

# MONTHLY ACTION POINTS

## ON WOMEN, PEACE AND SECURITY

### SECURITY COUNCIL: NOVEMBER 2011

NGO | WORKING GROUP  
ON WOMEN, PEACE  
AND SECURITY

#### PRESIDENCY OF THE SECURITY COUNCIL FOR NOVEMBER: PORTUGAL

##### PORTUGAL'S SUPPORT FOR WOMEN, PEACE AND SECURITY IN THE SECURITY COUNCIL

Portugal's stated priorities as an elected member of the Security Council include protection of civilians, emerging international peace and security challenges, and working methods of the UN Security Council.

Portugal's relevant international obligations include: Rome Statute of the International Criminal Court (*Ratified 5 February 2002*); Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): (*Ratified 30 July 1980*); Optional Protocol (*Ratified 26 April 2002*). Portugal also has a National Action Plan on SCR 1325.

##### RECOMMENDED SECURITY COUNCIL ACTION POINTS ON WOMEN, PEACE AND SECURITY

###### *Protection of Civilians*

The NGO Working Group (NGOWG) urges all UN leaders and member states participating in the Security Council Open Debate on 9 November to review obstacles to enhancing accountability for violations of international human rights, and of humanitarian and refugee law, in particular against women and girls in conflict-affected situations. Such obstacles relate to:

- *Yemen*: SCR 2014 (2010) calling for the signature and implementation of a power-transfer deal on the basis of the Gulf Cooperation Council initiative (GCC) could shield President Ali Abdullah Saleh and his inner circle from any possibility of being investigated or brought to trial. The GCC must remove the immunity clause from its transition proposal.
- *Sudan*: UN member states must be held to account for their failure to arrest Sudanese President Omar al-Bashir, charged with crimes against humanity, war crimes, and genocide, and surrender him to the International Criminal Court (ICC).
- *Afghanistan*: Judicial and security sectors still lack the personnel, infrastructure, training and political will to respect, protect and promote human rights. Women are insufficiently represented among the police force and judiciary. Most Afghans, and in particular women, have difficulty accessing the formal judiciary courts and legal assistance. Some 80 percent of disputes rely on informal tribal councils, which abuse fair trial rights and are often discriminatory against women.

###### *Bosnia and Herzegovina*

The Council is expected to discuss the **situation** in Bosnia and Herzegovina (BiH). Over the past 15 years little progress has been made in domestic courts in BiH in the prosecution of those responsible for torture committed in war-time, particularly for acts involving sexual violence. Despite some recent efforts, impunity still prevails and the majority of those responsible have not been brought to justice. In its expected discussions on the situation BiH, the Council and its States are urged to identify further measures to advance justice for survivors of sexual violence. These include establishing the number of survivors of war crimes of sexual violence; ensuring that the definition of war crimes of sexual violence in the BiH Criminal Code is consistent with the definition of such crimes in jurisprudence of international courts and in international standards; and greater protection and support to witnesses at the State Court.

###### *Burundi*

In its consideration of the latest **report** of the Secretary-General on the situation in Burundi, the Council is urged to give full attention to the recent rise in political instability and violence, including the Gatumba massacre in September, the subsequent Government clampdown on freedom of expression, and the continuing need for additional measures to ensure effective human rights monitoring and justice for survivors of crimes, including crimes of sexual violence. The Council is urged to ensure that:

- The National Independent Human Rights Commission receives adequate financial and other support to investigate and report on human rights violations effectively, and ensures journalists are allowed to work freely;
- The new Technical Committee - mandated to make recommendations to establish a Truth and Reconciliation Commission to address the lack of accountability for those responsible for human rights violations and crimes under international law - clarify, as far as possible, the facts about past crimes under international law and human rights violations; provide the information it gathers into investigations and criminal and civil judicial proceedings; and formulate effective recommendations for providing full reparation to victims and their relatives; and
- A dialogue, with meaningful participation of women, is encouraged between the government and the opposition, to prevent further politically motivated violence and reprisal attacks.

###### *Democratic Republic of the Congo*

The NGOWG is deeply concerned at the persistent lack of accountability for crimes in DRC, including mass rape in Walikale in 2010 and the area around Fizi in 2011, as well as the most serious violations of human rights and international humanitarian law in the DRC between March 1993 and June 2003, as reported by OHCHR in 2010. In its discussions on the situation in the DRC, including on the role of the UN mission (MONUSCO), the Council is urged to:

- Hold the DRC Government and MONUSCO to account for the lack of due diligence in effective investigation and prosecution of suspected perpetrators of sexual violence, effective witness protection, and the adequate services for survivors;

- Request an update on the status of women's right and capacity to vote and to stand in the upcoming elections;
- Request information on UN and DRC government contingency plans against destabilization resulting from upcoming elections, including effective monitoring and early warning mechanisms, and enhanced protection of civilians, in particular at risk groups including IDPs and women and girls;
- Strengthen oversight of national and international military and police forces, to prevent crimes including sexual violence; and
- review the resources made available, including by UNHCR, to assist internally displaced Congolese.

### **Libya**

The Council is expected to continue discussing the **situation** in Libya. The Council should ensure the National Transitional Council (NTC) provides immediate protection of those displaced by conflict, regardless of political allegiances, and that the NTC leadership and commanders on the ground do all they can to prevent reprisal attacks against these individuals. Given the ICC's jurisdiction in Libya for all crimes within its mandate, the Council should continue to urge cooperation to ensure accountability, and an end to violence and abuses committed by all parties to the Libyan conflict. In addition, as Libya reforms its political institutions, the Council should:

- Support women's leadership and ensure women's rights are an explicit component of all truth and reconciliation processes, and that women have full access to these processes;
- Ensure strong support for women's rights to be addressed substantively in the drafting of a new constitution, and in the development of new, democratic political processes and institutions; and
- Support Libyan authorities to take all appropriate measures to increase women's political participation and representation.

### **Myanmar**

The NGOWG expects that the Security Council will request a **briefing** on Myanmar by the Special Adviser to the Secretary-General, Vijay Nambiar regarding his five-day visit to the country from 31 October. In that briefing, the Council is urged to request an update on the due release of all remaining prisoners of conscience, the security situation in conflict-affected areas, measures taken by the Government to bring suspected perpetrators of crimes including crimes of sexual violence and crimes against humanity, and women's political participation.

### **Somalia**

The latest developments in Somalia require urgent attention from the Security Council, including in its November **discussions** on sanctions and on piracy, and in its briefing by the Department of Political Affairs. Kenya's military intervention in Somalia to help root out the armed Islamist group al Shabab risks further insecurity for civilians in Somalia, Somali refugees, and asylum-seekers in Kenya. In IDP camps in South and Central Somalia, including Mogadishu, now mostly controlled by the Transitional Federal Government, women and girls remain at serious risk of sexual and other gender-based violence. The Council is urged to:

- Request a briefing on the protection of civilians, on aerial bombardments, and on acts of sexual violence; and stress that all parties to the conflict in Somalia, including the Kenyan army, take further measures to avoid civilian casualties;
- Demand a prompt, full, impartial, and public investigation into reports of Kenyan aerial bombardments resulting in deaths and injury to civilians, as well as disrupting relief distribution; and
- Demand rapid responses to allegations of rape and other crimes against women and girls, including care for survivors; and impartial investigations with a view to ensuring justice, including increased support to rebuild the justice system in Somalia.

### **NGOWG ON WOMEN, PEACE AND SECURITY RESOURCES**

- Amnesty International, *Bosnia and Herzegovina: Briefing to the UN Committee against Torture*, October 2011 [\[link\]](#)
- Amnesty International, *East and Horn of Africa Human Rights Defenders Project*, and Human Rights Watch, *Burundi: Strengthen Support for National Human Rights Commission*, October 2011 [\[link\]](#)
- Amnesty International, *Burundi: Recommendations to the Technical Committee Regarding the Creation of a Truth and Reconciliation Committee*, September 2011 [\[link\]](#)
- Amnesty International, *The situation in the DRC* [\[link\]](#)
- Amnesty International, *Libya, Detention Abuses Staining the New Libya*, October 2011 [\[link\]](#)
- Amnesty International, *The situation in Myanmar* [\[link\]](#)
- Amnesty International, *The situation in Somalia* [\[link\]](#)
- Human Rights Watch, *Sudan: Political Repression Intensifies*, September 2011 [\[link\]](#)
- Amnesty International, *Yemen: UN Security Council resolution on Yemen falls short*, October 2011 [\[link\]](#)
- PeaceWomen, *Security Council 1325 Monitor* [\[link\]](#)