



# Security Council

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## Letter dated 22 December 2022 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Ireland and Mexico, as Co-Chairs of the Informal Expert Group on Women and Peace and Security of the Security Council, and in close cooperation with the United Kingdom, would like to share the summary note of the meeting of the Group with women's protection advisers on implementing the mandate to prevent and address sexual violence in conflict (see annex).

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

*(Signed)* **Fergal Mythen**  
Permanent Representative of Ireland  
to the United Nations

*(Signed)* **Juan Ramón de la Fuente Ramírez**  
Permanent Representative of Mexico  
to the United Nations

*(Signed)* **Barbara Woodward**  
Permanent Representative of the United Kingdom  
to the United Nations



**Annex to the letter dated 22 December 2022 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General**

**Informal Expert Group on Women and Peace and Security of the Security Council: summary of the meeting with women's protection advisers on implementing the mandate to prevent and address sexual violence in conflict, held on 16 November 2022**

The Informal Expert Group on Women and Peace and Security met on 16 November 2022 with the Special Representative of the Secretary-General on Sexual Violence in Conflict, Pramila Patten, and six senior women's protection advisers deployed in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Assistance Mission for Iraq (UNAMI), the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), the United Nations Assistance Mission in Somalia (UNSOM), the United Nations Integrated Transition Assistance Mission in the Sudan (UNITAMS) and the United Nations Mission in South Sudan (UNMISS). The aim of the meeting was to discuss strategies and approaches for advancing the implementation of the mandate to prevent and address conflict-related sexual violence, building upon the recommendations of the previous annual dedicated meeting, held on 16 November 2021, on the role and contribution of women's protection advisers.

**Questions from members of the Security Council**

Members of the Security Council inquired about the existing technical capacities and resources used for the collection of evidence on sexual violence crimes for prosecution and accountability processes. Council members asked about the impact of captivity on survivors of conflict-related sexual violence in Iraq and the documented challenges for their recovery. Members also asked about the role that Member States could play in acknowledging the critical work of women's protection advisers in the context of mission mandate renewals and authorizations. Other questions were focused on how to provide efficient support to justice actors in order to enhance accountability for conflict-related sexual violence. In addition, members asked about existing opportunities and challenges with regard to ensuring that conflict-related sexual violence was prioritized in legal and constitutional reforms. Members reiterated the recommendation to continue to hold the present meeting on an annual basis.

**Main points raised in the meeting**

The Special Representative on Sexual Violence in Conflict presented the challenges for the implementation of the conflict-related sexual violence mandate in a global context marked by rising militarization, shrinking civic space, record numbers of displaced civilians and an epidemic of coups and unconstitutional shifts of power, in which sexual violence continued to be committed as a brutal tactic of war, torture, terror and political repression. The Special Representative stressed the need for urgent action to ensure structural and operational prevention, highlighting the importance of fostering a protective environment for survivors and persons at risk of sexual violence in the wake of conflict. In that regard, the Special Representative mentioned the launch of a prevention framework under her mandate, as a tool for supporting the efforts of Member States, civil society organizations and the wider donor and diplomatic community to enhance the prevention of a crime that occurs at

the intersection of armed hostilities and gender-based discrimination. The Special Representative spoke about the finalization of the report of the Secretary-General on women and girls who become pregnant as a result of sexual violence in conflict and children born of sexual violence in conflict (S/2022/77), which was mandated by the Security Council in its resolution 2467 (2019), which included actionable recommendations to support survivors and their children that were being taken forward by women's protection advisers deployed in the field.

While highlighting significant progress on the overall trajectory of the agenda since 2008, especially in terms of normative framework and institutional arrangements, the Special Representative stressed that sexual violence continued to be recorded in conflict zones, including in the Central African Republic, the Democratic Republic of the Congo, Ethiopia, Iraq, Myanmar, South Sudan, the Sudan and Ukraine. The Special Representative recalled the three strategic priorities of her mandate that were aimed at responding to those challenges: delivering justice and accountability to survivors; enhancing national ownership in the prevention of and response to conflict-related sexual violence; and addressing the root causes of such violence, namely, structural gender inequality and harmful social norms. She underscored the pivotal role of women's protection advisers in ensuring that the voices of survivors reached donors, diplomats and decision makers.

The Special Representative indicated that her Office was currently leading the preparation of the fourteenth annual report of the Secretary-General on conflict-related sexual violence, which would be based on information collected by women's protection advisers who lead the implementation of the monitoring, analysis and reporting arrangements on conflict-related sexual violence. Furthermore, she noted that the work of women's protection advisers in monitoring and reporting incidents, patterns and trends of conflict-related sexual violence had informed the listing of 49 parties to the conflict that would be included in the annex of the annual report of the Secretary-General. Their listing was aimed at enhancing compliance by parties to armed conflict with applicable norms of international humanitarian law and relevant Security Council resolutions. The Special Representative noted that 9 of the 15 United Nations sanctions regimes, with the recent addition of Haiti, included sexual violence as part of their designation criteria and that her briefings to those bodies of the Council were also informed by the monitoring and reporting of women's protection advisers in the field.

The Special Representative recalled that the roles of women's protection advisers should be systematically assessed during the planning and transition of United Nations field operations and that due consideration should also be given to the deployment of the advisers to the offices of United Nations resident and humanitarian coordinators in line with Security Council resolution 2467 (2019). In addition, the deployment of women's protection advisers to United Nations regional hubs was recommended to enhance the capacities for monitoring and responding to cross borders patterns of sexual violence, given the nexus with conflict-driven trafficking, displacement and violent extremism. The Special Representative highlighted that, to date, women's protection advisers had been deployed to 7 of the more than 20 conflict-affected countries covered by the mandate to prevent and address conflict-related sexual violence, recalling that the level of resources was not commensurate with the scale of the challenge. The Special Representative called for sustained political and financial support for the work of women's protection advisers, who were obliged to operate as "one-person units" in many contexts. The Special Representative reiterated that women's protection advisers had been conceived by the Security Council to be part of the integrated architecture articulated in resolution 1888 (2009), as one of the three "operational arms" of the mandate to prevent and address conflict-related sexual violence in conflict, alongside the Team of Experts on the Rule

of Law and Sexual Violence in Conflict and the United Nations Action Against Sexual Violence in Conflict coordination network. The Special Representative stressed the need for the Security Council to call for unfettered access to detention centres, displacement settings, disarmament, demobilization and reintegration cantonment sites, and other hotspots for women's protection advisers and to adequately equip United Nations field presences with specialized capacities for translating policies into practice and providing protection and support to survivors and those at risk.

The senior women's protection adviser from MONUSCO said that conflict-related sexual violence continued to be widespread owing to ongoing armed conflict, deep-rooted gender discrimination and the low social status of women and girls, a situation exacerbated by the weak and underfunded justice system which failed to hold perpetrators accountable. It was highlighted that 20 parties to the conflict were responsible for patterns of sexual violence and that women's protection advisers had verified and documented 537 incidents in 2022, of which 70 per cent of the victims were women and 29 per cent were girls. Almost 80 per cent of those cases had been committed by armed groups. In more than 20 per cent of the cases, State actors, including the armed forces, the police and the intelligence services, had been implicated. Cases committed by the Burundian army, deployed in the eastern part of the country since mid-August, had also been documented. The adviser stressed that the documented cases represented only a fraction of the total, as sexual violence remained one of the most underreported crimes because of the challenging security situation, protection concerns for the protection of survivors and the breakdown of the rule of law. The adviser underscored three additional challenges for investigating sexual violence: the drawdown of MONUSCO and the closure of several field offices, which had resulted in a lack of logistical support to conduct investigative missions; the ongoing anti-United Nations sentiment, which inhibited victims, witnesses and civil society organizations from denouncing sexual violence and interacting with human rights officers; and the resurgence of the Mouvement du 23 mars (M23) armed group that had led to the strategic redeployment of the Armed Forces of the Democratic Republic of the Congo, creating a security vacuum in other regions. The adviser welcomed the practical steps taken by the Government to adopt new legislation on the protection of and provision of reparations to victims of conflict-related sexual violence, although she underlined the need for the law to be aligned with international standards and for the authorities to ensure sufficient funding in the national budget to guarantee that victims received the reparations to which they were entitled.

The senior women's protection adviser from UNAMI highlighted that, in Iraq, there was a disproportionate focus on the case of Yazidi survivors, while groups of survivors from other minority groups such as Christians, Shabak or Turkmen could hardly access services owing to stigmatization by their own communities, which impeded the disclosure of their experiences. The adviser recalled that almost half of the Yazidis abducted by Da'esh were reported as still missing, while official numbers of missing persons from other minority groups were non-existent. Of the female survivors who had returned from captivity, more than 400 remained in internally displaced persons camps, several years after their liberation, struggling to rebuild their lives and suffering from mental health impacts. The adviser emphasized that the allocation of \$18 million in September 2022 for the implementation of the Law on Support to Female Yazidi Survivors was a welcome step. Nonetheless, the failure to include children born of conflict-related sexual violence remained a major gap in the law, resulting in administrative obstacles to obtaining registration and documentation for those children. Moreover, mothers had resorted to abandoning their children in response to the rejection of the children by the Yazidi community. The adviser expressed regret for the absence of progress in terms of achieving accountability for conflict-related sexual violence cases and recommended that the meaningful

participation of survivors be ensured, especially regarding reparations for conflict-related sexual violence crimes. As a matter of urgency, advocacy efforts with the Yazidi leadership were also recommended as a way to help with the integration into the community of children born as a result of sexual violence

The senior women's protection adviser from MINUSMA described a context marked by deepening violence and insecurity and an intention by violent extremist groups to fill the security vacuum created by the withdrawal of international forces from Mali. That volatile context had caused the displacement of 422,620 persons in August 2022, overwhelming the response capacities of public services in the main towns of the central and northern regions of the country. The adviser highlighted that displaced women and girls experienced heightened risks of sexual violence. For instance, in the town of Ménaka, 27 per cent of displaced women had reported cases of rape and 60 per cent of displaced women and girls had reported being subjected to abduction, kidnapping and forced marriage, according to estimates by the Gender-based Violence Sub-Cluster. In Gao, approximately 30 per cent of women and girls had experienced sexual violence before and during their displacement. The adviser indicated that insecurity was affecting the provision of medical services, as health facilities were being vandalized or had had to close owing to the withdrawal of staff. In addition, insecurity had created new and urgent humanitarian needs, especially for women-headed households, because of the large-scale killing of men. The adviser described the efforts deployed by her unit, including the engagement with the national authorities to promote the fight against impunity for sexual violence crimes, with the support of the Team of Experts on the Rule of Law and Sexual Violence in Conflict, through technical mentoring of the national judicial authorities. The adviser reported delays in the implementation of the joint communiqué to address conflict-related sexual violence owing to the lack of financial resources and the postponement by the authorities of a donor round table aimed at attracting funding for the implementation of that framework. The adviser summarized the efforts made to work on prevention by engaging with armed groups towards the implementation of their commitments to prevent and respond to conflict-related sexual violence, as well as the work with the High Islamic Council of Mali on the adoption of a fatwa on the prevention of sexual violence.

The senior women's protection adviser from UNSOM gave a briefing on the current fragile political situation, the protracted conflict and the recurring humanitarian crisis in Somalia, which continued to expose civilians to heightened risks of sexual violence, in particular displaced women and children from minority or marginalized groups. The adviser continued to engage with humanitarian actors to reinforce the use of a gender-sensitive approach in humanitarian response to strengthen the protection of women and girls and the referral to specialized assistance. In terms of accountability, the adviser emphasized that the use of customary laws for adjudicating sexual violence cases was a cause of grave concern. For instance, in September 2022, a case in which clan elders and religious leaders had negotiated with the authorities had ended with the execution of the alleged perpetrator of sexual violence without due process. The adviser noted the commitment of the Government to accelerate the enactment of the sexual offences bill of 2018 and acknowledged the adoption of a national action plan on Security Council resolution [1325 \(2000\)](#) in September as a positive development which would allow the Government of Somalia to address accountability for sexual violence and strengthen the legal framework for addressing sexual violence.

The senior women's protection adviser from UNITAMS noted that conflict-related sexual violence continued to be of grave concern in the Sudan. The political situation had remained volatile since the October 2021 military takeover, which had caused mass demonstrations in the country that had been met with the excessive use

of force by the security forces, resulting in injuries, killings and cases of sexual violence. In that context, the United Nations had verified 25 allegations of sexual violence, rape and gang rape perpetrated against women and children by elements of the security forces in the course of protests. The adviser expressed concern about the ongoing intercommunal violence in Darfur, which had resulted in the killing of hundreds of civilians. Documenting the crimes was challenging. Nonetheless, there had been reports by survivors of many instances in which displaced women and girls, while undertaking daily livelihood activities, had been victims of sexual violence perpetrated by security forces or unidentified armed nomads. The adviser commended the work of the Combating Sexual Violence against Women Unit of the Ministry of Social Development in providing specialized assistance to survivors, including the establishment of hotlines in many parts of the Sudan for reporting incidents, as well as spaces dedicated to sexual and gender-based violence in some hospitals. The adviser noted that sexual violence remained dramatically underreported, owing to stigma, trauma and a lack of confidence in the justice and law enforcement system. The adviser reported on the development of protection networks supported by the Office of the United Nations High Commissioner for Refugees that were focused on sexual and gender-based violence, which served as monitoring, protection and response mechanisms. In addition, the adviser had worked to address gaps in the rule of law by providing training to women lawyers from across the Sudan on international standards for investigating sexual violence cases. In Darfur, capacity-building on the prevention of and response to conflict-related sexual violence was being provided to the Darfur Permanent Ceasefire Committee and the Joint Security-Keeping Force, two key institutions established under the Juba Agreement for Peace in the Sudan. The adviser recommended the urgent establishment of protection programmes for witnesses, victims and women human rights defenders.

The senior women's protection adviser from UNMISS reported that 92 cases of conflict-related sexual violence had been documented in South Sudan between July and September 2022, despite the persistent challenges for monitoring and reporting, including the insecurity, stigma and fear of reprisals experienced by survivors, along with their mistrust in the criminal justice chain and unavailability of services for them. The adviser highlighted that a longer-term institution-building approach for justice and accountability was required to advance from the current use of mobile courts supported by the United Nations. There was a need to provide sustained support to the justice chain through capacity-building of justice and law enforcement agencies; ensure the enactment of key legislative reforms such as the gender-based violence and witness protection bills; and launch the Commission for Truth, Reconciliation and Healing. The adviser recalled that, although the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan of 2018 had had a positive impact in terms of a reduction in the number of documented conflict-related sexual violence cases, localized violence by community-based militias had recently been increasing, and sexual violence continued to be used systematically as a tactic of war. In that context, 64 cases of sexual violence had been documented between June and September in the course of the conflict that had occurred in Tambura. In addition, 37 cases of sexual violence had been recorded in June and July in clashes between the national armed forces and armed youths in Rualbet, Tonj North County. The adviser outlined four critical priorities for the Mission to address conflict-related sexual violence: (a) the prevention of conflict-related sexual violence by rolling out the prevention framework developed by the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, especially as the President of South Sudan, Salva Kiir Mayardit, had recommitted to accelerating those measures following the visit of the Special Representative to South Sudan; (b) the ending of impunity for sexual violence crimes by supporting key legislative and policy reforms; (c) the capacity-building of national actors, including law enforcement entities,

military justice and civil society organizations, to prevent and address conflict-related sexual violence; and (d) the advocating of the full implementation of the Revitalized Agreement on the Resolution of the Conflict in South Sudan, in particular by calling upon all parties to immediately cease all forms of conflict-related sexual violence.

### **Recommendations**

The recommendations below were made by the Office of the Special Representative of the Secretary-General in Sexual Violence in Conflict.<sup>1</sup>

In view of forthcoming negotiations on the mandates of United Nations peace operations and special political missions, the Security Council should retain existing references to the deployment of women's protection advisers and consider adding the following strengthened language:

- Calls for the timely deployment of women's protection advisers in situations of concern and requests that peace operations and special political missions include a sufficient number of these positions in their regular budgets to reach conflict-affected areas and operate in proximity to communities at risk as part of efforts to ensure the effective implementation of the sexual violence in conflict mandate;
- Requests that, during processes of transition from United Nations peace operations to special political missions and/or United Nations country teams, the deployment of women's protection advisers be included among the necessary capabilities of United Nations country presences and that their inclusion be adequately reflected in planning processes, including through specific benchmarks and indicators on addressing sexual violence as part of civilian protection and the consolidation of peace, to ensure the effective engagement with parties to conflict for time-bound commitments to address sexual violence and to sustain the monitoring, analysis and reporting arrangements on conflict-related sexual violence as a reliable information base for timely prevention, risk mitigation, protection and response measures.

In addition, the members of the Security Council should:

- Call for support from the international community, in particular the donor community, to provide earmarked contributions for the deployment of women's protection advisers in situations of concern, including in the offices of United Nations resident and humanitarian coordinators, in order to support the work of national authorities, survivors' networks, women's human rights defenders, religious leaders and service providers to advance the implementation of joint communiqués and frameworks of cooperation on conflict-related sexual violence, ensuring the integration of a survivor-centred approach in all activities, and to promote the establishment of national and regional monitoring and reporting arrangements;
- Advocate, in the context of the Fifth Committee, the maintenance of existing women's protection adviser positions and units and request the inclusion of enhanced capacity in contexts in which it remains inadequate or non-existent, giving due consideration to the retention of these positions in the context of mission drawdown and transition;

<sup>1</sup> The recommendations are suggestions made by United Nations representatives participating in the meeting or were contained in the background note prepared by the secretariat of the Informal Expert Group ahead of the meeting; they are not recommendations made by the Informal Expert Group as a whole or by members of the Security Council.

- Ensure support from embassies in relevant countries to amplify and reinforce the efforts of women's protection advisers, including to ensure that conflict-related sexual violence concerns are duly addressed in ceasefire agreements, peace processes, electoral monitoring arrangements, national and regional early-warning systems, counter-terrorism initiatives, and transitional justice mechanisms and processes;
  - Use periodic visiting missions of the Security Council and sanctions committees, as relevant, to engage with women's protection advisers where they are deployed and to raise concerns about gaps in compliance with international norms, including successive Council resolutions on conflict-related sexual violence adopted since 2008, with United Nations senior leadership, national authorities and all parties to the conflict;
  - Call upon relevant parties and authorities to ensure that women's protection advisers have unhindered access to conflict-affected and occupied areas, detention settings, refugee and internally displaced persons camps, and cantonment sites to carry out their monitoring, reporting and response efforts;
  - Continue to convene, on an annual basis, dedicated meetings of the Informal Expert Group on Women and Peace and Security on the work of women's protection advisers, as a platform for receiving operational updates from field-based specialists in countries on the Security Council's agenda.
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