

UPDATE



United Nations Team of Experts

Rule of Law/Sexual Violence in Conflict

OCT 2022

The United Nations (“UN”) Team of Experts on the Rule of Law and Sexual Violence in Conflict (“the Team of Experts” or “Team”) was created by Security Council resolution [1888 \(2009\)](#) to assist national authorities in strengthening the rule of law, with the aim of ensuring criminal accountability for perpetrators of conflict-related sexual violence (“CRSV”).

This resolution recognised that CRSV is a threat to international peace and security, and that Member States affected by conflict

need assistance to address impunity in order to prevent and deter future violations. The Team is the only dedicated Security Council mandated mechanism to provide support to accountability for CRSV on a global basis.

The Team, based at the UN Headquarters in New York, deploys regularly to some of the world’s most challenging contexts. It has a unique “co-lead” structure comprised of the [Department of Peace Operations \(“DPO”\)](#), the [Office of the UN High Commissioner for Human Rights \(“OHCHR”\)](#), the [Office](#)

[of the Special Representative of the Secretary-General on Sexual Violence in Conflict \(“OSRSG-SVC”\)](#) and the [UN Development Programme \(“UNDP”\)](#) which form its advisory group. The Team is led by a Team Leader who reports to the [Special Representative of the Secretary-General on Sexual Violence in Conflict \(“SRSRSG-SVC”\)](#) and currently comprises experts from the co-lead entities, each of whom reports to both the Team Leader and their respective entities.



PHOTO | Cellou Binani | AFP

COUNTRY ENGAGEMENT

CENTRAL AFRICAN REPUBLIC

During the reporting period, the Team of Experts delivered significant technical, material and financial support to national judicial authorities working with UN partners - particularly UNDP, UN Police, and the UN Multidimensional Integrated Stabilization Mission in the Central African Republic ("MINUSCA") - to continue strengthening the judicial response to CRSV in the country as part of the UN Joint Rule of Law Programme at country level.

The Team of Experts provided direct technical and material support to national authorities including to the Prosecutor of the High Court of Bangassou, following increasing allegations of CRSV by armed groups in the region during the last quarter of 2021. In March 2022, the Team facilitated the deployment of judicial police officers in Unité Mixte d'Intervention Rapide

et de Répression des violences sexuelles faites aux femmes et aux enfants to Bangassou to carry out investigations. The Team provided technical support to the criminal investigations under the leadership of the Prosecutor of the High Court of Bangassou, both in drafting the investigation plan and providing mentoring onsite. During this field mission, investigators collected more than 120 testimonies from victims and witnesses of sexual violence, which may amount to international crimes.

For the ongoing CRSV investigation cases, especially those in Bakouma, the Team of Experts has been working with MINUSCA and UNDP and provided technical support in the areas of investigations, protection and the impact of ongoing proceedings.



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The Team of Experts continued to support the country's effort in investigating and prosecuting CRSV charges, especially those in the Eastern DRC, as part of the country-level UN Joint Programme on the Reform of Justice Framework. For instance, the Team continued to support the implementation of DRC's prosecution strategy of international crimes, including the investigation and adjudication of CRSV cases prioritised by the high military judicial authorities. CRSV was recognised as a constituent element of international crimes in more than 70% of the closed priority cases.

In March 2022, the Team co-organised with other UN partners two training sessions on the investigation of sexual and gender-based violence. The training covered investigation techniques and best practices when planning and investigating CRSV cases. The training was attended by more than 50 judicial police officers of the Special Police for the Protection of Children and the Prevention of Sexual Violence (Police spéciale de Protection de l'Enfant et de Prévention des Violences Sexuelles, or EPEPVS) and military investigators from Goma, Bunia, Rutshuru and Ituri.

In May and June 2022, the Team co-organised two workshops in Bukavu and Kinshasa to identify EPEPVS's challenges in responding to CRSV cases and suggest corrective actions to strengthen its fight against impunity. The workshops brought together representatives of the Ministry of Interior, regional police commanders (Commissaires provinciaux) and judicial police officers of EPEPVS.

In addition to training, the Team of Experts deployed an expert to conduct a best practices and lessons learned analysis of the Team's work in DRC and is finalising a diagnostic report on the judicial response to CRSV from 2015 to 2021 which will both serve as a basis for a new phase of engagement with national actors.

During the reporting period, the Team continued to support transitional justice efforts for survivors including through input into the First Lady's initiative to establish a reparations fund for victims of CRSV. The Team prepared a technical analysis and key recommendations, following up on a workshop organised by the Office of the First Lady and the Minister of Human Rights in October 2021. This contributed to the Government's decision to establish the multisectoral ad hoc Commission for the Implementation of the National Fund for the Reparation of Victims of Sexual Violence linked to conflicts and other crimes against the peace and security of humanity (Commission ad hoc multisectorielle pour la mise en oeuvre du Fonds national de réparation des victimes de violences sexuelles liées aux conflits et autres crimes contre la pax et la sécurité de l'humanité). The Team, together with relevant stakeholders, will support drafting a bill that would establish the DRC's reparations scheme.

Lastly, the Team provided material support (such as solar panels and office materials) to the special protection police units in Goma and Bukavu, which enabled their continuous work on investigating CRSV cases. In Bukavu, an interviewing room for sexual and gender-based violence victims at the Military Prosecutor's Office was imported to ensure discretion and privacy for victims and witnesses.



During the reporting period, the Team of Experts supported accountability efforts following the joint investigation by OHCHR and the Ethiopian Human Rights Commission.

In May 2022, the Team participated in a training session on sexual and gender-based violence including CRSV investigations organised by the Committee on Sexual and Gender-Based Violations, chaired by the Ministry of Women and Social Affairs. This training was organised within the framework of the Inter-Ministerial Task Force's Action Plan for preventing and responding to sexual and gender-based violence. The training attracted about 30 Ethiopian officers, including the Investigation and Prosecution team, as well as the core prosecution and police officers working within the Ministry of Justice. In collaboration with other UN partners, the Team delivered virtual training sessions on the evolution of the normative agenda related to CRSV in the Security Council, the work of the Team of Experts, and access to justice for victims of sexual violence.



PHOTO | VOA Africa | Reuters

The Team of Experts, together with the UN Department of Political and Peacebuilding Affairs (“DPPA”) co-led the establishment of a new Sub-Working Group of the Guinea Inter-Agency Task Force. The Sub-Working Group aims at facilitating UN coordination and collaboration of technical, programmatic and financial assistance for the trial of the crimes committed during the 28 September 2009 events (“2009 Events”), such as training on sexual and gender-based violence investigations and prosecutions, support for the protection of victims and witnesses, reparations, and the development of a communication strategy.. The Sub-Working Group comprises representatives from the Team of Experts, Western Africa Division of DPPA-DPO, OHCHR, UNDP, the UN Resident Coordinator in Guinea and the UN Office for West Africa and the Sahel. The Team of Experts will be mainly responsible for (i) training magistrates and other relevant justice officials on sexual and gender-based violence, (ii) developing a protection strategy for CRSV victims, and (iii) reparations.

In September 2022, the Team supported SRSB-SVC’s visit to Guinea to attend the historic opening of the 2009 Events trial. The SRSB emphasized the critical importance for the trial to be conducted in line with international norms and standards. The Team, in collaboration with the UN Country Team in Guinea and the Team co-lead entities at country level, is drafting an integrated UN strategy on how to effectively support the trial.

From 19 to 22 October 2022, the Team delivered a first training for Guinean magistrates on the investigation and prosecution of sexual and gender-based violence at the Judicial Training Center. The training included over 20 magistrates, judges and prosecutors from different jurisdictions. The training was conducted by the Team of Experts and two specially deployed experts: Mbacke Fall (former General Prosecutor of the Extraordinary African Chambers) and a former Team of Experts’ member and currently a Judicial Affairs Officer in MINUSCA. The training offered an overview of the national and international legal frameworks for the prosecution and adjudication of sexual violence, the jurisprudence emanating from the Extraordinary African Chambers and the Central African Republic Special Criminal Court, and the protection of victims and witnesses before, during and after legal proceedings.



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IRAQ

In 2022, the Team of Experts has increased its collaboration with the UN Investigative Team to Promote Accountability for Crimes Committed

by Da'esh/ISIL ("UNITAD") and will be deploying an expert on CRSV with UNITAD in line with the Joint Communiqué on the Prevention and Response to Conflict-Related Sexual Violence between the UN and Iraq (2016) and the respective Security Council mandates of both entities.

The Team of Experts continued to follow the developments relating to the Yazidi Survivors Law with its UN partners, including the appropriation of US\$17 million to the law by the Government of Iraq. As it did with the initial text of the law and by-laws, the Team will continue to provide technical advice as needed.

The Team has also continued to facilitate political engagement by the SRSV-SVC with Iraqi civil society, amongst others, including statements commemorating the events of 3 August 2022 in Sinjar, Iraq.



LIBYA

During the reporting period, the Team of Experts continued to provide technical support to UN partners in Libya. In May 2022, the Team of Experts conducted

a mission to Tripoli to strengthen its relationships with key stakeholders, including the Attorney General and the Minister of Justice. This engagement will be followed by the deployment of a Team's consultant to Libya, who is going to map the country-wide criminal justice response to CRSV.

The Team of Experts also co-hosted a workshop with UN partners in Tunis on a draft law on Combating Violence Against Women. The workshop was attended by the Libyan Committee of Experts working on the draft and relevant partners. The Team of Experts' interventions were based on a legal memorandum shared ahead of the workshop. The memorandum, based on the Model Legislative Provisions and Guidance on Investigation and Prosecution of Conflict-Related Sexual Violence, analysed how the draft law could be better aligned with international law and best practices. The Team of Experts also drafted and shared with United Nations Office on Drugs and Crime ("UNODC") a legal memorandum analysing a draft law on trafficking in persons.



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MALI

In February 2022, the Team of Experts held a virtual briefing co-hosted by the Permanent Missions of Germany and Albania with a representative of Mali PM in attendance, on the progress made and challenges impacting the judicial response to CRSV in Mali. The briefing was attended by around 100 representatives from 35 Permanent Missions, among others. The briefing served to take stock of the progress made on accountability since the signature of the Joint Communiqué between the UN and the Government of Mali in March 2019 – namely: (i) the joint assessment conducted by the Team of Experts and the UN Multidimensional Integrated Stabilization Mission in Mali (“MINUSMA”) in 2019 to evaluate the obstacles impeding the judicial response to CRSV crimes committed during the 2012-2013 conflict, and (ii) the workshop in 2021 - co-organised by the Team of Experts, MINUSMA and DPO’s Justice and Corrections Standing Capacity (“JCSC”) as well as national authorities and civil society actors - to elaborate a prosecutorial strategy and determine a way forward for prioritised cases selected on agreed criteria. The sustained cooperation among the Team, MINUSMA and JCSC was highlighted as a key to advancing the judicial response. The briefing served to discuss the support and advocacy needed to ensure those prioritised cases are brought to the courts.

NIGERIA

The Team of Experts continued to support the Complex Casework Group at the Attorney General’s Office and the Serious Crimes Unit in the Nigerian Armed Forces. In this context, the Team of Experts is conducting a joint project with the UNODC and Wayamo Foundation to strengthen the judicial response to CSRV cases. The project includes a series of substantive workshops focusing on the investigation, prosecution and case management of CRSV cases, mentoring sessions and the possible development of customized guidelines for the investigation and prosecution of CRSV.

From 17-21 October 2022, the Team co-sponsored with UNODC and the Wayamo Foundation a training session on serious international crimes with a focus on CRSV for the Nigerian Complex Case Group and, for the first time, for the Nigerian military justice authorities that form the Serious Crime Response Team. The training was attended by over 20 persons, including the Brigadier General, who serves as the Director of Legal Services for the Nigerian military.



PHOTO | AMISOM

SOMALIA

The Team of Experts continued its discussions with JCSC, the Global Focal Point for the Rule of Law, and the UN Assistance Mission in Somalia on how to strengthen accountability for crimes of sexual violence in Somalia. The Team of Experts also advocated for the inclusion of a benchmark linking the Security Council's work on weapons and ammunition management in Somalia with efforts to hold perpetrators of sexual violence from the Somalia National Armed Forces and Somalia Police Force accountable for their crimes. The Team also continued to follow developments regarding the adoption of the Sexual Offences Bill (2018).



SOUTH SUDAN

The Team of Experts continued to focus on supporting the implementation of the Action Plan for the Armed Forces on Addressing CRSV in South Sudan and supporting the implementation of the South Sudan National Police Service action plan. Such support aims at ensuring that the nationally owned strategic frameworks developed by South Sudan with the support of the Team of Experts lay the foundation for a meaningful accountability process for CRSV going forward.

In October 2022, the Team of Experts accompanied the SRSO-SVC on a mission to South Sudan to re-engage with relevant stakeholders to reinvigorate the implementation of the Joint Communiqué of the Republic of South Sudan and the UN on addressing CRSV and its associated action plans.

In addition to its broader support in South Sudan, the Team of Experts is currently in the process of commenting on the draft "Anti Gender Based Violence Bill (2019)" with the hope of strengthening the legislative basis and associated protection measures required to successfully hold perpetrators accountable.



PHOTO | SANA HAJRA



In March 2022, the Team of Experts conducted a mission to Sudan to engage with relevant stakeholders and identify further avenues for cooperation to ensure that the national authorities receive the necessary support to effectively prosecute and adjudicate CRSV cases.

In Khartoum, the Team engaged with UN partners and national counterparts, including the Ministry of Foreign Affairs, the Office of the Attorney General's Unit on International Cooperation and Family/Gender, the General Director of the Combating Violence against Women and Children Unit, as well as judges and the national police. The Team also took part in the Working Group on Sexual Violence in Protests to discuss protection needs for the CRSV victims of the protests following the October 2021 coup. In the following week, the Team of Experts visited the city of El-Fahser in the province of Northern Darfur to discuss challenges to accountability for CRSV with local justice actors.

The Team drafted a comprehensive technical assessment, which provided the basis for greater engagement with, support for and funding to UN partners for a set of projects on rule of law to further accelerate the criminal accountability for perpetrators of CRSV. The projects will build the capacities of the Sudanese Police Force, the judges, the National Bar association and the legal aid organisations. The Team will be deployed in December 2022 to provide technical expertise in the implementation of the projects.

UKRAINE



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Since February 2022, the Team of Experts has been closely working with national authorities and UN partners in Ukraine. In May 2022, the Team assisted the SRSB-SVC's visit to Ukraine, Poland and Moldova, which led to the signature by the Government of Ukraine of a Framework of Cooperation with the UN on the prevention and response to CRSV. The Framework of Cooperation (FOC) outlines five overarching key critical areas of cooperation, including (i) strengthening the rule of law and accountability as a central aspect of deterrence and prevention of crimes of sexual violence; (ii) strengthening the capacity of the security and defence sector to prevent sexual violence; (iii) ensuring that survivors of sexual violence, as well as their children, have access to comprehensive services; (iv) ensuring that sexual violence is addressed in the framework of a ceasefire agreement; and (v) addressing conflict-related trafficking in persons for the purposes of sexual exploitation/prostitution, given the acute vulnerability of the millions of civilians, predominantly women and children, who have become internally displaced or have been forced to flee across Ukraine's borders.

An Inter-Ministerial Task Force Working Group comprised of all relevant ministries, national agencies, civil society representatives and UN entities was established to lead the implementation of the FOC. Over the summer, the Team co-led with the Government of Ukraine three of the five sub-working groups to draft an implementation plan in the area of (i) justice and accountability, (ii) reparations and (iii) trafficking for sexual exploitation purposes. On 22 September 2022, the implementation plan was validated by the Commission for the Coordination of Interactions of the Executive Bodies to Ensure Equal Rights and Opportunities for Women and Men.

The Team is currently working on advancing its engagements under pillar II of the Implementation Plan to support accountability and access to justice for CRSV. For instance, the Team serves as an active member of the Office of the Prosecutor General ("OPG") Inter-Agency Working Group to ensure that a survivor-centred approach is reflected in the OPG's work. Also, the Team extensively contributed to the OPG's Strategy for a victim- and witness-centred approach to conflict-related sexual violence case management, launched in October 2022, which will serve as a roadmap to ensure survivors' needs are at the centre of accountability processes.

In addition, the Team initiated support for capacity building for the newly established Specialized Unit on CRSV within the OPG to ensure specialised resources are assigned to its sexual crime investigations and prosecutions. Through regular virtual meetings with the Head of the Specialised CRSV Unit, the Team has gained a better understanding of the unit's composition, its articulation with the War Crimes' Department, its cooperation with regional-level prosecutors. Technical assistance needs for the Team to support have been identified.

Furthermore, the Team has conducted a desk legal review on applicable national and international criminal law provisions in Ukraine to analyse how to prosecute CRSV cases successfully. In October 2022, the Team held consultations with two national NGOs working on the representation of CRSV victims, which enabled the Team to enhance its understanding of applicable provisions of the Criminal Code of Ukraine relevant to CRSV, including the modes of liability, cumulative charges and the direct application of international treaties ratified by Ukraine. Based on this analysis, the Team is planning to conduct tailored training on the prosecution of CRSV, including the relevant international legal framework.

Lastly, the Team briefed the Committee on the Elimination of Discrimination against Women ("CEDAW") during its 9th periodical review of Ukraine. In line with the Committee's 2017 Concluding Observations and 2020 list of issues, the Team presented the signature of the Framework of Cooperation and the drafting of the Implementation Plan as key achievements to ensure survivor-centred responses. The Team advocated, among other things, for the enactment of Law No. 1164-IX, "On amendments to certain legislative acts of Ukraine concerning the implementation of provisions of international criminal law and humanitarian law", adopted by the Parliament of Ukraine in May 2021, to ensure the criminalisation of crimes against humanity and bring the provisions on genocide and war crimes broadly in line with international standards. In addition, the Team emphasised that Ukraine needed victim-centred capacity-building training for central and regional level police officers and other law enforcement officers, prosecutors, and judges in order to ensure accurate CRSV charging. The Team's recommendations are reflected in CEDAW's Concluding Observations (CEDAW/C/UKR/CO/9, available here: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fUKR%2fCO%2f9&Lang=en).

CONFLICT-RELATED SEXUAL VIOLENCE IN THE CONTEXT OF TRAFFICKING

During the reporting period, the Team of Experts led the work of OSRSG-SVC on trafficking. In June and July 2022, the Team was invited as an observer to the 12th session of the Working Group on Trafficking in Persons, established by the Conference of the Parties to the UN Convention against Transnational Organized Crime. The Team discussed the issues of (i) appropriate criminal justice responses to victims who have been compelled to commit offences due to being trafficked and (ii) best practices in joint investigations and specialised prosecutions of CRSV and trafficking.

During the UN General Assembly, the Team, with the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings, co-organised a panel discussion on the issue of trafficking of women and girls for the purpose of sexual exploitation, with a special focus on Ukraine. In the coming months, a group of interested Member States will have a high-level discussion on the possible establishment of a diplomatic agreement to address and prevent trafficking for the purpose of exploitation in conflict. Finally, in the next quarter, the Team is planning to conduct research on the Rule of Law response to the nexus between CRSV and trafficking for sexual exploitation, including in the Ukrainian context, together with specialised researchers.



osce Organization for Security and Co-operation in Europe

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

Trafficking of women and girls for the purpose of sexual exploitation:

Responding to prevention and protection challenges in the context of the war against Ukraine

 Government Offices of Sweden
Ministry for Foreign Affairs

 MISSION PERMANENTE DE LA FRANCE AUPRES DES NATIONS UNIES A NEW YORK
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 UN WOMEN

CONFLICT-RELATED SEXUAL VIOLENCE IN THE CONTEXT

OF TERRORISM

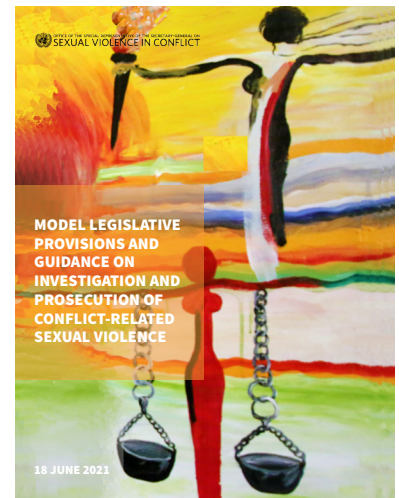
In May 2022, the Team of Experts participated in a virtual training organised by the International Centre on Counter-Terrorism on criminal justice approaches to the linkages between terrorism and core international crimes. The training was attended by 66 prosecutors from francophone West African countries, including Burkina Faso, Cameroon, Cote d'Ivoire, and Mali. This training was a part of a training series focused on the promotion of the Global Counter-Terrorism Forum-led Memorandum on Criminal Justice Approaches to the Linkages between Terrorism and International Crimes (War Crimes, Crimes against Humanity, Genocide), Sexual and Gender-Based Violence, Human Trafficking and Migrant Smuggling, to which the Team actively contributed in 2020 and 2021. The next regional training will target prosecutors in Eastern Europe, the Middle East, and Southeast Asia.

LEGISLATIVE REFORM

The Team of Experts contributed to the drafting of the sexual violence provisions within the Model Legislative Provisions to support and protect the rights and needs of victims of terrorism, which was launched in February 2022 by the UN Office of Counter-Terrorism/UN Counter-Terrorism Centre, UNODC, and the Inter-Parliamentary Union.

The Team also continued its work on the reform of legislation to roll out the [Model Legislative Provisions and Guidance on the Investigation and Prosecution of Conflict-](#)

[Related Sexual Violence](#). In February 2022, the Team recruited a dedicated consultant to produce a baseline review of the existing legislative frameworks and jurisprudence of an initial nine country situations in the Secretary-General's annual report on CRSV. The assessment will form the baseline for the Team's engagement in operational/technical support to legal reform and allow the identification of countries for priority engagement. The Team expects all reports to be produced by early 2023.



NEW POLICE EXPERT ONBOARD



PHOTO | UNPOL

The Team of Experts welcomed a new police and criminal investigations expert. As a former senior police officer in Zimbabwe with 26 years of experience in crime management, investigations, training and prosecution, including sexual and gender-based violence, the expert will lead the Team's support to criminal investigation and national police services.

During the reporting period, the Team of Experts strengthened its coordination with Special Police Teams in Sudan and DRC. Also, the Team is working on developing standardised training materials on the key concepts of CRSV in order to ensure uniformity across the board. This included the review of training materials for the pilot course for CRSV focal points on the implementation of the CRSV mandate in the UN peacekeeping operations.

RESOURCES

The Security Council mandated in resolution 1888 (2009) that the Team of Experts make use of existing human resources within the UN system as well as voluntary contributions.

Since it became operational in 2011, the Team has been funded exclusively through voluntary contributions. In order to sustain its work, adequate human and financial resources are essential. The Team Experts welcomes contributions from Member States, private philanthropic foundations, and individuals to its five-year joint programme.

The Team of Experts greatly appreciates the generous contributions provided to its current joint programme by Belgium, Denmark, Estonia, Finland, Germany, Italy, Japan, Luxembourg, Netherlands, Sweden (SIDA), Türkiye, United Arab Emirates, and the United Kingdom.



The Team constantly seeks to broaden its partnership and support base and is currently in discussions with the European Union and Canada. For further information on the Team's activities, please see the 2021 annual report at <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2013/04/our-work/team-of-experts/Annual-Report-TOE-2021lowres.pdf>

To contribute to the work of the Team of Experts, contact directly the Team Leader, Ms. Chloe Marnay-Baszanger marnay-baszanger@un.org and TOE-ROL-SVC@un.org

Please follow the Team on Twitter, Facebook and Instagram
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