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CONFLICT-RELATED SEXUAL VIOLENCE

REPORT OF THE UNITED NATIONS SECRETARY-GENERAL



I. INTRODUCTION

1. The present report, which covers the period from January to December 2020, is submitted pursuant to Security Council resolution [2467 \(2019\)](#), in which the Council requested me to report annually on the implementation of resolutions [1820 \(2008\)](#), [1888 \(2009\)](#), [1960 \(2010\)](#) and [2106 \(2013\)](#), and to recommend strategic actions.

2. In 2020, two major milestones in the evolution of the Women, Peace and Security agenda were commemorated in the midst of an unprecedented global pandemic, namely the twentieth anniversary of resolution [1325 \(2000\)](#) and the twenty-fifth anniversary of the Beijing Declaration and Platform for Action (1995). The onset of COVID-19 revealed the fragility of hard-won progress in this field and the risk of political commitments being rolled-back or reversed as attention and resources were redirected to the prevailing public health emergency. The pandemic amplified gender-based inequality, which is a root cause and driver of sexual violence in times of conflict and peace. It exacerbated the disproportionate socioeconomic and care burden borne by women and led to a spike in gender-based violence globally at a time when avenues for seeking redress were narrower than ever, as shelters closed and clinics were repurposed for the COVID-19 response. Already chronically underreported crime, lockdowns, curfews, quarantines, fear of contracting or transmitting the virus, and limited access to first responders, compounded existing structural, institutional and sociocultural barriers to reporting. The contraction of routine health services, as well as restricted transportation, also meant barriers to service provision for victims of sexual violence, including access to emergency post-rape care and sexual and reproductive health. The pandemic added a layer of complexity to the pursuit of justice and redress as the lockdown impacted reporting mechanisms and the work of investigators, judges, prosecutors and lawyers and the overall effective functioning of justice systems. Oversight and monitoring of contexts in which conflict-related sexual violence occurs frequently, such as detention facilities, displacement settings, and remote rural areas where women undertake essential livelihood activities, was significantly reduced.

3. In addition, COVID-19 gave rise to new, gender-specific protection concerns, linked with militarization, checkpoints and border closures, which restricted the operating space for women's organizations; sexual harassment of women healthcare workers and women in isolation and treatment centres; as well as sexual violence against women detained for alleged curfew violations. Women and girls in congested refugee and displacement

settings were among those hardest hit by the intersecting crises of conflict, forced displacement, and COVID-19, being exposed to elevated risks of sexual violence, exploitation and trafficking; a situation that was exacerbated by an overall decline in humanitarian reach and resources. Economic desperation and collapsed social safety nets increased recourse to negative coping mechanisms, such as child marriage and 'survival sex'. Marginalized women and girls in conflict-affected and displacement settings were also among the hardest to reach, with restrictive social norms and the gender-based digital divide impeding their access to health and safety information. Moreover, in contravention of my call of 23 March 2020 for a global ceasefire to focus on defeating this disease, a number of parties to armed conflict continued to use sexual violence as a cruel tactic of war, terror, torture and political repression to advance their strategic objectives, including to propel population flight and control contested territory and natural resources. As the pandemic raged on, many armed actors seized the opportunity to strike, and gained ground while international and media scrutiny were diverted. Conflict-related sexual violence does not occur in a vacuum, but is linked with wider security factors, many of which have been exacerbated by the advent of COVID-19 and its ensuing consequences, such as economic hardship, social tensions, impunity, and institutional weakness. Limitations on the availability and capacity of law enforcement and judicial authorities to receive and process reports of sexual violence, the stalling of legislative reform, the suspension of training for judicial and security actors, and, in some cases, the release from custody of perpetrators of sexual violence, as part of efforts to curb viral transmission in crowded detention facilities, all contributed to a climate conducive to impunity.

4. The current pandemic is a gendered crisis, and no effective response can be gender-blind. The present report confirms that the needs of survivors of sexual violence cannot be put on pause, and neither can the response to such violence. If left unaddressed, conflict-related sexual violence can engender vicious cycles of violence and impunity, with corrosive effects on social cohesion, public health and peacebuilding. To rebuild better, we must ensure that the survivors are not forgotten and that their voices are heard and heeded at all levels of decision-making, in line with the survivor-centred approach advanced in resolution [2467 \(2019\)](#). In its resolution [2532 \(2020\)](#), the Security Council further recognized that conflict can exacerbate the effects of the pandemic and called for concrete action to minimize the disproportionate negative impact of the pandemic on women and girls. Accordingly, in collaboration with national authorities, the United Nations system and civil

society partners endeavoured to sustain efforts to address this scourge, where possible, by pivoting to virtual services and hotlines, convening remote training sessions, coordination meetings and consultations with referral networks in order to compensate for the reduced physical presence in the field and advocating the integration of concerns pertaining to conflict-related sexual violence into national emergency response plans. In that context, efforts were made to promote the designation of sexual and reproductive health care as an essential service in order to avoid its defunding and de-prioritization in the light of the painful lesson, learned from past epidemics, that more women die as a result of a lack of access to reproductive health care than from the disease itself. Adaptation and innovation strategies included reporting through the lens of intersectionality, which highlights vulnerabilities arising from various forms of discrimination, demonstrating that survivors cannot be treated as a homogenous group. Although addressing conflict-related sexual violence has been made more complex by intersecting crises and inequalities, the dire effects of such violence on human rights, public health, peacebuilding and development render our collective response more urgent than ever. The pandemic demands a paradigm shift: efforts must be made to silence the guns and amplify the voices of women peacebuilders, as well as to invest in public welfare rather than in the instruments of warfare. In this context, service delivery is not a secondary issue, but rather the ultimate expression of political will. The current crisis is a test of our resolve to translate commemorations and commitments into real-world results, through an intersectional, gender-responsive and ultimately transformative global pandemic recovery.

5. The term “conflict-related sexual violence”, as used in the present report, refers to rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict. This link may be evident in the profile of the perpetrator, who is often affiliated with a State or non-State armed group, which includes terrorist entities or networks; the profile of the victim, who is frequently an actual or perceived member of a persecuted political, ethnic or religious minority, or targeted on the basis of actual or perceived sexual orientation or gender identity; the climate of impunity, which is generally associated with State collapse; cross-border consequences, such as displacement or trafficking; and/or violations of the provisions of a ceasefire agreement. The term also encompasses trafficking in persons for the purpose of sexual violence and/or exploitation, when committed in situations of conflict.

6. While many countries are affected by the threat, occurrence or legacy of conflict-related sexual violence, the present report is focused on 18 countries for which information verified by the United Nations exists. It should be read in conjunction with my 11 previous reports, which provide a cumulative basis for the listing of 52 parties (see annex). The majority of listed parties are non-State actors, with several having been designated as terrorist groups according to the sanctions list of the Security Council Committee pursuant to resolutions [1267 \(1999\)](#), [1989 \(2011\)](#) and [2253 \(2015\)](#) concerning Islamic State in Iraq and the Levant (Da’esh), Al-Qaida and associated individuals, groups, undertakings and entities. National military and police forces that are listed are required to adopt specific, time-bound commitments, to cease violations and to implement action plans in order to address abuses, and are prohibited from participating in United Nations peace operations until they have done so. Effective implementation of commitments, including the cessation of violations, is a key consideration for the delisting of parties. Non-State armed groups are also required to implement action plans to prevent and address sexual violence in compliance with international humanitarian law and relevant Security Council resolutions.

7. Delivering effective responses, based on reliable reporting, to this historically “hidden” crime requires dedicated human and financial resources that are commensurate with the scale of the challenge. In this regard, the deployment of women’s protection advisers, who are responsible for convening the monitoring, analysis and reporting arrangements on conflict-related sexual violence in the field, ensured the continued availability of information at a critical moment, when the issue was at risk of being further obscured by COVID-19. At the time of writing, women’s protection advisers are deployed in seven United Nations field operations. A total of four peacekeeping missions with mandates that include the protection of civilians have established monitoring arrangements and incorporated the matrix of early warning indicators of conflict-related sexual violence into their broader protection structures. Two special political missions have also established monitoring arrangements. In 2020, both the authorization of the mandate for the United Nations Integrated Transition Assistance Mission in the Sudan (UNITAMS) and the renewal of the mandate for the United Nations Support Mission in Libya (UNSMIL) required the deployment of women’s protection advisers in the respective missions.

8. To promote effective coordination, the United Nations Action against Sexual Violence in Conflict network unites efforts across 19 United

Nations system entities with the goal of preventing conflict-related sexual violence, meeting the needs of survivors and enhancing accountability, through multidisciplinary expertise. The network is the primary forum through which my Special Representative on Sexual Violence in Conflict promotes cooperation and coherence among relevant actors, in accordance with the principle of “Delivering as one”. United Nations Action also provides strategic support to country-level action through a multi-partner trust fund. Between 2009 and 2019, support was provided for 52 projects in 16 conflict-affected countries, as well as regional and global initiatives, under the fund. Following an internal review, the network launched a successor fund, namely, the conflict-related sexual violence multi-partner trust fund. This fund, which builds upon past achievements by, and synergies developed among, members of the network, Governments and civil society partners, will advance the survivor-centred approach outlined in resolution [2467 \(2019\)](#) by supporting the provision of comprehensive services for survivors and for children born of wartime rape, and by addressing structural root causes. In 2020, the fund prioritized a project in Somalia aimed at supporting the rehabilitation and reintegration of approximately 400 women formerly associated with Al-Shabaab, many of whom are survivors of conflict-related sexual violence. Since the onset of COVID-19, the project has been adapted to include the provision of preventive health training and of personal protective equipment, as well as hybrid in-person and virtual capacity development for national counterparts. The network also undertook strategic advocacy, assisting my Special Representative in developing a policy brief on the nexus between COVID-19 and conflict-related sexual violence, and marked the twentieth anniversary of the women and peace and security agenda by issuing a joint statement in which all parties were urged to comply with my call for a global ceasefire, including for the cessation of sexual violence. In addition, the network mobilized to gather and share information, finding that the pandemic had exacerbated sexual violence, hampered the timely collection of data, impeded access to services owing to the imposition of quarantines, curfews and movement restrictions and diverted funding away from activities aimed at combating sexual violence, thereby exacerbating the chronic shortfalls in the resources allocated to addressing this crime.

9. To strengthen accountability, the Team of Experts on the Rule of Law and Sexual Violence in Conflict, in accordance with its mandate under Security Council resolution [1888 \(2009\)](#), assists national authorities in establishing institutional safeguards against impunity, as part of broader efforts to reinforce the rule of law. Although some progress has been made, impunity prevails. In 2020, the pandemic had an

undeniably adverse impact on the rule of law response, constraining the ability of law enforcement and judicial authorities to investigate, prosecute and adjudicate these crimes. Despite these challenges, the Team pursued initiatives to enhance the evidence base for effective accountability measures, partnered with the Journal of International Criminal Justice on the publication of a landmark special issue of the Journal on accountability for sexual violence in conflict and launched a digital dialogue series that reached thousands of academics, policymakers and rule of law practitioners, fostering a community of practice that transcends national borders and institutional divides. Since its establishment, the Team has engaged in 13 conflict-affected settings, in follow-up to the high-level political engagements of my Special Representative and with the consent of affected States. In the Central African Republic, the Bangui Court of Appeal handed down three convictions for conflict-related sexual violence in 2020, following the provision by the Team of technical and financial support to the national judiciary. The Team also helped to build case-tracking capacity in the high courts of Bangui and Bimbo in order to strengthen coordination between national investigative units and relevant jurisdictions. In the Democratic Republic of the Congo, the Team provided technical assistance for the investigation, prosecution and trial of Ntabo Ntaberi Sheka, who was convicted by the Operational Military Court of North Kivu in November 2020. In Colombia, the Team provided guidance for the development of a document entitled “International standards for the prosecution of crimes of sexual violence in armed conflict”, which will support the transitional and ordinary justice systems in addressing these crimes. In Iraq, the Team worked with partners to strengthen the draft of the Yazidi Female Survivors Law, which was adopted on 1 March 2021. The Team also continued to support the national authorities in Guinea in ensuring accountability for the crimes of 28 September 2009. In Nigeria, the Team contributed to the training of personnel from the Attorney General’s Office, the Nigerian Institute of Advanced Legal Studies and the National Judicial Institute, with a view to integrating sexual violence charges into ongoing cases.

10. While acknowledging that conflict-related sexual violence committed by parties to conflict is distinct from incidents of sexual exploitation and abuse that continue to be committed by United Nations personnel in complex operating environments, I reiterate my commitment to improve the way the Organization prevents and addresses such conduct. In my report on special measures for protection from sexual exploitation and abuse ([A/75/754](#)), I provided information on efforts to strengthen the system-wide response and ensure full implementation of the zero-tolerance policy.





II. SEXUAL VIOLENCE AS A TACTIC OF WAR AND TERRORISM: PATTERNS, TRENDS AND EMERGING CONCERNS

11. The present report is limited to incidents of conflict-related sexual violence that have been verified by the United Nations; while it conveys the severity and brutality of recorded cases, it does not purport to reflect the global scale and prevalence of this crime. As survivors were compelled to navigate the aftermath of sexual violence in situations of curfew, lockdown and quarantine, challenges to reporting that predate the pandemic, including stigma, fear of retaliation, a lack of access to services and weak rule of law institutions, were compounded. Accordingly, once restrictions were eased and the mobility of human rights monitors and humanitarians improved, an increase in reported cases was observed. Moreover, the severe sociocultural and structural impediments to reporting were clearly illustrated by cases in which survivors opted not to lodge formal complaints owing to a fear of reprisals and rejection, and by cases in which civilians were raped by members of national security forces, which bear the primary responsibility for their protection.

12. During the period under review, sexual violence was employed as a tactic of war, torture and terrorism in settings in which overlapping humanitarian and security crises, linked with militarization and the proliferation of arms, continued unabated. In Ethiopia, during military operations in the Tigray region in November 2020, following attacks on the northern command of the Ethiopian National Defence Forces by the Tigray People's Liberation Front, alleged serious violations of international humanitarian and human rights law, including sexual violence, were recorded in northern and central Tigray. Allegations of over 100 rape cases were reported. There were also disturbing reports of individuals who had allegedly been forced to rape members of their own family under the threat of imminent violence, of women who had been forced by military elements to have sex in exchange for basic commodities, and of sexual violence being perpetrated against women and girls in refugee camps. In a report dated 11 February 2021, the Ethiopian Human Rights Commission confirmed that 108 rapes had been committed during a two-month period. The Ministry of Women, Children and Youth Affairs of Ethiopia, the Federal Attorney General and the Ethiopian National Defence Forces established a fact-finding task force to investigate allegations of sexual violence; the Ministry confirmed that "rape ha[d] taken place conclusively and without a doubt", and recommended further investigation in order to determine the full extent of the problem. The Government has expressed its willingness to collaborate with international experts on such investigations and has reiterated its policy of zero tolerance on sexual violence. My Special Representative has offered the technical assistance of her Office and the United Nations system in order to support the national authorities in their prevention and response efforts. In Cameroon, long-standing regional tensions have led to an upsurge in violence between the Defence and Security Forces of Cameroon and armed separatists in the North-West and South-West Regions since

late 2016. Reports indicate that 24 women were allegedly raped in the South-West Region on 29 February 2020, during a military operation. The survivors did not receive any immediate post-rape treatment, as the alleged incident was only disclosed in July and access to services was limited owing to security threats and poor road infrastructure. In the Central African Republic, pre-electoral violence flared up, exposing women and girls to threats and heightened risks of sexual violence. In Burundi, women from opposition parties faced targeted intimidation, threats and arbitrary detention during the electoral period. The intensification of localized conflict at the subnational level was a worrying trend that was observed in several contexts. In the Sudan, transhumance routes were a flashpoint for sexual violence, in particular incidents of rape and gang rape linked to conflicts between farmers and herders. Similarly, in Somalia, clan-based attacks intensified as a result of land-related disputes fuelled by the socioeconomic impact of COVID-19. Intercommunal rifts intensified in both South Sudan, where a significant number of perpetrators were members of civil defence groups, and the Democratic Republic of the Congo, where conflict was linked to disputes over natural resources and armed groups used sexual violence as a tactic to dehumanize and displace populations. Displaced women and girls also faced a high risk of sexual violence, particularly while undertaking essential livelihood activities around campsites. The socioeconomic fallout of the pandemic led to the use of harmful coping mechanisms, such as child marriage, as desperate parents living in internal displacement settings in Iraq, the Syrian Arab Republic and Yemen arranged marriages for girls as young as 10 years old. Overall, disturbing patterns were observed in a range of settings, from displacement sites to remote areas embroiled in localized violence, where armed actors employed various forms of sexual violence, fuelling cycles of identity- and resource-based conflict.

13. The nexus between sexual violence, conflict-driven trafficking in persons and violent extremism, as described in Security Council resolution [2331 \(2016\)](#), continued to disproportionately affect women and girls. In Afghanistan and Iraq, hundreds of "wives" and children of terrorist fighters continued to be held in prisons without due process. Survivors and their children faced myriad challenges related to stigma, rejection and a lack of identity documents, which can lead to statelessness. The plight and rights of children born of conflict-related sexual violence and of their mothers will be explored in a forthcoming special report, as requested by the Security Council in its resolution 2467 (2019). While national authorities in regions affected by Islamic State in Iraq and the Levant (ISIL) continued to grapple with the legacy of trafficking, sexual slavery and terrorism perpetrated by ISIL, including by pursuing efforts to respond to the needs of survivors, reports indicated that the group had taken advantage of the pandemic in order to intensify its operations. The surge in armed violence across the Sahel and the Lake



Chad basin, where Boko Haram factions carried out brutal attacks targeting women and girls, reinforced the need for regional cooperation, including in the areas of cross-border monitoring and response capabilities.

14. Survivors continued to demonstrate their agency and resilience, playing a key role in their own recovery. For instance, in Darfur, women's protection networks facilitated referrals and worked to enhance the profiling of perpetrators. In many settings, women were specifically targeted on account of their activism, as observed in Afghanistan, Colombia and Yemen. The majority of survivors were socioeconomically marginalized women and girls, often living in remote areas which present access difficulties and where State authority is weak. Survivors, who come from diverse ethnic and religious backgrounds, were often targeted for their actual or perceived identity. Incidents of sexual violence against men and boys were recorded in almost all the countries covered in the present report, with the majority occurring in detention settings. Structural challenges to service provision, particularly in remote or inaccessible areas, persisted, including in the Central African Republic, the Democratic Republic of the Congo and South Sudan, compelling survivors to travel vast distances to reach shelters and clinics. Although humanitarian service providers continued their response efforts despite the pandemic, for instance, by establishing one-stop centres in South Sudan and integrating sexual and reproductive health services into safe spaces for women and girls in the Syrian Arab Republic, widespread coverage continued to be impeded by insecurity, access constraints and chronic underfunding, as already scarce resources were redirected towards the COVID-19 response.

15. Despite significant gaps in the areas of prevention, accountability, reparations and the protection of victims and witnesses, there were a number of positive developments during the reporting period. National courts convicted leaders of armed groups for sexual violence, and the number of prosecutions of State actors also increased, although, in both cases, the reparations awarded to the victims have yet to be disbursed. Economic barriers to justice persist, as victims and witnesses are often compelled to pay exorbitant fees and bribes in order to gain access to the justice system. The adoption and implementation of protective legal frameworks stalled, in some cases owing to opposition from traditional and religious leaders, a situation that highlighted the need to engage a broad constituency on these issues. My Special Representative continued to develop tools aimed at supporting national efforts, notably the Model Legislative Provisions and Guidance on Investigation and Prosecution of Conflict or Atrocity-Related Sexual Violence, which is designed to assist States in harmonizing domestic laws with international standards. At the International Criminal Court, the trial of an alleged member of Ansar Eddine for, inter alia, crimes of rape

and sexual slavery committed in northern Mali in 2012 and 2013, which opened in July 2020, resumed in September 2020. The Court also handed down its first conviction for the crime of forced pregnancy in February 2021, in the case against Dominic Ongwen, a former member of the Lord's Resistance Army. The work of transitional justice mechanisms to address sexual violence continued in Colombia, and, in South Sudan, the Government committed itself to expediting the establishment of all the transitional justice institutions provided for in the revitalized peace agreement, including the Hybrid Court for South Sudan.

16. Despite the robust framework put in place by the Security Council over the past decade, the level of compliance by parties to conflict remains appallingly low. As noted in the gap assessment included in my previous report (S/2020/487), over 70 per cent of the listed parties are persistent perpetrators, having appeared in the lists included in the annexes to my annual reports for five or more years without taking remedial or corrective action. For parties that have assumed commitments in the form of joint and/or unilateral communiqués or frameworks of cooperation, the level of implementation of these measures remains minimal. It is therefore critical to enhance coherence between the practice of listing and the designation of parties for the imposition of targeted sanctions, in order to leverage behavioural change through political influence. Notably, the leader of Retour, réclamation et réhabilitation, Sidiki Abbas, was added to the United Nations sanctions list in August 2020 for his involvement in planning, directing or committing acts of sexual violence including rape, as well as abduction and forced displacement, in the Central African Republic. There is also heightened awareness in conflict-resolution processes that perpetrators of sexual violence must not benefit from de facto or de jure amnesties. The exclusion of perpetrators of sexual violence from national institutions, including security forces, is a necessary step towards restoring public confidence. In the context of mission transitions involving peacekeeping operations, the United Nations worked to consolidate monitoring, reporting and response capacity. In March 2020, a framework of cooperation to address conflict-related sexual violence was signed between my Special Representative and the Government of the Sudan, prioritizing efforts to address this crime as an integral part of the broader political and democratic transition. All tools have to be made available to strengthen compliance with relevant international law and international standards, in order to break the vicious cycle of sexual violence, underreporting, impunity and revenge, even in the midst of overlapping crises such as COVID-19. However, this agenda has not been fully incorporated into efforts to rebuild better from the pandemic in conflict-affected settings. Combating sexual violence will require mutually reinforcing measures to foster public health and durable peace, which put survivors of sexual violence at the centre of all efforts made on their behalf.



Afghanistan

III. SEXUAL VIOLENCE IN CONFLICT-AFFECTED SETTINGS

17. The monitoring and reporting of sexual violence in Afghanistan were hindered by chronic instability, structural gender inequality and a climate of impunity, with minimal access to services for survivors. Services were further curtailed by pandemic-related movement restrictions, and at least two multisectoral service centres ceased to function following threats from the Taliban. In 2020, the United Nations Assistance Mission in Afghanistan (UNAMA) documented 271 cases of sexual and gender-based violence, 18 of which were verified as conflict-related sexual violence, affecting nine boys, five women and four girls. Acts of conflict-related sexual violence committed against three girls were attributed to members of the Taliban. Members of the Afghan National Army, the Afghan National Police and the Afghan Local Police were also implicated. Five cases of sexual violence against boys were documented as bacha bazi, a practice involving the sexual abuse of young boys by men in positions of power. The United Nations received further information regarding nine credible allegations of conflict-related sexual violence, which could not be verified owing to concerns about the

safety of survivors. Although the number of reported incidents of sexual violence, as well as recourse to services, decreased in 2020, this is likely due to COVID-19 containment measures.

18. With respect to the implementation of the Law on Elimination of Violence against Women, specialized prosecution offices are now operational in all 34 provinces; 32 of these offices are headed by women. Afghan National Police family response units are also operational in all provinces, and women comprise approximately 40 per cent of their staff. Despite this progress, lawmakers have not yet prohibited “virginity testing”, there is a low conviction rate for cases of violence against women and girls, and impunity remains the norm. In the context of counter-terrorism, protection concerns have been raised about the Pul-e-Charkhi women’s prison in Kabul, where over 150 women, many with accompanying children, have been held in prolonged pretrial detention owing to their alleged links with Islamic State in Iraq and the Levant-Khorasan.

RECOMMENDATION

19. I COMMEND THE GOVERNMENT’S EFFORTS TO IMPLEMENT A PROTECTIVE LEGAL FRAMEWORK FOR WOMEN, GIRLS AND BOYS AT RISK OF SEXUAL VIOLENCE, AND CALL FOR THE ENHANCED PROTECTION OF WOMEN HUMAN RIGHTS DEFENDERS AND FOR THE FULL AND MEANINGFUL PARTICIPATION OF WOMEN IN THE PEACE NEGOTIATIONS AND IN DECISION-MAKING AT ALL LEVELS.



Central African Republic

20. In the Central African Republic, the humanitarian and security situation worsened, following the volatile presidential and legislative elections held in December. Armed groups attacked and killed United Nations peacekeepers and members of the security forces, in addition to committing grave violations against the civilian population, including conflict-related sexual violence. In 2020, displacement increased, as 90,000 refugees fled to the Democratic Republic of the Congo and a further 13,000 fled to Cameroon, Chad and the Republic of the Congo, reversing the trend of population return observed in previous years. In refugee and internal displacement camps where State authorities are absent, armed elements posed threats to civilians. For instance, in Batangafo, families expressed the fear of being pressured to marry women and girls to armed elements. Earlier in the year, measures aimed at curbing the spread of COVID-19 had an adverse impact on civilian security. In May, the Ministry of Justice released 676 prisoners, including 59 reported perpetrators of rape, from detention centres, in order to minimize virus transmission. In Ouham-Pendé, when a reintegration project was suspended owing to the pandemic, ex combatants returned to their activities within armed groups, resulting in increased reports of sexual violence in the area. Incidents of sexual violence also reportedly increased during the transhumance season; the majority of such incidents occurred in the prefectures of Nana-Grébizi, Ouham and Ouham-Pendé, where women and girls were attacked with extreme brutality in isolated areas while carrying out livelihood activities. In one such case, a victim was gang raped by 11 perpetrators and her entire family was killed. In the context of clashes over transhumance corridors, arms bearers have burned houses, raided cattle and used violence as a means of extortion. Another disturbing trend is the practice of Fulani girls being forcibly married to members of armed groups with whom Fulani elements are aligned. Mining sites remained flashpoints for sexual violence in Ouham-Pendé, in which members of Retour, réclamation et réhabilitation and ex-Séléka elements gradually expanded their areas of control, rendering more of the region inaccessible to humanitarian organizations. The proliferation and illicit circulation of small arms facilitated the use of violence against civilians, including rape.

21. The monitoring of conflict-related sexual violence is challenging owing to the prevailing atmosphere of insecurity, stigmatization, the fear of reprisals, the climate of impunity and the limited available services, the majority of which are provided by international organizations. During the reporting period, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) documented 240 cases of conflict-related sexual violence, affecting 129 girls, 108 women and 3 men. These incidents included 221 rapes or attempted rapes and 12 cases of sexual slavery. Of the total number of incidents documented by MINUSCA during the reporting period, 22 had occurred in previous years. In terms of the profile of the perpetrators, 55 incidents were attributed to Retour, réclamation et réhabilitation, 23 to armed Fulanis, 17 to Union pour la paix en Centrafrique, 16 to anti-balaka elements, 14 to Front populaire pour la renaissance de la Centrafrique and Mouvement patriotique pour la Centrafrique, 7 to Lord's Resistance Army, 2 to Front populaire pour la renaissance de la Centrafrique and Union pour la paix en Centrafrique, 2 to Mouvement des libérateurs centrafricains pour la justice, 1 to an ex-Séléka faction, 1 to armed Sudanese militias and the remainder to unidentified

perpetrators. A total of 10 cases were attributed to the Armed Forces of the Central African Republic. Service providers recorded 481 cases that had been perpetrated by armed actors.

22. Impunity remained widespread, despite some important developments. On 5 August, the Security Council imposed sanctions against the leader of Retour, réclamation et réhabilitation, following a briefing by my Special Representative to the Security Council Committee established pursuant to resolution [2127 \(2013\)](#) concerning the Central African Republic. In addition to perpetrating the highest number of documented cases during the period under review, Retour, réclamation et réhabilitation demonstrated extreme brutality. In July, combatants from Retour, réclamation et réhabilitation abducted and repeatedly raped eight women, who were released a week later, after villagers paid ransoms. One of the victims, who had been pregnant at the time of her abduction, died as a result of the injuries inflicted on her during the attack. The newly established Commission on Truth, Justice, Reparation and Reconciliation will complement the work of national jurisdictions and the Special Criminal Court by investigating grave violations committed between 1959 and 2019, albeit without a judicial mandate.

Recommendation

23. I CALL UPON ALL PARTIES TO UPHOLD THEIR COMMITMENT TO CEASE ALL FORMS OF SEXUAL VIOLENCE, AS OUTLINED IN THE POLITICAL AGREEMENT FOR PEACE AND RECONCILIATION IN THE CENTRAL AFRICAN REPUBLIC. I REITERATE MY CALL TO THE GOVERNMENT TO APPOINT A SPECIAL ADVISER ON CONFLICT-RELATED SEXUAL VIOLENCE WITHIN THE OFFICE OF THE PRESIDENT, TO ACCELERATE THE ADOPTION OF AN ACTION PLAN AIMED AT IMPLEMENTING THE JOINT COMMUNIQUÉ SIGNED BETWEEN THE UNITED NATIONS AND THE NATIONAL AUTHORITIES IN 2019, TO ENSURE ACCOUNTABILITY AND SURVIVOR-CENTRED SERVICES AND TO STRENGTHEN OVERSIGHT OF SECURITY INSTITUTIONS BY DEVELOPING A VETTING MECHANISM TO EXCLUDE PERPETRATORS OF SEXUAL VIOLENCE.



Colombia

24. Despite the important progress achieved since the signing of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace between the Government of Colombia and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP), the implementation of key provisions, including those related to gender equality, remains uneven, constituting a challenge to the consolidation of inclusive and sustainable peace. The pandemic increased vulnerability in areas affected by conflict, making it difficult for survivors and women's organizations to gain access to protection mechanisms and referral pathways. As part of efforts by the Government to ensure continued access to services, some institutions offered virtual support, temporarily suspending in-person services. For instance, the Office of the Attorney General continued to receive cases virtually. In 2020, the National Victims' Unit recorded 239 cases of conflict-related sexual violence. Of these, 197 were committed against women, 15 against girls, 13 against men and 6 against boys. Eight victims identified as lesbian, gay, bisexual, transgender, queer or intersex. Moreover, 67 victims were Afro-Colombians and 15 were individuals from indigenous communities. Sixteen cases concerned persons living with disabilities. The Office of the Ombudsperson reported 189 cases of sexual violence, primarily affecting women. Of these, 19 concerned former members of FARC-EP undergoing the process of reintegration, and 19 affected Afro-Colombians. Three attacks were targeted at transgender women and seven at homosexual men. The United Nations documented 32 cases of sexual violence. Dissident groups of FARC EP were implicated in six of these cases, and one case was attributed to Ejército de Liberación Nacional (ELN). Members of the military were implicated in cases of sexual violence against three indigenous girls. The closure of the border with the Bolivarian Republic of Venezuela led to an increased risk of sexual violence and trafficking, as Venezuelan refugees and migrants, as well as Colombian returnees, resorted to the use of informal border crossings controlled by illegal and criminal armed groups. Five cases of trafficking-related sexual violence were documented against Venezuelan women in this context.

25. Conflict dynamics, which were exacerbated by challenges arising from the pandemic, correlated with new trends with respect to sexual violence. Illegal armed groups took advantage of mobility restrictions to expand their social and territorial control. The fragmentation of armed actors, transiting between regions, made it more difficult for survivors to identify perpetrators. In the regions of Antioquia, Cauca, Chocó, Nariño and Norte de Santander, there were clashes between armed actors and criminal groups over control of territory and illegal economies, which the Ombudsperson's early warning system linked with increased risks of conflict-related sexual violence. The Office of the Ombudsperson issued the highest number of early warnings with respect to Autodefensas Gaitanistas de Colombia, ELN and dissident groups of FARC-EP. However, it is reported that all armed actors committed sexual violence as part of the social control strategies employed against women and individuals with diverse sexual orientations and gender identities. In 2020, the United Nations also reported killings of women human rights defenders, including the murder of five women, among them a former FARC-EP combatant undergoing reintegration.

26. The National Victims' Unit implemented strategies focused on reparations and psychosocial rehabilitation for survivors of sexual violence. The Ministry of Health trained 22,516 health-care professionals in accordance with the protocol for comprehensive health care for victims of sexual violence. The Agency for

Reintegration and Normalization and the FARC-EP gender commission continued to work with former female combatants to prevent sexual and gender-based violence in the context of reintegration. The President of Colombia, Iván Duque Márquez, issued guidelines on strengthening gender equality in the security forces, with the aim of improving their overall effectiveness and responsiveness with respect to sexual and gender-based violence. In October, my Special Representative participated in a virtual visit to Colombia led by the Deputy Secretary-General, which was aimed at supporting national efforts to accelerate the implementation of the gender-related provisions of the peace agreement and to foster inclusive conflict recovery. Of the 132 cases of conflict-related sexual violence referred to the Office of the Attorney General, 6 have proceeded to trial, 4 are under investigation and 1 remains at the preliminary investigation phase, and the remaining 121 are undergoing initial inquiry. The Special Jurisdiction for Peace has integrated strategies for investigating conflict-related sexual violence into four of its seven ongoing emblematic cases. In its first indictment concerning hostage-taking and other severe acts of deprivation of liberty committed by FARC-EP, the Special Jurisdiction for Peace included charges against eight of the former group leaders for war crimes and crimes against humanity, recognizing that sexual violence in the context of captivity generally went unpunished. The Truth and Reconciliation Commission continued to receive reports of conflict-related sexual violence and interviewed 5,440 women on the impact of the conflict on civilians, including the use of sexual violence.

RECOMMENDATION

27. I REITERATE MY CALL FOR THE FULL IMPLEMENTATION OF THE GENDER-RELATED PROVISIONS OF THE PEACE AGREEMENT. I FURTHER CALL UPON THE AUTHORITIES TO EFFECTIVELY IMPLEMENT THE ZERO-TOLERANCE POLICY ON SEXUAL VIOLENCE WITHIN THE MILITARY, TO ENSURE SERVICE DELIVERY FOR SURVIVORS IN RURAL AND BORDER AREAS, TO PROTECT WOMEN HUMAN RIGHTS DEFENDERS AND COMMUNITY LEADERS, AND TO ACCELERATE THE PACE OF JUSTICE.

Democratic Republic of the Congo



28. Insecurity increased in the eastern part of the Democratic Republic of the Congo, against the backdrop of heightened political tensions within the ruling coalition, culminating in its dissolution by the President of the Democratic Republic of the Congo, Félix Antoine Tshilombo Tshisekedi, in December. Conflict-related sexual violence remained widespread in the provinces of North Kivu, South Kivu, Ituri and Tanganyika. In 2020, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) documented 1,053 cases of conflict-related sexual violence, affecting 675 women, 370 girls, 3 men and 5 boys. Of these cases, 177 dated back to previous years. The majority (700) were attributed to non-State armed groups. State actors accounted for the remaining cases, 239 of which were attributed to the Armed Forces of the Democratic Republic of the Congo, 76 to the Congolese National Police and 38 to other State actors. Most of the cases perpetrated by the national police were documented in Kasai and Kasai Central Provinces, and over half of them affected minors. Incidents occurred inside victims' homes, in detention centres, in fields or in other isolated locations. Sexual violence continued during military operations against armed groups, including in North Kivu and Ituri. After one family escaped an attack by an armed group on their village, the mother and daughter were raped by soldiers from the national armed forces who had been conducting operations against the assailants. In the Kasais and in Haut-Katanga Province, sexual violence by members of both the national police and the national armed forces was often accompanied by looting. While enforcing pandemic-related restrictions, the national police perpetrated two cases of sexual violence, one during a patrol and the other against a woman who was being held in custody.

29. Armed groups continued to use sexual violence as a tactic to assert control over natural resources in North Kivu. A split in the leadership of Nduma défense du Congo-Rénové created two rival factions, triggering clashes across Walikale and Masisi territories, which fuelled sexual violence in areas of artisanal gold mining. The perpetration of sexual violence by Forces démocratiques de libération du Rwanda was widespread, reflecting persistent patterns of attacks against women and girls collecting firewood in Virunga National Park. In the mining areas of North Kivu, Mai Mai forces patriotiques populaires-armée du peuple, which were formerly part of Mai-Mai Mazembe, were implicated in patterns of sexual slavery. In South Kivu, Mai-Mai and other militias carried out retaliatory attacks against civilians, resulting in mass displacement and exposing women and girls to sexual violence. There were also

renewed incursions by Mai-Mai Raia Mutomboki factions into mining areas during the reporting period. In response, the second phase of the Shabunda action plan, designed to curb conflict-related sexual violence by bringing together the civilian and military components of MONUSCO, national authorities and non governmental organizations, was launched. In Ituri, assailants based in Djugu, in particular elements of Coopérative pour le développement du Congo (CODECO), committed acts of sexual violence, including rape and sexual slavery, against multiple women and one man. In Tanganyika, at least 61 cases of sexual violence were attributed to various Twa militias, and 11 cases of rape, gang rape and sexual slavery were attributed to members of Mai-Mai Apa Na Pale.

30. Important progress was made in the fight against impunity. In November, former armed group commanders Ntabo Ntaberi Sheka and Serafin Lionso were convicted and sentenced to life imprisonment for war crimes, including rape and sexual slavery, committed between 2010 and 2017 in North Kivu. The trial of former Forces de résistance patriotique de l'Ituri leader Justin Banaloki, alias "Cobra Matata", on charges of war crimes and crimes against humanity, including sexual violence, is ongoing in Kinshasa. Following mobile court hearings held in South Kivu, Takungomo Mukambilwa, alias "Le Pouce", senior leader of the armed group Mai Mai Raia Mutomboki

Charlequin, was convicted and sentenced to 20 years in prison for crimes against humanity, including rape and sexual slavery. However, the arrest warrants against Guidon Shimiray Mwisso (Nduma défense du Congo-Rénové) and "General" Janvier Karairi Bwingo (Alliance des patriotes pour un Congo libre et souverain-Janvier), issued in 2019 and 2013 respectively, remain unexecuted. In 2020, mobile military courts enabled the prosecution and conviction of State actors, including 103 members of the national armed forces and 28 members of the national police; 8 members of non-State armed groups were also convicted. However, court-ordered reparations have yet to be paid. In the Kasais, judicial investigations into serious violations attributed to the armed forces between 2016 and 2019 confirmed the widespread use of sexual violence by the military during operations carried out in communities perceived to be supporting Kamuina Nsapu militias. The United Nations continued to assist survivors, including through remote means: for example, it launched a helpline for victims of sexual and gender-based violence in August. Collaboration continued between the United Nations and the Government. In that context, a workshop was convened by the Special Adviser to the President on Youth and Violence against Women, with the support of MONUSCO, resulting in the endorsement of a road map aimed at implementing the 2019 addendum to the 2013 joint communiqué on addressing sexual violence in conflict.

Recommendation

31. I WELCOME THE GOVERNMENT'S EFFORTS TO ADDRESS CONFLICT-RELATED SEXUAL VIOLENCE AND STRESS THE URGENCY OF ALLOCATING ADEQUATE RESOURCES FOR THE EFFECTIVE IMPLEMENTATION OF THE ADDENDUM TO THE JOINT COMMUNIQUÉ, AS WELL AS THE ACTION PLANS FOR THE ARMED FORCES AND THE NATIONAL POLICE. I URGE THE AUTHORITIES TO ESTABLISH A VETTING MECHANISM TO ENSURE THAT PERPETRATORS OF SEXUAL VIOLENCE ARE EXCLUDED FROM THE SECURITY FORCES, TO ADOPT PENDING LEGISLATION TO PROTECT VICTIMS AND WITNESSES AND TO ENSURE THE PAYMENT OF REPARATIONS, THROUGH THE ESTABLISHMENT OF A FUND WITH DEDICATED RESOURCES.



Iraq

32. Sporadic attacks by ISIL members continued in 2020, as the pandemic exacerbated socioeconomic and protection challenges, which particularly affected internally displaced persons. United Nations reports indicate that members of the Iraqi security forces harassed and sexually abused women in camps under their control, such as Ninawa. Moreover, as restrictions aimed at curbing the spread of COVID-19 curtailed economic activity, the use of harmful coping mechanisms, including child marriage, increased. Civilians who had been abducted and subjected to sexual slavery by ISIL in the Syrian Arab Republic continued to return to Iraq. According to the Directorate of Yazidi Affairs of the Ministry of Endowment and Religious Affairs of the Kurdistan Regional Government, of the estimated 6,417 Yazidis who were abducted, 3,543 people (1,204 women, 1,044 girls, 956 boys and 339 men) have been rescued and 2,874 remain missing (1,574 men and 1,300 women). Other affected groups, such as the Turkmen Shia, are not included in these figures. Conflict-related sexual violence remains underreported owing to a lack of trust in the justice system, a fear of reprisals, pressure from family members, and stigma codified in the law, which allows perpetrators to quash a criminal case by marrying their victims. The United Nations verified nine cases of conflict-related sexual violence against Yazidi girls which occurred in 2014, when the girls were kidnapped by ISIL and held as sexual slaves. Service providers recorded 30 cases perpetrated by armed actors in 2020, primarily against women. The United Nations also reported a case of sexual violence against a man while he was in detention. The man later relocated to another city, after receiving

threats. Mothers who have children conceived as a result of rape continued to face barriers to obtaining identity cards and gaining access to services. Deeply rooted stigma, combined with gaps in service coverage and a lack of psychosocial support, continued to prevent survivors from coming forward to seek redress.

33. On 1 March 2021, the Council of Representatives of Iraq enacted the Yazidi Female Survivors Law, which provides for assistance, reparations and redress for Yazidi, Turkmen, Christian and Shabak survivors of atrocities committed by ISIL. In October 2020, an agreement was reached between the federal Government and the Kurdistan Regional Government to provide security and services in order to facilitate the return of Yazidis to Sinjar. At the same time, the Government closed or reclassified 16 camps and informal sites for internally displaced persons, 78 per cent of whom were women and children, who are highly vulnerable to economic shocks and protection risks, including sexual violence. Returnees perceived as being affiliated with ISIL were subjected to discrimination and, in some cases, to violence, by local populations. Criminal courts continued to use counter-terrorism frameworks to prosecute members of ISIL, with no charges of sexual violence having been brought to date. Christian, Shia and Yazidi religious leaders endorsed a statement stressing the importance of supporting survivors of sexual violence, combating stigma and holding members of ISIL accountable for their crimes. However, comprehensive legislation and social support for children born of sexual violence remain lacking.

Recommendation

34. IN LINE WITH THE 2016 JOINT COMMUNIQUÉ, I CALL UPON THE GOVERNMENT TO HOLISTICALLY ADDRESS THE NEEDS OF SURVIVORS, PARTICULARLY THOSE WHO HAVE RECENTLY RETURNED TO THEIR AREAS OF ORIGIN FOLLOWING THE CLOSURE OF CAMPS. I URGE THE GOVERNMENT TO PUT IN PLACE COMPREHENSIVE LEGISLATION IN LINE WITH INTERNATIONAL STANDARDS, IN ORDER TO ENSURE THE EFFECTIVE PROSECUTION OF SEXUAL VIOLENCE AS A STAND-ALONE INTERNATIONAL CRIME.



Libya



35. The signing of a ceasefire agreement on 23 October 2020 was an important step towards ending the conflict in Libya and an opportunity to prevent further violations against civilians. Despite this positive development, the migration crisis, the fragmentation of armed groups and the proliferation of illicit arms and ammunition persist. The climate of insecurity has allowed transnational smugglers, traffickers and armed groups to perpetrate rape, sexual harassment of detainees and trafficking of migrants and asylum seekers with impunity. State actors, including corrections officials, have also been implicated. The United Nations Support Mission in Libya (UNSMIL) verified 27 cases of conflict-related sexual violence, including rape, sexual exploitation and forced prostitution, perpetrated against 23 women, 3 men and 1 girl, all of whom were migrants or asylum seekers. Underreporting remains a challenge, stemming from a fear of reprisals, intimidation, stigma and social norms related to honour and shame, factors that led the family of a girl who had been gang raped by four armed men in Tripoli to decide against lodging a complaint. UNSMIL received credible accounts of sexual violence that could not be verified owing to the fear of retaliation, including an account of the rape of two women in Benghazi. In April, the Ninth Brigade of the Libyan National Army (known as “Kaniyat”) abducted seven women and three children; the whereabouts of the abductees remain unknown. In 2020, several factors, including the volatile security situation, the

outbreak of COVID-19 and the denial of access to detention facilities, restricted monitoring. At the Mitiga prison, which is under the control of the Ministry of Interior, two women detainees were stripped by male Special Deterrence Force members and raped. At least three Libyan men held in detention were sexually abused by Government officials during interrogation. UNSMIL also documented the rape of a man detained by the armed group known as Nawasi brigade in Tripoli, allegedly in retaliation for political activity.

36. Migrants and asylum seekers reported having been subjected to sexual violence by traffickers, smugglers and armed men. Some migrants were sexually abused by corrections officers in detention centres run by the Department for Combating Illegal Migration. In May, UNSMIL documented two incidents of kidnapping and rape, including gang rape by armed men, of asylum seekers from the Sudan and Eritrea, one of whom was three months pregnant. In June, UNSMIL announced the establishment of monitoring, analysis and reporting arrangements on conflict-related sexual violence, and in September, the Security Council adopted resolution [2542 \(2020\)](#), in which it called for the deployment of women’s protection advisers. In order to strengthen national capacity to address these crimes, a virtual training programme was provided for six judges, including five women, who had been appointed to newly established special courts on violence against women and children.

Recommendation

37. I URGE THE AUTHORITIES TO GRANT HUMANITARIAN ACCESS TO DETENTION FACILITIES AND TO PUT IN PLACE MEASURES TO PROTECT DETAINEES, INCLUDING MIGRANTS AND ASYLUM SEEKERS, FROM SEXUAL VIOLENCE, AND ASSIST THOSE WHO HAVE SUFFERED ABUSE. I REITERATE MY CALL TO THE LIBYAN AUTHORITIES TO ADOPT ANTI-TRAFFICKING LEGISLATION AND, WITH UNITED NATIONS SUPPORT, TO STRENGTHEN ITS RULE OF LAW INSTITUTIONS IN ORDER TO ENSURE THAT ALLEGATIONS OF SEXUAL VIOLENCE CAN BE EFFECTIVELY INVESTIGATED AND PROSECUTED.



Mali

38. In 2020, Mali experienced political upheaval and escalating security concerns, which exacerbated trends of conflict-related sexual violence, in particular in the northern and central regions. Following the coup d'état of 18 August, there was a spike in the number of cases of conflict-related sexual violence, despite underreporting owing to stigma, insecurity and the constraints placed on humanitarian access, compounded by pandemic-related restrictions. Moreover, the proliferation of illicit small arms and a surge of intercommunal violence propelled civilian displacement, making women and girls more vulnerable to trafficking. The United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) reported cases of conflict-related sexual violence affecting 21 women and 8 girls. Perpetrators included Coordination des mouvements de l'Azawad, associated with Mouvement arabe de l'Azawad, Ganda Izo, Groupe d'autodéfense des Touaregs Imghad et leurs alliés, violent extremist groups and unidentified armed men. The Malian Defence and Security Forces were also implicated. The incidents occurred in Gao, Kayes, Ménaka, Mopti, Ségou and Timbuktu Regions and included cases of gang rape, forced marriage, abduction and sexual slavery. Humanitarian service providers registered 1,020 cases affecting 510 women, 489 girls, 15 boys and 6 men, as well as 68 cases of children conceived as a result of rape. These violations occurred in a context of structural gender inequality and harmful social norms, with 89 per cent of women and girls between 15 and 49 years of age having undergone female genital mutilation, and over 50 per cent having been married before the age of 18.

39. The United Nations continued to support the Government in developing a protective legal environment for women. The current draft of the penal code now covers conflict-related sexual violence crimes. Since 2017, the Ministry for the Advancement of Women, Children and the Family, in collaboration with civil society, worked to formulate a law on gender-based violence. However, the High Islamic Council of Mali, despite having issued a fatwa in 2019 to prevent conflict-related sexual violence, objected to the draft, resulting in its suspension. Services for survivors are extremely limited, with 23 per cent unable to access health care and 56 per cent unable to reach shelters. As many as 48 per cent of health centres lacked post-rape kits, while one-stop centres reported 38 incidents of rape that resulted in HIV infection. MINUSMA, in collaboration with local partners, organized a campaign to raise awareness of HIV infections linked to conflict-related sexual violence, followed by testing and services for 1,181 women and girls in Diré, Gao, Ménaka and Mopti Regions. A case before the International Criminal Court was allowed to proceed against an alleged member of Ansar Eddine for his role in enforcing a policy of forced marriage leading to large-scale rape and sexual slavery in Timbuktu in 2013. Despite concerted advocacy by MINUSMA and civil society organizations, 115 cases of conflict-related sexual violence, perpetrated during the Islamist occupation and the Tuareg rebellion in northern Mali, remain pending before the tribunal of commune III in Bamako.

Recommendation

40. I URGE THE GOVERNMENT TO EXPEDITE THE IMPLEMENTATION OF THE JOINT COMMUNIQUÉ, INCLUDING THROUGH THE VALIDATION OF A CONCRETE ACTION PLAN; TO ADDRESS THE OBSTACLES AND PRIORITIZE THE PROSECUTION OF PENDING CASES OF CONFLICT-RELATED SEXUAL VIOLENCE; AND TO ADOPT THE GENDER-BASED VIOLENCE BILL, WHICH GUARANTEES REPARATIONS AND ACCESS TO MULTISECTORAL SERVICES FOR SURVIVORS.



Myanmar

41. Despite a lull in fighting following the general elections in November, armed conflict persisted between the Tatmadaw, the Myanmar armed forces, and the Arakan Army in Rakhine State and southern Chin State, with Kayin State, eastern Bago Region and northern Shan State also marked by conflict. An estimated 130,000 Rohingya in Rakhine State continue to live in encampments in a state of protracted displacement and are subjected to discriminatory movement restrictions that impede their access to livelihood opportunities and services. Reports indicate that parties to the conflict, including ethnic armed organizations in Rakhine, Chin and Shan States, committed sexual violence in 2020. The Tatmadaw was also involved. Security, access and protection concerns for survivors impeded verification. Rohingya women and children in camps for internally displaced persons, and those who fled to Bangladesh, remained at significant risk of sexual violence, including forced marriage and forced pregnancy. Moreover, pandemic-related movement restrictions and economic strain limited livelihood opportunities for women and increased the risk of trafficking and sexual exploitation. In Cox's Bazar, Bangladesh, which hosts more than 800,000 Rohingya refugees, the first case of COVID-19 was confirmed in May. Subsequently, the presence of protection actors in the camps was reduced by half, creating a security vacuum and raising concerns about trafficking and sexual violence. In response, the Bangladesh Armed Police Battalion deployed and increased the number of female officers serving at women and children police help desks.

42. Following the signature of the 2018 joint communiqué by the Government and the United Nations, a national committee on combating conflict-related sexual violence was formed. However, the draft national plan to implement the communiqué was formulated unilaterally by the Government in 2019, without United Nations engagement. The Government also established its own Independent Commission of Enquiry, which dismissed allegations of sexual violence against the security forces. The Commission's findings call into question both the willingness of the authorities to ensure genuine accountability and the Commission's independence ([A/HRC/45/5](#)). In June 2020, a woman was reportedly raped by Tatmadaw soldiers who entered her village in Rathedaung township, Rakhine State. Though the incident was initially denied by the Tatmadaw, the military later announced that three soldiers had been prosecuted by a military tribunal and sentenced to 20 years of imprisonment. The draft law on the prevention of violence against women, developed in 2013, is still pending parliamentary adoption, as are the revisions to the Constitution and Penal Code recommended by the Committee on the Elimination of Discrimination against Women. The authorities continue to deny several United Nations mandate holders and human rights mechanisms, including the Independent Investigative Mechanism for Myanmar, access to the territory of Myanmar. In the hearings on the request for the indication of provisional measures submitted by the Gambia before the International Court of Justice (*The Gambia v. Myanmar*), Myanmar did not address the allegations made by the Gambia of sexual violence against Rohingya civilians in northern Rakhine, which were largely based on the reports of the independent international fact-finding mission on Myanmar.

Recommendation

43. I REITERATE MY CALLS FOR THE FULL IMPLEMENTATION OF THE 2018 JOINT COMMUNIQUÉ AND FOR THE DEPLOYMENT OF A WOMEN'S PROTECTION ADVISER, IN LINE WITH SECURITY COUNCIL RESOLUTION 2467 (2019), TO ENHANCE COLLECTIVE EFFORTS TO ADDRESS CONFLICT-RELATED SEXUAL VIOLENCE. I URGE THE AUTHORITIES TO GRANT UNHINDERED HUMANITARIAN ACCESS TO CONFLICT-AFFECTED AREAS TO FACILITATE THE DELIVERY OF ASSISTANCE TO SURVIVORS OF SEXUAL VIOLENCE. I ALSO CALL FOR IMMEDIATE, FULL, UNRESTRICTED AND UNMONITORED ACCESS TO THE TERRITORY OF MYANMAR, INCLUDING FOR THE INDEPENDENT INVESTIGATIVE MECHANISM FOR MYANMAR.



Somalia



44. Protracted conflict, structural gender inequality and successive humanitarian crises have exposed Somali women and girls to heightened levels of conflict-related sexual violence. Al-Shabaab continued to subjugate areas under its de facto control using sexual violence as political tensions rose in the run-up to national elections. The United Nations Assistance Mission in Somalia (UNSOM) verified cases of conflict-related sexual violence perpetrated against 400 girls, 12 women and 7 boys, primarily attributed to clan militias and Al-Shabaab. While the Somali Police Force was implicated in 16 cases, another 25 incidents involved the Somali National Army. The Jubbaland security forces and Puntland forces bore responsibility for nine and five of the recorded cases, respectively. The remaining cases were attributed to unknown armed actors. Rape and attempted rape were the most frequently reported forms of sexual violence. Reports of sexual violence increased significantly compared with the previous reporting period, fuelled by intensified clashes among clans related to land-based disputes and the fragile security situation in settlements for internally displaced persons. While pandemic-related movement restrictions limited the ability of survivors to access services and hampered monitoring, most reported cases continued to be handled according to *xeer*, a system of customary practices that focus on the clan rather than the needs and rights of the survivor. In addition, judicial services, including the adjudication of sexual violence cases, were temporarily

suspended. Although services were provided remotely, psychosocial support remained lacking owing to funding shortfalls. A paucity of personal protective equipment for shelter workers impaired their ability to admit survivors of gender-based violence. In response, the United Nations developed guidance, outlining models for remote service delivery in order to assist practitioners.

45. In January, the Ministry of Women and Human Rights Development initiated a road map for a new national action plan on ending sexual violence in conflict, the implementation of which had to be postponed owing to the pandemic. The Somali Police Force, with United Nations support, is developing a discipline policy and a code of conduct aimed at combating sexual and gender-based violence. Efforts to reform the legislative framework have been complicated by conflicting legal systems. Legislators developed a new draft law on crimes relating to sexual intercourse as an alternative to the 2018 draft sexual offences bill. In August, UNSOM led a joint analysis of this bill, which found that it omitted numerous substantive offences, contained weak procedural provisions, and allowed for the marriage of minors upon physical maturation, irrespective of age, in contravention of the Convention on the Rights of the Child, which Somalia has ratified. My Special Representative engaged with the authorities to encourage the reintroduction of the 2018 draft sexual offences bill.

Recommendation

46. I REITERATE CALLS FOR THE ADOPTION OF THE 2018 DRAFT SEXUAL OFFENCES BILL AND ENCOURAGE THE GOVERNMENT'S EFFORT TO INITIATE A NEW NATIONAL ACTION PLAN ON ENDING SEXUAL VIOLENCE IN CONFLICT, AS AGREED WITH MY SPECIAL REPRESENTATIVE.



South Sudan

47. The 2017 Agreement on the Cessation of Hostilities continued to hold and the Revitalized Transitional Government of National Unity was established in February 2020 despite delays in implementing the 2018 Revitalized Agreement on the Resolution of the Conflict in South Sudan. While women’s participation in the peace process remains below the 35 per cent quota stipulated in the peace agreement, women now hold 9 of the 35 ministerial positions. Localized violence intensified with sexual violence being used as a tactic to displace and terrorize rival communities. The appointee for the governorship of Western Equatoria State was profiled by the United Nations in 2018 for his alleged involvement in widespread conflict-related sexual violence, including sexual slavery, in his former capacity as a commander of the pro Riek Machar Sudan People’s Liberation Army in Opposition (SPLA-IO/RM). In Central Equatoria, Western Equatoria and Upper Nile, violence is attributed to fracturing alliances, whereas intercommunal clashes intensified in Jonglei and the Greater Pibor Administrative Area, Warrap and Lakes. The number of abductions for the purposes of forced marriage and sexual slavery – a chronic feature of the conflict – has increased in Jonglei since late January 2020, with over 390 women and girls abducted during violence over access to natural resources between heavily armed rival civil defence groups.

48. The United Nations Mission in South Sudan (UNMISS) documented 193 cases of conflict-related sexual violence affecting 142 women, 46 girls and 5 men. A further 25 cases, which occurred between 2014 and 2019, affecting 14 women, 8 girls and 3 men, were also verified in 2020. Perpetrators included community-based militias, civil defence groups and other armed elements. The South Sudan People’s Defence Forces were implicated in 27 per cent of the incidents. Cases were also attributed to members of the South Sudan National Police Service and the National Security Service. Some 11 per cent of incidents were attributed to Major General Ochan Puot’s forces allied to the South Sudan People’s Defence Forces. SPLA-IO/RM was implicated in 8 per cent of incidents. Civil defence groups now account for 32 per cent of reported cases. The remaining cases involve other actors such as the National Salvation Front (NAS), under Major General Daniel Dongo and Major General James Nando, both of whom defected from SPLA-IO/RM, and unidentified armed men. The majority of cases occurred in the Greater Equatoria Region, Greater Upper Nile and Greater Bahr el Ghazal. Survivors ranged in age from 3 to 70 years, with 81 per cent subjected to rape, gang rape or attempted rape. Cases of forced nudity, forced marriage, sexual slavery and threats of sexual violence were also recorded. Service providers reported 227 incidents perpetrated by armed actors. Sexual violence was often committed during or on the margins of military operations and in the vicinity of military bases and

cantonment and training sites, while victims were engaged in routine livelihood activities. Nursing mothers and pregnant women were not spared, and attacks were also reported against internally displaced persons and individuals with disabilities. Victims were often targeted on the basis of their actual or perceived ethnic or political affiliation, with some stripped naked in public as a form of humiliation.

49. Access to services remained extremely challenging, with survivors often compelled to undertake long journeys, which exposed them to the risk of further harm. In consultations on the impact of the pandemic, survivors of sexual violence reported reduced access to clinics owing to fears of contracting the virus and higher rates of intimate partner violence and harmful traditional practices, such as early marriage. In order to enhance reporting and response, the Ministry of Gender, Child and Social Welfare launched a helpline for those affected by gender-based violence, with support from civil society and the United Nations. The United Nations supported the establishment of two one-stop centres in Akobo and Aweil, and a shelter in Western Bahr el-Ghazal. A communiqué was issued on 18 September by the leader of NAS, committing to training its forces on the prohibition of sexual violence. With UNMISS support, the implementation of the action plans of the South Sudan People’s Defence Forces, the South Sudan National Police Service and SPLA-IO/RM continued, with over 700 uniformed personnel receiving training on command orders prohibiting sexual violence. The United Nations assisted the Military Justice Directorate of the South Sudan People’s Defence Forces in conducting training on international and domestic legal standards to prosecute sexual violence crimes. With technical support from the United Nations,

the South Sudan People’s Defence Forces finalized a training curriculum for new recruits on preventing and eliminating conflict-related sexual violence, which was endorsed by the Minister of Defence and the Chief of Defence Forces. In anticipation of the deployment of unified forces, the leadership of the South Sudan People’s Defence Forces and SPLA-IO/RM initiated the consolidation of action plans on preventing and eliminating sexual violence. A welcome development was the release of dozens of women and children held against their will on SPLA-IO/RM bases in Western Equatoria, in line with command orders issued by Riek Machar, the leader of SPLA-IO/RM, in 2019.

50. Although impunity remains prevalent, 2020 saw a total of 26 uniformed personnel convicted for conflict-related sexual violence, including the rape and gang-rape of minors, by military and civilian courts, including mobile courts, supported by the United Nations in Kuajok, Malakal, Maridi, Yambio and Wau. The personnel convicted were 16 elements of the South Sudan People’s Defence Forces, 5 members of the South Sudan National Police Service and 5 members of SPLA-IO/RM. The South Sudan People’s Defence Forces also prosecuted and convicted 13 soldiers of rape, at the district court martial in Yei. The resulting sentences ranged from 7 to 14 years of imprisonment and included orders to compensate the survivors financially and in heads of cattle. To date, survivors have not received compensation, however, and only low-ranking soldiers have been tried. Concerns persist about the absence of protection measures for survivors during court proceedings. In Western Equatoria, two survivors were so intimidated by the courtroom presence of armed senior commanders that they stopped attending court hearings.

Recommendation

51. I WELCOME THE FORMATION OF THE REVITALIZED TRANSITIONAL GOVERNMENT OF NATIONAL UNITY AND URGE ALL PARTIES TO COMPLY WITH THE PROVISIONS PROHIBITING THE USE OF SEXUAL VIOLENCE, AS SET OUT IN THE 2017 CESSATION OF HOSTILITIES AGREEMENT AND IN THE REVITALIZED AGREEMENT ON THE RESOLUTION OF THE CONFLICT IN SOUTH SUDAN. I ALSO WELCOME THE GOVERNMENT’S ANNOUNCEMENT THAT IT WILL EXPEDITE THE ESTABLISHMENT OF TRANSITIONAL JUSTICE MECHANISMS, INCLUDING THE HYBRID COURT FOR SOUTH SUDAN, AND CALL FOR ALL PERPETRATORS OF SEXUAL VIOLENCE TO BE PROSECUTED, IRRESPECTIVE OF RANK. I FURTHER CALL FOR THE IMMEDIATE AND SAFE RELEASE OF ALL ABDUCTED WOMEN AND CHILDREN.



The Sudan

52. The signing of the Juba Peace Agreement in October marked a milestone in the stabilization of the Sudan. Nevertheless, active conflict persisted in several locations, including the greater Jebel Marra area, largely fuelled by clashes between factions of the Sudan Liberation Army-Abdul Wahid (SLA-AW), which did not join the peace process, and clashes with transitional Government forces. Intercommunal conflicts in West, North and South Darfur States pitted pastoral and farming communities against each other. There were continued reports of conflict-related sexual violence committed against women, girls and boys. Internally displaced women and girls faced heightened risks of sexual violence in and around the camps, including while engaged in livelihood activities. A Rapid Support Forces soldier reportedly raped a boy in a Darfur camp and an adolescent girl was reportedly gang-raped by three members of the Sudanese Armed Forces as she harvested fruit. A woman was abducted from a campsite and held hostage for several days by SLA-AW elements. Clashes between SLA-AW splinter groups in Central Darfur resulted in the targeting of girls by rebel elements for sexual violence, including abduction and gang-rape. During the reporting period, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) documented 105 cases of conflict-related sexual violence,

affecting 65 women, 39 girls and 1 boy. Incidents were attributed to elements of SLA-AW and armed nomads. The Sudanese Armed Forces and the Rapid Support Forces were also implicated.

53. The Security Council, in its resolution [2524 \(2020\)](#), established the United Nations Integrated Transition Assistance Mission in the Sudan (UNITAMS) to support the political transition and assist in peacebuilding, the protection of civilians and the strengthening of the rule of law. The mandate of the Mission includes promoting accountability for sexual and gender-based violence, and enhanced monitoring and reporting through the deployment of women's protection advisers, which will support the implementation of the framework of cooperation to address conflict-related sexual violence signed between my Special Representative and the transitional Government in 2020. The transitional Government announced its adoption of all rights-related provisions in the African Charter on the Rights and Welfare of the Child, including the prohibition of child marriage, which provides legal recourse to child victims of sexual violence who are forced to marry the perpetrator in out-of-court settlements. The Criminal Act of 1991 was also amended to criminalize female genital mutilation. The authorities adopted a national action plan on women

and peace and security; reactivated the federal unit to combat violence against women; and, in response to the drawdown of UNAMID, developed a national plan for the protection of civilians to enhance security, especially for women and girls.

54. In response to the limited capacity of the justice system to investigate and prosecute sexual violence, the transitional Government drafted a law aimed at combating gender-based violence, which is pending adoption. Medical, legal and psychosocial services are only available in a few urban areas and access to post-exposure prophylaxis remains limited to major hospitals. The United Nations continued to support the provision of services and the training of service providers. UNAMID harnessed social media platforms for outreach, training and sensitization as part of efforts to adapt to the pandemic. Women protection networks in camps for internally displaced persons in Darfur promoted capacity-building on psychosocial assistance and dialogue between women, camp management and UNAMID. These networks have been instrumental in profiling perpetrators implicated in sexual violence, mapping hotspots and analysing threats to inform early warning. Furthermore, in December, a survivors' network was launched to serve as a platform for advocacy and to facilitate access to specialized services.

RECOMMENDATION

55. I ENCOURAGE THE TRANSITIONAL GOVERNMENT TO WORK CLOSELY WITH MY SPECIAL REPRESENTATIVE TO IMPLEMENT THE FRAMEWORK OF COOPERATION. I ALSO URGE THE AUTHORITIES TO ENHANCE THE PROTECTION OF WOMEN AND GIRLS IN AREAS AFFECTED BY INSECURITY, TO ENSURE COMPREHENSIVE SERVICE PROVISION FOR SURVIVORS AND TO HOLD PERPETRATORS OF SEXUAL VIOLENCE ACCOUNTABLE FOR THEIR CRIMES.



Syrian Arab Republic

56. The Syrian peace process remained fragile, with civilians disproportionately affected by ongoing hostilities, challenges to humanitarian access and the socioeconomic effects of a decade of conflict, which have been exacerbated by the COVID-19 pandemic. United Nations entities and humanitarian partners continued to address the logistical and operational challenges resulting from the reduction to one authorized border crossing following the adoption of Security Council resolution [2533 \(2020\)](#). Against this backdrop, reports of incidents of conflict-related sexual violence have continued. The Independent International Commission of Inquiry on the Syrian Arab Republic reported 30 rapes in February 2020 in northern Syrian Arab Republic ([A/HRC/45/31](#)). Members of the Free Syrian Army, a loose coalition of armed opposition groups, were implicated in a number of these incidents, including sexual violence committed during house raids. Members of the Free Syrian Army have also used sexual violence in detention settings as a strategy to humiliate and extract confessions, such as in the case of the rape of a minor in front of male detainees at a detention facility in Afrin in 2020. The Commission further documented cases of sexual violence in detention by Syrian authorities. For instance, women have reportedly been sexually assaulted at informal detention sites, including Branch 227, while men have reportedly been sexually abused in Saydnaya prison. Sexual violence remains severely underreported owing to stigma, a lack of services and fear of retaliation by perpetrators or of “honour killings” by family members. The United Nations documented 19 cases affecting 12 girls and 7 women; in 5 of the cases, Yazidi girls in former ISIL-controlled areas of northern Syrian Arab Republic were targeted.

57. Recourse to harmful coping mechanisms in the face of physical and financial insecurity increased, particularly in overcrowded camps for internally displaced persons. In a shift in social practices arising from conditions of protracted conflict, in 2020, there were cases of girls as young as 10 being forced to marry and reports of prepubescent girls in north-west Syrian Arab Republic being forced by their parents to take hormones to induce puberty in anticipation of early marriage. The Autonomous Administration of North and East Syria and the self-organized Yazidi structures continued to support the return of Yazidi women from Hawl camp to Iraq, although the process stalled owing to pandemic-related precautions. Seven survivors returned to Iraq, leaving behind their children born during ISIL captivity, who were placed in orphanages. Mothers who conceived children as a result of rape faced difficulties in obtaining official documentation for their children, placing them at heightened risk of statelessness. Despite challenges related to access and coverage, service providers referred over 1,300 women, girls, men and boys to specialized services, including for clinical management of rape and the provision of post-exposure prophylaxis. Community centres and safe spaces for women and girls reproductive health care and gender-based violence services to support survivors. Impunity persists, with no convictions to date for sexual violence offences committed during the decade-long Syrian conflict. In Germany, the trial of Anwar R., a former official of the Syrian General Intelligence Service, for torture as a crime against humanity, including rape and aggravated sexual assault, began in April 2020.

RECOMMENDATION

58. I REITERATE MY CALL TO ALL PARTIES TO THE CONFLICT TO IMMEDIATELY CEASE THE PERPETRATION OF SEXUAL VIOLENCE, HOLD PERPETRATORS ACCOUNTABLE AND ALLOW HUMANITARIAN ACCESS THROUGHOUT THE COUNTRY TO ENSURE THE PROVISION OF SERVICES. I URGE THE AUTHORITIES TO ENSURE THAT SURVIVORS OF SEXUAL VIOLENCE COMMITTED BY TERRORIST GROUPS ARE RECOGNIZED AS VICTIMS OF TERRORISM AND ENTITLED TO REPARATIONS AND REDRESS.



Yemen

59. As the conflict in Yemen entered its sixth year, the humanitarian situation there has continued to deteriorate, leaving the country on the brink of famine and economic collapse. The already dire humanitarian crisis was exacerbated by the destruction of essential infrastructure, such as health facilities, the spread of COVID-19 and restricted humanitarian access. The signing of the Riyadh Agreement between the Government of Yemen and the Southern Transitional Council in 2019, despite showing signs of fragility, constitutes a pathway for peace in the country. The attack on Aden airport on 30 December, as members of the newly formed cabinet returned to Yemen, marked a setback for reconciliation efforts. As conflict intensified during 2020, over 158,000 civilians were displaced, heightening the risk of sexual violence. Migrants also faced an increased risk of sexual violence, illegal detention and extortion by smugglers in border areas.

60. In its resolution [2511 \(2020\)](#), the Security Council affirmed that sexual violence in conflict could constitute a sanctionable act and a threat to the peace, security or stability of Yemen. In its most recent report, the Panel of Experts on Yemen reiterated that Sultan Zabin remained the director of the Sana'a-based criminal investigation department, despite his prominent role in a policy of intimidation and sexual violence against politically

active women ([S/2021/79](#)). In response, the Security Council decided in its resolution [2564 \(2021\)](#) adopted on 25 February 2021 that Sultan Zabin shall be subject to sanctions for the use of sexual violence in armed conflict. The Panel further documented cases of sexual violence against two internally displaced women in Dar Sa'd, Aden, committed by members of the Security Belt Forces, and cases of sexual violence in detention settings committed by the Houthis (also known as Ansar Allah). The Group of Eminent International and Regional Experts on Yemen documented patterns of sexual violence and ill-treatment in detention centres, such as the Sana'a Central Prison and Al-Saleh Prison in Ta'izz, controlled by the Houthis, where men and boys were subjected to rape, electrocution and beating of genitals, and threats of sterilization and forced nudity, in order to extract confessions or to punish them for their perceived political affiliation ([A/HRC/45/6](#)). Persons with diverse sexual orientations or gender identities faced heightened risks of sexual and other violence, particularly in detention settings, owing to deep-rooted patriarchal norms. The Group of Eminent Experts documented nine cases of arbitrary detention, ill-treatment, torture and sexual violence perpetrated by the Houthis and Security Belt Forces against individuals accused of spreading prostitution and homosexuality and supporting the enemy.

RECOMMENDATION

61. I URGE ALL PARTIES TO THE CONFLICT TO ADOPT COMMITMENTS TO PREVENT AND RESPOND TO CONFLICT-RELATED SEXUAL VIOLENCE AND TO HOLD PERPETRATORS ACCOUNTABLE FOR THEIR CRIMES. I CALL FOR SAFE AND UNIMPEDED HUMANITARIAN ACCESS FOR SERVICE PROVIDERS TO DELIVER ASSISTANCE TO SURVIVORS OF SEXUAL VIOLENCE AND THOSE AT RISK, INCLUDING IN DETENTION SETTINGS.



IV. ADDRESSING CRIMES OF SEXUAL VIOLENCE IN POST-CONFLICT SETTINGS

62. In Bosnia and Herzegovina, survivors of conflict-related sexual violence have struggled to achieve recognition as legitimate victims of the war and to access reparations and redress. In August 2020, in response to an individual complaint, the Committee on the Elimination of Discrimination against Women concluded that investigations into conflict-related sexual violence in Bosnia and Herzegovina had been ineffective and slow and that compensation and support for the victims were inadequate. The complainant had pursued justice for more than a decade, after being raped in 1995, and had been unable to afford adequate treatment for the physical and psychological trauma she suffered. The United Nations continues to forge partnerships to advance justice, while preventing a relapse into violence. My Special Representative continued to engage with the authorities and key partners to promote comprehensive services, justice, access to reparations and economic empowerment for survivors, and to work with interfaith organizations to alleviate stigma. The Government has worked to expand the availability and improve the quality of medical and psychosocial support, including through virtual means during the pandemic, while civil society organizations continue to provide critical assistance to survivors, their families and children born of wartime rape.

Côte d'Ivoire



63. Following the drawdown of the United Nations Operation in Côte d'Ivoire (UNOCI) in 2017 and the removal of Forces armées de Côte d'Ivoire from the list annexed to the report of the Secretary-General published in 2017 (S/2017/249), the United Nations has continued to support the Government to consolidate progress in the prevention of conflict-related sexual violence. My Special Representative supported the deployment of two experts to build the capacity of Forces armées de Côte d'Ivoire, support the Government in implementing its plan of action to combat sexual violence, and bolster its monitoring, analysis and reporting arrangements. In order to prevent the recurrence of sexual violence, in the period from March to August 2020, civil society organizations in collaboration with the National Committee to Combat Conflict-Related Sexual Violence organized training for members of the armed forces, local administrators and community leaders, as well as judicial police officers. The Government has taken steps to create a protective legal environment for survivors, including by removing the requirement that survivors must produce a costly medical certificate in order to file a complaint. The Ministry of Justice and Human Rights appointed a gender focal point, whose role is to ensure the systematic monitoring of cases involving sexual and gender-based violence in the courts. Nevertheless, at the subnational level, some women peacebuilders were targeted with intimidation, including physical and sexual violence.

Nepal



64. Since the signing of the Comprehensive Peace Agreement (2006), the Government of Nepal has continued to face challenges in ensuring criminal accountability for conflict-era sexual violence. After a prolonged delay, the Government appointed commissioners to head Nepal's two transitional justice commissions, the Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons. Despite the widespread perpetration of sexual violence during the conflict, and the fact that survivors face a high risk of stigmatization, the Truth and Reconciliation Commission did not establish a confidential mechanism to enable victims to file complaints of sexual violence. There were some signs of progress, however, such as the finalization of the second national action plan on women and peace and security, which is pending approval. The plan reflects the concerns of sexual violence survivors, female ex-combatants and children born of wartime rape.

Sri Lanka

65. More than a decade since the end of the conflict between the Government and the Liberation Tigers of Tamil Eelam in Sri Lanka, a meaningful transitional justice process that would address crimes committed during three decades of civil war, including crimes of sexual violence, is yet to be established. In February 2020, President Rajapaksa, who took office in 2019, announced the formal withdrawal of his Government's co-sponsorship of Human Rights Council resolution [30/1](#) with a view to developing a domestically-driven approach to

reconciliation and accountability. Survivors of conflict-related sexual violence, particularly those who came forward to engage with the transitional justice process, are experiencing increased barriers to attaining justice in the current context. War widows and other marginalized groups are at heightened risk of sexual violence, in particular in heavily militarized areas such as the Northern Province, owing to an entrenched post-conflict culture of violence.

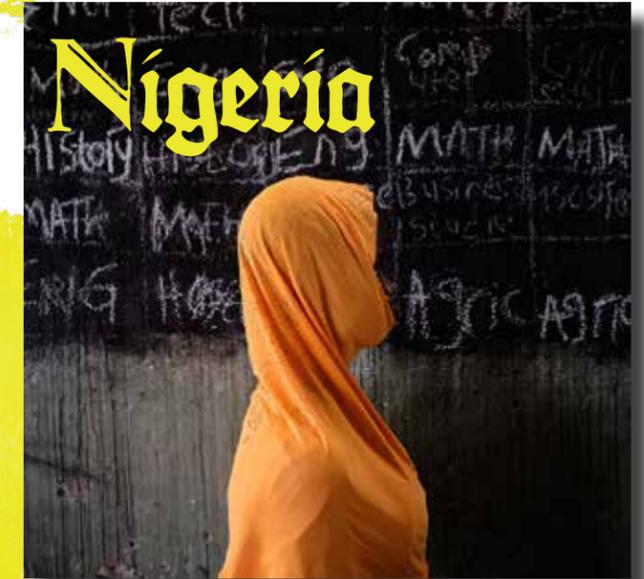


Recommendation

66. I CALL UPON THE GOVERNMENTS OF COUNTRIES UNDERGOING POST-CONFLICT TRANSITIONAL JUSTICE PROCESSES TO ENSURE CONCRETE MEASURES ARE TAKEN TO DELIVER ACCOUNTABILITY, AWARD REPARATIONS AND PROVIDE REDRESS FOR CONFLICT-RELATED SEXUAL VIOLENCE, AVOIDING AMNESTY OR IMPUNITY FOR THESE GRAVE INTERNATIONAL CRIMES. I ENCOURAGE THESE GOVERNMENTS TO CONSULT SURVIVORS IN THE DESIGN AND DELIVERY OF TRANSITIONAL JUSTICE PROCESSES, IN LINE WITH A SURVIVOR-CENTRED APPROACH, AND TO ENSURE THAT PAST PERPETRATORS ARE REMOVED FROM NATIONAL INSTITUTIONS THROUGH CREDIBLE VETTING PROCEDURES.

Nigeria

V. OTHER SITUATIONS OF CONCERN



67. As the conflict in Nigeria entered its second decade, Boko Haram factions continued to carry out a series of brutal attacks, including mass abductions of girls and boys. The violence disproportionately affected civilians in the north-east and north-west of the country, as well as parts of Cameroon, Chad and the Niger, resulting in mass displacement and heightened risks of sexual violence. The Government's special investigations panel on sexual and gender-based violence documented 210 cases of conflict-related sexual violence committed in 2020, including rape and forced marriage, affecting 94 girls, 86 women and 30 boys, noting that such crimes continue to be chronically underreported owing to stigma and harmful social norms. Several governors declared a state of emergency in response to a spike in gender-based violence

during lockdowns. In order to promote accountability, the United Nations continued to support national judicial authorities. A specialized unit of the Office of the Attorney General continued to investigate and prosecute crimes committed by Boko Haram factions, although no sexual violence crimes have been prosecuted to date. The United Nations facilitated access to medical care, psychosocial and livelihood support, and legal assistance for survivors. Seven one-stop centres and three shelters in the north-east provided counselling and confidential care to survivors. The United Nations also supported the establishment of the first national forensic DNA laboratory in Adamawa State, which will contribute to effective prosecutions of sexual violence.

Recommendation

68. I URGE THE AUTHORITIES TO PRIORITIZE THE INVESTIGATION AND PROSECUTION OF SEXUAL VIOLENCE, INCLUDING IN COUNTER-TERRORISM CASES, AND TO STRENGTHEN MEASURES TO PREVENT ABDUCTIONS, WHICH INCREASE THE RISK OF RAPE, FORCED MARRIAGE, SEXUAL SLAVERY AND OTHER FORMS OF SEXUAL VIOLENCE.



VI. Recommendations

69. THE FOLLOWING RECOMMENDATIONS SHOULD BE READ IN CONJUNCTION WITH THOSE PRESENTED IN MY PREVIOUS REPORTS. IN LINE WITH THE SURVIVOR-CENTRED APPROACH, STRATEGIES TO REBUILD BETTER IN THE WAKE OF THE PANDEMIC WILL REQUIRE THE FULL AND MEANINGFUL PARTICIPATION OF SURVIVORS, WHO HAVE SUFFERED THE EFFECTS OF INTERSECTING CRISES, INCLUDING LIMITED ACCESS TO SERVICES, RESOURCES AND JUDICIAL REDRESS. THE WORK OF THE SECURITY COUNCIL TO ENFORCE COMPLIANCE BY STATE AND NON-STATE ACTORS WITH THE SERIES OF RESOLUTIONS ON SEXUAL VIOLENCE IN CONFLICT ADOPTED SINCE 2008, REMAINS CRITICAL FOR TRANSLATING COMMITMENTS INTO COMPLIANCE AND RESOLUTIONS INTO RESULTS.

“ 70. I RECOMMEND
THAT THE SECURITY
COUNCIL: ”

- (a) Demand the complete cessation with immediate effect of all acts of sexual violence by all parties to armed conflict, consistent with the Security Council resolution [2532 \(2020\)](#) and in response to my call for a global ceasefire;
- (b) Continue to incorporate sexual violence as a stand-alone designation criterion for sanctions, including when used as a tool of reprisals against women in public and political life; ensure coherence between the parties listed in the present report and the individuals and entities designated by sanctions committees; continue to invite my Special Representative on Sexual Violence in Conflict to share information with sanctions committees, as appropriate; and, in the context of the Security Council Committee pursuant to resolutions [1267 \(1999\)](#), [1989 \(2011\)](#) and [2253 \(2015\)](#) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, integrate conflict-related sexual violence considerations and ensure that parties providing support to such groups through the sale, trade or trafficking of women and children are eligible for listing;

- (c) Continue to address the nexus between trafficking in persons and conflict-related sexual violence, further to resolutions [2331 \(2016\)](#) and [2388 \(2017\)](#), including the links between trafficking committed in situations of armed conflict, political instability, terrorism and the financing of armed and violent extremist groups;
 - (d) Encourage all State and non-State parties to conflict to adopt specific commitments to address conflict-related sexual violence and monitor their compliance, including through the Informal Expert Group on Women and Peace and Security;
 - (e) Employ all means at its disposal to influence parties to armed conflict to comply with their international law obligations, including under international humanitarian law;
 - (f) Refer to the Prosecutor of the International Criminal Court situations in which crimes of sexual violence, as defined in its Statute, appear to have been committed;
 - (g) Give due consideration to the early warning signs of sexual violence in its monitoring of global crises, especially in relation to periods of rising violent extremism, terrorism and gender-based hate speech, widespread insecurity, electoral violence, political instability, intercommunal tensions and mass displacement, and take appropriate action;
 - (h) Ensure a focus on conflict-related sexual violence in its periodic field visits, including through engagement with national authorities on their obligations to prevent and respond to these crimes, guided by a survivor-centred approach and the views of affected communities, women-led organizations and service providers, with due consideration to the principles of safety and confidentiality;
 - (i) Reflect the prevention and response to conflict-related sexual violence in mandate authorizations and renewals of peace operations through the inclusion of specific operational provisions; and support the accelerated deployment of women's protection advisers to peace operations and offices of United Nations resident and humanitarian coordinators in all relevant situations of concern.
71. I encourage Member States, donors, regional and intergovernmental organizations:
- (a) To ensure that victims of sexual violence perpetrated by armed and/or terrorist groups are recognized as legitimate victims of conflict and/or terrorism, in order to benefit from multisectoral assistance, reparations and redress, including through the revision of national legal and policy frameworks, as necessary;
 - (b) To adopt a survivor-centred approach to preventing and responding to conflict-related sexual violence that recognizes that survivors are unique individuals and seeks to empower them by prioritizing their different needs, perspectives and wishes; and by paying particular attention to intersecting inequalities, namely, ethnicity, religion, migratory status, disabilities, age, political affiliation, perceived association with armed groups, sexual orientation and gender identity, and HIV status, among others; to ensure that survivors' rights are respected, that they are treated with dignity, and that their capacity to make informed decisions and to guide interventions to prevent future incidents is promoted;

- (c) To ensure adequate funding for comprehensive and quality multisectoral assistance for survivors of sexual violence, namely medical, psychosocial and legal services, sexual and reproductive care, including access to emergency contraception, safe termination of pregnancy, HIV prevention, awareness and treatment, as well as socioeconomic reintegration support for survivors and their dependants, and to ensure that these services reach rural and remote areas;
- d) To enhance protection measures, in particular for women and children in displacement and refugee settings; to support durable solutions to displacement, including voluntary return in conditions of safety and dignity, through adequate socioeconomic reintegration support, and the prosecution of perpetrators implicated in sexual violence;
- (e) To guarantee the full and meaningful participation of women, girls and survivors of sexual violence, including women-led organizations, in decision-making processes, including as part of the COVID-19 pandemic recovery and response to ensure that they are not left behind, including in terms of socioeconomic support measures;
- (f) To tackle the root causes of conflict-related sexual violence, including structural gender inequality, harmful social norms that lead to victim-blaming and the stigmatization of survivors, and intersecting forms of exclusion and discrimination, by promoting women's leadership in national political, security and rule of law institutions, as well as by engaging with faith-based, traditional and community leaders, the media and women's organizations to promote attitudinal and social change;
- (g) To ensure that ceasefire and peace agreements contain provisions on the prohibition of sexual violence in the definition of ceasefire and related monitoring and verification frameworks, and that amnesties and immunities are not granted to perpetrators of these international crimes;
- (h) To ensure humanitarian access to detention facilities and to put in place measures to protect and assist those who have suffered, or are at risk of, sexual violence, including those with a perceived or actual association with an armed or terrorist group; to ensure swift responses and assistance to survivors and persons at risk of sexual violence in detention facilities and to hold perpetrators accountable;
- (i) To guarantee that law enforcement agencies have the capacity to investigate, prosecute and adjudicate cases of conflict-related sexual violence, including by increasing the representation of women at all levels; to ensure that transformative, gender-responsive reparations and witness and victim protection programmes are made available; and that all efforts are guided by the principles of security, confidentiality and informed consent;
- (j) To address the proliferation and trafficking of small arms, which drive and exacerbate the commission of sexual violence in conflict and post-conflict zones, in line with the Arms Trade Treaty (2014) and other global instruments; and to continue to highlight the nexus between conflict-related sexual violence and the diversion of small arms from national stockpiles in policymaking, programming and capacity-building initiatives;
- (k) To ensure that the national forces listed in the annex to the present report, or those listed for grave violations against children, are not deployed to peacekeeping operations;
- (l) To address chronic funding shortfalls for combating conflict-related sexual violence by providing predictable financial support to the conflict-related sexual violence multi-partner trust fund; to draw on the expertise of the United Nations system in the areas of justice and the rule of law by supporting the Team of Experts on the Rule of Law and Sexual Violence in Conflict; and to enhance coordination through the United Nations Action against Sexual Violence in Conflict network, in particular by ensuring sustainable, regular and adequate funding for their work.



**LIST OF PARTIES CREDIBLY
SUSPECTED OF COMMITTING
OR BEING RESPONSIBLE FOR
PATTERNS OF RAPE OR OTHER
FORMS OF SEXUAL VIOLENCE
IN SITUATIONS OF ARMED
CONFLICT ON THE AGENDA OF
THE SECURITY COUNCIL**

THE FOLLOWING LIST DOES NOT PURPORT TO BE COMPREHENSIVE, BUT RATHER INCLUDES PARTIES IN RELATION TO WHICH CREDIBLE INFORMATION IS AVAILABLE. IT SHOULD BE NOTED THAT THE NAMES OF COUNTRIES APPEAR ONLY TO INDICATE THE LOCATIONS WHERE PARTIES ARE SUSPECTED OF COMMITTING VIOLATIONS.



**PARTIES IN THE
CENTRAL AFRICAN
REPUBLIC**



1. Non-State actors:

- (a) Lord's Resistance Army;
- (b) Ex-Séléka factions: Union pour la paix en Centrafrique, Mouvement patriotique pour la Centrafrique, Front populaire pour la renaissance de la Centrafrique – Gula faction, Front populaire pour la renaissance de la Centrafrique – Abdoulaye Hussein faction, Rassemblement patriotique pour le renouveau de la Centrafrique; Mouvement national pour la libération de la Centrafrique; Mouvement des libérateurs centrafricains pour la justice;
- (c) Front démocratique du peuple centrafricain – Abdoulaye Miskine;
- (d) Révolution et justice;
- (e) Retour, réclamation et réhabilitation;
- (f) Anti-balaka associated militia.

PARTIES IN THE DEMOCRATIC REPUBLIC OF THE CONGO



1. Non-State actors:
 - (a) Alliance des patriotes pour un Congo libre et souverain-Janvier;
 - (b) Allied Democratic Forces;
 - (c) Bana Mura militias;
 - (d) Forces démocratiques de libération du Rwanda;
 - (e) Force de résistance patriotique de l'Ituri;
 - (f) Kamuina Nsapu;
 - (g) Lord's Resistance Army;
 - (h) Nduma défense du Congo;
 - (i) Nduma défense du Congo-Rénové faction led by "General" Guidon Shimiray Mwisso and faction led by Commander Gilbert Bwira Shuo and Deputy Commander Fidel Malik Mapeenzi;
 - (j) Mai-Mai Kifuafua;
 - (k) Mai-Mai Simba;
 - (l) Nyatura;
 - (m) Mai-Mai Raïa Mutomboki;
 - (n) Mai-Mai Apa na Pale;
 - (o) Mai-Mai Malaika;
 - (p) Mai-Mai Fimbo na Fimbo;
 - (q) Mai-Mai Yakutumba;
 - (r) Coopérative de Développement pour le Congo;
 - (s) All Twa militia;
 - (t) Forces patriotiques populaires, Armées pour le peuple.
2. State actors:
 - (a) Armed Forces of the Democratic Republic of the Congo;*
 - (b) Congolese National Police.*

* Indicates that the party has made formal commitments to adopt measures to address conflict-related sexual violence.

PARTIES IN IRAQ



- Non-State actors:
Islamic State in Iraq and the Levant.

PARTIES IN MALI



- Non-State actors:
- (a) Mouvement national de libération de l'Azawad, part of Coordination des mouvements de l'Azawad;*
 - (b) Ansar Eddine;
 - (c) Mouvement pour l'unification et le jihad en Afrique de l'Ouest;
 - (d) Al-Qaida in the Islamic Maghreb, part of Jama'a Nusrat ul-Islam wa al Muslimin;
 - (e) Groupe d'autodéfense des Touaregs Imghad et leurs alliés, part of Plateforme des mouvements du 14 juin 2014 d'Alger.*

* Indicates that the party has made formal commitments to adopt measures to address conflict-related sexual violence.



PARTIES IN MYANMAR



State actors:
Tatmadaw Kyi, including integrated
Border Guard.*

PARTIES IN SOMALIA

1. Non-State actors:
 - (a) Al-Shabaab.
2. State actors:
 - (a) Somali National Army;*
 - (b) Somali Police Force* and allied militia;
 - (c) Puntland forces.

* Indicates that the party has made formal commitments to adopt measures to address conflict-related sexual violence.



PARTIES IN SOUTH SUDAN

1. Non-State actors:
 - (a) Lord's Resistance Army;
 - (b) Justice and Equality Movement;
 - (c) Pro-Riek Machar Sudan People's Liberation Army in Opposition;*
 - (d) Sudan People's Liberation Army in Opposition forces aligned with Vice-President Taban Deng.
2. State actors:
 - (a) South Sudan People's Defence Forces;*
 - (b) South Sudan National Police Service.*

PARTIES IN THE SUDAN

1. Non-State actors:
 - (a) Justice and Equality Movement;
 - (b) Sudan Liberation Army-Abdul Wahid
2. State actors:
 - (a) Sudanese Armed Forces;
 - (b) Rapid Support Forces.

* Indicates that the party has made formal commitments to adopt measures to address conflict-related sexual violence.

PARTIES IN THE SYRIAN ARAB REPUBLIC



OTHER PARTIES OF CONCERN ON THE AGENDA OF THE SECURITY COUNCIL

1. Non-State actors:
 - (a) Islamic State in Iraq and the Levant;
 - (b) Hay'at Tahrir al-Sham led by Nusra Front (Levant Liberation Organization);
 - (c) Army of Islam;
 - (d) Ahrar al-Sham.
2. State actors:
 - (a) Government forces, including the National Defence Forces and pro-government militias;
 - (b) Intelligence service

Non-State actors:
Boko Haram, including affiliated/splinter
groups.





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