



Team of Experts
Rule of Law/Sexual Violence in Conflict

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DPKO

OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON
SEXUAL VIOLENCE IN CONFLICT

FOREWORD



In South Sudan, a woman must make the choice between feeding her family or being attacked by armed men when she tries to harvest crops. In Bosnia, a woman is passed on the street by the unpunished man who raped her during the war.

An adolescent girl is kidnapped from her village in Iraq and she will be sold or given away to ISIL fighters as a sex slave. In a detention centre in Syria, a man is sexually assaulted to punish him for his political affiliations, real or imagined.

This is the reality for women, children and men around the world facing the threat of sexual violence in conflict.

As you read this, sexual violence is both being used as a threat to induce displacement, and is a risk faced by civilians, particularly women and girls, in displacement settings. It is linked with forced dispossession of land and property, which denies women and their communities vital sources of livelihood. Certain armed actors are targeting minority groups, particularly ethnic and religious minorities, and individuals on the basis of their actual or perceived sexual orientation, to impose morality and exert social control. Forced marriage, which entails repeated sexual abuse and increases in times of conflict, is also a prominent feature of many conflicts today.

This crime, the way it destroys the individual and the pervasive manner in which it undermines the prospect of peace and development, casts a long shadow over our collective humanity.

The UN Team of Experts on Rule of Law/Sexual Violence in Conflict serves as an invaluable resource in the fight against sexual violence in conflict because it provides key assistance to governments to strengthen the capacity of their legal and judicial sectors to combat impunity for this crime.

The Team is comprised of experts from the Department of Peacekeeping Operations, the Office of the High Commissioner for Human Rights and the United Nations Development Programme, who use their expertise to help Member States develop and implement effective legislation, establish adequate tools and initiatives, and adopt comprehensive prevention and response mechanisms to address accountability. The Team's work is guided by a human rights-based approach that recognizes the need for victims to have access to justice and for states to build robust civilian and military judicial systems to ensure that these crimes are properly investigated, prosecuted and adjudicated.

The Team of Experts continues to support national authorities in the Central African Republic, Colombia, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea, Somalia and South Sudan. In 2015, its work will expand to the Middle East and North Africa. It is only through support to national authorities with technical and institutional capacity building that we can contribute to catalysing change.

The work reflected in this annual report shows the results-driven engagement of the Team of Experts, and the impact their work has on the lives of people who rely on their governments to protect them from conflict-related sexual violence and bring them justice. I hope this report serves as a source of information and guidance for all those concerned about this issue, and those working to ensure that sexual violence in conflict becomes a thing of the past.

Zainab Hawa Bangura
Under-Secretary-General and
Special Representative of the Secretary-General on
Sexual Violence in Conflict



WHO WE ARE

We are the United Nations (UN) Team of Experts on the Rule of Law/Sexual Violence in Conflict (the Team or TOE), created to assist governments in conflict and post-conflict situations by strengthening their capacity to address impunity for conflict-related sexual violence. The Team was established by Security Council resolution 1888 (2009) to contribute to enhancing national efforts to address challenges with regard to accountability for this crime. Building upon the principles and obligations of Security Council resolutions 1325 (2000) and 1820 (2008) on women, peace and security, operative paragraph 8 of resolution 1888 calls upon the Secretary-General of the United Nations to take measures to identify and deploy a Team of Experts “to situations of particular concern with respect to sexual violence in armed conflict . . . to assist national authorities . . . to strengthen the rule of law.”

The Team became operational in early 2011, with experts from the Department of Peacekeeping

Operations (DPKO), the Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Development Programme (UNDP), which serve as co-lead entities.

The Team complements existing UN mechanisms, including UN Action against Sexual Violence (UN Action), and draws from existing DPKO, OHCHR and UNDP human resources to provide assistance to national governments to prevent and respond to conflict-related sexual violence, with a focus on combating impunity and ensuring accountability for conflict-related sexual violence crimes.

The Team has noted that countries facing the challenge of conflict-related sexual violence lack adequate national capacity and expertise to investigate and prosecute these crimes. Capacity constraints remain therefore one of the main impediments to addressing impunity and improving access to justice for survivors. In addressing this challenge, the Team focuses its

efforts on strengthening the capacity of national rule of law actors, including the police and the judiciary, to address impunity for sexual violence crimes. The Team helps build strong legal frameworks in relation to conflict-related sexual violence. Through mentoring, training, advice and provision of tools, the Team assists national actors in conducting investigations, collecting and preserving evidence, building cases, prosecuting crimes, and protecting witnesses and victims. The Team also assists governments to help ensure that survivors of sexual violence have access to effective remedies and reparation, so that they can begin the process of rebuilding their lives and communities.

Within the broader objective of strengthening the rule of law with respect to conflict-related sexual violence, the Team: (i) works closely with national legal and judicial officials and other personnel in the relevant governments’ civilian and military justice systems to address impunity, including by strengthening national capacity and drawing attention to the full range of

justice mechanisms to be considered; (ii) identifies gaps in national response and encourages a holistic national approach in addressing conflict-related sexual violence, including by enhancing criminal accountability, judicial capacity and responsiveness to victims (such as reparations mechanisms); (iii) makes recommendations to coordinate domestic and international efforts and resources to reinforce governments’ ability to address conflict-related sexual violence; and (iv) acts in conjunction with a variety of UN mechanisms towards the full implementation of resolutions 1820 (2008) and 1888 (2009).

Between 2012 and 2014, the Team has operated under a three-year joint programme developed in coordination with DPKO, OHCHR and UNDP. It has supported national authorities in Bosnia and Herzegovina, the Central African Republic (CAR), Colombia, Côte d’Ivoire, the Democratic Republic of the Congo (DRC), Guinea, Liberia, Somalia and South Sudan.

OUR VISION

We believe that with sound legislation, comprehensive prevention and response mechanisms, and enhanced capacity, military and civilian justice systems will be able to address conflict-related sexual violence promptly and effectively leading to reduced impunity and ultimately to greater peace, security and development. Fundamental to the Team's vision is the recognition that national ownership, leadership, and responsibility are the cornerstones in the fight against impunity for sexual violence crimes.

UN Photo/Iason Founten



THE ADVISORY GROUP

The Team's Advisory Group consists of a senior representative from each of the co-lead entities contributing a member to the Team. Its role is to, inter alia provide strategic advice on engagements of the Team; propose possible areas of engagement to the Team; advise on the management of the roster of experts; consider the Team's reports and recommendations from assessments and deployments; and support the Team in its efforts to mobilize resources.

ROSTER OF EXPERTS

The TOE is currently supported in its efforts by approximately 70 national and international experts ready for deployment, with a range of competencies gathered under a profile within the UNDP Experts Roster for Rapid Response. The experts' various areas of expertise include criminal investigations and prosecutions, military justice systems, security sector oversight mechanisms, Islamic law, forensics, reparations, legal drafting, protection of victims and witnesses, and mentoring national justice officials. They also cover a variety of language skills and regional expertise. The TOE has deployed experts through the Experts Roster to support Colombia, Côte d'Ivoire, the DRC and Guinea.

HOW WE WORK

With dedicated expertise, the TOE supports and complements the work of the UN in enhancing security, development, human rights and peacebuilding by providing strategic, technical and programmatic guidance, advice and support to address conflict-related sexual violence. The Team uses a human rights-based approach to identify gaps and challenges faced by national authorities and institutions in responding to accountability for conflict-related sexual violence. It focuses on strengthening national capacity and ensuring that interventions build on and complement existing partners' and governments' initiatives. It ensures that national authorities are in agreement with the support provided to them.

The TOE regularly receives requests for assistance from national authorities, UN field presences or headquarters officials, and civil society organizations or victims groups. Once a request is received, the TOE consults with the UN presence in the respective country, determines whether the context is appropriate for its engagement, and seeks consent from the government to engage.

In addition, the Special Representative of the Secretary-General on Sexual Violence in Conflict (SRSG-SVC)'s high level advocacy work with governments serves as an entry point for TOE interventions. Since 2011, the Office of the SRSG-SVC has secured joint communiqués, signed by the host government and the UN, as a platform for engagement with governments on sexual violence. It should be noted that to date joint communiqués have been signed with the Governments of the CAR, the DRC, the Republic of Guinea, the Federal Republic of Somalia and the Republic of South Sudan. Governments have requested technical assistance of the TOE through each of these communiqués. Frameworks of cooperation have also been signed with the Kofi Annan International Peacekeeping Training Centre (KAIPTC), the African Union (AU) and the International Conference on the Great Lakes Region (ICGLR) and provided additional entry points for engagement by the Team.

Upon request or consent by a government, the TOE undertakes a technical assessment mission to help the government to review existing initiatives, laws, programs and mechanisms on the rule of law in general and on conflict-related sexual violence in particular, as well as evaluate the existing capacity of national and international actors. Extensive consultations between the TOE, government entities, UN partners, civil society organizations, national human rights institutions, and other national and international stakeholders take place before, during and after assessments to ensure national ownership, coordination and complementarity. This approach ensures that the Team's support avoids duplication of efforts, adds value and is sustainable.

The Team ensures that during its assessments, the modalities for the provision of assistance to national authorities to address conflict-related sexual violence are identified and clarified. The assessments often result in extensive recommendations for a range of actors, including the TOE itself, government entities and other national and international partners in the country. Recognizing that national ownership and leadership are critical for the sustainability of efforts to address conflict-related sexual violence, the TOE ensures that these recommendations, including the modalities for their implementation have the full support of national and local authorities, as well as non-governmental organizations.

Following agreement on the recommendations and modalities for support, the TOE may assist in the identification and mobilization of human, technical and financial resources, or in the development of budgeted project proposals to help the government address the gaps the Team helped to identify. The Team tries to ensure that a government entity or other co-lead organization is responsible for the implementation of initiatives emanating from the Team's assessments, while the TOE provides the necessary technical assistance through the deployment of expertise or direct advice.

HOW WE WORK

Based on the assessments it has conducted, and on the requests it has received, the TOE has identified areas of focus in which governments experience the most critical capacity challenges in combating impunity for sexual violence. These focus issues constitute the Team's main thematic areas of support. They include:



In 2014, the Team focused its assistance to national authorities in eight countries, which were identified for priority focus in coordination with the Office of the SRSG-SVC and the Secretariat of UN Action. They include:

Bosnia and Herzegovina, CAR, Colombia, Côte d'Ivoire, DRC, Liberia, South Sudan and Sudan. In addition to these countries, the Team provided support to national authorities in Guinea and Somalia.

The selection of these eight countries does not prevent the TOE from engaging in other conflict and post-conflict countries identified as "situations of particular concern".

COUNTRY ENGAGEMENT



BOSNIA & HERZEGOVINA

FAILURE TO CONSIDER CONFLICT-RELATED SEXUAL VIOLENCE IN THE INITIAL PHASE OF THE PEACE PROCESS LEFT A LEGACY WHICH IS DIFFICULT TO ADDRESS



Over twenty years ago, Bosnia and Herzegovina was the site of a large-scale conflict, characterized by grave violations of human rights, including mass killings, rape, and forced displacement. The war resulted in an estimated 100,000 deaths and some two million refugees and internally displaced persons - approximately 11,500 individuals are still listed as missing. Rape and other forms of sexual violence during the conflict were determined to be systematic, widespread, and perpetrated against women, men, girls and boys. Lack of political will to combat impunity has severely impaired public confidence in institutions. In addition, deficits in judicial, health and social welfare systems have left many survivors of conflict-related sexual violence awaiting support.

In response to continued concerns of lack of accountability for sexual violence crimes committed during the conflict, in June 2013, the SRSG-SVC visited Bosnia and Herzegovina to assess progress toward addressing the various challenges. During her visit the SRSG-SVC noted the critical need to provide assistance and services to survivors of conflict-related sexual violence. To support the Government and the UN system in addressing these issues, the SRSG-SVC committed the TOE to work with the UNCT to develop a comprehensive programme to identify and address gaps in existing care, support, and justice services, and to create an effective, comprehensive, and standardized approach for dealing with survivors of conflict-related sexual violence.



UN Photo/Loey Felipe

TOE ASSISTANCE

The TOE provided advice to the UNCT on the development of a comprehensive programme entitled “Joint UN proposal: Seeking care, support and justice for survivors of conflict-related sexual violence in Bosnia and Herzegovina”. This survivor-centered programme aims to strengthen the capacity of the Government and civil society to expand the delivery of reparations, rehabilitation for victims, equal access to services, access to justice, and efforts to combat stigmatization of survivors of conflict-related sexual violence.

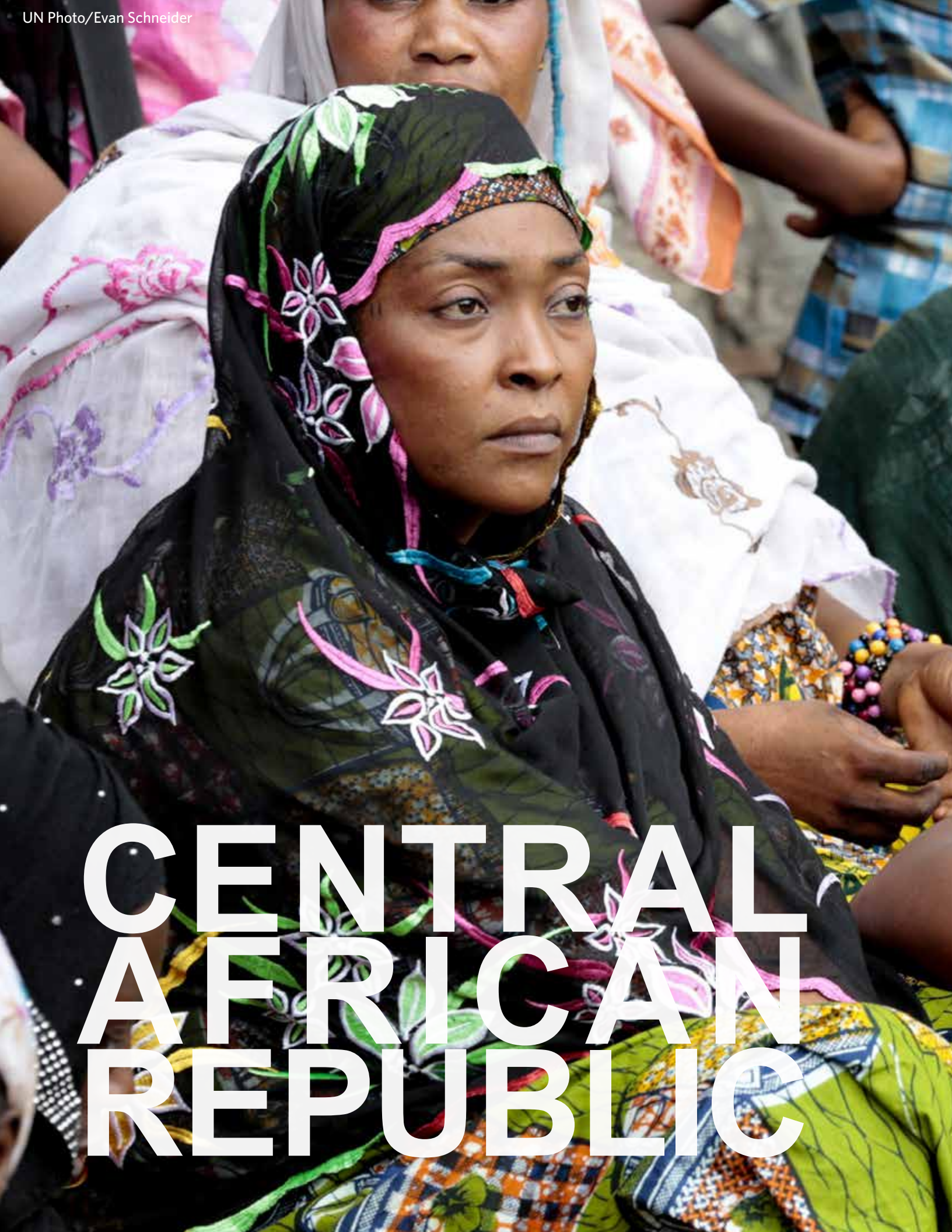
In addition to technical and policy advice, the TOE actively supported the efforts of the UNCT to mobilize resources for the above mentioned programme and to ensure the required inputs and international commitments were in place. As a result of the collective efforts of the SRSB-SVC, the TOE, and the UNCT, the programme has been launched and activities are currently underway.

Challenges, Lessons Learned and Way Forward

Bosnia and Herzegovina continues to face a challenging context where political consensus and political will to address sensitive issues surrounding the conflict remain limited. This lack of political consensus and political will combined with donor fatigue continue to remain potential challenges to the success of initiatives undertaken in the country.

The failure to address accountability for conflict-related sexual violence in the initial peace process and in subsequent projects and programmes has left a legacy that will be extremely difficult to remedy. The conflict in the former Yugoslavia demonstrates that conflict-related sexual violence considerations must be included in initial ceasefire agreements, monitoring mechanisms and peace agreements. The inclusion of such considerations in the Dayton Agreement could have paved the way for accountability for such crimes and provide the best chance of survivors to receive appropriate support.

The TOE will continue to follow the implementation and progress of the comprehensive programme and provide support as requested by the Government and the UNCT.



CENTRAL AFRICAN REPUBLIC

After decades of conflict and instability, the situation in CAR deteriorated in 2013, following a military coup against former President François Bozizé. Police stations were looted, and police and gendarmerie personnel abandoned their positions, creating a serious vacuum in the enforcement of law and order. In the absence of a strong government and the collapse of the armed forces, the police and the gendarmerie, rape and other forms of sexual violence were committed during house-to-house searches, in IDP camps, and in acts of retaliation by anti-Balaka, ex-Séléka and other armed groups. Cases of sexual slavery and forced marriages involving children, mostly perpetrated by ex-Séléka elements, were also reported. The International Commission of Inquiry (COI), which published its final report in December 2014, found that sexual violence had occurred at alarming rates during and in the immediate aftermath of hostilities. The COI recommended the prosecution of alleged perpetrators.

The Government has made efforts to address issues of impunity. In 2014, the Government developed an initiative to establish a special criminal court tasked with investigating, prosecuting and adjudicating serious human rights violations, including crimes against humanity and war crimes. In addition, the Government has requested support in the establishment of a Rapid Response Unit within the gendarmerie to respond to reports of sexual violence.

TOE Assistance

Following a request from the Government, the Team developed a concept for the creation of a specialised unit within the gendarmerie to respond rapidly to alleged cases of sexual violence by collecting and preserving evidence, interviewing victims and documenting cases. The Team also provided input to the draft law on the creation of a Special Criminal Court to ensure that it has jurisdiction for crimes of conflict-related sexual violence. A functional criminal court, police and a gendarmerie with strengthened response capacity will be essential in ensuring accountability for sexual violence crimes.

Challenges, Lessons Learned and Way Forward

Despite recent progress in the operationalization of some specialized police and gendarmerie units with the support of international partners, the continued lack of capacity within security entities to respond to threats and incidents remains a major obstacle in the collective efforts to stop violence and restore the rule of law in CAR. Without the reestablishment of the rule of law through the restructuring of national security entities, increased capacity of the justice sector, the restoration of state authority, and the allocation of appropriate resources, human rights violations, including sexual violence, will continue unabated. The TOE will continue to support national authorities in CAR in close collaboration with UNDP and UN Women in the framework of the Global Focal Point arrangement.



Acceso a la justicia para
Mujeres víctimas de
violencia sexual

Cuarto Informe de Seguimiento al Auto 092 de la Corte Constitucional

COLOMBIA

MESA DE SEGUIMIENTO AL AUTO 092
DE LA CORTE CONSTITUCIONAL
ANEXO RESERVADO

In the context of the armed conflict in Colombia, sexual violence has been an issue of concern. Sexual violence was part of the tactics of armed groups, including the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo (FARC-ELN), Ejército de Liberación Nacional (ELN) and other armed groups that emerged since demobilization, and are referred to by the Government as criminal gangs or “Bacrim.” The majority of victims of sexual violence in Colombia are women and girls, and some reports have also documented sexual violence cases against men and boys. In rural areas, armed groups perpetrated sexual violence, particularly against women from Afro-Colombian and indigenous communities, to forcibly displace populations from lucrative mining or agricultural zones, or in corridors strategic for drug trafficking.

In his 2014 report on conflict-related sexual violence, the UN Secretary-General noted that conflict-related sexual violence remains a driver of displacement in Colombia, disproportionately affecting ethnic communities living in remote, rural areas. The report confirms that fear of sexual violence by armed groups has led many families to resettle in poorer areas of large cities. It further notes an increase in sexual violence against members of the lesbian, gay, bisexual, transgender and intersex (LGBTI) community, which has caused many to flee areas under the influence of armed groups and paramilitaries. The National Ombudsman’s Office reported that conflict-related sexual violence, including rape, forced nudity and threats of a sexual nature, has been committed against men, women, boys and girls because of their sexual orientation as a form of punishment or “corrective violence”, as well as to intimidate communities by demonstrating the power of an armed group to exert social control.

Against this background, the Government of Colombia has taken important steps to address conflict-related sexual violence. These include: the adoption of a robust legislative framework, the establishment of protection mechanisms, and the design of a comprehensive reparations programme for victims of sexual violence.

Furthermore, in August 2014, Decree 1480 was adopted establishing 25 May as the National Day for the Dignity of Women Victims of Sexual Violence caused by the Internal Armed Conflict. Individual and collective reparations were paid to 2,081 women victims of “crimes against sexual freedom and integrity.”

In the framework of the Havana peace process, a noteworthy development is the establishment of a gender sub-commission to ensure the integration of a gender perspective in the discussions. Additionally, conflict-related sexual violence has been raised in the negotiations through the participation in the peace talks of sexual violence survivors and leaders of women’s rights and sexual diversity organizations.



©UNHCR/ Juan Arredondo

TOE ASSISTANCE

The TOE provided expert input to the ground-breaking Law 1719 on Access to Justice for Victims of Sexual Violence in Colombia, particularly as it relates to the armed conflict, which was adopted by Presidential Decree on 18 June 2014. The law aims at enhancing the status of sexual violence survivors so that they can receive reparation, psychosocial support and free medical care. It explicitly recognizes that sexual violence can constitute a crime against humanity and that there can be no statute of limitations for such crimes. It includes offences that were previously omitted from the Penal Code, such as enforced sterilization, forced pregnancy and forced nudity, and adds specific reference to aggravating circumstances, for example when sexual violence is committed as a form of retaliation against or intimidation of human rights defenders.

Challenges, Lessons Learned and Way Forward

Challenges persist in implementing the progressive legal framework at the local level owing to institutional capacity constraints and the underreporting of cases, which are both a cause and a consequence of impunity for these crimes. Of continuing concern, for example, is sexual violence in areas under the influence of non-State armed groups or groups that have emerged from the process of demobilization. The evolution of the peace talks in Havana, and the maintenance of the protection and empowerment of women at the centre of the discussions, will be another critical challenge in 2015.

The Team will support the visit of the SRSB-SVC to Colombia in 2015 to better understand and support national authorities in addressing the challenges that remain, and to discuss the role of Colombia in disseminating positive experiences through cross regional and country-to-country experience sharing. Given the crucial phase of the peace process in Havana, the Team will also provide support to ensure the continued inclusion of gender issues and conflict-related sexual violence in the negotiations.



COTE D'IVOIRE

Sexual violence in Côte d'Ivoire continues to be of concern, four years after the disputed November 2010 elections. Forces loyal to both outgoing President Laurent Gbagbo and incumbent Alassane Ouattara committed human rights abuses, including sexual violence, in the wake of the elections during a climate of insecurity and impunity. The presence of armed criminal elements across the country, combined with a slow process of disarmament, demobilization and reintegration of ex-combatants continues to put women and children, in particular, at risk of sexual violence. Sexual violence remains high in Bouaké, where ex-combatants, often reinserted into society as motorcycle and taxi drivers, are reported to be involved in both armed robberies and sexual violence. In 2014, the situation remained fragile in certain parts of the country, particularly in Abidjan and the western region. During this period, the UN Mission in Côte d'Ivoire (UNOCI) documented and verified 325 cases of rape, 230 of which were against minors.

To address such crimes, the Government has established a number of institutions and tools. These include: the Cellule Spéciale d'Enquêtes et d'Instruction (Special Investigation Cell); the Comité d'experts nationaux sur les Violences Sexuelles liées au Conflit (National Expert Committee on Addressing Conflict-related Sexual Violence); and the Commission Dialogue, Vérité et Réconciliation (Dialogue, Truth and Reconciliation Commission). Critically, the adoption of the National Strategy Against Gender-Based Violence on 5 September 2014 has helped the Government to frame its strategic directions and define its efforts in this area. One notable progress is the development of an action plan by the actors in the security sector, led by the national army. In addition, a reparation bill has been drafted and is currently under consultation. Making this strategy operational and effective will require the active participation of all relevant Government institutions, under the leadership of the Ministry of Solidarity, Family, Women and Children in cooperation with victims groups and national and international NGOs.

TOE ASSISTANCE

In Côte d'Ivoire, the Team's engagement has contributed to the Government identifying targeted initiatives to address the issue of accountability, and strengthening the impunity pillar of the National Strategy Against Gender-Based Violence. These initiatives were identified following a 2013 experience-sharing exercise facilitated by the Team between Côte d'Ivoire and Sierra Leone.

In addition, the Team's technical advice to the National Expert Committee on Addressing Conflict-related Sexual Violence has led to the development of an action plan on sexual violence for the security sector forces, led by the national army, the Forces Républicaines de la Côte d'Ivoire (FRCI), which includes prevention, capacity strengthening and deterrence.

The Team conducted a technical mission to Côte d'Ivoire from 19 to 23 October 2014. The aim of the mission was to discuss and agree with relevant Government entities the modalities of support to their efforts to address impunity for conflict-related sexual violence. The findings and recommendations in the mission report have been agreed with UNOCI leadership and the Government. These include: (i) providing technical support to the FRCI's action plan on sexual violence as an essential piece of security sector reform; (ii) providing technical support in the process of establishing Special Police Units; and (iii) providing technical expertise to assist with legislative review and legal training bodies.

The Team's support has resulted in the finalisation of the action plan to address sexual violence by the military. In this regard, FRCI has put in place mechanisms to monitor, report and respond to sexual violence within its ranks. In addition, officers of the FRCI have been trained on responding to sexual violence. Since the adoption of the plan, the FRCI has regularly received reports and alerts of sexual violence crimes from its different units. In cooperation with the UNDP country office, the Team has provided advice on the establishment of specialised units within the police and the gendarmerie to address sexual violence.

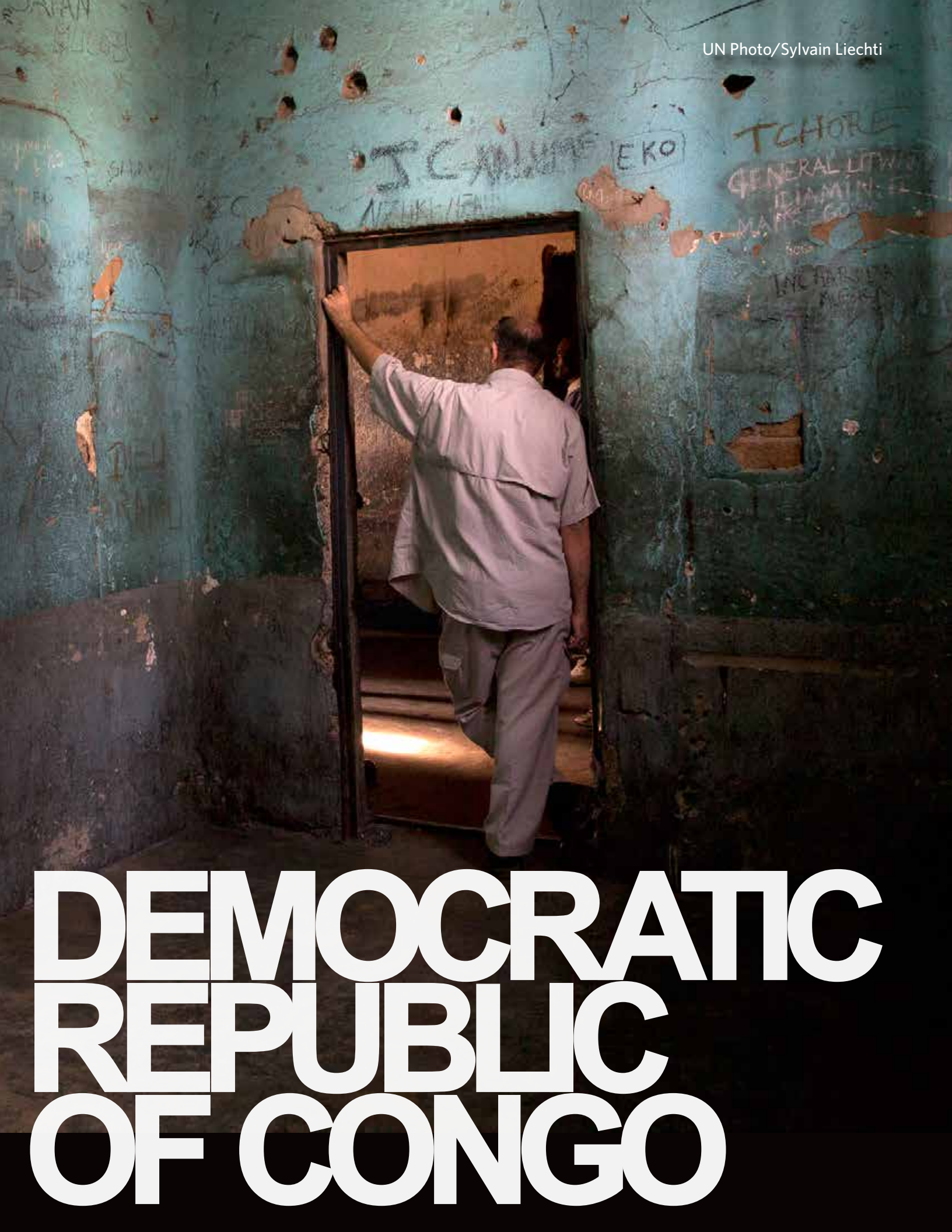
COTE D'IVOIRE

Challenges, Lessons Learned and Way Forward

Though the Government has made progress in the reform of the justice and security sectors, the human rights situation and specifically conflict-related sexual violence remains a concern. While there is a clear commitment by authorities at national and local level to address conflict-related sexual violence, the capacity of the existing institutions is no match for the remaining challenges.

Other obstacles to accountability for sexual violence crimes include the weak legal framework and the high fees victims of sexual violence must pay to receive a medical certificate. In addition, the lack of accurate data, specifically judicial data, makes it challenging to assess progress made by the Government to address accountability and to formulate an appropriate response. Furthermore, survivors of sexual violence have not received reparation.

The TOE will continue to engage with the Government and provide technical assistance in line with the agreed areas of support.



DEMOCRATIC REPUBLIC OF CONGO

Incidents of sexual violence and other human rights violations continued to be reported in the DRC in the course of 2014, particularly in the eastern provinces of Orientale, North Kivu and South Kivu. There has been an alarming resurgence of violence by armed groups, including an increase in rape and forced displacement. Most incidents have been linked to armed groups, including : Front de résistance patriotique de l'Ituri (FRPI), Forces Démocratiques de Libération du Rwanda (FDLR), Raia Mutomboki, Nyatura, Alliance des Patriotes pour un Congo Libre et Souverain (APCLS), Mayi Mayi Simba Lumumba and other Mayi Mayi groups. However, there have also been continued reports of sexual violence committed by national security forces, including the Forces Armées de la République Démocratique du Congo (FARDC) and the Police Nationale Congolaise (PNC).

Limited state authority and rule of law in areas affected by the conflict creates favourable conditions for the occurrence of sexual violence. This is further reinforced by the limited capacity of the Government to address impunity for crimes in general and for sexual violence crimes in particular. A number of issues including land pressure, the proliferation of small arms, and an unregulated mining sector contribute to the prevailing insecurity and to the perpetuation of cycles of conflict and widespread sexual violence. The climate of impunity allows the many forms of gender-based violence, including sexual violence, to flourish and intensify the existing discrimination against women and girls. While the majority of the victims in the DRC are women and girls, cases of sexual violence against men and boys have also been confirmed.

In addition to establishing a strong legal framework, the Government took important steps to address conflict-related sexual violence during the course of 2014, such as the prosecution of some high-ranking army officers; the payment of reparations to some survivors; the appointment by the President of a Personal Representative on Sexual Violence and Child Recruitment to accelerate national action and engage with the international community; and the launching by the FARDC of its Action Plan Against Sexual Violence.

TOE ASSISTANCE

In the DRC, the TOE's assistance has focused on supporting the Government to implement its commitments under the 2013 Joint Communiqué. In the course of 2014, the Team's assistance focused on strengthening the capacity of key institutions to address conflict-related sexual violence. These include: The Office of the

Personal Representative of the President on Sexual Violence and Child Recruitment (OPR); the Senate's Special Commission on Sexual Violence; the Police Spéciale pour la Protection de la Femme et de l'Enfant (PSPEF), the Ministry of Defence and the FARDC.



Office of the Personal Representative of the President

The TOE has assisted the OPR to formulate a plan of action and identify priorities that place the issue of accountability, especially by the FARDC, at the heart of its advocacy efforts. This plan includes accountability for emblematic sexual violence incidents (e.g. Walikale, Bushani, Mutongo and the prosecution of senior officers accused of crimes of sexual violence). One achievement from this support to the OPR, in cooperation with other actors, was the conviction of General Jerome Kakwavu in November 2014 for war crimes of rape, murder and torture, and that of Lieutenant Colonel Bedi Mobuli Engangela, alias Colonel 106, in December 2014 for crimes against humanity, including rape and sexual slavery. The TOE also provided technical advice to the DRC, through the OPR, on implementing reparations programmes for survivors.

Special Commission of the Senate on Sexual Violence

Following advocacy from the SRSR-SVC, in November 2013, the DRC Senate established a Special Commission on Sexual Violence. In the course of 2014, the Team provided technical assistance to the Special Commission. A technical workshop was organized by the Team on 22 March 2014 in Kinshasa, to build the Commission's understanding of conflict-related sexual violence. In addition, the Team assisted the Special Commission in shaping its mandate and priorities, and in developing a detailed plan of activities. This resulted in the decision by the Special Commission to focus on areas most affected by conflict-related sexual violence (North-Kivu, South-Kivu, Ituri and North Katanga). This assistance has also helped the Special Commission to tailor its work around advocacy vis-à-vis state and non-state actors, oversight of national institutions addressing sexual violence, reporting and contribution to strengthening the legal framework. Subsequently, the Special Commission conducted its first field mission to South-Kivu and North Katanga, during which it engaged relevant provincial institutions. Regarding law making, the Team provided advice to the Special Commission on its role in the draft law on a specialized court to deal with crimes committed in the DRC, as well as a possible law establishing a reparations fund for victims of sexual violence.

Forces Armées de la République Démocratique du Congo

In the course of 2014, working with high level focal points within the FARDC and the Ministry of Defense, the Team supported the FARDC in developing an Action Plan on addressing sexual violence, which was launched in August 2014. Through this plan, the FARDC now has a road map to tackle the issue of conflict-related sexual violence. This plan is built on prevention measures including the issuance of command orders by military commanders prohibiting sexual violence, the strengthening of codes of conduct, and the signing of undertakings by all commanders and soldiers deployed to the field that they will refrain from sexual violence, report sexual violence crimes and take action if sexual violence is being committed. The convictions of General Kakwavu and Lieutenant Colonel Bedi Mobuli Engangela are among the first steps made in the implementation of the FARDC action plan. In addition, the Team assisted a Commission established by the FARDC to implement its Action Plan (FARDC Commission) to develop undertakings against sexual violence, which will be signed by field commanders in 2015.

Civilian and Military Justice

The Team accompanied military justice efforts in eastern DRC, through the deployment of an Investigations Expert to the Prosecutions Support Cell (PSC) in Goma until early 2014. The expert provided support to direct investigations and prosecutions by military magistrates and to military mobile courts. Dedicated support was given to the investigations into the November 2012 Minova incidents during which over 200 women were allegedly raped by FARDC soldiers as they retreated from Goma after the city was captured by the rebel group M23. During part of 2014, through a national expert cost-shared with UNDP, judicial monitoring was conducted in South Kivu and North Kivu for sexual violence cases involving the military. This exercise enabled the FARDC to trace the status of many sexual violence cases among the backlog of criminal cases. This exercise was facilitated by a comprehensive mapping of major sexual violence cases committed in the DRC since 2006, which was compiled by the Team. In cooperation with UNDP, the Team also provided technical assistance to strengthen the PSPEF.

DEMOCRATIC REPUBLIC OF CONGO

Challenges, Lessons Learned and Way Forward

When there is a combination of national ownership, leadership and responsibility, conflict-related sexual violence can be addressed. Indeed, when sexual violence is given attention at the highest levels, governments can achieve tangible results. This fact is highlighted by the appointment of the Personal Representative of the President on Sexual Violence and Child Recruitment in the DRC, which has helped galvanize the commitment of the Government to address conflict-related sexual violence. In the DRC, the signing of undertakings by commanders, committing to refrain from, to prevent, and to respond to sexual violence, and the strong message this has sent to the entire army that these crimes cannot be tolerated is something that can be emulated in other countries.

Going forward, the TOE will seek to ensure that it takes into account a strong security sector reform dimension in its support to the DRC. The Team will pursue the provision of technical support to: the OPR; the Special Commission of the Senate on Sexual Violence (specifically on their efforts to engage non-state actors); the Commission on Sexual Violence of the FARDC (to implement its action plan); and PSCs and mobile courts. The Team will continue to provide assistance to the PSPEF. In addition, it will support the Ministry of Justice to deploy more women magistrates to eastern Congo and to establish protection mechanisms for victims, witnesses and judicial actors.



GUINEA

“I praise the courage and determination of the Panel of Judges to investigate the crimes committed as well as the courage of victims and witnesses to come forward”

**Zainab Hawa Bangura
SRSB-SVC**

On 28 September 2009, Guinea’s Independence Day, members of the opposition were attacked by national security forces during a rally held at the stadium in Conakry.

This attack resulted in serious human rights violations, including killing, rape, torture and enforced disappearance. Following the incidents of 28 September, the Government of Guinea established a National Commission of Inquiry, which failed to shed light on the events and establish responsibilities. In October 2009, an International Commission of Inquiry was created to investigate the alleged human rights violations and identify those responsible.

The Commission issued its report in December 2009 confirming that at least 109 women, including a number of minors, were victims of rape and other forms of sexual violence by perpetrators mainly identified as members of the Guinean security forces. The report also identified individuals and groups presumed to be directly or indirectly responsible for these violations, including the then President, Captain Moussa Dadis Camara.

Due to the slow pace in holding the perpetrators accountable, in November 2011, a Joint Communiqué was signed between the United Nations and the Government of Guinea on addressing sexual violence crimes committed in September 2009. Through the Joint Communiqué, the Government pledged to ensure accountability for these crimes. This has provided a framework through which victims of sexual violence crimes could seek justice.



In line with the Joint Communiqué, the Team of Experts in cooperation with the OHCHR Country Office in Guinea, has continued to provide technical assistance to national authorities in Guinea to combat impunity for alleged crimes committed on 28 September 2009. An expert (a senior judicial advisor) deployed by the Team since 2012 continues to provide technical assistance to the Panel of Judges mandated to investigate and prosecute the incidents.

The support of the Team to the Panel of Judges has contributed to:

- **Use of appropriate and ethical questioning and investigation techniques** by the Panel of Judges, which has resulted in over 450 hearings, including the testimony of at least 200 victims and witnesses of sexual violence;
- **Collection and safeguarding** of useful testimonies and evidence from survivors, their relatives, witnesses, and medical providers;
- **Indictment** of 12 officers, including high ranking military officers such as Colonel Claude Pivi, who was in charge of the Presidential Guard at the time of the events, and General Baldé;
- **Establishment of enhanced protection measures** for the Panel of Judges, including through the permanent deployment of a unit of police officers attached to the Presidential Guard to the judges' offices; and
- **Establishment of a regular dialogue** on the progress of the investigation, witness and victim protection and reparation for victims of sexual violence between the Ministry of Justice, civil society organizations and victims groups.

The Team facilitated two visits to New York by the newly appointed Minister of Justice of Guinea, Mr. Cheick Sako. The first visit, in March 2014, provided an opportunity for the Minister to meet with key stakeholders engaged in the fight against impunity in Guinea, including UN entities, Member States and civil society organizations, and to renew the political will of the Government to ensure accountability for the events of 28 September. The second visit, in December 2014, facilitated the participation of the Minister of Justice in the Assembly of States Parties of the International Criminal Court and the presentation of key achievements and remaining challenges in the investigation and prosecution of the 28 September events in the plenary session on gender-based and conflict-related sexual violence. Working directly with the Minister of Justice and assisting him to report regularly on progress made, the Team has helped maintain the spotlight on the Guinea situation and therefore ensured that national authorities and particularly the Panel of Judges continue to receive the support of the Government.



2009



2009



2012



2014



2014

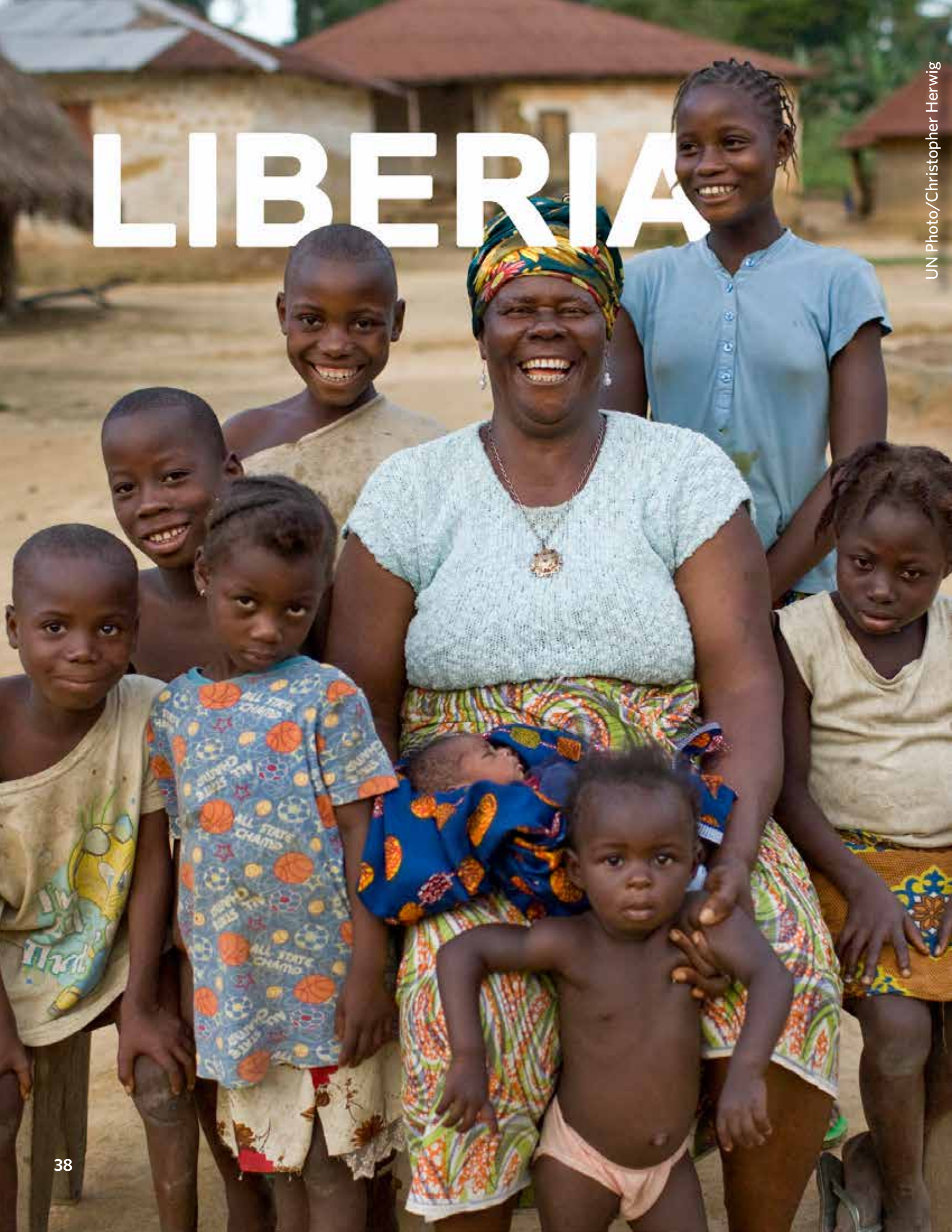
Despite these important advances in the investigation and prosecution of the 28 September events, and more broadly in the justice and security sector reforms, national authorities in Guinea are confronted with important human rights challenges that may hinder further progress in 2015. These challenges include, amongst others, the general impact of the Ebola outbreak, specifically on the functioning of the criminal justice system, and the political instability linked to upcoming presidential elections in 2015.

In 2015, the Team will continue to support national authorities by pursuing its assistance in the following main areas:

- Ensuring access to mass graves, including by learning from the experience of Mali, Colombia and seeking forensic expertise to support exhumation efforts;
- Pursuing investigation, including vis-a-vis suspects currently outside the country;
- Identifying and establishing practical mechanisms of witness and victim protection; and
- Advising on possible modalities of reparations for victims of sexual violence, including administrative reparations pending the conclusion of the criminal proceedings, and on potential sources of funding.

LIBERIA

UN Photo/Christopher Herwig



Sexual violence in Liberia, particularly rape, remains alarmingly high and is a clear impediment to post-conflict peace building and recovery, following the two civil wars (1989-2003), during which sexual violence was used as a weapon of war. Widespread poverty, failure to address post-conflict trauma, and deeply rooted practices and beliefs that perpetuate gender-based discrimination and a climate of impunity for the perpetrators of these crimes have driven incidents of sexual violence.

The 2014 Secretary-General's report on conflict-related sexual violence confirmed that rape of minors is the most frequently reported sexual and gender-based violence (SGBV) incident. Available information also points to a disturbing trend of increasing sexual violence committed by minors. Official data from the Ministry of Gender, Children and Social Protection for the period of January to September 2014 records 942 incidents of SGBV nationwide, with the majority documented in Montserrado County where the most services and reporting structures exist.

The Government and its partners have put in place an impressive array of legislative and structural mechanisms to try to prevent and punish perpetrators of sexual violence, including Women and Child Protection Sections within the National Police, the Sexual and Gender-Based Violence Crimes Unit within the Prosecution Service, and Criminal Court E (a special court on sexual violence). In addition, a 'one stop centre' for survivors of sexual violence has been established, safe homes are available and the first forensic laboratory in the country has been opened.

While these efforts may appear comprehensive, in reality the challenges to combat sexual violence remain, with persistent low reporting rates, low prosecution rates and even fewer convictions.



LIBERIA

Challenges, Lessons Learned and Way Forward

Institutional, technical, infrastructural capacity and cultural challenges remain, despite improved institutional frameworks and strengthened legislation, and numerous initiatives and attempts to reduce sexual violence. Building national capacity to prevent and respond to cases of SGBV across Liberia, especially in rural areas, is of paramount importance to ensure the full and timely implementation of legislation prohibiting sexual violence.

TOE ASSISTANCE

In July 2014, the Team undertook a mission to Liberia to take stock of progress in the implementation of recommendations from its previous mission (April-May 2011) and identify remaining challenges for the Government and in-country partners to take forward. The Team's assessment resulted in the Government identifying remaining institutional, technical and infrastructural gaps, which contributed to the drafting of an exit strategy for the Team following three years of support. The assessment report provided targeted recommendations to the UN Country Team (UNCT) and the Government in dealing with sexual violence at a societal and institutional level.

SOMALIA



UN Photo/Tobin Jones

Since the 1991 collapse of the Government and descent into civil war, Somalia has faced chronic insecurity, the destruction of its social, economic and political infrastructure, and human rights abuses, including sexual violence perpetrated with impunity.

Despite these challenges, the Federal Government of Somalia has made efforts to increase engagement on human rights issues, including signing a Joint Communiqué with the United Nations on addressing sexual violence in May 2013, adopting a Post-Transition Human Rights Road Map for the period of 2013 to 2015, and signing the Somali Compact at the New Deal Conference in Brussels in September 2013, all of which strongly build on the necessity to address human rights concerns, and ensure accountability for human rights violations. In December 2013, building on the commitments and positive cooperation established with the Government of Somalia and various other stakeholders, the Team undertook a joint technical assessment mission to Somalia and Kenya with representatives from the United Kingdom Preventing Sexual Violence Initiative and UN Women. The mission identified existing challenges, assessed existing national capacity and helped determine the form of assistance to be provided to Somalia, in line with the 2013 Joint Communiqué.

TOE ASSISTANCE

Based on the findings and recommendations of the Team's assessment report and in line with the 2013 Joint Communiqué, the Team supported the Ministry of Women and Human Rights Development to organize a five-day consultation workshop around the following themes: (i) civil society; (ii) service delivery; (iii) uniformed services; and (iv) access to justice. The workshop sought to agree on common objectives with all relevant Government ministries and to hear views from those delivering services for survivors of sexual violence. As a result of these consultations, the Government developed a draft action plan to tackle sexual violence to guide its work in meeting commitments under the 2013 Joint Communiqué. This draft was launched at the Global Summit to End Sexual Violence in Conflict held in London from 10 to 13 June 2014. It now constitutes a clear road map for the prevention and response to crimes of sexual violence in Somalia.

In addition to supporting the Government to develop a national action plan, the TOE contributed to strengthening the provisions of the draft Sexual Offenses Bill to ensure compliance with international standards.

SOMALIA

Challenges, Lessons Learned and Way Forward

Political turmoil, cabinet reshuffles, and limited access due to insecurity continue to be significant challenges in addressing conflict-related sexual violence in Somalia.

In a context such as Somalia it is critically important to ensure national ownership, leadership and responsibility. While such an approach requires extensive consultation, it is essential to ensuring sustainability.

The next step for the Government action plan is to undertake regional consultations, to finalize the action plan and then to present the plan at a donors conference in Nairobi. Following finalization of the action plan, the TOE plans to provide initial financial and technical support in select areas, including the Police, the Ministry of Women and Human Rights Development, and the Legislation Drafting Unit in the Ministry of Justice.





UN Photo/Martine Perret

SOUTH SUDAN

Fifty years of conflict, first in the Republic of Sudan and after 9 July 2011 in the Republic of South Sudan resulted in the collapse of government institutions and the shredding of the social and traditional fabric of society. Ethnic tensions, conflict over resources, including land and cattle, and the proliferation and accessibility of small arms and light weapons have added to this instability. Armed groups, which are reportedly based on ethnic, tribal or political lines, continue to operate in various parts of South Sudan despite disarmament efforts by the Government and the international community. The situation in South Sudan further disintegrated in December 2013, with overt conflict between the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Army/Movement in Opposition, which has led to serious human rights violations, including sexual violence crimes.



SOUTH SUDAN

TOE ASSISTANCE

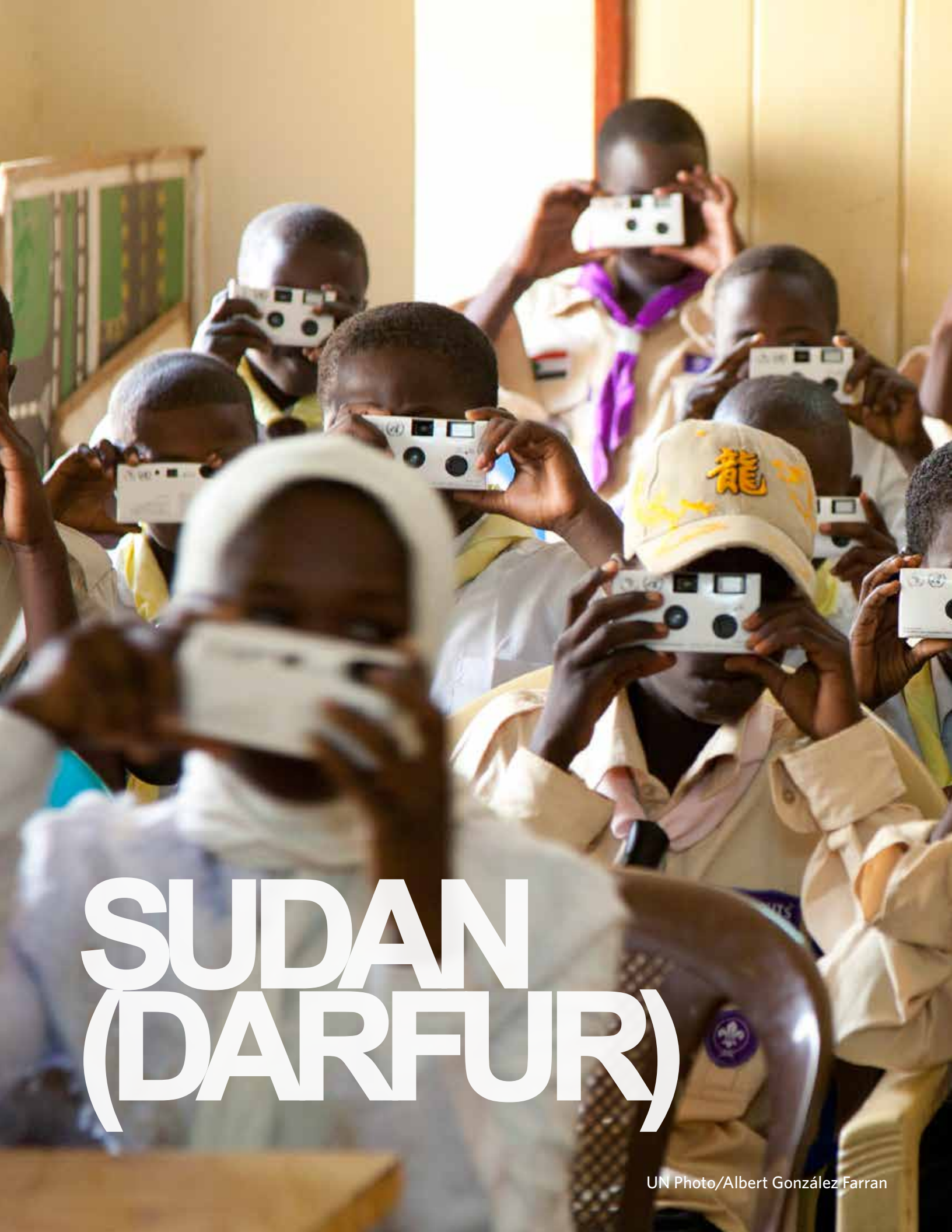
In July and October 2014, the TOE conducted consultations with the Government, United Nations and civil society organizations, to help identify key gaps in national prevention and response mechanisms to sexual violence. These consultations informed the Joint Communiqué signed between the UN and the Government in October 2014. The TOE has further pursued engagement with the Government towards the development of an implementation plan of the Joint Communiqué, to ensure concrete actions and strategies are defined by the Sudan People's Liberation Army and South Sudan National Police Service, respectively.

In addition to engagement with the Government, the TOE has also engaged in discussions with SPLA/M in Opposition to discuss issues of conflict-related sexual violence and possible approaches to discourage its occurrence. As a result of the engagement by the TOE and the Office of the SRSG-SVC, the leadership of SPLA/M in Opposition on 18 December 2014 unilaterally issued a Communiqué on Preventing Conflict-Related Sexual Violence on behalf of the SPLA/M in Opposition, which among other things committed to issuing clear orders prohibiting sexual violence through the chain of command, investigating alleged violations in a timely manner, and reinforcing the military justice system to ensure accountability for sexual violence crimes.

Challenges, Lessons Learned and Way Forward

Political instability as a result of ongoing conflict, limited access due to insecurity, and limited institutional capacity continue to be significant challenges in addressing conflict-related sexual violence in South Sudan. The revision of the UNMISS mandate in May 2014 has also created some level of confusion and limited areas of engagement.

To address conflict-related sexual violence in a context like South Sudan, it is essential to engage both parties to the conflict and other armed groups. It is also important to recognize the serious capacity gaps in the ability of the Government as well as others to address such a sensitive issue.



SUDAN (DARFUR)

UN Photo/Albert González Farran

Despite significant international attention and support, the human rights situation in Darfur continues to decline. Initiatives such as the Doha Document for Peace in Darfur, the creation of the Special Court for Darfur Crimes, the establishment of a National Human Rights Commission, and the establishment of a Special Prosecutor have all failed to achieve peace in Darfur or to improve the human rights situation. Sexual violence continues to be a recurring theme and impunity remains a serious challenge. Non-reporting of cases by survivors for fear of reprisal; general lack of will among law enforcement officials to take action; survivors' distrust of law enforcement officials; and the lack of capacity by law enforcement agencies, especially the police, to address violations remain the norm.

TOE ASSISTANCE

The Team continued to follow the situation in Darfur actively and to support the work of the international community to fight impunity for sexual violence.

Challenges, Lessons Learned and Way Forward

Ongoing security concerns, lack of access, and lack of political will to support efforts to address conflict-related sexual violence continue to pose serious challenges.

The TOE will continue to follow the situation in Darfur and engage when, where and if possible.

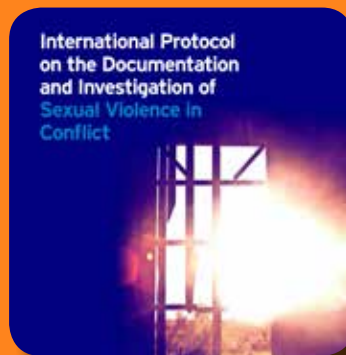
OUTREACH & EVENTS



International Criminal Tribunal for Rwanda (ICTR), Entebbe, Uganda, 3–31 January 2014 - The TOE contributed to efforts by the ICTR to document lessons learned through addressing sexual violence for the past 20 years, by participating in a conference held in Entebbe.



Workshop for Women Protection Advisors and Focal Points, Entebbe, Uganda, 3-5 February 2014 - The three-day Women Protection Advisor (WPA) workshop, organised by DPKO-DFS in collaboration with DPA, OHCHR, OSRSG-SVC, TOE, UN Action against SVC Secretariat and the participation of UNFPA, provided an opportunity for participants to discuss the implementation of the conflict-related sexual violence mandate, share challenges and good practices, and enabled all participants and facilitators to develop a common approach and harmonized understanding of responsibilities and functions to be assumed by WPAs.



The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict, The Hague, Netherland 18 February 2014 - The Team took part in a workshop in The Hague on the “International Protocol on the Documentation and Investigation of Sexual Violence in Conflict”, led by the UK’s Preventing Sexual Violence in Conflict Initiative (PSVI). This Protocol aims at improving accountability for sexual violence in conflict by capturing information and evidence that can be used to support future accountability processes. Participants discussed the basic principles and methods set out in the Protocol and how to support, facilitate and strengthen the documentation of sexual and gender-based violence crimes in accordance with these basic principles.



Global Summit to End Sexual Violence in Conflict, London, United Kingdom, 10-13 June 2014 - The United Kingdom Secretary of State for Foreign and Commonwealth Affairs and the Special Envoy of the UN High Commissioner for Refugees co-hosted the Global Summit to End Sexual Violence in Conflict, the largest ever Summit convened with the aim of ending sexual violence in conflict. The Team worked with the PSVI to plan the content and structure of the Global Summit from January through June 2014, presented at the Summit and contributed to its report. Over 120 countries attended, many at Ministerial level, as did over 900 experts, including survivors, from around the world.



Team of Experts Retreat, New York, USA, 29-31 July 2014 - The Team organized a brainstorming retreat to reflect on its work, review progress, identify challenges, explore opportunities and draw lessons from its engagements over the past three years. The brainstorming retreat helped the Team to explore key strategic priorities, adjust its approach, agree on new entry points and take into account emerging issues regarding conflict-related sexual violence. The Team specifically examined the following: (i) scope of work/challenges; (ii) partnerships; (iii) structure and use of rostered experts; (iv) visibility; and (v) country work.



UN Action Against Sexual Violence in Conflict Donor Conference, Geneva, Switzerland, 12 November 2014 - The Team participated in the UN Action Donor Conference to support resource mobilization by UN Action and to present to Member States how the work of the Team and UN Action complement one another.

UN Action Against Sexual Violence in Conflict Strategic Planning Meeting, Geneva, Switzerland, 13-14 November 2014 - The Team participated in the annual UN Action Strategic Planning Meeting, which (i) reviewed achievements and challenges in executing the UN Action Strategic Framework during 2014; (ii) advanced implementation of the recommendations of the 5-Year Forward-Looking Review of UN Action, as well as obligations under Security Council resolutions 1820, 1888, 1960 and 2106; (iii) considered the challenges of resource mobilization and future strategic use of the Multi-Partner Trust Fund (MPTF); and (iv) revised priorities and defined concrete, budgeted deliverables under each of the three pillars of action for the Strategic Framework in 2015.

OUTREACH & EVENTS



Working Group on Human Rights and Business, Geneva, Switzerland, 1-3 December 2014 - The Team was invited by the "Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises" to be an official observer at its annual World Forum on Business and Human Rights in Geneva. The Team is committed to ensuring that development is encouraged in a manner that respects human rights and enlisting the private sector as an active participant in the Team's efforts to eliminate sexual violence in conflict.

Training on Forensic Evidence Management for Sexual Violence Crimes, Entebbe, Uganda, 9-13 December 2014 - The Team provided support to the International Conference on the Great Lakes Region's Regional Training Facility on the Prevention and Suppression of Sexual and Gender-Based Violence, to organise a training workshop on the use of forensic evidence in sexual violence cases by police. It was attended by police officers from Burundi, CAR, the DRC, Kenya, the Republic of the Congo, Rwanda, South Sudan, Sudan, Tanzania, Uganda, and Zambia.

CONTRIBUTION TO REPORTS AND POLICY DOCUMENTS

- *The Secretary-General's report on sexual violence in conflict (S/2015/203).*
- *The Secretary General Guidance Note on Reparations for Conflict-Related Sexual Violence.*
- *The Office of the United Nations High Commissioner for Human Rights Analytical study focusing on gender-based and sexual violence in relation to transitional justice (A/HRC/27/21).*
- *The Secretary-General's report on Coordinating United Nations Rule of Law Activities (A/69/181).*
- *The TOE published a report on "Sexual Violence against Men and Boys", highlighting the key challenges and proposing ways forward to tackle the issue.*
- *The Team contributed to the drafting and finalisation of the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict.*



Photo/IFP Productions

Lessons Learned

From 29 to 31 July 2014, the Team organized a brainstorming retreat to reflect on its work, review progress, identify challenges, explore opportunities and draw lessons from its engagements over the past three years. The brainstorming retreat helped the Team to explore key strategic priorities, adjust its approach, agree on new entry points and take into account emerging issues regarding conflict-related sexual violence. The exercise was facilitated by the Representative of OHCHR in Colombia. The Team specifically examined the following: (i) scope of work/challenges; (ii) partnerships; (iii) structure and use of rostered experts; (iv) visibility; and (v) country work.

From this retreat, the following lessons learned emerged and / or were reconfirmed as good practices:

1 To strengthen the capacity of the justice system to address sexual violence in a conflict or post-conflict context, it is important to provide support to each component of the criminal justice chain (police, prosecutors, judges, corrections, legal assistance); this avoids creating imbalances that would increase the likelihood of the system becoming ineffective.

2 Traditional or customary justice systems play an important role in many post-conflict countries. Any support provided to the justice system requires a deep understanding of the customary justice systems at play, their complexity and their relationship with formal justice institutions and legal frameworks. A better understanding and deeper analysis of traditional or customary justice mechanisms, including clan or tribal structures, jurisdictional issues and oral traditions, is required to ensure sustainable solutions.

3 National ownership, leadership and responsibility are greatly enhanced when support builds on existing government initiatives. Support must be targeted in line with available capacities, budgets and administrative structures. In this regard, government entities, most importantly at technical level, should always be involved in assessments to ensure national ownership and sustainability.

4 Embedding expertise within government structures is a practical approach to day-to-day capacity building. Sitting with government counterparts on a daily basis helps to develop trust and a strong working relationship, thus allowing greater access to information and collaboration in addressing challenges. The Team will pursue the deployment of expertise, preferably by embedding experts within national institutions to encourage skills sharing and methodological assistance by deployed experts to ensure sustainability once the experts complete their assignments.

5 In terms of approach, given the need to balance the range of demands with available capacity, the work of the Team will benefit from strategically focusing more energy and resources on countries where it provides clear added-value. At the same time, the Team is very well-placed to engage closely in countries that have received relatively less attention by the UN and its partners.

6 Through drawing national authorities' attention exclusively to this issue and conducting a gap-analysis, the Team is well-placed to continue to inform national authorities' strategic interventions in this area. The Team will also build upon its strength as an expert identifier of gaps within the UN system's response to preventing and responding to sexual violence.

7 The UN lacks capacity to work on Islamic law issues. The UN should enhance such capacity and seek to improve its understanding of the dynamics and relationships between Islamic law, traditional or customary law and statutory law to determine how these systems could jointly be used to help address accountability for sexual violence crimes.

8 Increased understanding is needed of the current challenges faced in the Middle East, North Africa and Asia regarding sexual violence.

9 Encouraging South-South cooperation is critical in conflict and post-conflict settings as a way to ensure that lessons and good practices can be shared among countries with comparative experiences and contexts.

10 Data on sexual violence is limited and scattered. Available data is not readily shared among relevant actors in the field or at headquarters, often as a result of divergent views on how it should be used or protected. Data is key in understanding trends and patterns, and useful in efforts towards the definition of technical assistance programmes.

11 Judicial and administrative reparations should be available to victims of conflict-related sexual violence to obtain prompt, adequate and effective remedies. In terms of priority thematic areas, the work of the Team would benefit from increasing its emphasis on assisting governments in developing approaches to ensure reparations for victims of conflict-related sexual violence. Since reparations programs require significant resources, creative approaches must be explored to support reparation funds, including for instance through forfeiture and seizure of assets. In cases where adequate and effective reparations call for the relocation of survivors, efforts need to be made to ensure their safety and access to economic opportunities to be self-sustaining.

12 It is important to ensure that actions taken by the UN in strengthening the rule of law, security sector reform and disarmament, demobilization and reintegration in post-conflict societies are holistic and fully consider the need to address conflict-related sexual violence. Participation by the Team in UN assessment missions at strategic and technical levels helps to ensure this objective.

13 Conflict-related sexual violence remains a relatively new concept. Despite progress made, there is still limited understanding by a number of actors as to what constitutes conflict-related sexual violence and how this differs from gender-based violence. Additional training and capacity building is needed to address this confusion, not only among national stakeholders, but also within the UN.

14 The work of the Team would benefit from greater engagement and collaboration with national and international NGOs, academics and broader non-UN partners in priority countries, as this would result in more strategic and sustainable interventions.

15 It is important to vet defence and security officers thoroughly to ensure that those involved in gross human rights violations, including sexual violence, are excluded from service.



PARTNERSHIPS

PRIORITY PLANS FOR 2015

BOSNIA AND HERZEGOVINA

Follow up on the implementation and progress of the comprehensive programme and provide support as requested by the Government and the UNCT.

CENTRAL AFRICAN REPUBLIC

Provide technical assistance to the Government towards the establishment of a Special Court to ensure conflict-related sexual violence is central to these efforts.

Support national authorities in CAR in cooperation with UNDP and UN Women in the framework of the joint justice programme.

Support units of the police and gendarmerie in addressing conflict-related sexual violence.

COLOMBIA

Support the visit of the SRSG-SVC to Colombia in 2015 to better understand and assist national authorities in addressing the challenges that remain, and to discuss the role of Colombia in disseminating positive experiences through cross regional and country-to-country experience sharing.

Provide support to ensure the continued inclusion of conflict-related sexual violence in the peace negotiations.

COTE D'IVOIRE

Support the Implementation of the FRCI "Action Plan on Sexual Violence".

Support the establishment of special units to address sexual violence within the police and gendarmerie.

Support the review of the legal framework.

Develop an assistance plan to the Cellule Spéciale d'Enquêtes et d'Instruction.

Provide assistance to the National Judicial Training Institute to review its training curriculum.

DEMOCRATIC REPUBLIC OF CONGO

Provide technical support to the Office of the Personal Representative of the President on Sexual Violence and Child Recruitment.

Assist the Special Commission of the Senate on Sexual Violence, specifically in its efforts to engage non-state actors, and its role regarding the draft law on "Mixed Courts/ Specialised Chambers."

Support the Commission on Sexual Violence of the Forces Armées de la République Démocratique du Congo to implement its action plan.

Continue to embed an expert on sexual violence investigations in the Prosecution Support Cells, and support mobile courts.

Contribute to strengthening the Police Spéciale pour la Protection de la Femme et de l'Enfant.

In coordination with the Joint Human Rights Office, support the deployment of women magistrates to eastern Congo, and the establishment of protection mechanisms for victims, witnesses and judicial actors.

GUINEA

Continue to support the efforts of Guinean authorities in general and the Panel of Judges in particular, through the conclusion of the judicial process, to bring justice and redress to the victims of the events of 28 September 2009.

Support the establishment of adequate protection measures for the Panel of Judges, as well as victims and witnesses.

Provide technical assistance for further hearings, including of alleged perpetrators residing outside Guinea.

Assist in the design of a reparations strategy.

Assist in the deployment of forensic expertise to assist the Panel in accessing mass graves.

LIBERIA

Finalise a detailed exit strategy and provide recommendations to the Government and other stakeholders on the way forward.

MIDDLE EAST AND NORTH AFRICA

Conduct a mission to the Middle East in April 2015.

Develop a strategy for the Middle East and North Africa, and engage with the region as appropriate.

SOMALIA

Support the consultation process on the Action Plan on Sexual Violence in the regions.

Support the Special Unit within the Police to address conflict-related sexual violence.

Embed expertise to support the Legislation Drafting Unit in the Ministry of Justice in the review and harmonization of laws in relation to sexual violence.

Support efforts of the Ministry of Women and Human Rights Development in its leadership to oversee the implementation of the Action Plan.

SOUTH SUDAN

Support the Government in developing an implementation plan for the Joint Communiqué and support its implementation.

Assist the Sudan People's Liberation Army to develop an action plan around military-related commitments made in the Joint Communiqué and support its implementation.

Assist the South Sudan National Police Service to develop an action plan around police-related commitments made in the Joint Communiqué and support its implementation.

SUDAN (DARFUR)

The TOE will continue to follow the situation in Darfur and engage when and where possible.

The Team intends to continue promoting learning between Governments through South/South experience sharing and to introduce “triangular cooperation” into its efforts where a traditional donor can pair with an emerging donor from the global “South” to provide support to a beneficiary country also located in the global “South.”

DONORS



TEAM OF EXPERTS



RESOURCE MOBILIZATION


During the implementation of the 2012-2014 Joint Programme, the Team successfully reached its three-year funding target of \$8.4 million. The Team received contributions from Belgium, Estonia, Finland, Ireland, Japan, Luxembourg, Sweden, Switzerland, Turkey, the United Kingdom, and the United States. Since the Team and its work are solely funded through voluntary contributions, considerable effort is dedicated to ensuring adequate resource

are mobilized to meet current commitments and fulfil its obligations under its Security Council mandate. To reach its funding targets, the Team has developed a resource mobilization strategy. Based on this strategy, it has organized a number of donor consultation meetings, programme briefings and presentations. In addition, the Team, where appropriate, has partnered with UN Action as well as the Office of the SRSG-SVC. The SRSG-SVC

has actively campaigned to seek funds for the Team emphasizing the importance of allocating sustainable resources to its work as a valuable tool at the disposal of the UN system and Member States in the fight against impunity for conflict-related sexual violence.

ADVISORY GROUP



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Team of Experts

Rule of Law/Sexual Violence in Conflict



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UNITED NATIONS
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DPKO

OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON
SEXUAL VIOLENCE IN CONFLICT



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