

ADDRESSING CONFLICT-RELATED SEXUAL VIOLENCE AN ANALYTICAL INVENTORY OF PEACEKEEPING PRACTICE



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OF PEACEKEEPING PRACTICE**



FOREWORD: *A NEW DECADE FOR WOMEN, PEACE AND SECURITY*

It is 10 years since the watershed Resolution 1325 introduced Women, Peace and Security onto the Security Council's agenda. The intervening decade has seen progress in expanding our notions of peace and security to include the perspectives of women. Yet efforts to combat conflict-related sexual violence remain woefully weak. My mandate is focused on this urgent agenda, based on Resolutions 1820 and 1888, which recognize sexual violence as a security issue that demands a security response. Accordingly, peacekeepers must be armed with examples and information to help them operate effectively on the ground.

More must be done to promote actions that have real impact, as we move from best intentions to best practice. This will require us to recognize and publicize success stories, not just horror stories. For instance, I observed in eastern DRC how MONUC market escorts have improved women's sense of security and enabled them to resume trade, which contributes to economic development. This is just one example of how peacekeepers have taken steps to safeguard civilians in some of the most volatile places on earth – despite being often under-resourced, under-equipped and under fire. By taking a proactive posture towards sexual violence as a generator of instability, peacekeepers challenge its acceptance as an inevitable byproduct of war.

I therefore commend the efforts of UNIFEM and DPKO, on behalf of UN Action Against Sexual Violence in Conflict, to capture the concrete examples presented in this inventory. This publication marks the start – not the end – of a process to identify what works in preventing sexual violence and improving women's security. Combating sexual violence calls for sustained attention, action and cooperation commensurate with the scale of the challenge. I am inspired by those who serve in peacekeeping missions and hope this tool will support their day-to-day work.



A handwritten signature in black ink that reads "Margot Wallström".

MARGOT WALLSTRÖM

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

JUNE 2010

PREFACE: *PROTECTION FOR ALL CIVILIANS*

The military component of peacekeeping operations can play a vital role in the protection of women and children as part of its mandated task of protecting civilians. This means not only protecting women from the violence itself, but also supporting individual social and economic recovery afterwards. In support of these goals, we aspire to recruit more women in uniform to help provide this critical aspect of security in peacekeeping operations, and to ensure that all of our personnel understand that enhancing women's safety enhances mission success.

Responding to sexual violence as part of the challenges of conflict is an emerging field in peacekeeping. We need clear examples and guidelines for uniformed peacekeepers, so that increased awareness can lead to a marked improvement on the ground. The blue helmet must remain an emblem of hope, peace and progress for all civilians – men and women, boys and girls. The issue of protecting civilians from conflict-related sexual violence is not only a military task, but one that also requires the participation of other stakeholders to build a safe and secure environment.

The United Nations Department of Peacekeeping Operations Office of Military Affairs (OMA) has been actively engaged in this work, and has participated in assessment missions, with technical and financial support from UNIFEM, to areas where sexual violence has been a prominent feature of the conflict and its aftermath. These missions have proved successful in identifying good practices and paving the way ahead. We must now work hard to maintain the momentum we have achieved. This will require capability and resolve in equal measure, to attain the goals we all strive for. I am confident that I can count on you for your support.



A handwritten signature in black ink, appearing to read 'Obiakor', written over a light blue grid background.

LIEUTENANT GENERAL OBIAKOR
MILITARY ADVISER, DEPARTMENT OF PEACEKEEPING OPERATIONS, UNITED NATIONS
JUNE 2010

METHODOLOGY AND PURPOSE

This document began with a **2008 desk review** of protection strategies employed by international and regional peacekeepers, namely: the United Nations (UN); the African Union (AU); the European Union (EU); the Organization for Security and Cooperation in Europe (OSCE); the North Atlantic Treaty Organization (NATO); and the Economic Community of West African States (ECOWAS). Reports of ongoing peacekeeping missions by the UN Secretary-General to the Security Council were cited in addition to reports from think-tanks, academics, media and NGOs. The desk review was a basis for discussion at a **high-level Wilton Park conference held in May 2008, entitled “Women Targeted or Affected by Armed Conflict: What Role for Military Peacekeepers?”** co-organized by UNIFEM and the United Nations Department of Peacekeeping Operations (DPKO), under UN Action auspices, with support from the Governments of Canada and the United Kingdom. This discussion continued in August 2008 at the **Annual Heads of Military Components Conference**, where UNIFEM/DPKO/UN Action discussed how efforts to address sexual violence can contribute to building trust and confidence amongst the civilian population and improving situational awareness, thereby advancing broader mission objectives.

The findings were then **field-tested** through missions to **UNMIL in Liberia**; **MONUC in the Democratic Republic of the Congo (DRC)**; and **Rwanda** to speak with members of the Rwanda Defense Force (RDF) who had served as peacekeepers with the African Union Mission in Sudan (**AMIS**). The purpose of these validation missions was to cross-reference examples cited in the desk review with operational realities in contexts where sexual violence has been a prominent feature of conflict and its aftermath. Briefings with a range of interlocutors in Kigali, Monrovia, Bong County, Kinshasa and Goma helped to verify these examples and elicit further instructive illustrations. Insights and recommendations

also emerged regarding how to take the process forward into doctrine, pre-deployment/mission-specific training, force generation, planning and operational orders. The research team comprised a former Force Commander, UN Division Commander and DPKO Military Adviser, Major General (ret.) Patrick Cammaert, representatives of the DPKO Office of Military Affairs (OMA), Hawaa El-Tayeb and Colonel Koko Essein, and a representative of UN Action, Letitia Anderson. Semi-structured interviews were conducted with multiple stakeholders including mission leadership, women’s groups, UN agencies and host governments (ministries of defense, justice, gender and health). Input was also provided from UN Secretariat staff and academics working on peacekeeping.

The **roll-out and distribution** of this knowledge product, financed by the Government of Australia, will include the development of training material as part of a package being developed by DPKO Integrated Training Service (ITS) on the protection of civilians. There will also be continuing capture of the kinds of tactics identified in this paper to build a “bank” of good practice. Indeed, since this process began, there has been a virtuous cycle of increased attention to sexual violence leading to more concerted efforts on the ground.



*East Timorese women speaking to peacekeepers providing security at the border.
- Australian Department of Defence*



DEFINITION OF KEY TERMS

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“Gender” refers to the social characteristics or attributes and opportunities associated with being male or female. These attributes, opportunities and relationships are socially constructed on the basis of different factors, such as age, religion, national, ethnic and social origin and are learned through socialization. They differ both within and between cultures and are context/time-specific and changeable, not static or innate. Gender defines power relations in society and determines what is expected, allowed and valued in a woman or a man in a given context. (Adapted from UNHCR, *Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response*, May 2003, and Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI) website.)

“Gender analysis” refers to the methods used to understand the relationships between men and women in the context of society. An example would be when military planning activities assess the different security concerns of women and men in the area of operation or take account of power relations in the community to ensure women have equal access to assistance, where the military is engaged in facilitating humanitarian access. Other examples would include understanding how customary conflict-resolution mechanisms affect women and men differently, and how women’s social status may change as a result of war.

For the purpose of this paper, **“peacekeeping operations”** are understood broadly as internationally mandated, uniformed presences, either under United Nations auspices or under the authority of a regional organization like the Economic Community of West African States (ECOWAS), the African Union (AU) or the North Atlantic Treaty Organization (NATO). Armed UN peacekeepers, unarmed UN Military Observers (UNMOs), armed and unarmed UN Police (UNPOL) and soldiers serving under their national commands but authorized by the Security Council, like the US-led Multinational Force in Haiti (1994-95) and the Australian-led force in Timor-Leste (1999-2000), all come within the definition of **“peacekeeper”** for present purposes.

Recalling that women are not merely victims needing assistance but holders of rights to whom duties are owed by both national authorities and the international community, this paper takes a broad approach to the term **“protection”**. This aligns with

the Inter-Agency Standing Committee definition: *“The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights; international humanitarian law; and refugee law).”* The practices identified cover all three widely-accepted subcategories of protection, namely: *remedial action; responsive action; and environment building.* The Independent Study on *Protecting Civilians in the Context of UN Peacekeeping Operations* (2009), jointly commissioned by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and DPKO to look at steps taken to transform the protection of civilians from UN mandate language into realities on the ground, should be read in conjunction with the present paper.

It is insufficient to understand **“sexual violence”** solely in terms of rape. Sexual violence also encompasses: sexual slavery; enforced prostitution; forced pregnancy; enforced sterilization; or any other form of sexual violence of comparable gravity, which may include indecent assault; trafficking; inappropriate medical examinations; and strip searches (see 1998 *Rome Statute of the International Criminal Court*). The “Elements of Crimes” of the ICC defines sexual violence as follows: “The perpetrator committed an act of a sexual nature against one or more persons or caused such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person or persons or another person, or by taking advantage of a coercive environment or such person’s or persons’ incapacity to give genuine consent”.

Sexual violence can amount to a **tactic of war** when used to “humiliate, dominate, instil fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group” (Security Council Resolution 1820, preamble). Sexual violence “can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide” (Security Council Resolution 1820, operative paragraph 4; cf. 1998 *Rome Statute of the International Criminal Court* and the statutes and jurisprudence of the International Criminal Tribunals for the Former Yugoslavia (ICTY) and Rwanda (ICTR) and the Special Court for Sierra Leone).

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