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HUMAN RIGHTS COUNCIL  
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### **PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT**

**Written Statement\* submitted by the Women's International League for Peace and  
Freedom (WILPF), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 May 2009]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## Security Council Resolution 1820: Reason for anniversary celebrations?!

Almost a year ago, on the 19<sup>th</sup> of June 2008, the UN Security Council adopted a key resolution in the fight against rape in armed conflict: SCR 1820. The current and pressing question is: *Where does its implementation stand?* A question directed at all UN Member States.

Women and girls, and men and boys continue to be raped in all situations of armed conflict and their bodies are increasingly the battlegrounds. According to UNIFEM, almost half of all persons indicted by the International Criminal Court (ICC) and other international tribunals are charged with rape or sexual assault<sup>1</sup>. Rape in armed conflict already has been addressed by the Rome Statute of the International Criminal Court, the Committee on the Elimination of all forms of Discrimination Against Women (CEDAW), the Special Rapporteur on Violence against Women (SRVAW) and Security Council Resolution 1325.

Since CEDAW entered into force on 17 July 1981, the CEDAW Committee has made strong recommendations towards the States they reviewed. The Committee Members understood more than a decade ago that political will was the key to protect women. During the review of Bosnia and Herzegovina in the 1994 13<sup>th</sup> session, the Committee commented that “while condemning in the strongest terms the use of rape and violations of women's rights as an instrument of warfare, called on all of the women of Bosnia and Herzegovina not to remain passive. Women must henceforth become visible at both the governmental and non-governmental levels. The Committee hoped that in that way women would generate the political will requisite for change and an urgent end to the war”.<sup>2</sup>

SCR 1325 adopted in 2000, “calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict”<sup>3</sup>. SCR 1820 focuses on this aspect and clearly:

- Establishes that sexual violence in conflict situations is a matter of the Security Council to consider and act upon<sup>4</sup>. When renewing sanction regimes, specific measures can be taken against those parties who commit rape.
- Notes that sexual violence can constitute war crime, crimes against humanity and an act of genocide. In addition, 1820 “stresses the need for the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes”<sup>5</sup>.

<sup>1</sup> UNIFEM (2009), ‘Facts and Figures on Violence Against Women’. Retrieved from:

[http://www.unifem.org/gender\\_issues/violence\\_against\\_women/facts\\_figures.php?page=7](http://www.unifem.org/gender_issues/violence_against_women/facts_figures.php?page=7)

<sup>2</sup> CEDAW (1994). 13<sup>th</sup> Session Concluding Comments toward Bosnia and Herzegovina. Retrieved from:

<http://www.un.org/documents/ga/docs/49/plenary/a49-38.htm>

<sup>3</sup> United Nations Security Council Resolution 1325 (2000). Retrieved from:

<http://daccessdds.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>

<sup>4</sup> Cook, S. (2008). ‘Security Council Resolution 1820: A move to end sexual violence in conflict’.

Retrieved from: [http://www.peacewomen.org/un/sc/Open\\_Debates/Sexual\\_Violence08/PeaceWomenAnalysis.pdf](http://www.peacewomen.org/un/sc/Open_Debates/Sexual_Violence08/PeaceWomenAnalysis.pdf)

<sup>5</sup> United Nations Security Council Resolution 1820 (2008). Retrieved from:

<http://daccessdds.un.org/doc/UNDOC/GEN/N08/391/44/PDF/N0839144.pdf?OpenElement>

- Recognizes the importance of women's participation and reaffirms their role in the prevention and resolution of conflicts, in post-conflict peace building and in peace and security matters.

Responsibility for the implementation of 1820 lies with the UN Member States. In his speech on the 19<sup>th</sup> of June 2008<sup>6</sup>, Ban Ki-Moon clearly said that States need to “ensure that all future mandates [of peace keeping operations] have clear provisions on protecting women and children in conflict situations. When the Council [Security Council] authorizes multidisciplinary missions, we can produce results. When Member States send us qualified female personnel, we can demonstrate the central role of women in restoring stability to war-ravaged countries”.

It is important to bring global to local. The Women's International League for Peace and Freedom has membership in over 40 countries including Rwanda and the Democratic Republic of Congo. The first is a country where in 1994 almost half a million women were brutally raped and the second a country where women are daily at risk of rape crimes which stagger the imagination. Nothing seems to be effectively lowering the rate of rape crimes in the DRC. Or as a Congolese woman put it: “When a gorilla is killed in the mountains, there is an outcry, and people mobilize great resources to protect the animals. Yet more than five hundred thousand women have been raped, and there is silence”<sup>7</sup>. John Holmes, UN Emergency Relief, reported more than 32,000 reported rape cases since 2005 in the province of South-Kivu in the DRC alone<sup>8</sup>.

To end rape in armed conflict, a multi-dimensional and integrated response is needed from several actors. The Human Rights Council is one of these actors.

WILPF urges HRC Member and Observer States to:

- *Recognise* that survivors of rape are potential key agents in conflict resolution, prevention and peace building;
- *Recognise* that perpetrators include members of official armed and security forces, paramilitary groups, non-state armed groups, humanitarian and peacekeeping personnel and civilians<sup>9</sup>;
- *Honour* their obligations to the Rome Statute of the International Criminal Court, especially in bringing rape perpetrators to justice;
- *Allocate* the necessary funds to ensure 1820 will be fully implemented. For example, ODA donor countries can ensure that survivors of rape crimes receive the necessary health and social care;

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<sup>6</sup> Ki-Moon, B. (19 June 2008). Retrieved from:

[http://www.peacewomen.org/un/sc/Open\\_Debates/Sexual\\_Violence08/UN.SecretaryGeneral.pdf](http://www.peacewomen.org/un/sc/Open_Debates/Sexual_Violence08/UN.SecretaryGeneral.pdf)

<sup>7</sup> Namegabe, C. (May, 2009). “Confronting rape and other forms of violence against women in conflict zones”. Association Femmes des Medias du Sud Kivu (AFEM-SK).

<sup>8</sup> John Holmes, UN Undersecretary-general for humanitarian affairs and Emergency Relief Coordinator. Congo's Rape War, Los Angeles Times, October 11 2007.

<sup>9</sup> Bastick, M., Grimm, K. & Kunz, R. (2007). ‘Sexual violence in armed conflict: Global overview and implications for the security sector’. Geneva Centre for the Democratic Control of Armed Forces (DCAF), Geneva.

- *Provide* gender training for all security sector personnel in order to develop a gender-sensitive capacity within security services;
- *Ensure* that the implementation of SCR 1820 does not detract from the implementation of SCR 1325;
- *Acknowledge* that SCR 1820 is applicable to combatants as well as civilians;
- *Ensure* that the Special Rapporteurs on violence against women pay attention to the implementation of Security Council Resolution 1820 in all country-specific reports;
- *Urge* the Secretary-General to include information and recommendations concerning the protection of women and girls against rape in the country-specific reports to the Security Council;
- *Recognise* that in countries emerging from armed conflicts impunity for rape crimes may foster an increased level of sexual violence and victimisation by sexual exploitation and trafficking<sup>10</sup>;
- *Remove* reservations from resolutions and treaties which are necessary in fighting rape in armed conflict;
- *Work* towards removing myths in your societies which fuel sexual violence;
- *Check* and ensure that security and armed forces do not have a record of sexual crimes before they are actively deployed;
- *Include* more women as trainers in training programs for crisis management, and to use more local gender expertise in field offices, refugee camps, and peace building activities, thus avoiding sexual attacks on women<sup>11</sup>.

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<sup>10</sup> Ibid.

<sup>11</sup> WILPF Resolution (2001). 'Women's experience in conflict resolution'. Retrieved from: [http://www.wilpf.int.ch/resolutions/2001.htm#\\_Toc522003509](http://www.wilpf.int.ch/resolutions/2001.htm#_Toc522003509).