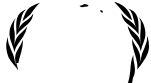


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by her predecessor, namely to address impunity, empower war-affected women so that they seek redress and realize their rights, strengthen the political will to comprehensively address sexual violence, harmonize and scale up the international response and enhance understanding of sexual violence as a tactic and consequence of war. As an additional priority, my Special Representative will emphasize the need to foster national ownership, leadership and responsibility in addressing sexual violence.

4. In 2012, United Nations Action supported the roll-out of scenario-based training for peacekeepers to improve their operational readiness to recognize and react swiftly to sexual violence, and piloted new early-warning indicators to enhance prevention. United Nations Action also supported the implementation of joint Government-United Nations comprehensive strategies to combat sexual violence in relevant settings. United Nations Action has produced a number of tools to assist national capacity-building efforts, including a study on strengthening the prevention of conflict-related sexual violence with non-State armed groups and policy briefs on responding to the psychosocial and mental health needs of survivors of sexual violence in conflict-affected settings. To bolster the United Nations system's capacity on the ground, United Nations Action has committed catalytic funding for women's protection advisers in key settings. These activities are supported by voluntary contributions to the United Nations Action multi-partner trust fund, which serves to incentivize cooperation across United Nations system entities on sexual violence in conflict. I urge donors to continue to support this important fund.

II. Current and emerging concerns regarding sexual violence as it relates to international peace and security

5. The term "sexual violence" refers to rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization and any other form of sexual violence of comparable gravity perpetrated against women, men or children with a direct or indirect (temporal, geographical or causal) link to a conflict. This link to conflict may be evident in the profile and motivations of the perpetrator, the profile of the victim, the climate of impunity or State collapse, any cross-border dimensions or violations of the terms of a ceasefire agreement.

6. The country sections of the present report highlight several emerging concerns, including the perpetration of sexual violence against men and boys, the plight of children born as a result of rape and the practice of forced marriages by armed groups. Attention is also drawn to the nexus between sexual violence and the illicit extraction of natural resources, the displacement of civilian populations and the inadequacy of disarmament, demobilization and reintegration and security sector reform efforts.

7. The experiences in the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo and South Sudan highlight the correlation between sexual violence and flawed disarmament, demobilization and reintegration and security sector reform programmes. For example, incidents of sexual violence have occurred where improperly vetted or trained security forces or ex-combatants have been redeployed or cantoned in proximity to civilian centres. There have been instances of armed groups deserting the national army and perpetrating sexual violence following failed integration initiatives. The exclusion of certain armed

groups from disarmament, demobilization and reintegration and security sector

psychological and socioeconomic consequences. Greater information and research is required for response initiatives. There is also an accountability gap when it comes to children born as a result of rape, as punishment against or redress by the perpetrator rarely includes reparations for the women who were victimized or the children who were born as a result of rape. Girls and women lack access to services that would allow them to safely terminate a pregnancy and are often forced to either carry out unwanted pregnancies resulting from rape or undergo dangerous abortions. Therefore, access to safe emergency contraception and services for the termination of pregnancies resulting from rape should be an integral component of any multisectoral response.

related charges. Such violence is allegedly committed during interrogations to elicit a confession, obtain information or secure the collaboration of detainees.

18. There has been some progress in the implementation of the law on the elimination of violence against women and in the number of prosecutions of indicted sexual violence offenders compared to 2011. Under the auspices of the Ministry of Women's Affairs, a network of centres for the protection of women has been established in 19 of the 34 provinces of Afghanistan to ensure access to health,

groups, non-governmental organizations and survivors of sexual violence in Bangui, Bria and Paoua. Severe capacity and security constraints have hampered monitoring and reporting efforts and prosecutions. There is also an acute lack of essential health and psychosocial services for survivors.

23. On 12 December, the Government of the Central African Republic and the United Nations signed two communiqués to strengthen cooperation in areas critical for the prevention of sexual violence and the provision of services for survivors (see S/2013/8, annexes). The Government made commitments on the timely investigation and prosecution of sexual violence crimes, among other issues. The

28. During the visit to Colombia conducted in May 2012 by my former Special Representative, the Vice-President of Colombia, Angelino Garzón, on behalf of the Government, committed to identifying st

34. During the reporting period, an alarming pattern of sexual violence was observed in the west of the country, in particular in Duékoué, where armed men attacked civilians, especially women and girls, at checkpoints, during patrols and

Democratic Republic of the Congo

39. The deteriorating security situation in the conflict-affected provinces of Orientale, North Kivu and South Kivu since the beginning of 2012, concomitant with the emergence of new armed groups, including the Mouvement du 23 mars (M23), and the resurgence of activities of armed groups such as the Forces Démocratiques de Libération du Rwanda (FDLR), Raïa Mutomboki and Mai-Mai Lumumba,² resulted in several documented incidents of sexual violence and the displacement of over 500,000 people in North Kivu. Acts of sexual violence, as well as other human rights violations, mainly occurred during attacks on villages. Two major patterns were observed: in the first, armed groups systematically targeted civilians to control areas rich in natural resources (as exemplified by the attacks in Epulu by Mai-Mai Morgan); and, in the second, armed groups and elements of the Forces armées de la République démocratique du Congo (FARDC) retaliated against communities, often on the basis of the real or perceived ethnicity of the survivors, for supposed political and economic gain (such as in the Masisi incident of August 2012).

40. Between December 2011 and November 2012, the United Nations documented that 764 people had become victims of sexual violence in conflict; 280 of them were children. Of the total, 242 were registered in Orientale Province, 278 in North Kivu and 244 in South Kivu. Approximately 50 per cent of documented cases were attributed to FARDC elements (345 victims, including 137 children) and the Police nationale congolaise (30 victims, including 20 children); 15 cases, including 1 child, were attributed to the Agence nationale de renseignements. The remaining 374 cases were attributed to FDLR (103 victims, including 19 children); Mai-Mai Lumumba (138 victims, including 42 children); the Forces de résistance patriotiques de l'Ituri (20 victims, including 10 children); the Forces de défense congolaises (FDC) (16 victims); M23 (20 victims, including 10 children); Raïa Mutomboki (28 victims, including 23 children); and other armed groups (46 victims, including 23 children), including the Allied Democratic Forces in coalition with the National Army for the Liberation of Uganda; LRA; the Nyatura armed group and various Mai-Mai militias.

41. On 24 and 25 June 2012, at least 28 women and 23 girls were reportedly raped during two attacks on the Okapi Wildlife Reserve of Epulu in Mambasa territory (Ituri district) by approximately 100 Mai-Mai Morgan elements.³ The United Nations Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) also received allegations of several women and girls being abducted in Epulu during the same incident and used as sex slaves by the armed group. The attacks were part of a strategy by Mai-Mai Lumumba and Mai-Mai Morgan to terrorize and control mineral resources in the gold-rich Okapi Reserve. Efforts were made to provide survivors with access to health and psychosocial support services in the Mambasa, Mandima and Ninia health zones. Also in Orientale Province, in early November, at least 66 women and 4 children were reportedly raped by Mai-Mai Simba/Lumumba combatants in Mambasa territory. The victims were reportedly targeted during attacks on villages for their perceived collaboration with FARDC

² Mai-Mai Lumumba is composed of Mai-Mai Simba, FARDC deserters under the command of Col. Kahasha and then Major Luc, and poachers under the command of Paul Sadala, alias "Morgan", a poacher operating in North Kivu and Orientale provinces.

³ In March 2012, Morgan's poachers became allied with Mai-Mai Simba, under the command of Kasambaza.

51. A total of 211 cases of sexual violence (including rape, sexual slavery, forced marriage, torture and sexual violence in places of detention, gang rape, abduction and sexual violence during house-to-house operations or at checkpoints) have been reported since January 2012. The majority of women and girls refused to report for fear of retribution and banishment by their spouses and the community. Owing to reports of grave violations in the north, the Human Rights Council mandated the deployment of a United Nations human rights assessment mission to Mali in November 2012 (see A/HRC/22/33).

52. In rebel-controlled zones, rape was used as a tactic of war, contributing to mass displacement from the regions of Gao, Tombouctou and part of Mopti. Reports by survivors displaced from these regions indicate a pattern of women and girls being abducted and raped, including gang-raped, by rebels. The practice of “requisition” consists of abducting women and girls from a district to spend the night in camps. Each night, a different district is required to provide a certain number of women and girls to the rebels. The nature of the attacks and the fact that they were committed in rebel bases and camps, suggest that these acts were condoned by commanders. From 31 March to 15 April 2012, 50 women and girls from nine districts in Gao and Gabero were the targets of sexual violence. Survivors identified perpetrators as light-skinned men, some of whom drove vehicles displaying the MNLA flag. In Menaka, a city under MNLA control, it is estimated that one in five girls and one in six women have been raped. In September 2012 alone, 21 cases of rape were recorded; in these cases too the victims identified light-skinned men as the perpetrators. Two cases of rape by MNLA rebels are known to have resulted in pregnancies.

53. Women and girls from the Bella community were particularly targeted by the rebel groups. The Bella people are historically considered to be slaves of the Tuaregs. The practice of slavery, including sexual slavery, of the Bella people is said to continue in northern Mali, despite being banned by the Government.

54. Cases of women and girls being forced to marry members of Islamist rebel groups, in particular the Ansar Dine, AQIM and MUJAO, were reported in all regions under their control. Parents were threatened into handing over their daughters for marriage to members of these groups, marriages that resulted in rape, sexual slavery and, in some instances, death. These women and girls are often married and then raped repeatedly by several men in rebel camps. These groups have also beaten, flogged and punished women for engaging in behaviour decreed as forbidden under their interpretation of sharia law.

55. Multiple cases of sexual violence were reported during the attempted coup carried out on 30 April 2012 by Mali’s parachutist regiment, known as the “red berets”, which is loyal to deposed President Amadou Toumani Touré, against members of the “green berets”, who are loyal to the putchists led by Captain Amadou Sanogo. Corroborated reports indicate that, in reprisal, members of the “green berets” allegedly committed dozens of rapes against the spouses and daughters of the “red berets” from the Djicoroni-Para battalion. These cases have not yet been investigated by the Government. Furthermore, “red berets” detained in Kati camp were allegedly forced to rape each other by elements of the “green berets” supervising the cells.

56. In northern Mali, humanitarian assistance and services for survivors of sexual violence have been limited to urban centres and their periphery. In the months

following the crisis, the United Nations supported the Government and national partners in Koulikoro, Bamako, Segou and Mopti regions, among others. Four centres offering psychosocial and legal services to survivors of sexual violence were created or reinforced. However, only a few survivors are able to access these services owing to insecurity, the control of hospitals by armed men, the lack of trained personnel, the high cost of services, a weak State presence and fear of retribution. Prevention and sensitization messages against sexual violence have been aired on public and private media outlets, and disseminated.

57. The Government has taken several measures, including issuing communiqués condemning sexual violence. The national authorities have also referred the situation in Mali to the International Criminal Court. On 12 October, the Minister of Justice issued an administrative circular to the judicial authorities mandating them to prioritize prosecutions for crimes of sexual violence committed in the context of the conflict. Furthermore, a joint programme is being implemented by the Ministry of Defence, with United Nations support, to build the capacity of the security forces and former combatants to prevent and protect women and girls from sexual violence.

Myanmar

58. Following decades of conflict in the border areas, the peace process in Myanmar has moved forward and a number of ceasefire agreements have been signed between the Government and armed groups. In Kachin State, allegations of sexual violence, including rape committed by Government forces, remain a concern. Large numbers of people remain displaced along the south-eastern and eastern borders. The communal conflicts that occurred in Rakhine State in June and October 2012 also resulted in mass displacement. In these contexts, allegations of sexual violence against women and girls were received but have not been independently verified as the Government has not allowed access to these areas. In Rakhine State, the situation is further complicated by limitations imposed by local communities impeding United Nations humanitarian operations and the provision of assistance to survivors. Lack of access to all conflict-affected areas is an issue that has been raised repeatedly with the Government by senior representatives of the United Nations. In February 2013, the Government assured that it would once again give the United Nations and international agencies access for the provision of humanitarian assistance in Kachin State.

59. The particular case of Sumlut Roi Ja, who was allegedly abducted and gang-raped by military personnel in Kachin State in October 2011, remains of concern. My former Special Representative requested the Government to investigate the case and urged for Sumlut Roi Ja and the three other women also allegedly being held to be released and for the perpetrators to be held accountable. The Government denied receiving any complaints from the women's family but instructed the relevant authorities to undertake a thorough investigation and take action against those found to have committed the crime. On 26 January 2012, a writ of habeas corpus submitted by the victim's husband to the Supreme Court was rejected on the grounds of insufficient evidence.

60. The absence of United Nations and partner organizations in the areas of concern hinders efforts to monitor and report incidents of sexual violence and provide services to survivors. I reiterate the call on the Government to allow access to all conflict-affected areas, uphold a principle of no amnesty for sexual violence

crimes and create an environment in which issues of sexual violence can be addressed through research, advocacy, policy dialogue and national capacity-building.

Somalia

61. Despite recent political progress and security gains in Somalia, decades of conflict, widespread violence and insecurity, compounded by drought and massive displacement, have made women and

against militia members and the remaining against members of the Somali National Army). Nine of the cases are pending; three have resulted in the acquittal of the defendant and one in a death sentence.

66. The United Nations and partners have been able to establish referral systems for basic psychosocial support and health services in some areas. However, quality standards are low and access to health services in rural areas in Somalia is extremely limited.

67. The task force on sexual violence announced by the Prime Minister of the former Transitional Federal Government in December 2011 was established but has never met. I urge national authorities to get this mechanism under way with a view to addressing the problem in a comprehensive manner.

68. The trial and sentencing on 5 February 2013 of a woman who alleged being raped by members of the security forces and the journalist who interviewed her raises serious concerns about the targeting of those who report such crimes and sends the wrong signal to perpetrators of sexual violence. I urge the Government to fully investigate allegations of sexual violence and hold those responsible to account.

South Sudan

69. During the reporting period, many incidents of sexual violence took place in South Sudan in the context of the intercommunal violence that broke out in Jonglei State and the civilian disarmament process that followed it. It is estimated that, in December 2011, between 6,000 and 8,000 armed youth, primarily from the Lou Nuer ethnic group, systematically launched a series of attacks over 12 days on areas inhabited by the Murle ethnic group. From 27 December 2011 to 4 February 2012, small groups of armed Murle youth launched retaliatory attacks on Lou Nuer and Bor Dinka areas. Hundreds of people were killed or injured, tens of thousands were displaced and women and children were abducted by both groups, with sexual violence often occurring. The abduction of women as a way to acquire a wife without paying a bride price has been a trigger for violence in Jonglei State. Women and children are sold at prices equivalent to cattle. Abductions lead to forced marriage or assignment to a captor, amounting to rape and sexual slavery. Of the 110 children who were reunited with their families and communities with United Nations support, 21 girls aged 14-17 reported having been taken as wives by their abductors.

70. To address the intercommunal violence, in March 2012 the Government launched a civilian disarmament campaign in Jonglei State. Although largely peaceful, incidents of sexual violence were reported as a result of the presence of approximately 15,000 additional Sudan People's Liberation Army (SPLA) soldiers and 5,000 South Sudan Police Service Auxiliary Forces. A total of 14 rapes and 8 attempted rapes were documented between mid-March and mid-August 2012 in Jonglei State, of which 12 were in Pibor County. Six of the victims were girls under the age of 18. SPLA soldiers were allegedly responsible in all the cases. The South Sudanese authorities arrested and convicted seven SPLA soldiers for the rapes in Pibor and Bor counties.

71. The launch, on 1 November 2012, of the national gender policy strategic framework by the Ministry of Gender, Child and Social Welfare represents a positive development. Training for newly appointed senior SPLA national monitors

has been conducted and a special protection unit was established in the social welfare directorate of the South Sudan National Police Service. Over 200 community health workers have been trained on the management of rape cases.

Sudan (Darfur)

72. In the context of Darfur, sexual violence is reported to have occurred mainly against internally displaced women and girls living in and around camps. The armed clashes between the Sudanese Armed Forces and armed movements have regularly resulted in insecurity among the local populations, displacing people from their homes and villages and separating families. Insecurity is further exacerbated by the proliferation of small arms in camps for internally displaced persons, towns and villages. The United Nations observed that, in general, whenever armed clashes occurred between two or more groups, incidents of sexual violence were reported within a week or two of such attacks.

73. During the reporting period, 121 cases of sexual violence were reported to the African Union-United Nations Hybrid Operation in Darfur, of which 72 cases involving 99 victims (52 children, including 9 boys) were documented. The most-reported offences were: rape, including gang-rape; abduction for sexual purposes; sexual slavery and injuries/assaults related to sexual violence; and attempted rape. For the first time, two cases of sexual slavery were recorded: two children were abducted and kept in captivity by Arab militia members for three and eight years respectively in South Darfur, before escaping. In the 72 documented cases of sexual violence, 13 persons were abducted and subjected to sexual abuse. The lack of access to areas controlled by armed movements remains a concern as it hinders the ability of the United Nations to monitor and report on sexual violence in those areas.

74. In one indicative incident in August, the killing of the commissioner of Alwaha locality in Kutum, North Darfur State, triggered retaliatory attacks on the Kassab camp for internally displaced persons, resulting in over 30 cases of rape, of which 7 involving 10 victims (including 3 children) were verified by the United Nations.

75. Women and girls are particularly vulnerable during the cultivation and harvest season between June and November, when they spend more time outside their

and farms. Female United Nations police advisers were deployed to team sites. Also important are the community dialogue initiatives that were implemented in Darfur's four states, and the community-level protection mechanisms, such as

Conference on the Great Lakes Region. With United Nations support, the Government has also conducted capacity-building initiatives for national police and

reported being forced to strip and remain naked for prolonged periods or having received threats of rape against them and their female family members. Reports of women raped in detention centres in Al-Ladhiqiyah and Hamah (March 2012) and in Dar'a (May 2012) were also received. In all instances, the women were accused of supporting the anti-Government armed groups, being involved in protests or being related to those involved with the armed groups or in protests. The commission found that such acts were perpetrated as part of a widespread attack directed against a civilian population, pursuant to or in furtherance of an organizational policy. Further, the Committee against Torture, in its concluding observations on the Syrian Arab Republic, dated 29 June 2012, also expressed grave concern about the extensive reports of sexual violence committed by public officers, including against male detainees and children (see CAT/C/SYR/CO/1/Add.2, para. 20 (c)).

abuses, including by forcing young girls into marriage and, subsequently, into sexual slavery and exploitation. United Nations partners reported that up to 100 girls in Abyan have been forcibly married to leaders or members of the armed groups. A bride price reportedly as high as \$5,000 is paid to the girls' families, whose average monthly income is several thousand rial (\$20-25). In other cases, girls were offered as a token of appreciation by their brothers who had been allowed to join the armed groups. The majority of girls come from Yafe'a, Lawdar and Khanfar districts in Abyan. Many have been impregnated following their marriage. The girls and their families are reluctant to report the abuses for fear of reprisal by members of the armed groups still present in Abyan, among other reasons.

B. Sexual violence in post-conflict situations

92. In my previous report (A/66/657-S/2012/33, sect. IV), I outlined initiatives taken in a number of post-conflict settings to address the consequences of wartime sexual violence and the challenges faced in ensuring justice and effective remedies to survivors. The paragraphs below contain updates on those initiatives and additional relevant information.

Bosnia and Herzegovina

93. The Programme for Victims of Wartime Rape, Sexual Abuse and Torture in Bosnia and Herzegovina, which will ensure legal and psychological support to victims, strengthen the capacities of service providers, sensitize the general public and build partnerships between governmental and non-governmental sectors, will be submitted to the Council of Ministers for adoption in 2013. Bosnia and Herzegovina will for the first time have a programme that foresees a more coherent and efficient service provision based on a partnership between the governmental and non-governmental sectors. However, gaps remain, including in the legal framework, which has not adequately dealt with legal aid or reparations for victims of conflict-related sexual violence.

94. In line with the letter dated February 2012 from my former Special Representative to former Chairman of the Presidency of Bosnia and Herzegovina Željko Komšić, I urge the Government to fast-track the prosecution of perpetrators of sexual violence, to enact legislation to ensure access to services and reparations for all victims, and to appoint a senior adviser to support victims throughout the legal process.

Liberia

95. Under the framework of the joint programme of the Government of Liberia and the United Nations on prevention responses to sexual and gender-based violence, efforts have been made to improve institutional structures for addressing such violence. This includes efforts to improve police mobility, investigation and reporting, as well as the establishment of an endowment fund to support survivors. Religious leaders, in collaboration with the Inter-Religious Council of Liberia, have signed a code of conduct to protect women and children in their communities. Traditional leaders have also committed to preventing other forms of sexual violence.

96. Critical impediments remain, however, including with regard to access for survivors to the formal justice system. Given that a majority of reported sexual

violence cases are perpetrated against children under 12, I urge the Government, inter alia, to introduce special procedures and build the capacity of justice and security sector actors to deal with children as victims and witnesses.

Libya

97. Since the end of the conflict in Libya in October 2011, the Government has made few tangible commitments to address the problem of conflict-related sexual violence. With the exception of the pending trial of former Prime Minister Al-Baghdadi al-Mahmoudi, whose charges reportedly include crimes of mass rape in Zuara during the conflict, the Government has not initiated investigations or new legislation, policies, programmes or services for survivors. There is a near-total absence of services, which remains a key factor in survivors not coming forward. The Ministry of Social Affairs has acknowledged the need to provide such services but requires support in this regard.

98. The United Nations also remains concerned about acts of revenge carried out against those accused of perpetrating acts of sexual violence during the conflict. Many men from Tawergha were arrested on allegations that they were involved in rape, allegedly by order of authorities in Misrata. In some cases, they were allegedly tortured or suffered other forms of mistreatment to obtain confessions. These cases have not been reviewed by any judicial authorities and the men remain in arbitrary detention.

99. I urge the Government to foster public awareness and dialogue and to develop a comprehensive strategy to address sexual violence. I also urge national authorities to ensure that the February 2012 law on transitional justice establishing a fact-finding and reconciliation commission will address conflict-related sexual violence in its mandate, including with regard to reparations for victims.

Nepal

100. The completion of a number of important transitional commitments, including the integration of Maoist combatants into the Nepalese army is commended. However, I remain concerned about accountability and redress for survivors of wartime sexual violence. The promotion to senior ranks of members of security forces accused of involvement in human rights violations, including sexual violence, such as Col. Raju Basnet (commander in 2003 of the Bhairabnath Battalion), is also of concern. The Government has clarified that no allegation has been filed against any high-level security officials, including Col. Basnet, on offences related to sexual violence in any competent authority in Nepal.

101. The establishment of a truth and reconciliation commission has been delayed. Furthermore, it is notable that the Government policies aimed at providing interim relief to victims of conflict excluded victims of sexual violence. I urge national authorities to address these issues as a matter of priority.

Sierra Leone

102. The passage on 23 August 2012 of the Sexual Offences Law, which introduces stiff minimum sentences for perpetrators of sexual violence, is a significant step forward in terms of addressing impunity. The Ministry of Social Welfare, Gender and Children's Affairs launched two policy documents on 19 November to strengthen

multisectoral support: the National Action Plan on Gender-based Violence and the National Referral Protocol for Victims of Gender-based Violence. There has also been engagement with traditional leaders to form community support groups for sexual violence survivors, as well as a memorandum of understanding signed between paramount chiefs and Government child welfare committees to prevent and respond to violations against children, including sexual violence. In partial fulfilment of the recommendations of the Truth and Reconciliation Commission of Sierra Leone, there have been some reparations for sexual violence victims during the civil war. However, a key challenge remains the practical implementation of policies and the dedication of sufficient resources for a comprehensive response.

Sri Lanka

103. The Government has acknowledged that people living in conflict-affected areas, particularly widows and other female heads of household and children, are more vulnerable to sexual violence given the long-term damage to their social protective fabric. The Government has established special women's protection units at police stations (staffed with women police officers) and women's centres in camps for internally displaced persons to provide counselling services. There are also help desks for dealing with incidents of sexual and gender-based violence located in hospitals in districts directly affected by conflict. In addition, the Government stated that of the 375 incidents of sexual violence that were reported during the conflict and post-conflict period (January 2007-May 2012) only 11 were attributed to members of the security forces, against whom legal action has been taken. However, the United Nations and other agencies working in post-war areas remain concerned about accountability for sexual violence crimes; incidents of sexual harassment and abuse against women and girls; a military presence; and limited national protection mechanisms, including few women's shelters and counselling facilities. The Government is taking steps to address these issues.

104. The National Action Plan for the Promotion and Protection of Human Rights includes a section on addressing sexual violence. I look forward to the Government expediting the implementation of the National Action Plan, particularly in conflict-affected areas, and urge the Government to address the fact that the action plan that was launched in August 2012 to respond to the report of the Commission of Inquiry on Lessons Learnt and Reconciliation includes no action directly providing redress for those affected by sexual violence during the war.

Timor-Leste

105. In February 2012, the National Parliament commenced the final reading of the law for establishing a framework for a reparations programme for victims of past human rights violations, including rape and sexual slavery, and the associated draft law for creating a memory institute. I urge national authorities to enact the law, which would provide the first comprehensive form of redress for survivors of sexual violence in Timor-Leste, as soon as possible. I commend the adoption by the Council of Ministers on 29 May 2012 of the national action plan on gender-based violence, which represents the first multisectoral approach for preventing such violence, addressing the needs of survivors and holding perpetrators accountable. I encourage the Government to dedicate the resources necessary for its timely implementation.

110. In line with the Government's commitment, on 30 November the Minister of External Affairs of Angola led a delegation representing the inter-ministerial commission established to deal with this issue to Lunda Norte province. The United Nations Resident Coordinator in Angola and representatives of the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and non-governmental organizations also participated. The United Nations has deployed an adviser to support the implementation of the commitments contained in the joint communiqué.

III. Accountability and reparations for crimes of sexual violence

111. National courts remain the principal venue for holding individuals accountable for crimes of sexual violence. As noted in the present report, there have been a number of prosecutions of members of security forces and armed groups responsible for committing acts of sexual violence, including rape. National authorities should be supported to continue to fight impunity.

112. The focus of international criminal justice and mixed tribunals on combating acts of sexual violence, including rape, in the context of crimes against humanity, war crimes and genocide, represents an important complement to national efforts. Crimes of sexual violence should be incorporated at the outset into the investigation and prosecution strategy. The issuance of a second arrest warrant in July 2012 for Bosco Ntaganda, the FARDC General and former Military Chief of Staff of the Congrès national pour la défense du peuple, represents an important shift in the treatment of sexual violence by the International Criminal Court. New charges against Ntaganda included the crimes against humanity of rape and sexual slavery and war crimes of intentional attacks against civilians, murder, rape and sexual slavery and pillage. In the Thomas Lubanga case, in contrast, the charges were limited to the recruitment and use of children, although there was ample evidence of sexual slavery and rape. The exclusion of charges related to sexual violence restricted the judges' ability to render justice for the victims, as acknowledged by Judge Odio Benito in her dissenting opinion in the Lubanga judgement.

113. The trial in the International Criminal Court of Jean-Pierre Bemba, former Vice-President of the Democratic Republic of the Congo and leader of the MouTnment e Cr9th(e)nd le9.905Teb.9050177cutio withe eeanteni

under the Khmer Rouge regime revealed that sexual violence was a daily reality for most women, that acts of sexual violence were seldom punished and implicitly

United Nations peacekeeping and political missions and country teams. The establishment of monitoring, analysis and reporting arrangements takes into account ongoing operational and field-level coordination arrangements, including those of the protection cluster and the gender-based violence subcluster; the working groups on the protection of civilians; and the monitoring and reporting mechanisms on grave violations against children. The Office of the High Commissioner for Human Rights has recently developed and piloted a training programme on monitoring and investigating conflict-related sexual violence for human rights officers and other relevant mission and country team personnel. Emphasis continues to be placed on strengthening collaboration between humanitarian entities (including service providers) and United Nations agencies on the one hand and peacekeeping and political missions on the other hand, through appropriate coordination mechanisms.

118. Within peacekeeping and political missions, dedicated capacity in the form of women's protection advisers is required to facilitate and coordinate the implementation of Security Council resolutions on sexual violence in conflict. In South Sudan, nine Women's Protection Advisers have been included in the budget for the United Nations Mission in South Sudan; seven of the Advisers have been deployed. In the Democratic Republic of the Congo, extrabudgetary funding has been provided by the United Nations Action multi-partner trust fund for one Human Rights Women's Protection Adviser to be deployed to MONUSCO for a 12-month period. United Nations Action funds have also been earmarked for two Women's Protection Advisers to be deployed to the United Nations Operation in Côte d'Ivoire for a 1-year period and for one Women's Protection Adviser to be deployed to the United Nations Integrated Peacebuilding Office in the Central African Republic. However, funding through United Nations Action is intended to be catalytic and, as such, it is essential that United Nations missions include Women's Protection Adviser posts in forthcoming budgets and that Members S,TJ0.mp(rso)Ws

High Commissioner for Human Rights and the United Nations Development Programme (UNDP). It is supporting national authorities in the Central African Republic, Colombia, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea and South Sudan.

121. Following the visit of my former Special Representative to Colombia in May 2012, the Team contributed to the review of draft law No. 037 on access to justice for victims of sexual violence, particularly as it relates to the armed conflict. The Team also commented on the guidelines of the Ministry of Defence on sexual violence in conflict for the police and the military. Due consideration is also being given to providing support to the Office of the Attorney General to enhance its ability to investigate and prosecute for crimes of sexual violence.

122. In accordance with the joint communiqué signed between the Government of Guinea and the United Nations in November 2011, the Team is assisting national authorities in their efforts to investigate cases of sexual violence committed in Conakry in September 2009 and prosecute those responsible. The Team has deployed an expert to advise the panel of judges established by the Government.

123. In the Democratic Republic of the Congo, the Team, in coordination with UNDP, is strengthening the capacity of national authorities to investigate crimes of sexual violence committed by FARDC and other security forces in North and South Kivu and prosecute those responsible. In total, 76 military officers were trained on, inter alia, how to report cases to the Office of the Military Prosecutor. Support in investigations and prosecutions have also been provided to military magistrates and military mobile courts, in coordination with UNDP and MONUSCO prosecution support cells. These efforts have been complemented by the mapping by the Team of the major sexual violence cases committed in the Democratic Republic of the Congo since 2006. The Team has also reviewed and made recommendations on the draft bill on the establishment of a specialized court with jurisdiction over crimes committed since 1990. Its adoption will complement ongoing efforts and help address the severe capacity limitations of national authorities.

124. In South Sudan, the Team's assistance focused on helping to identify and clarify legislative reform priorities relating to sexual violence and strategies to

VI. Recommendations

127. I call upon all parties to conflict responsible or credibly suspected of acts of sexual violence to cease such violations and, in accordance with Security Council resolution 1960 (2010), to make specific and time-bound protection commitments that include: clear orders through chains of command and in codes of conduct (or their equivalent) prohibiting sexual violence; timely investigation of alleged violations in order to hold perpetrators accountable; immediate identification and release from their ranks of those most vulnerable to sexual violence, especially women and children; designation of a high-level interlocutor responsible for ensuring implementation of commitments; and cooperation with and facilitation of access by the United Nations to monitor compliance.

128. In this regard, I call on the Security Council to do the following:

(a) To increase pressure on perpetrators of sexual violence in conflict, including the individuals, parties and States named in my reports, through the adoption of targeted and graduated measures by relevant sanctions committees, and to consider means by which such measures may also be taken in relevant contexts where no sanctions committees are in place. Such actions by the Security Council should apply to those who commit, command or condone (fail to prevent or punish) sexual violence, consistent with the stipulations under international criminal law regarding those bearing direct, command or superior responsibility;

(b) To consider putting in place an appropriate mechanism or procedure of the Security Council to systematically monitor commitments by parties to conflict under its resolution 1960 (2010). I encourage the Council to support efforts by appropriate United Nations officials to engage in dialogue with State and non-State parties to elicit such commitments, including engagement, as appropriate, with the business community, diaspora, religious and traditional leaders or others who may exert influence;

(c) To employ all other means at its disposal to address sexual violence in conflict, including making referrals to the International Criminal Court, mandating international commissions of inquiry, explicitly condemning violations in its resolutions and presidential and public statements and considering sexual violence as a focus of its periodic field visits and its consultations with regional bodies such as the Peace and Security Council of the African Union;

(d) To systematically reflect sexual violence in conflict in all relevant country resolutions and in authorizations and renewals of the mandates of peacekeeping and special political missions through the inclusion of the specific language of its resolution 1960 (2010), calling, inter alia, for the cessation of sexual violence, the implementation of monitoring, analysis and reporting arrangements as a basis for evidence-based actions, dialogue with parties to conflict with a view to achieving protection commitments and the deployment of women's protection advisers;

(e) To remain seized of the status of deployment of women's protection advisers to United Nations peacekeeping and special political missions. The number and function of women's protection advisers should be systematically assessed during the preparation and review of each peacekeeping and political mission, in line with the agreed terms of reference for women's protection advisers, and such

posts should be included in mission staffing tables and budgets in all relevant situations of concern;

conflicts; the plight of survivors who bear children as a result of rape and children

Annex

List of parties that are credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the Security Council agenda

Parties in the Central African Republic

1. Lord's Resistance Army

2. Forces armées de la République démocratique du Congo
3. Police nationale congolaise

Parties in Mali

1. Al-Qaida in the Islamic Maghreb
2. Ansar Dine
3. Mouvement national de libération de l'Azawad
4. Mouvement pour l'unicité et le jihad en Afrique de l'Ouest

Parties in the Syrian Arab Republic

Syrian Government forces, including the Syrian Armed Forces, the intelligence forces and the Shabbiha militia
