

**Security Council**

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**Letter dated 8 July 2020 from the Permanent Representative of  
Germany to the United Nations addressed to the Secretary-General**

I have the honour to inform you that, under the presidency of Germany, the Security Council plans to hold a high-level open debate on the theme “Conflict-related sexual violence: turning commitments into compliance”, on Friday, 17 July 2020.

In this regard, Germany, in collaboration with the Dominican Republic, has prepared the attached concept note (see annex).

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

*(Signed)* Christoph **Heusgen**



## **Annex to the letter dated 8 July 2020 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General**

### **Concept note for the high-level open debate on the theme “Conflict-related sexual violence: turning commitments into compliance”, to be held on Friday, 17 July 2020 at 10 a.m.**

#### **1. Background and developments**

1. In his report on conflict-related sexual violence (S/2020/487), the Secretary-General stated that we must harness the transformative power of women’s leadership, and of amplifying the perspectives and experiences of survivors, in order to move from resolutions to results. Twenty years have passed since the Security Council adopted resolution 1325 (2000). In 2009, the Council established a specific United Nations mandate to address the scourge of conflict-related sexual violence: in its resolution 1888 (2009), it recognized conflict-related sexual violence as a violation of the rights of women and girls, a threat to international peace and security and an impediment to achieving gender equality and restoring peace.

2. Since then, intensified advocacy and action have led to significant normative, institutional and operational progress. Indeed, conflict-related sexual violence has become central to policy discussions about peace, security, the protection of civilians and the rule of law. Moreover, enhanced documentation, along with the deployment of women’s protection advisers to the field, has deepened the international community’s understanding of conflict-related sexual violence.

3. Although many measures have been introduced, major gaps persist – in particular when it comes to accountability, access to justice and redress. That is why we need new decisive action by all stakeholders, including the United Nations, Member States, civil society, activists and peacebuilders, to empower survivors and protect their rights, to ensure implementation of existing obligations and to improve accountability, prevention and deterrence. We need to address existing structural inequalities, discrimination and gender stereotypes. At the same time, we have to support and empower women as agents of change.

#### **Ensuring a survivor-centred approach**

4. Conflict-related sexual violence remains a brutal reality of war and its aftermath. It contributes to the destruction of societies for decades to come by undercutting social cohesion and dehumanizing targeted groups. While disproportionately affecting women and girls, survivors are not a homogeneous group. Survivors often face discrimination based on factors including gender, ethnicity, disability and sexual orientation, which calls for tailor-made and context-specific responses. In its resolution 2467 (2019), the Security Council therefore introduced the survivor-centred approach as the centrepiece of all conflict-related sexual violence prevention and response efforts. Any response to sexual violence must prioritize the rights, needs and wishes of survivors.

5. Timely access to comprehensive, high-quality and non-discriminatory services in conditions of safety and confidentiality is crucial to empowering survivors. Such services include medical care, sexual and reproductive health and rights, psychosocial support, legal services, access to justice and livelihood support. Such support enables survivors to engage in political, social and economic life – to become key stakeholders in recovery, reconciliation and development.

### **Implementing existing obligations and complying with prevailing commitments**

6. In its resolution [2467 \(2019\)](#), the Security Council requested the Secretary-General to analyse gaps in the implementation of the conflict-related sexual violence agenda. One gap identified was the significant lack of compliance with prevailing commitments. Over 70 per cent of listed State and non-State parties are persistent perpetrators and have appeared in the annex to the annual report of the Secretary-General for more than five years. Only one party has so far been delisted.

7. The Secretary-General thus recommends strengthening sanctions and targeted measures against those who do not implement existing obligations and who commit, command or condone sexual violence. He argues that this may increase perceived and actual costs for perpetrators and serve as a deterrent. In that regard, coherence between conflict-related sexual violence policies and targeted measures sends a clear signal underlining the gravity of such violations. Over the past year, some progress has been made: in the relevant Committees, the Security Council has listed two individuals for crimes of conflict-related sexual violence.

### **Ensuring accountability and access to justice**

8. Conflict-related sexual violence represents a grave breach of international humanitarian law, a violation of human rights and a crime of international concern under the jurisdiction of the International Criminal Court. However, it is still largely “cost-free” and characterized by staggering rates of impunity. Therefore, accountability remains central in the fight against conflict-related sexual violence.

9. In each of the 19 countries covered in the report of the Secretary-General, survivors continued to face obstacles in terms of access to justice. Strengthening the reach and capacity of national institutions is critical to ensure justice for past crimes and prevent future ones. Judicial processes demonstrate that such crimes are not inevitable or collateral, but deliberate and preventable. That encourages more survivors to come forward and seek redress. As set out in Security Council resolution [1888 \(2009\)](#), the Team of Experts on the Rule of Law and Sexual Violence in Conflict assists national authorities in strengthening institutional safeguards against impunity for conflict-related sexual violence.

## **2. Objectives and scope**

10. The open debate will be organized by Germany during its presidency of the Security Council, in collaboration with the Dominican Republic, as Co-Chairs of the Informal Expert Group on Women and Peace and Security.

11. Member States are encouraged to share their experience with and assessment of the following questions:

- How can States and the United Nations protect human rights and address gender inequality as root causes of conflict?
- How can the Security Council ensure a holistic approach with attention to the link between the equal and meaningful participation of women in peace processes and the prevention of conflict-related sexual violence?
- How can a survivor-centred approach be effectively implemented, turning victims into empowered survivors? What progress has been made in that regard since the adoption of resolution [2467 \(2019\)](#)?
- How can the Security Council better monitor compliance with its own resolutions and act upon breaches thereof? How can it enhance coherence

between listing credibly suspected perpetrators and enacting sanctions? How should the international community deal with persistent perpetrators?

- How can women human rights defenders, peacebuilders and activists operate safely on the ground, and how can the international community protect them better, including during the coronavirus disease (COVID-19) pandemic?
- How can national judicial mechanisms be strengthened to ensure accountability for crimes of conflict-related sexual violence? How can the international community support governments that face challenges in investigating and prosecuting crimes of conflict-related sexual violence?

### **3. Format**

12. The open debate will be chaired by the Minister for Foreign Affairs of Germany, Heiko Maas.

13. Briefings will be given by the following speakers:

- Special Representative of the Secretary-General on Sexual Violence in Conflict, Pramila Patten
- Civil society speaker on behalf of the non-governmental organization Working Group on Women, Peace and Security
- Executive President of the Association des femmes juristes de Centrafrique, Nadia Carine Therese Fornel-Poutou

14. Member States that are not currently members of the Security Council will be able to submit written statements. All written statements submitted by 17 July to [dppa-scsb3@un.org](mailto:dppa-scsb3@un.org) will be included in a written summary of the open debate.

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