

Women, Peace and Security

United Nations Security Council Resolution 1820 (2008) Addresses Sexual Violence as Threat to International Peace and Security; Complements Resolution 1325

On 19 June 2008, the Security Council held an open debate on “Women, Peace and Security: Sexual Violence in Situations of Armed Conflict,” and unanimously adopted the ground-breaking resolution 1820, which recognizes that the use of sexual violence as a tactic of warfare is a matter of international peace and security.

Resolution 1820 states that widespread and systematic sexual violence can exacerbate armed conflict, can pose a threat to the restoration of international peace and security and has an impact on durable peace, reconciliation and development. Sexual violence not only causes grave physical, psychological and health problems for its victims, but also has direct social consequences for communities and entire societies. Furthermore, despite increasing awareness in recent years of violence against women and children in armed conflict, the problem has become systematic and widespread in some situations, reaching appalling levels of brutality.

“Violence against women has reached unspeakable and pandemic proportions in some societies attempting to recover from conflict,” Secretary-General Ban Ki-moon said at the beginning of the Council’s debate. “Sexual violence poses a grave threat to women’s security in fragile post-conflict countries and undermines efforts to cement peace.” [...]

The resolution reaffirms the political commitment of the Security Council to protect women and girls from sexual violence in conflict by demanding the “immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians.” It calls on all parties to armed conflict to “immediately take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence” and notes that “rape and other forms of sexual violence can constitute war crimes, crimes against humanity or a constitutive act with respect to genocide. Resolution 1820 also affirms the Security Council’s intention to consider targeted sanctions against perpetrators.

Through this landmark resolution, the Council reinforces and complements its resolution 1325 (2000) on Women, Peace and Security, which urged all actors to increase the participation of women and incorporate a gender perspective in all United Nations peace and security efforts. It also called on all parties to conflict to take special measures to protect women and girls from gender-based violence in situations of armed conflict. Resolution 1325 played an invaluable part in raising understanding that sexual violence in conflict is not just a gender issue, but a security concern.

Implementation

Stressing that successfully combating this “silent war against women and girls” requires strong leadership, comprehensive strategies and the involvement of a wide range of actors, from the UN and national governments to non-governmental organizations (NGOs) and the victims themselves, the Secretary-General has emphasized some key implementation measures, including:

- intensifying and broadening awareness-raising and strengthening institutional capacities through pre-deployment and in-mission training for national military and police forces;
- close monitoring of the human rights situation in specific countries;
- bringing perpetrators of sexual violence to justice through prosecution.

Resolution 1820 urges Member States and the UN system to strengthen their efforts in developing effective mechanisms for providing protection against sexual violence, facilitating the equal and full participation of women at decision-making levels, and in capacity-building and training. On the country level, states will have to establish specific sanctions regimes and must consider imposing “targeted and graduated” measures against warring factions who commit rape and other forms of violence against women and girls. Member States are also urged to deploy female military personnel, including, where required, personnel with expertise in dealing with sexual violence.

The resolution requests the Secretary-General to continue and strengthen efforts to implement the policy of zero-tolerance against sexual exploitation by UN personnel and urges troop and police contributing countries to ensure full accountability in cases of misconduct by their personnel. It also requests the development and implementation of appropriate training programs for all peacekeeping and humanitarian personnel deployed by the United Nations to help them better prevent, recognize and respond to sexual violence and other forms of violence against civilians.

Resolution 1820 states that the Security Council stands ready to adopt appropriate steps to address widespread or systematic sexual violence. This statement holds particular relevance for the work of the Department of Peacekeeping Operations (DPKO), which will take the lead in supporting implementation of the resolution in countries where UN peacekeepers are deployed, and at Headquarters, chairing an inter-agency task force on implementation of 1820 and preparing the report to the Secretary-General in June 2009.

The Report will cover implementation of resolution 1820 “in the context of situations which are on the agenda of the Security Council.”

That means primarily countries which host peace operations. Peacekeeping missions, in particular those with mandates to protect civilians, must now include protection of women and children from all forms of violence in their reporting on conflict situations.

Currently, eight UN peacekeeping missions are authorized by the Security Council to protect civilians under imminent threat of physical violence: United Nations Mission in the Central African Republic and Chad (MINURCAT), United Nations Stabilization Mission in Haiti (MINUSTAH), United Nations Mission in the Democratic Republic of Congo (MONUC), African Union/United Nations Hybrid operation in Darfur (UNAMID), United Nations Interim Force in Lebanon (UNIFIL), United Nations Mission in Liberia (UNMIL), United Nations Mission in Sudan (UNMIS) and United Nations Operation in Côte d'Ivoire (UNOCI).

The implementation of resolution 1820 in the peacekeeping context will require the development of appropriate guidance and training resources, as well as continued engagement and partnership with troop and police contributing countries to facilitate increased deployment of female uniformed personnel.

The Peacebuilding Commission (PBC) has also been asked to address sexual violence issues when it develops post-conflict strategies.

The Security Council has requested the Secretary-General to submit a report on implementation of resolution 1820 in June 2009. DPKO is already leading efforts to better define effective implementation and to produce a report that is action-oriented, rather than further outlining the problem.

Sexual and Gender-Based Violence – International Framework

All major UN bodies have taken action to address sexual violence related to conflict.

The following are key milestones in international human rights law, humanitarian and refugee law, including universal non-treaty standards specific to women:

- The 1949 Fourth Geneva Convention on the Protection of Civilian Persons in Time of War states: “Women shall be especially protected against any attack on their honor, in particular against rape, enforced prostitution, or any other form of indecent assault.”

- The 1974 Declaration on the Protection of Women and Children in Emergency and Armed Conflict, adopted by the General Assembly, was the first recognition within the UN system of the need to address the specific threats to women in armed conflict.
- In the 1977 Second Geneva Protocol, rape was specifically mentioned along with “enforced prostitution and indecent assault” as prohibited acts.
- The 1993 General Assembly Declaration on the elimination of violence against women condemns all violence against women including sexual violence.
- In 1994, the United Nations Commission on Human Rights (UNCHR) appointed a Special Rapporteur on violence against women, who seeks and receives information on violence against women, its causes and consequences and recommends measures, ways and means for its elimination.
- The 1995 Beijing Declaration and Platform for Action following the Fourth World Conference on Women recognized that violence against women including rape, sexual slavery and forced pregnancy, is an obstacle to equality, development and peace.
- The 1998 Rome Statute of the International Criminal Court categorizes systematic rape as a war crime and a crime against humanity and, in certain circumstances, even as an act of genocide. In 1993 and 1994, rape and sexual violence were specifically codified for the first time as a recognizable and independent crime within the statutes of the International Criminal Tribunals for the Former Yugoslavia (ICTY) and for Rwanda (ICTR). These two historic international instruments are now the foundation upon which crimes of rape and sexual violence are punished.
- In 2000, the Security Council adopted landmark resolution 1325, the first resolution ever passed by the Security Council that specifically addresses the impact of war on women, and women’s contributions to conflict resolution and sustainable peace.
- In 2002, the Secretary-General reported on the issue of women, peace and security in a study on the impact of armed conflict on women and girls, the role of women in peacebuilding and the gender dimensions of peace processes and conflict resolution. The study includes recommendations for concrete action to ensure greater attention to gender perspectives in all these areas of work.
- In July 2005, the Security Council made security for children a matter of international peace and security by adopting resolution 1612, which identifies six serious violations against the rights of young people living in conflict situations. Rape and other grave sexual abuse of children constitute important elements of this list. The emphasis of resolution 1612 is on monitoring, reporting and sanctioning of rights violators.
- In 2006, the Secretary-General submitted to the General Assembly an in-depth study on all forms of violence against women (A/61/122/Add.1) mandated by General Assembly resolution 58/185.
- Responding to calls from women’s groups, rape survivors and NGOs, UN entities united in April 2007 to form the first system-wide group within the Organization UN Action against Sexual Violence in Conflict. So far, 12 UN entities are members. The initiative brings together experts on issues like peacekeeping, development, HIV/AIDS, reproductive health, human rights, humanitarian relief and gender concerns to help stop rape and other sexual crimes in conflict-torn countries.
- Security Council resolution 1794 of December 2007 requests the UN peacekeeping mission in Democratic Republic of the Congo (MONUC) to pursue a strategy to prevent and respond to sexual violence.
- In February 2008 the General Assembly adopted resolution 62/134 on “Eliminating rape and other forms of sexual violence in all their manifestations, including in conflict and related situations.” This resolution urges all Member States to take special measures to eliminate rape and other forms of sexual violence in conflict situations.
- In March 2008, the Secretary-General launched a multi-year global campaign to end violence against women, including sexual violence in armed conflict. “Achieving this requires national

authorities to take the lead in developing and carrying out a comprehensive strategy to address the causes, kinds and consequences of sexual and gender-based violence in conflict," he said.

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