

**Security Council**

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Letter dated 5 April 2022 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

In its capacity as President of the Security Council for the month of April 2022, the United Kingdom of Great Britain and Northern Ireland intends to organize a high-level open debate on the theme “Conflict-related sexual violence: accountability as prevention – ending cycles of sexual violence in conflict”, to be held on Wednesday, 13 April 2022.

In order to guide the discussions on this topic, the United Kingdom has prepared and attached a concept note (see annex).

Member States wishing to participate should add their names to the list of speakers through the eSpeakers module of e-deleGATE. A letter addressed to the President of the Security Council, duly signed by the Permanent Representative or the Chargé d'affaires a.i. and containing a request to participate in accordance with rule 37 of the Council's provisional rules of procedure, must be uploaded to the eSpeakers module of e-deleGATE. Registration will open on Friday, 8 April, at 9.30 a.m.

Delegates are invited to contact their Mission's access focal points to be granted access to the eSpeakers module on the e-deleGATE platform. For technical support related to user logins and passwords, please contact the help desk of the Office of Information and Communications Technology at 212-963-3333, or by email at missions-support@un.int. The list of speakers will be determined by the order in which requests are received. Delegations are kindly requested to limit their statements to four minutes. The presidency would welcome the use of joint statements, where appropriate, as a means of improving focus and interactivity during the open debate.

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

(Signed) Barbara Woodward



Annex to the letter dated 5 April 2022 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Concept note for the Security Council open debate on the theme “Conflict-related sexual violence: accountability as prevention – ending cycles of sexual violence in conflict”, to be held on 13 April 2022, at 10 a.m.

Objective

1. In Security Council resolution [1820 \(2008\)](#), conflict-related sexual violence was first established as a self-standing security issue over a decade ago. Despite the robust resolutions, conventions and treaties that have followed, sexual violence continues to occur in many conflicts across the world, with almost total impunity. The annual open debate provides an opportunity to ask what more we can do to reduce conflict-related sexual violence and deliver justice and accountability for survivors in fragile, conflict and post-conflict settings. In particular, the debate will focus on strengthening accountability and addressing the culture of impunity around these crimes as a means of delivering justice for survivors, holding implicated individuals, States and non-State actors to account and preventing future violence. The debate will consider gaps in the delivery of justice and assistance to survivors, as well as ways to reinforce the international architecture.

Background

Global challenge: country contexts

2. Conflict-related sexual violence is rife in areas suffering from conflict and humanitarian crises. There are multiple country contexts globally where these crimes are a daily occurrence, including Afghanistan, the Democratic Republic of the Congo, Ethiopia, Iraq, South Sudan, the Syrian Arab Republic, Ukraine and elsewhere.

3. In the Syrian Arab Republic, conflict-related sexual violence continues to be reported in regime prisons and detention settings. However, stigmatization, reprisals and the fear of “honour killings” contribute to the severe underreporting of these crimes. The protracted crisis has led to a shift towards harmful social norms such as early and forced marriage. In the decade-long Syrian conflict, there was a first conviction for conflict-related sexual violence offences in January 2022. A court in Koblenz, Germany, reached a landmark ruling under universal jurisdiction in which a former high-ranking security service officer of the regime, Anwar Raslan, was charged with 58 murders, as well as rape, sexual assault and the torture of at least 4,000 people in the Syrian Arab Republic between 2011 and 2012. The indictment was amended to include – for the first time – charges of sexual violence as crimes against humanity committed as part of a widespread or systematic attack, for which Mr. Raslan was ultimately convicted.

4. In the conflict in northern Ethiopia, serious human rights abuses and violations of international humanitarian law have been documented, including ethnically targeted sexual violence against women and girls. A lack of humanitarian access to Tigray has prevented survivors from receiving life-saving services, including health care and psychosocial support. To compound the situation, there have also been reports of sexual exploitation and abuse owing to the scarcity of cash, fuel and other

essential items. The Government of Ethiopia has established an Inter-Ministerial Task Force, with a subcommittee focusing on sexual and gender-based violence and an investigation and prosecution team to deploy to concerned regions to gather evidence.

Reality and impact of conflict-related sexual violence

5. In conflict and post-conflict settings, sexual violence continues to be used as a tactic of war, torture, terror and political repression, inflicting devastating suffering on survivors and their families. Survivors are at risk of further brutality and abuse, including displacement and human trafficking. Many survivors experience negative, long-term consequences and post-traumatic stress, and are distinctly vulnerable to discrimination and social stigmatization.

6. Gender inequality persists as both a root cause of sexual violence and an obstacle to effective prevention and response efforts. Critical support and services are often inaccessible in conflict settings, leaving survivors without medical care or psychosocial support. Even when services are available, survivors may be afraid to seek them out due to shame or a fear of being ostracized by their communities. Fear of reprisals may make it impossible for survivors to escape their attackers. The spike in sexual and gender-based violence during the coronavirus disease (COVID-19) pandemic has coincided with limited access to health and psychosocial care and limited redress options for survivors. The full magnitude of this already chronically underreported crime is unknown.

International frameworks

7. States bear the primary responsibility for preventing and addressing sexual violence and should comply with international law and the normative framework of the Security Council on conflict-related sexual violence.

8. The Security Council has adopted resolutions [1820 \(2008\)](#), [1888 \(2009\)](#), [1960 \(2010\)](#), [2106 \(2013\)](#), [2122 \(2013\)](#), [2242 \(2015\)](#), [2331 \(2016\)](#) and [2467 \(2019\)](#), in which it has condemned all acts of sexual and other forms of violence committed against civilians, in particular women and children, in armed conflicts. The effectiveness of these resolutions, however, depends on the level of compliance by State and non-State actors. The Council has enabled significant political and operational progress by demanding compliance and giving a mandate to the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict to support efforts to bolster rule of law institutions and improve redress for survivors.

9. However, every new wave of warfare brings with it new risks of conflict-related sexual violence. The current environment provides an opportunity for us to consider the extent to which Security Council resolutions based on international humanitarian law, international criminal law and international human rights law – and the accountability mechanisms linked to them – are effective and how we can work collectively to reinforce and sustainably support the international architecture that has been established since 2009.

Pathways to justice and accountability

10. Access to justice and accountability for survivors is an essential element of a multisectoral and holistic response to conflict-related sexual violence, and access to legal redress is a key component of international humanitarian law, international criminal law and international human rights law. However, barriers to investigation and prosecution remain, including physically inaccessible police stations and courts, the prohibitive costs of legal representation, fears of backlash and insufficient knowledge

of one's rights.¹ Persistent barriers make it difficult to convert cultures of impunity into cultures of accountability. Survivors may also prefer other forms of accountability, such as human rights investigations or truth and reconciliation processes.

11. Accountability mechanisms can serve as a strong deterrent to future violence and should be established early and operate in a transparent manner. In many conflict settings, pathways to justice require capacity-building with key national-level actors. Holding perpetrators – whether they are individuals or State or non-State actors – to account is essential to building inclusive democracies and fostering trust in national institutions. Renewed support by national, regional and international actors will therefore be fundamental to tackling conflict-related sexual violence and sustaining accountability efforts.

Survivor-centred approach

12. The human rights of survivors must be at the heart of all responses. Core standards exist for the safe and effective documentation and recording of survivors' experiences, while respecting their rights regarding dignity, privacy, health and justice. Although the majority of conflict-related sexual violence is perpetrated against women and girls, it is also targeted at men, boys and people with diverse sexual orientation, gender identity or expression, and sex characteristics. Survivors have different needs, perspectives and identities and may face complex and intersecting forms of discrimination.

13. In its resolution [2467 \(2019\)](#), the Security Council recognized the need for a survivor-centred approach in preventing and responding to sexual violence in conflict and post-conflict situations, including with regard to access to medical and psychosocial care. The Council also acknowledged that accountability for sexual violence required the provision of legal recourse for survivors, fully acknowledging their need for rehabilitation, justice and reintegration.

Key challenges

14. Substantial gaps remain in the areas of prevention, accountability, compliance and reparations. In his reports on conflict-related sexual violence, the Secretary-General has pointed out the extremely low levels of compliance by parties to conflict ([S/2021/312](#) and [S/2022/272](#)). Prevention efforts, accountability measures and protective legal frameworks are important signifiers of compliance with Security Council resolutions. Despite the international community's repeated calls for parties to conflict to comply, the measures prescribed are inadequately respected, implemented and enforced.

15. Another critical challenge is the protection of survivors and witnesses from reprisals. Many individuals who promote accountability or report these crimes to the world are also targeted for their work. Without a firm commitment to ensuring the safe documentation of their testimonies and protection from intimidation and reprisals, justice for survivors is an empty promise.

Guiding questions

16. Participants are encouraged to consider the following questions:

(a) How can we strengthen political will at the national, regional and international levels in order to address challenges to the prevention of conflict-related

¹ Inter-Agency Standing Committee, The Inter-Agency Minimum Standards on Gender-Based Violence in Emergencies Programming (United Nations Population Fund, 2019). Available at www.unfpa.org/minimum-standards.

sexual violence? How can we best leverage existing legal frameworks and United Nations mechanisms, including sanctions regimes?

(b) How can we hold States accountable for perpetrating conflict-related sexual violence or allowing it to happen? How can we also ensure accountability for non-State actors implicated in committing, commanding or condoning conflict-related sexual violence?

(c) How can we bolster accountability efforts and increase compliance with international legal frameworks, including through training and gender-responsive security sector reform?

(d) How can the international community better identify and mitigate the risks of conflict-related sexual violence and improve systems for early warning and early response, including in periods of political instability, rising violent extremism, forced displacement and escalating armed conflict?

(e) How can we strengthen respect for survivors' rights and promote improved access to care, rehabilitation, reparations and support for reintegration? What more can we do to empower survivors?

Format and briefers

17. The open debate will be chaired by Lord Tariq Ahmad of Wimbledon, the Prime Minister's Special Representative on Preventing Sexual Violence in Conflict and Minister of State for the United Kingdom.

18. The following speakers will brief the Security Council:

- The Special Representative of the Secretary-General on Sexual Violence in Conflict
- Nobel Peace Prize laureate and Goodwill Ambassador for the United Nations Office on Drugs and Crime, Nadia Murad
- Civil society representative, to be confirmed.