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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-sixth session
Agenda item 6

SPECIFIC HUMAN RIGHTS ISSUES

**Mr. Alfredsson, Mr. Bengoa, Mr. Bíró, Mr. Bossuyt, Mr. Chen, Mr. Cherif,
Ms. Chung, Mr. Decaux, Mr. Dos Santos, Mr. Guissé, Ms. Hampson,
Mr. Kartashkin, Ms. Koufa, Ms. Mbonu, Ms. Motoc, Ms. O'Connor,
Mr. Pinheiro, Ms. Rakotoarisoa, Mr. Salama, Mr. Sattar,
Mr. Tuñón Veilles, Ms. Warzazi and Mr. Yokota: draft resolution**

2004/... Systematic rape, sexual slavery and slavery-like practices

The Sub-Commission on the Promotion and Protection of Human Rights,

Recalling its resolution 2003/26 of 14 August 2003,

*Recalling also Security Council resolution 1325 (2000) of 31 October 2000, which,
inter alia, reaffirmed the need to implement fully international humanitarian and human rights
law that protects the rights of women and girls during and after conflicts, as well as the report of
the Secretary-General on the impact of armed conflict on women and girls, the role of women in
peace-building and the gender dimensions of peace processes and conflict resolution
(S/2002/1154) issued pursuant to that resolution,*

Recalling the reports of the United Nations High Commissioner for Human Rights on systematic rape, sexual slavery and slavery-like practices during armed conflicts (E/CN.4/Sub.2/2000/20, E/CN.4/Sub.2/2001/29, E/CN.4/Sub.2/2002/28 and E/CN.4/Sub.2/2003/27),

Noting the working paper by Ms. Françoise Hampson on current and future issues on the criminalization, investigation and prosecution of acts of serious sexual violence (E/CN.4/Sub.2/2004/12) and the expanded working paper of Ms. Lalaina Rakotoarisoa on the difficulties of establishing guilt and/or responsibilities with regard to crimes of sexual violence (E/CN.4/Sub.2/2004/11),

Taking into consideration resolutions of the Commission on Human Rights on the elimination of violence against women, including its resolution 2004/46 of 20 April 2004, and the report of the Special Rapporteur on violence against women, its causes and consequences, to the Commission at its sixtieth session (E/CN.4/2004/66 and Add.1-2),

Conscious that, despite legal advances at the international level on the issues of systematic rape and sexual enslavement directed against civilian populations, women and girls continue to face widespread sexual gender-based violence during conflicts,

1. *Welcomes* the work of the Secretary-General and recalls with appreciation his report on women, peace and security (S/2002/1154);
2. *Also welcomes* the work of the United Nations High Commissioner for Human Rights on systematic rape, sexual slavery and slavery-like practices and takes note with great appreciation of the report of the High Commissioner (E/CN.4/Sub.2/2004/35);
3. *Deeply concerned* that systematic rape, sexual slavery and slavery-like practices are still being used to humiliate civilians and military personnel, to destroy society and to diminish prospects for a peaceful resolution of conflicts and that the resulting severe physical and psychological trauma endangers not only personal recovery but post-conflict reconstruction of the whole society, as pointed out in the above-mentioned reports;

4. *Considers* that verdicts of the International Criminal Tribunal for the Former Yugoslavia, the International Tribunal for Rwanda and the Special Court for Sierra Leone acknowledging that rape and, more recently, sexual enslavement are crimes against humanity, and the special recognition in the Rome Statute of the International Criminal Court that sexual violence and sexual slavery committed in the context of either an internal or an international armed conflict may constitute crimes against humanity, war crimes and genocide falling within the jurisdiction of the Court, represent a significant step in the protection of women's human rights as they challenge widespread acceptance that torture, rape and violence against women are an integral part of war and conflict and hold the perpetrators of such crimes accountable;

5. *Reiterates* that States should provide effective criminal penalties and compensation for unremedied violations in order to end the cycle of impunity with regard to sexual violence committed during armed conflicts;

6. *Encourages* States to promote human rights education on the issues of systematic rape, sexual slavery and slavery-like practices during armed conflicts, ensuring the accuracy of accounts of historical events in the educational curricula, in an effort to prevent the recurrence of such violations and to encourage better understanding among all peoples;

7. *Calls upon* the High Commissioner for Human Rights to submit an updated report to the Sub-Commission at its fifty-seventh session on the issues of systematic rape, sexual slavery and slavery-like practices during armed conflicts;

8. *Decides* to consider the issue at its fifty-seventh session under the same agenda item.
