Yes	No	No	NA	No
MINUSTAH (Haiti)	10,408	17	S/RES/2119	Yes	Yes	Yes	Yes	No	Yes
UNIFIL (Lebanon)	11,380	0	S/RES/2115	Yes	Yes	Yes	No	NA	No
UNMIL (Liberia)	8,970	7	S/RES/2116	No	No	No	Yes	Yes	Yes
MINUSMA (Mali)	6,704	5	S/RES/2100	Yes	Yes	No	No	NA	No
UNMISS (South Sudan)	10,294	6	S/RES/2109 & 2132	Yes	Yes	Yes	Yes	No	Yes
MINURSO (Western Sahara)	502	0	S/RES/2099	Yes	Yes	Yes	No	NA	No
Excluded Missions									
UNTSO, UNMOGIP, UNMIK	859	2							
2013 Personnel Total	116,755	66							

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

UN'S ZERO-TOLERANCE POLICY IN 2013

	Mission Personnel	Allegations of SAE	Security Council Resolutions				Secretary-General's Reports		
			Resolutions	References to Zero-Tolerance	Requests Misconduct Reporting	Requests TCC training and/or disciplinary action	Include References to SAE	SAE references relate to an allegation	Conduct & Discipline Section
Peace or Peacebuilding Missions									
UNAMA (Afghanistan)	1,811	0	S/RES/2096	No	No	NA	No	NA	No
BNUB (Burundi)	95	0	S/RES/2090	No	No	NA	No	NA	No
BINUCA (CAR)	138	0	S/RES/2088 & 2121	No	No	NA	No	NA	No
UNIOGBIS (Guinea-Bissau)	111	0	S/RES/2092 & 2103	No	No	NA	No	NA	No
UNAMI (Iraq)	1,081	0	S/RES/2110	No	No	NA	No	NA	No
UNSMIL (Libya)	246	0	S/RES/2095	No	No	NA	No	NA	No
UNIPSIL (Sierra Leone)	53	0	S/RES/2097	No	No	NA	No	NA	No
UNSOM (Somalia)	59	0	S/RES/2102	Yes	No	NA	No	Yes	No
Excluded Missions									
UNSCO, UNOWA, UNSCOL, UNRCCA, UNOCA	210								
2013 Personnel Total	3,804								
							Mission Reports		
Non-UN Peacekeeping Operations									
ISAF (Afghanistan)	52,686	Not available	S/RES/2120	No	No	No	No	NA	No
MISCA (CAR)	6,000	Not available	S/RES/2127	No	No	No	NA	NA	NA
AMISOM (Somalia)	22,126	Not available	S/RES/2093 & 2124	Yes	No	Yes	Yes	N	Yes
EUFOR (BiH)	600	Not available	S/RES/2123	No	No	No	No	NA	No

Cross-Cutting Analysis of the UN's Zero-Tolerance Policy for 2013

We reviewed the resolutions establishing mandates in effect in 2013 for 16 peacekeeping operations (12 led by the UN and four led by other multilateral organisations but authorised by the Security Council) and eight political or peacebuilding missions. Of

these 24 missions, only 46 percent (11 of 24) had mandates that included a reference to the Secretary-General's zero-tolerance policy (see chart on page 28 and 29), three more than the eight registered in 2012. The main factor leading to this limited improvement in 2013 was the inclusion of the policy in resolutions related to the DRC and

Somalia—discussed in greater detail below.

However, there remains an alarming oversight when one considers that the three UN peacekeeping mandates that did not have such a reference in 2013—Côte d'Ivoire, Darfur, and Liberia—represent 38 percent of all current UN peacekeeping personnel and account for 18 percent of the allegations of

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

sexual abuse and exploitation in 2013 (12 of 66). Yet, it is an improvement over 2012 when the percentage of personnel operating under a mandate without reference to the zero-tolerance policy was 64 percent in four missions accounting for 64 percent of the allegations.

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 current personnel deployed in political or peacebuilding missions, the same percentage as registered in 2012.

Resolutions concerning eight peacekeeping missions active in 2013 have consistently included references to the zero-tolerance policy after the adoption of the 31 May 2005 presidential statement on the issue: UNDOF and UNFICYP since June 2005, UNIFIL since July 2005, MINURSO since April 2006, MINUSTAH since February 2007 and UNISFA and UNMISS both since their establishment in 2011 and MINUSMA which was established in 2013.

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

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 31 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 until June 2010 in resolution 1933. It has not appeared since.

UNMIL in Liberia 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 to the policy for UNAMID in Darfur was in resolution 1769 (2007)—the resolution that established the mission.

Democratic Republic of the Congo

The record relating to the DRC has also been hit or miss. However, one factor contributing to the improvement in 2013 regarding the inclusion of the zero-tolerance policy

in UN mandates is the policy's addition in resolution 2098 renewing MONUSCO in the DRC on 28 March. The earliest mention of the 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. Before resolution 2098, the last MONUSCO mandate renewal to include it was resolution 1925 in 2010.

While the 2013 inclusion is a welcome development, the overall inconsistency is a worrisome trend. Especially when one considers that MONUSCO has had the highest number of allegations in comparison to other missions. In 2013, MONUSCO accounted for 35 percent of all allegations (23 of 66) and 41 percent in both 2011 and 2012. It is interesting to note that the number of allegations slightly decreased in 2013, the same year the Council included the zero-tolerance provision. While proving a direct correlation is beyond the scope of this report, it would nevertheless be interesting to see whether the allegations continue to taper off if strong reiterations of the policy continue in all future renewals.

Somalia

The AU mission in Somalia (AMISOM) is to date the only non-UN led mission where the Council has included zero-tolerance provisions when it reauthorised AMISOM in resolution 2093 of 6 March 2013. Interestingly, the UN Assistance Mission in Somalia (UNSOM) is the only current political or peacebuilding mission to include the policy. The Council referenced the policy right from the start, when it adopted resolution 2102 on 2 May 2013 establishing UNSOM, perhaps signalling a new focus on the reinforcement of the zero-tolerance policy.

In resolution 2093 the Security Council requested AMISOM to apply policies consistent with the UN zero-tolerance policy on sexual exploitation and abuse. It will be especially important for the Security Council to follow-up on this request given reports the Council received in 2013 on such allegations. The Monitoring Group for the Somalia sanctions regime noted in its July 2013 report that allegations of sexual exploitation and abuse continue to be levelled on a regular basis against AMISOM troops. The

report also said that the mission has still not established systems to methodically investigate charges of wrongdoing in a transparent and timely manner (S/2013/413). The December 2013 UNSOM report included follow-up by the mission of an alleged gang rape of a 19-year old woman by AMISOM troops. The report registered concern about how investigation of this case was conducted, including reports of intimidation of people connected to the case (S/2013/709).

Secretary-General's Reports

Regarding the request in the 31 May 2005 presidential statement for the Secretary-General to report on zero-tolerance matters in his regular periodic mission reports, in 2013 only reports for Côte d'Ivoire, Liberia and South Sudan included such references.

All three missions had allegations of sexual exploitation and abuse in 2013. The Côte d'Ivoire and Liberia reports referenced specific allegations while the UNMISS reports just had general reporting. However, none included the outcome of the investigations into these allegations even though such reporting was also requested in the 31 May 2005 presidential statement.

The UN Conduct and Discipline Unit reported that missions in Cyprus, Darfur, DRC, Haiti, Kosovo and Mali also had allegations of sexual exploitation and abuse in 2013. It is a significant gap that there was no corresponding reporting in the Secretary-General's 2013 reports on these missions to the Council—this is particularly worrisome as the DRC accounts for 35 percent and Haiti 26 percent of all allegations in 2013.

Observations

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

In 2012, non-UN led missions were excluded from this study on the basis that non-UN personnel would not be subject to UN policies. However, such missions were not excluded in 2013 since the Security Council received in March 2013 the human rights due diligence policy on UN support to non-UN security forces and subsequently

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

requested AMISOM to apply policies consistent with the UN zero-tolerance policy on sexual exploitation and abuse. It is unclear why this precedent was not applied in other resolutions adopted in 2013 reauthorising the NATO-led ISAF in Afghanistan (S/RES/2120 in October 2013), the EU led EUFOR-Althea mission in Bosnia and Herzegovina (S/RES/2123 in November 2013) or establishing the AU led MISCA in the CAR (S/RES/2127 in December 2013). Similarly, the inclusion of the zero-tolerance policy in the UNSOM mandate should lead to its inclusion in the mandates of other political and peacebuilding mandates—in particular the larger ones: UNAMI in Iraq and UNAMA in Afghanistan.

In addition to the zero-tolerance policy itself there are two other specific requests that are regularly included in mandates, such as:

- the need for the Secretary-General to

report substantiated allegations of misconduct back to the Council; and

- that TCC/PCCs undertake pre-deployment training, preventive measures and/or disciplinary action if necessary.

However, all three elements are not consistently included across all mandates. For example, while the mandate for MONUSCO in the DRC included a zero tolerance reference this year, it did not include a request for troop-contributing countries to undertake appropriate pre-deployment training or to take necessary disciplinary action. This reflects an incoherent approach to implementing the zero-tolerance policy. Logic would dictate that the mission with the highest rate of allegations would also be the mission where the Council would be most concerned with appropriate training and follow-up mechanisms.

Further on the issue of reporting, while

the Secretary-General's UNMISS reports did not report on specific allegations, they did consistently include a separate “conduct and discipline” section in reporting to the Security Council. Such a section could be included in other country-specific reports as a good practice and would also provide a logical place for consistent reporting on implementation of the zero-tolerance policy, substantiated allegations and relevant follow-up.

Finally, on the issue of follow-up, it is important for the Council to reiterate the importance of its request in the 31 May 2005 presidential statement for specific reporting on the implementation of accountability measures once accused peacekeepers are repatriated to enhance transparency efforts of TCCs and PCCs.

Security Council Sanctions Committees

This section will examine the nexus between sexual violence in armed conflict and activity by the Security Council and its subsidiary sanctions committees established under Article 29 of the UN Charter. It will review the sanctions committees for Somalia, DRC, Côte d'Ivoire, Sudan and the CAR. These sanctions regimes have been selected for ongoing cross-cutting analysis based on their operational intersection with the women, peace and security agenda.

For example, the sanctions regimes for the CAR, DRC and Somalia all include sexual violence among the designation criteria for targeted measures. The Côte d'Ivoire sanctions regime includes human rights abuses as designation criteria and the Council has listed three individuals, citing rape or the sexual abuse of women as part of the justification for their designation. Further, the 1572 Côte d'Ivoire Sanctions Committee has

been specifically mandated by the Council to undertake information sharing with the Special Representative for Sexual Violence in Conflict. Finally, the Council has specifically tasked the Panel of Experts assisting the 1591 Sudan Sanctions Committee to report on sexual and gender-based violence. (For an exhaustive review of sexual violence in conflict and sanctions, and the general history of various sanctions regimes, please see SCR's *Cross-Cutting Report on Women, Peace and Security* of 10 April 2013 and *Special Research Report on UN Sanctions* of 25 November 2013, respectively.)

This section will review the mandate, the application of sanctions, the designation criteria, the targeted listings and the reporting by associated expert groups on sexual and gender-based violence. It will proceed chronologically with the earliest sanctions regime reviewed first in order to demonstrate the

trajectory of the inclusion of the women, peace and security agenda 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, this section will also briefly touch on parallel international justice mechanisms where they exist and examine whether there is correlation between those who are listed by the sanctions committees and those who have been indicted or tried by such international courts. As the analysis and the chart below indicate, the overlap is negligible.

Security Council Sanctions Committees (con't)

SEXUAL VIOLENCE IN UNSC SANCTIONS REGIMES & ICC CHARGES

UNSC Sanctions Regime	UN Security Council					ICC			Overlap?	
	UNSC Designation Criteria Includes Sexual Violence	UNSC Designation Criteria Includes Human Rights Abuses	Individuals Listed by the UNSC for Sexual Violence	Individuals Listed by the UNSC for Human Rights Abuses, such as rape	Situations included in Annex of the SG's 2013 Report on Sexual Violence	ICC Situations	ICC Indictees also on UNSC Sanctions List	ICC Charges include Sexual Violence	Number of ICC Indictees, charged with Sexual Violence, also Listed by a UNSC Sanctions Cmte	Instance where both ICC Charge & UNSC Listing include Sexual Violence
Somalia	•									
DRC	•		•		•	•	•	•	5	0
Côte d'Ivoire		•		•	•	•	•	•	3	1
Sudan		•				•		•	0	0
CAR (pre-2004)	•				•	•		•		

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 on 26 January 1991. During this time sexual and gender-based violence has been widespread. The Council imposed sanctions on Somalia in 1992. 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 on 23 January 1992 imposing an arms embargo and adopted resolution 751, on 24 April 1992, establishing the 751 Somalia Sanctions Committee. During the first decade of the Somalia sanctions regime, the Committee was largely inactive and the sanctions were seen as having little impact. Resolution 1425, adopted on 22 July 2002, established a

Panel of Experts—later renamed 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. 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 reports of the Monitoring Group.

On 20 November 2008, as the crisis in Somalia seemed to be worsening, the Council adopted resolution 1844 strengthening the sanctions regime to include targeted sanctions on violators of the arms embargo, individuals who threaten the peace, security and stability of Somalia or impede humanitarian access, particularly the Islamist *Al-Shabaab* rebels who were gaining territorial control. 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 on 29 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.

The two reports of the Monitoring Group following the adoption of resolution 2002 have confirmed that all parties to the conflict routinely violated resolution 2002, including acts of gender-based violence (S/2013/413 of July 2013 and S/2012/544 of July 2012). The references to sexual and gender-based violence in Somalia in both the 2012 and 2013

KEY UN DOCUMENTS ON SOMALIA SANCTIONS Security Council Resolutions S/RES/2142 (5 March 2014) extended the partial repeal of the arms embargo. S/RES/2111 (24 July 2013) extended the mandate of the Monitoring Group and deplored all acts of sexual and gender-based violence. S/RES/2093 (6 March 2013) extended AMISOM's authorisation; included a partial and temporary repeal 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/2002 (29 July 2011) expanded the Somalia sanctions regime to include sexual and gender-based violence in the criteria for targeted sanctions. S/RES/1844 (20 November 2008) expanded the Somalia sanctions regime and imposed targeted sanctions. S/RES/1425 (22 July 2002) established a Panel of Experts, now called the Monitoring Group. S/RES/751 (24 April 1992) established the 751 Somalia Sanctions Committee. S/RES/733 (23 January 1992) established the arms embargo on Somalia. Monitoring Group Reports S/2013/413 (12 July 2013) and S/2012/544 (11 July 2012) were the first two reports 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)

reports of the Monitoring Group have been comprehensive.

The 2012 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.

The 2013 report reiterated the particular vulnerability of women in camps for internally displaced persons largely due to the lack of command and control exerted by central authorities over armed groups and militias. It also reiterated that victims of sexual assault could not identify whether uniforms worn by attackers belong to the Somali police, army or a militia. The police were unwilling to investigate and the judicial system was unwilling to prosecute. Despite commitments made at the highest level to address sexual violence, including by the president and prime minister, the report said the central government has demonstrated little political will to achieve progress. As discussed earlier in this report, allegations are also regularly levelled against AMISOM troops. The 2013 report also included an impressive 10-page annex specifically dedicated to gender based violence where it

detailed all of the trends identified above.

Similar accounts of the phenomenon of sexual violence in Somalia were included in the January 2012 (S/2012/33), March 2013 (S/2013/149) and March 2014 (S/2014/181) reports of the Secretary-General on sexual violence.

Council decisions in 2013 on the Somalia sanctions regime maintained references to women. Resolution 2111 of 24 July 2013 extended the mandate of the Monitoring Group and deplored all acts of sexual and gender-based violence. It also included strengthened language by expressing concern at the reports of pervasive sexual violence in Somalia, including in camps for internally displaced persons. It underscored the need to end impunity, uphold human rights and to hold accountable those who commit such crimes.

Resolution 2093 of 6 March 2013 reauthorised 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 the first references to sexual and gender-based violence in any AMISOM resolution. 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 arms control mechanisms. A 6 February 2014 leaked mid-term report of the Monitoring Group asserts that there are high-level and systematic abuses in

the government's weapons and ammunition management and distribution. (Only the final reports of the Monitoring Group are regularly made available as public documents.) In particular, the report apparently claims that weapons have been illegally diverted, including to *Al-Shabaab*. Nevertheless, on 5 March 2014 the Council adopted resolution 2142, extending the partial repeal of the arms embargo for a further year without substantially tightening the regulatory provisions applying to the government.

Despite the concerns raised about arms diversion and the link between a proliferation of arms in Somalia and spikes in sexual violence perpetrated by authorities, there was no mention of women in resolution 2142. This is an example of a Council decision that is dissonant with trends identified by the Secretariat, reported to the Council and which have clear negative implications for peace and security. Furthermore, despite expanding criteria for targeted sanctions in resolution 2002, the sustained references to women, peace and security in subsequent Somalia sanctions resolutions, with the exception of resolution 2142, and a preponderance of evidence presented by the Monitoring Group in its 2012 and 2013 reports, 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.

The 751 Somalia Sanctions Committee's listings are *Al-Shabaab* related—though none for sexual or gender-based violence. The lack of any such listing may reflect hesitancy by the Committee to target individuals or entities affiliated with the government since the Monitoring Group's report lays a great deal of blame for the preponderance of sexual violence in Somalia at the feet of the authorities—both as perpetrators and ineffectual bystanders.

Democratic Republic of the Congo (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 one another and the government of the DRC.

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 DRC armed groups and militia operating in the eastern DRC. In March 2004, the Council adopted resolution 1533, establishing the 1533 DRC Sanctions Committee and its associated Group of Experts. 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 on 31 March 2008, the Council added sexual violence in the DRC as a criterion for targeted sanctions when it adopted resolution 1807.

Since May 2009 the Group of Experts has included reporting on high levels of 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 and 603). By late 2012, the 1533 DRC Sanctions Committee had listed two entities and nine individuals due to allegations of rape, sexual abuse or sexual violence.

Currently, the armed groups 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 believed to be backed by Rwanda.

In 2012, Council members followed the emergence of the M23 and its destabilising impact in the eastern DRC. In November 2012, the Group of Experts alleged external support for the M23 from neighboring Rwanda and Uganda (S/2012/843), and reported widespread sexual violence in the eastern DRC 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 just been elected to serve on the Security Council with a term beginning on 1 January 2013.

In response to M23 activity, the Council adopted resolution 2076 on 20 November, 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. On 28 November, the Council adopted resolution 2078 expressing concern at the persistence of sexual and gender-based violence committed by the M23 and other armed groups, and called for accountability. This resolution also renewed the sanctions regime and the mandate of the Group of Experts until 1 February 2014 leaving no room for the mandate to be revisited in the first year of Rwanda's two-year term on the Council.

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 (M23 members Sultani Makenga, Baudoin Ngaruye and Eric Badege) and both entities (M23 and FDLR) were explicitly justified by allegations of rape, sexual abuse,

sexual violence or targeting women.

In addition to Makenga and Ngaruye, the November 2012 report by the Group of Experts profiled another senior M23 commander who also had a background of sexual violence and of targeting women, Bosco Ntaganda. Ntaganda surrendered himself voluntarily to the ICC on 22 March 2013 after turning himself in to the US embassy in Kigali on 18 March. His charges include war crimes and crimes against humanity, such as rape and sexual slavery. Ntaganda has been listed since November 2005. The Council updated his listing on 16 April 2013 to reflect his surrender to the ICC (SC/10974). However, the Council did not take the opportunity to update the justification for his designation to include sexual violence. Ngaruye's listing, which already included targeting women from December 2012, was also updated on 16 April 2013 to indicate that he had entered Rwanda on 16 March, the same day as Ntaganda (SC/10974).

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 the ICC 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 inclusion on the sanctions list has not been updated to include such designation criteria.

The ICC warrants were for Ntaganda, Germain Katanga, Callixte Mbarushimana (released in 2011), Sylvestre Mudacumura and Mathieu Chui Ngudjolo (released in 2012). The Council has called for the DRC government's cooperation with the ICC in relation to Mudacumura, who is at large (S/RES/2098). On 7 March 2014, in the first ICC trial to deal

KEY UN DOCUMENTS ON DRC SANCTIONS *Security Council Resolutions* S/RES/2136 (30 January 2014) renewed the sanctions and the Group of Experts and expressed concern at the persistence of serious human rights abuses, including sexual and gender-based violence. However, it omitted any specific condemnation of the M23. S/RES/2098 (28 March 2013) established a new mandate for MONUSCO and 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) signalled 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/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/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 Press Statements** SC/10974 (12 April 2013) modified existing listings to reflect Bosco Ntaganda's surrender to the ICC and that several other M23 members crossed into Rwanda on 16 March 2013 along with Ntaganda. SC/10876 (31 December 2012) included the listing of the M23, FDLR and Eric Badege of the M23. SC/10842 (30 November 2012) included the listing of Baudoin Ngaruye of the M23. 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 mass rapes. 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 CNRP). 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/2014/42 (22 January 2014) increased focus on FARDC as a significant source of sexual violence and also noted rapes carried out in 2013 by members of the FDLR and the M23. 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.

Democratic Republic of the Congo (1533 Committee) (con't)

with sexual and gender based crimes, Katanga was found guilty of crimes against humanity and war crimes but was acquitted on charges of sexual slavery and rape. Judges determined that the crimes of sexual slavery and rape took place but that there was not enough evidence to prove beyond reasonable doubt that Katanga was responsible.

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. The brigade's civilian protection tasks include reduction of the threat posed by sexual and gender-based violence.

Following the military success of the DRC's national armed forces (FARDC) and the MONUSCO intervention brigade against the M23 in August 2013, an agreement between the M23 and the DRC was signed in December 2013 granting amnesty in return for disarmament to those M23 members who are only accused of taking up arms.

The DRC government has stressed that no amnesty would be granted to M23 members who have committed serious crimes. This call was echoed by Council members during their 5-7 October 2013 visiting mission to the DRC, adding that there are clear lessons from the past about the consequences of integrating armed groups into the national security structures without rigorous vetting and that such mistakes cannot be repeated.

In contrast to the 2012 report of the Group of Experts, there was an increased focus in the 2013 report on the FARDC as a significant source of sexual violence, notably against minors. During 2013, there was no reported case of mass rape committed by FARDC, but soldiers were responsible for many isolated attacks on women and girls, particularly during operations. In the case of rapes committed by the FARDC, military justice arrested and sentenced several offenders. However, the Group of Experts reported that some of those accused or sentenced in 2013 escaped from custody. The report also noted that members of FDLR, M23 and other armed groups carried out rapes during 2013 (S/2014/42).

Issues of accountability were also raised by Council members during their October 2013 visit to the DRC, particularly in discussions with the ministries of the interior, defense and justice. Council members asked the

government how it had addressed the human rights violations perpetrated by FARDC soldiers and M23 combatants from 15 November to 2 December 2012 in the Kivus. (Among the most serious human rights violations, 135 cases of sexual violence perpetrated by FARDC troops and 59 cases of sexual violence perpetrated by the M23 have been documented by the UN.) Council members expressed their concern with the limited judicial follow through and what appeared to be delays in the cases of FARDC involvement.

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 criterion 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 during its visiting mission to the DRC in 2009 (SC/10018). (To the best of our knowledge, this specific issue was not brought up again with senior government officials during the most recent Council visiting mission to the DRC in October 2013.)

On 25 March 2011, the High Military Court in Kinshasa opened a trial against Kakwavu for war crimes. In 2012 it was unclear whether there was any progress with the trial which appeared to have been indefinitely suspended. However, the June 2013 MONUSCO report noted the resumption of the trial on 19 April (S/2013/388), further progress was unknown at press time. (The other four FARDC officers—Colonels Mobuli, Mosala and Safari and Major Pitchen—were not 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. There was no mention of these FARDC officers in the 2014 sexual violence report.)

Zimurinda is affiliated with the M23 but was in the FARDC at the time of his listing on 1 December 2010 for multiple human rights abuses, but those involving responsibility for the rape of a large number of women and girls were incidents that occurred

in 2007 when he was part of a rebel group (SC/10099). Zimurinda's listing was updated on 16 April 2013 to indicate that he had entered Rwanda on 16 March, the same day as Ntaganda (SC/10974).

On 16 May 2013, the DRC issued international arrest warrants and extradition requests for M23 leaders who surrendered to Rwanda in March, including Badege, Ngaruye and Zimurinda. The warrants included war crimes and crimes against humanity, including sexual violence.

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 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 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 to arrest and try perpetrators with at least 49 FARDC members 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 rebel fighters integrated into national security structures, emphasising the need for a better vetting process.

The 2014 Secretary-General's report on sexual violence reflected an increase in sexual and gender based violence in eastern DRC but noted that a majority of such attacks were committed by non-state armed groups. FARDC and the national police were responsible for 29 percent of attacks, down from 50 percent the previous year. The report also highlighted progress in the DRC regarding accountability. In contrast, a 9 April 2014 report by the UN Joint Human Rights Office

Democratic Republic of the Congo (1533 Committee) (con't)

in the DRC, while acknowledging limited progress, pointed to several factors contributing to continued impunity for sexual violence—in particular that proceedings very rarely target senior army officers.

These reports of the Secretary-General on sexual violence include an annex that lists parties credibly suspected of bearing responsibility for patterns of rape and other forms of sexual violence. The annex provides a possible basis for sanctions, but there has yet to be a listing as a direct result of being included in the annex. The January 2012 annex included

the FARDC, FDLR, LRA and several Mai-Mai groups in the Kivus, as well as other armed groups. The M23 was added to the 2013 annex, as was the DRC national police and more Mai-Mai groups. The same set of armed groups and government forces were unchanged in the 2014 annex.

The increasing sexual violence in the Kivus over the course of 2012 and the emergence of the M23 as a major destabilising factor in the region led to both the FDLR and M23 being added to the sanctions list on 31 December 2012 with designations that

included sexual violence. There were no new listings or designations in 2013.

On 30 January 2014, the Council adopted resolution 2136 renewing the sanctions and the mandate of the Group of Experts for a further year. It retained its strong language found in resolution 2078 (2012), expressing concern at the persistence of sexual and gender-based violence committed by armed groups and calling for accountability. The only notable omission from resolution 2136 was any specific condemnation of the M23.

Côte d'Ivoire (1572 Committee)

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. During this period, and in the years since the end of the civil war, 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, imposed an arms embargo 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 in resolution 1643 (2005), which widened sanctions to include a diamonds embargo.

It was only on 7 February 2006 that any targeted measures were imposed on specific individuals (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 (as they were listed under the broader provision of targeted sanctions for perpetrators of human rights violations).

Since October 2008, specific references to sexual violence have been consistently included in Council resolutions related to the Côte d'Ivoire sanctions regime, though not as listing criteria for targeted measures, as in the CAR, DRC and Somalia cases. However, other than the targeted measures imposed on individuals in February 2006, there would be no additional listings under the Côte d'Ivoire sanctions regime until after the 2010 post-electoral crisis and the adoption of resolution 1975 on 30 March 2011.

Presidential elections were held on 31 October 2010, with former Prime Minister Alassane Ouattara receiving 54.1 per cent of the vote in the second-round 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, including sexual violence.

On 20 December 2010, the Council renewed the mandate of UNOCI in resolution 1962, condemning numerous acts of sexual violence whose perpetrators had been given impunity and reaffirming its readiness to impose targeted sanctions. On 19 January 2011, in resolution 1967, the Council reiterated its readiness to impose measures, but there was no reference to sexual violence. 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 Committee has not listed any other individuals since.) 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. On 23 November

KEY UN DOCUMENTS ON CÔTE D'IVOIRE SANCTIONS [Security Council Resolutions S/RES/2101](#) (25 April 2013), [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) imposing 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 Reports S/2013/605](#) (11 October 2013) and [S/2013/228](#) (12 April 2013) were the latest reports. 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 these, has included any specific reporting on sexual and gender-based violence.

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

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 in the context of post-electoral violence. Gbagbo was transferred to The Hague on 30 November after the 1572 Côte d'Ivoire Sanctions Committee lifted the travel ban against him the day before. (In November 2012, the ICC also unsealed an arrest warrant for Simone Gbagbo, who remains in custody in Côte d'Ivoire, for the same four counts of crimes against humanity.)

Resolutions 1980 (2011), 2045 (2012) and 2101 (2013) renewed the Côte d'Ivoire sanctions and condemned acts of violence targeting women. Furthermore, each welcomed information-sharing between the Special Representative for Sexual Violence in Conflict and the 1572 Sanctions Committee. The calls for such information-sharing, in line with resolution 1960, have been the first and only such references in a sanctions resolution.

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 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 said that 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 disarmament of former militias has left the west awash with guns, exacerbating sexual violence. The March 2014 report indicated continued high levels of sexual violence along with a high level of impunity for security actors accused of such crimes.

Despite three consecutive Secretary-General's reports on sexual violence detailing violations in Côte d'Ivoire and former rebel groups and government security forces included in the annex, to date the 1572 Sanctions Committee has not taken advantage of the Council's explicit call for information-sharing with the Special Representative for Sexual Violence in Conflict. Similarly, the Group of Experts has yet to interpret the calls for cooperation with the Special Representative as a directive to widen its reporting mandate. The Group of Experts has not mentioned sexual and gender-based violence in any of its reports, including the two most recent reports in 2013 (S/2013/228 and S/2013/605).

Resolutions 2045 and 2101 also stressed accountability for post-electoral violence and welcomed the close cooperation of the government with the ICC. Until recently, Laurent and Simone Gbagbo were the only two individuals targeted by the 1572 Committee for whom the ICC had issued arrest warrants. However, on 30 September 2013, a warrant for Charles Blé Goudé was unsealed on charges similar to those against the Gbagbos. Goudé is also one of the three individuals listed by the 1572 Committee in February 2006 for serious rights abuses, including rapes.

While the ICC charges against Laurent and Simone Gbagbo include rape and other sexual violence, their designation on the sanctions list has not been updated to reflect such violations. Goudé is the only example where an individual indicted by the ICC on charges of sexual violence also has a corresponding designation justification in a UN Security Council sanctions regime. (Sexual violence is not an explicit listing criterion for the Côte d'Ivoire sanctions regime as it is in the CAR, DRC and Somalia sanctions regimes. Nevertheless, that did not impede the 1572 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, including Goudé.)

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. Recent reports indicate the continuing prevalence of sexual and gender-based violence. The 2012 and 2013 Secretary-General's reports on sexual violence echoed observations made in reports by the Panel of Experts assisting the 1591 Sudan Sanctions Committee (S/2014/87, S/2013/79 and S/2011/111; the 2012 report was never

published). 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. Additionally, the two most recent Panel of Experts reports have indicated that such attacks appear to be perpetrated by the Janjaweed or government security forces, and are predatory as a

KEY UN DOCUMENTS ON SUDAN SANCTIONS Security Council Resolutions S/RES/2138 (13 February 2014), 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 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 Meeting Record S/PV.5423 (25 April 2006) was the vote on resolution 1672, listing individuals under the Sudan sanctions regime, 12 in favour, no negative votes, and three abstentions by China, Qatar and Russia. Panel of Experts Reports S/2014/87 (7 February 2014) and S/2013/79 (22 January 2013) included a section on sexual and gender-based violence. S/2011/111 (20 September 2010) 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)

result from the lawlessness in which Darfur is engulfed rather than a war tactic.

References to sexual and gender-based violence have been included in resolutions renewing the mandate 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, the ability to list for human rights violations has not lent itself to any specific description of the alleged violations, whether for sexual violence or otherwise.)

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, in resolution 1591. The resolution 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 April 2006, the Council adopted resolution 1672 on 25 April 2006, listing four individuals under the Sudan sanctions regime. On 14 October 2010, the Council adopted resolution 1945, renewing the mandate of

the Panel of Experts and strengthening the implementation of the arms embargo. Of importance for the women, peace and security agenda, resolution 1945 was also the first instance 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, even before this specific stipulation in its mandate, all publicly available Panel of Experts reports to the 1591 Sudan Sanctions Committee have included extensive reporting on women, rape, rape as an instrument of war and sexual and gender-based violence. Starting with its September 2007 report (S/2007/584), the Panel has included a dedicated section on sexual and gender-based violence in its reporting.

Resolution 2035 adopted on 17 February 2012 further strengthened the sanctions 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. This language was also retained in resolution 2091 adopted on 14 February 2013.

However, on 13 February 2014, this language was modified in resolution 2138. The reference to “atrocities” was removed and “violations of human rights law” became “violations or abuses of human rights”.

The relevant operational paragraph of resolution 2138 is worth quoting:

19. Requests the Panel of Experts ... 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), ... violations of international humanitarian law or violations or abuses of human rights, including ... sexual and gender-based violence ... and to provide the Committee with information on the

individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution 1591;

The importance of the language in resolutions 1945, 2035 and 2091 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. Removing “atrocities” and “violations of human rights law” in resolution 2138 and replacing it with the more general “violations or abuses of human rights” reflects that concern. This resolution does not include a specific request for the Panel to report on “atrocities” thereby delinking any possible interpretation that the designation criteria had been expanded.

The ICC issued its first Darfur-related arrest warrants in 2007 and initiated proceedings against seven individuals for mass atrocities (in October 2013 charges against one of these seven were terminated due to that person's death). Four, including President Omar Al-Bashir of Sudan, remain “at large” though their whereabouts are well known. The charges against all four include rape, either in the context of war crimes, crimes against humanity or both.

Currently there is no crossover between the ICC indictees and the four individuals listed under the Sudan sanctions regime. The 2013 Secretary-General's report on sexual violence also underscored that in the case of Darfur, impunity remains a major challenge, particularly when the alleged perpetrators are government soldiers or police, though the 2014 report indicated some judicial processes had begun. The fact that three of the at-large individuals wanted by the ICC remain in positions of responsibility and power is a clear signal of Sudan's 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.)

Central African Republic (2127 Committee)

Chronically unstable and without serious external economic and political support, the CAR has suffered several coups since gaining its independence from France on 13 August 1960. Most recently, Séléka rebels took up arms on 10 December 2012, culminating in President François Bozizé's fleeing to Cameroon on 24 March 2013. The political and security situation in the CAR has remained highly volatile and unpredictable since.

Throughout 2013, the country continued to fall into a state of lawlessness, with a complete breakdown in state authority and a growing humanitarian crisis. The ex-Séléka rebels, though officially disbanded by the transitional government led by former Séléka leader Michel Djotodia, continued to commit serious violations of human rights with total impunity. In response, militia groups known as the anti-Balaka emerged, creating a dynamic of violence and retaliation. Sexual violence has been a main feature of these ongoing attacks.

There was a particularly sharp spike in religious-based violence in December 2013 with reports that more than 500 people had been killed in Bangui in sectarian violence between Muslims and Christians in the span of a week. The media reported instances of violence in Bangui, with lynching, looting and the burning of places of worship. At the same time, the transitional government, including Djotodia, seemed to be losing the little control they had over the ex-Séléka rebels.

On 5 December 2013, the Council

adopted resolution 2127, authorising the deployment of MISCA, the African-led International Support Mission in the CAR, and reiterated the call for all parties to engage with the Special Representative for Sexual Violence. The resolution also established an arms embargo, the 2127 CAR Sanctions Committee and its Panel of Experts. The Council expressed intent to impose targeted measures against those undermining peace and security, including by engaging in acts of sexual violence. Further, it asked the Secretary-General to undertake the necessary preparations for the possible transformation of MISCA into a UN peacekeeping operation. As part of those arrangements, between 17-21 December, a senior staff member from the Special Representative's Office undertook a joint visit along with the Special Representative for Children and Armed Conflict and the Special Adviser on the Prevention of Genocide.

On 22 January 2014, Bangura briefed the Council on the results of the joint visit during a session on the human rights and humanitarian situation in the CAR (S/PV.7098). She reported that between January and November 2013, the UN had recorded at least 4,530 cases of sexual violence perpetrated by armed men, with more assaults reported during December's attacks in Bangui.

Facing international pressure, Djotodia resigned as interim president on 10 January 2014 and fled the country. The situation in the CAR has calmed somewhat, yet reports of violent inter-communal attacks persist. On 20

January, the mayor of Bangui, Catherine Samba-Panza, was elected as interim president.

Later that month on 28 January, the Council adopted resolution 2134 renewing BINUCA's mandate, imposing targeted sanctions that included sexual violence as part of the designation criteria—the third sanctions regime to do so following those for the DRC and Somalia. The resolution also called upon all armed parties to issue clear orders against sexual and gender based violence and for BINUCA to monitor and report on violations against women, including sexual violence.

At press time, the 2127 Committee had not imposed targeted measures on any individuals. Council members had considered listing three individuals during the negotiations leading up to the adoption of resolution 2149 on 10 April 2014 to transform the AU-led MISCA to a UN peacekeeping operation. However, in the end no listings were agreed.

The CAR is a state party to the Rome Statute of the ICC. On 7 February 2014, ICC Prosecutor Fatou Bensouda announced that the Court will open a preliminary examination into allegations of acts such as rape and sexual slavery during hostilities over the past year by various groups in the CAR. Resolution 2149 reiterated the need for accountability and noted the Prosecutor's decision to open a preliminary examination on the situation in the CAR since September 2012.

Council Dynamics

The Council made significant progress in 2013 on the women, peace and security agenda both in its country-specific resolutions and with the adoption of thematic resolutions 2106 and 2122. This progress is likely attributable to the fact that some conservative elected members on this issue rotated off the Security Council at the end of 2012. Meanwhile, Argentina, Australia, Luxembourg and the Republic of Korea joined the Council on 1 January 2013 and are strong

advocates of the women, peace and security agenda. Rwanda, which also joined the Council in 2013, is supportive of the agenda but has expressed reservations on accountability throughout the year.

The progress in 2013 is also likely a reflection of the strengthened institutional processes for dealing with gender issues within the UN—UN Women and the Office of the Special Representative. Both of these entities played pivotal roles in conducting effective

advocacy during the drafting and negotiation period leading up to the adoption of resolutions 2106 and 2122 as well as increasing their engagement with Council members in order to improve country-specific outcomes, as was demonstrated by the AMISOM renewal in March 2013.

However, many of the same issues that made advancement of this thematic issue in 2011 and 2012 difficult re-emerged in negotiations on resolutions 2106 and 2122

KEY UN DOCUMENTS ON CAR SANCTIONS [Security Council Resolutions S/RES/2149](#) (10 April 2014) authorised the re-hatting of MISCA into a UN peacekeeping operation. [S/RES/2134](#) (28 January 2014) imposed targeted sanctions that included sexual violence as part of the designation criteria. [S/RES/2127](#) (5 December 2013) authorised the deployment of MISCA, established an arms embargo, sanctions committee, panel of experts and expressed intent to impose targeted measures against those engaging in acts of sexual violence. [Security Council Meeting Record S/PV.7098](#) (22 January 2014) Bangura briefed the Council, reporting that between January and November 2013, the UN had recorded at least 4,530 cases of sexual violence perpetrated by armed men in the CAR.

Council Dynamics (con't)

in 2013. For the last several years China and Russia—as well as a few elected Council members such as Azerbaijan, India and Pakistan, none of which are Council members in 2014—have tried to narrow the scope of the Secretary-General's reporting on women, peace and security, particularly on situations that in their view do not constitute threats to international peace and security. The compromise that has emerged is language in women, peace and security outcomes that refers to “armed conflict and post-conflict situations” rather than the more general “conflict”.

This dynamic now seems to have extended to the 2014 report on conflict-related sexual violence. Previous sexual violence reports included countries that were not armed conflict or post-conflict situations in a category known as “other situations of concern”. This category was dropped in the current report notwithstanding the avenues and prerogatives available to the Secretary-General under Article 99 of the UN Charter.

Despite the focus on accountability for

sexual violence in 2013, in particular in resolution 2106, the conflict-related sexual violence report's dedicated section on accountability was dropped in 2014, though there was reporting on accountability issues folded in other parts of the report. Also, previous reports included a specific accountability recommendation to the Council, including ICC referrals. This recommendation was absent in 2014. The ICC has been a sensitive issue, with Rwanda objecting consistently to such references in a broad spectrum of Council outcomes on both country-specific and thematic issues.

Despite this pushback, Council members strongly committed to the women, peace and security agenda have held the line and largely avoided any rollback of the normative framework on the issue, and indeed managed to move the agenda forward in 2013.

The Office of the Special Representative and UN Women, with the support of most Council members, seem to be focused on 2014 as a year to consolidate implementation of resolutions 2106 and 2122 rather

than seeking new outcomes. The constellation of Council members in 2014 should be particularly favourable to such an endeavour. Both Azerbaijan and Pakistan rotated off the Council and incoming members Chile, Jordan and Lithuania are strong proponents of this thematic issue. Such broad support among Council members may make it more difficult for China and Russia to insist on their more restrictive view of the women, peace and security agenda.

Chad and Nigeria are also expected to be supportive even if it is not explicitly their priority during their tenure on the Security Council. However, Chad's position on robust implementation of the UN's zero-tolerance policy may be more sensitive as they are a significant troop contributor to MINUSMA in Mali and the mission there has received allegations of serious misconduct by its peace-keeping troops.

The UK is the penholder on women, peace and security in the Council. The US is the penholder on sexual violence issues.

Cross-Cutting Observations and Possible Future Options

The overarching observation of this study is that the pushback trend at the thematic level continues. In 2013 there were difficult and protracted negotiations over whether the Special Representative on Sexual Violence in Conflict could engage non-state actors; attempts to narrow the reporting scope on sexual violence to only armed conflict and post-conflict situations; and differences over references to the ICC. However, these ongoing disagreements did not negatively impact the integrity of the women, peace and security normative framework as demonstrated by the adoption of resolutions 2106 and 2122. These were the first resolutions to be adopted on this agenda since 2010 and substantively codified many practical and concrete ways the women, peace and security agenda can continue to be implemented.

The past year also saw advancements in including women, peace and security elements in other thematic resolutions such as small arms (S/RES/2117), counter-terrorism (S/RES/2129) and peacekeeping (S/

RES/2086). In all three cases, there were extensive negotiations over how specific the linkages should be and while some language could not be agreed, several important references were retained.

What is perhaps even more significant is that despite the ongoing 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 was 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 which prompted the 1533 DRC Sanctions Committee to list new entities and individuals, including for sexual violence. This trend was replicated in 2013 as the Council responded to the dramatically deteriorating situation in the CAR.

Furthermore, several mandates in 2013

were strengthened on the protection aspects of the women, peace and security agenda. The AMISOM renewal, discussed earlier in this report, is the most concrete example of a mandate with such significantly strengthened language. The language in the AMISOM renewal is an example of the impact UN Women and the Office of the Special Representative bring in enhancing the quality of Council decision-making on the women, peace and security agenda.

Despite more substantive references to women, peace and security across the board in 2013, implementation in the field remains a challenge. To be certain, there are various circumstances beyond the Council's control that create obstacles to implementation. But there are two clear factors related to the work of the Council that could be improved. First is the Council's uneven approach, at times, to applying a coherent strategy to a country situation, exemplified by Somalia, as described below. Secondly, is the continued culture of viewing women, peace

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

and security as an “add-on” component to a mandate versus being one of the central tenets which support conflict prevention and underpin long-term stability.

An example of the Council’s acting with a certain degree of contradictory impulses can be found in the decisions taken in 2013 on Somalia. The partial lifting of the arms embargo in Somalia, where sexual violence is pervasive, stands in direct contrast to the link identified by both the Secretary-General and the Special Representative on Sexual Violence in Conflict—that the widespread availability of illicit small arms and light weapons is linked to conflict-related sexual violence. Also, AMISOM’s overarching focus on counter-terrorism operations against *Al-Shabaab*, strongly supported by the international community, drains focus away from implementation of other tasks—including those related to women’s protection. In this regard, the Council’s call for AMISOM to develop a zero-tolerance policy on sexual abuse and exploitation is a welcome precedent and it will be a crucial issue for Council members to follow-up assiduously since AMISOM troops have been identified as perpetrators of abuse. And finally, it seems counter-intuitive that the UNSOM mandate, which was established to support both Somalia and AMISOM with advice on peacebuilding and state building, should have weaker references to women’s participation than the AMISOM mandate.

There is also the detrimental culture in parts of the Secretariat and in the field of viewing the women’s agenda as an “add-on”. While the resolutions adopted by the Council in 2013 have made a substantial leap in adding operational language, it may be for naught if neither the Secretariat nor the field approach the task rigorously. The Secretariat could improve its deployment of women protection advisers and gender advisers, including by ensuring such posts are part of a mission’s core budget. Leadership in peacekeeping, peacebuilding and political missions could better integrate such advisers’ work in the operational framework of the mission. Council members have expressed admiration of Martin Kobler’s leadership of MONUSCO in the DRC and his cooperation with Mary Robinson, the Special Envoy to the Great Lakes Region, as positive examples of a mission-wide prioritisation of the women, peace and security agenda.

On the other hand, Council members have expressed concern over whether MINUSMA is willing to fully integrate a gender perspective into its work. The Council can significantly underscore the importance of women, peace and security agenda simply by asking mission leadership follow-up questions when they come to New York to brief. If Council members exhibit such commitment to the agenda, then it will likely result in the Secretariat and mission leadership approaching the task with more attention.

For example, in 2013, the Council specifically called for women protection advisers to be deployed to missions in the CAR, Côte d’Ivoire, Darfur, the DRC, Mali, Somalia and South Sudan. The Council could ask the Secretariat why it has not matched the Council’s call for women protection advisers with a corresponding number of deployments. Another area where the Council could improve is consistently underscoring the importance of women protection advisers’ role in implementing the MARA. In 2013, the Council only specifically referenced the MARA in relation to two missions despite calling for advisers in seven missions.

The Council’s work at the sanctions committee-level in 2013 was largely flat when considering sexual violence or rape as designation criteria in various sanctions regimes as a tool to enhance accountability. However, again CAR proved to be the exception in 2013 with the Council expressing intent to impose targeted measures for sexual violence in December 2013 and following through with that intent in January 2014. This makes the CAR the third sanctions regime, along with the DRC and Somalia, to specifically include sexual violence as designation criteria. 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.
- 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, there are eight individuals who the Council has sanctioned and who also have been indicted by the ICC on sexual violence charges. However only

one of these eight individuals has been designated for rape by the Council as well as charged for such crimes by the ICC. The justification for designating the other seven individuals 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 all relevant sanctions committees and associated expert groups, as is the case with the 1572 Côte d’Ivoire Sanctions Committee.
- Welcome the submission of sexual violence perpetrators’ names by the Special Representative to the relevant sanctions committees and ensure follow-up at committee-level to determine whether to adopt targeted measures against such individuals.
- 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 continues to be notable. The Special Representative has briefed not only on her broader mandate but also on country-specific situations such as the CAR and Syria. The Council could continue to 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 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. The first instance of this occurred on 18 March 2014 when the Executive Director of UN Women briefed on South Sudan—a practice which should not be relegated to a one-time exercise.

Regarding Security Council visiting missions, whenever the women, peace and security agenda was incorporated into the terms of reference of the visit, the Council engaged with relevant stakeholders on the ground, albeit to varying degrees. However,

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

when such issues were not included in the terms of reference, then the issue tended to be subsequently overlooked by Council members during the visiting mission. 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 be unlikely to occur spontaneously. Especially important for 2014 will be whether the Council honours its commitment made in resolution 2122 to focus one of its periodic field visits on women, peace and security in advance of the 2015 High-Level Review.

While our research 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 relevant country-specific reports in both 2012 and 2013—such as those on Afghanistan, Darfur and Libya—did not use such a separate heading or section. This should be achievable as the UN missions in these countries have personnel with gender expertise. A small improvement in 2013 over 2012 is that reports on UNAMI in Iraq began to include a separate section for gender. This incremental shift could be built upon and included consistently in all future UNAMI reports. It is also

welcome that all of the reports on MINUSMA included a separate section on sexual violence. However, a broader section on women, peace and security would be more appropriate in order to capture both the challenges and progress in women's participation and empowerment in Mali.

There were important developments in 2013 regarding the UN's zero-tolerance policy on sexual exploitation and abuse by its own personnel. The policy was highlighted in the MONUSCO mandate in the DRC, the MINUSMA mandate in Mali and the AMISOM mandate in Somalia. However, the study still revealed continued inconsistency by the Council in this area. An immediate measure the Council could take is ensuring consistent inclusion of all aspects of this policy in all resolutions renewing or establishing peacekeeping mandates. The Council could also consistently request troop-contributing countries to undertake pre-deployment training, preventive measures and disciplinary action if necessary. Finally, to ensure accountability, the Council could specifically reiterate its call from the 31 May 2005 presidential statement for follow-up reporting on allegations of such misconduct in relevant Secretary-General's reports—this would be easily achievable if all country-specific Secretary-General's reports included a conduct and discipline section.

The overarching observation from the research conducted for this *Cross-Cutting Report* is 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. 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 application of sanctions for such atrocities or calls for accountability is less than consistent.

Finally, there continue to be worrying indications that the Council's focus is less sharp when it comes to the women's participation aspect of this thematic agenda. This is demonstrated by the fact that of the nine resolutions adopted in 2013 that included new, substantial and operational references to women—the new language therein was almost exclusively protection related and only one resolution included comparable references to both protection and participation elements, resolution 2100 establishing MINUSMA. (These resolutions were identified in the cross-cutting analysis of country-specific resolutions.)

Many of the resolutions with new, rich protection language already included general references on women's participation and empowerment. Nevertheless, the gap lies in moving the agenda forward from general calls to concrete directives on how the field mission should implement such recommendations.

Key UN Documents on Women, Peace and Security

SECURITY COUNCIL THEMATIC RESOLUTIONS

[S/RES/2122](#) (18 October 2013) addressed the persistent gaps in the implementation of the women, peace and security agenda.

[S/RES/2106](#) (24 June 2013) focused on accountability for perpetrators of sexual violence in conflict and stressing women's political and economic empowerment.

[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/2134](#) (28 January 2014) on the Central African Republic sanctions regime, expanded sanctions to include targeted measures with designation criteria including sexual and gender-based violence.

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

[S/RES/2101](#) (25 April 2013), [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/2138](#) (13 February 2014), [S/RES/2091](#) (14 February 2013) and [S/RES/2035](#) (17 February 2012) requested the Panel of Experts to provide the Sudan 1591 Sanctions Committee with information on individuals who commit 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 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/2012/3](#) (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](#) (24 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.7044](#) (18 October 2013); [S/PV.6877](#) and [Resumption 1](#) (30 November 2012); [S/PV.6642](#) and [Resumption 1](#) (28 October 2011); [S/PV.6411](#) and [Resumption 1](#) (26 October 2010); [S/PV.6196](#) and [Resumption 1](#) (5 October 2009); [S/PV.6005](#) and [Resumption 1](#) (29 October 2008); [S/PV.5916](#) and [Resumption 1](#) (19 June 2008); [S/PV.5766](#) and [Resumption 1](#) (23 October 2007); [S/PV.5556](#) and [Resumption 1](#) (26 October 2006); [S/PV.5294](#) and [Res. 1](#) (27 October 2005); [S/PV.5066](#) and [Resumption 1](#) (28 October 2004); [S/PV.4852](#) and [Resumption 1](#) (29 October 2003); [S/PV.4635](#) and [Resumption 1](#) (28 to 29 October 2002); [S/PV.4589](#) and [Resumption 1](#) (25 July 2002); [S/PV.4208](#) and [Resumption 1](#) and [Resumption 2](#) (24 to 25 October 2000)

Open Debates on Sexual Violence

[S/PV.6984](#) (24 June 2013); [S/PV.6948](#) (17 April 2013); [S/PV.6722](#) and [Resumption 1](#) (23 February 2012); [S/PV.6453](#) and [Resumption 1](#) (16 December 2010); [S/PV.6195](#) (30 September 2009)

Briefings by the Special Representative on Sexual Violence in Conflict

[S/PV.7098](#) (22 January 2014) was by Special Representative Bangura on the humanitarian and human rights situation in the Central African Republic, she briefed along with the Special Representative for Children and Armed Conflict, the Special Adviser on the Prevention of Genocide, the Operations Director of OCHA.

[S/PV.6949](#) (18 April 2013) was by Special Representative Bangura on the humanitarian situation in Syria, she briefed along with the Under-Secretary-General for Humanitarian Affairs, the High Representative for Refugees, and the Special Representative for Children and Armed Conflict.

[S/PV.6899](#) (11 January 2013) was by Special Representative Bangura on the uprising by the Seleka rebel alliance 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.7141](#) (18 March 2014) was by the head of UN Women, Phumzile Mlambo-Ngcuka, during a regular UNMISS briefing on her 18-19 February 2014 trip to South Sudan.

[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.

SECRETARY-GENERAL'S REPORTS

Implementation of Resolution 1325

[S/2013/525](#) (4 September 2013); [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/2014/181](#) (13 March 2014); [S/2013/149](#) (14 March 2013); [S/2012/33](#) (13 January 2012) are the annual reports 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.

The material in this publication is subject to copyright ownership. Material in this publication may be freely used as in the public domain. You are free to copy, distribute, or make derivative works of the work under the following conditions: you must attribute the work to Security Council Report, Inc.; you may not use this work for commercial purposes; if you alter, transform, or build upon this work, you may distribute the resulting work only under a license identical to this one.

Security Council Report Staff

Bruno Stagno
Executive Director

Joanna Weschler
Deputy Executive Director &
Director of Research

Amanda Roberts
Coordinating Editor &
Senior Research Analyst

Shamala Kandiah Thompson
What's in Blue Editor & Senior
Research Analyst

Astrid Forberg Ryan
Senior Research Analyst &
Development Officer

Victor Casanova Abos
Research Analyst

Charles Cater
Research Analyst

Paul Romita
Research Analyst

Eran Sthoeger
Research Analyst

Benjamin Villanti
Research Analyst

Robbin VanNewkirk
Publications Coordinator

Laura Coquard-Wallace
Research Associate

Dahlia Morched
Research Assistant

Vladimir Sesar
Research Associate

Maritza Tenerelli
Administrative Assistant

Lindiwe Knutson
Research Intern

Stevenson Swanson
Editorial Consultant

Security Council Report is a non-profit organisation supported by the Governments of Australia, Austria, Belgium, Canada, Denmark, Finland, Liechtenstein, Lithuania, Luxembourg, New Zealand, Norway, Saudi Arabia, Singapore, Spain, Sweden, Switzerland and Turkey, the Ford Foundation and the John D. and Catherine T. MacArthur Foundation.

Design Point Five, NY

Security Council Report
One Dag Hammarskjöld Plaza
885 2nd Ave at 48th St, 21st Floor
New York NY 10017

Telephone +1 212 759 6394
Fax +1 212 759 4038
Web securitycouncilreport.org
whatsinblue.org

