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SEXUAL VIOLENCE IN CONFLICT

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**Team of Experts**

Rule of Law/Sexual Violence in Conflict

2016

ANNUAL REPORT

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# FOREWORD

This past year in Juba, South Sudan, a woman was raped by the armed forces while returning to the displacement camp where she and her family live. In the Kurdistan region of Iraq, a woman was released from sexual slavery after being held for years by ISIL/Da'esh. In Colombia, a rape survivor received reparations pursuant to an exemplary and gender-responsive peace agreement that holds the promise of an end to decades of bitter conflict.

In warzones around the world, in a wide range of contexts, sexual violence has been used as a tactic of war and terrorism. Sexual violence is a cost-effective weapon used to humiliate and destroy individuals, undermine family and kinship ties, and threaten international peace, security, development, and the rule of law. The world has recognized the threat that sexual violence in conflict poses and the United Nations has zealously pursued efforts to end this horrific crime.

In 2009, the Security Council created the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict ("the Team") to strengthen Member States' capacity to prevent and punish conflict-related sexual violence through rule of law institutions. The Team is composed of experts from the Department of Peacekeeping Operations, the Office of the United Nations High Commissioner for Human Rights, and the United Nations Development Programme, supplemented by a roster of experts with a range of specializations. These experts deploy globally to ensure that Member States have the tools and technical expertise they require to ensure that survivors of sexual violence receive the justice they so desperately need and rightly deserve. The case of Guinea demonstrates the concrete impact the Team can make. Following its technical support to a

national panel of judges investigating mass rape committed in September 2009, 17 high-ranking military and political officials, including the former President, were indicted, and a number of key suspects were arrested through enhanced judicial cooperation with neighbouring countries. In 2016, the Team continued to promote the sharing of experiences between countries facing similar challenges, and to assist in establishing mechanisms, and developing policies and tools, such as the "guidelines on addressing conflict-related sexual violence for armed forces in Africa".

This report details the Team's work in assisting national authorities to bring justice to survivors of conflict-related sexual violence in the Central African Republic, Colombia, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea, Iraq, Somalia and South Sudan. The Team relies exclusively on voluntary contributions by United Nations Member States. It is widely regarded as one of the most cost-effective and practical inter-agency tools in the United Nations system to address the scourge of conflict-related sexual violence by building State capacity and restoring the rule of law. I count on your financial and political support to ensure the Team remains able to carry out its critical Security Council mandate, helping to transform cultures of impunity into cultures of accountability and deterrence.

Zainab Hawa Bangura  
Under-Secretary-General and  
Special Representative of the Secretary-General on  
Sexual Violence in Conflict

# WHO WE ARE

We are the United Nations (UN) Team of Experts on the Rule of Law/Sexual Violence in Conflict (Team of Experts or TOE) established by Security Council resolution 1888 (2009) to assist governments in conflict and post-conflict situations by strengthening their capacity to address impunity for conflict-related sexual violence. The Team focuses on enhancing national efforts to address challenges regarding accountability for crimes of sexual violence. Building upon the principles and obligations of Security Council resolutions 1325 (2000) and 1820 (2008) on women, peace and security, operative paragraph 8 of resolution 1888 calls upon the Secretary-General of the UN to take measures to identify and deploy a Team of Experts “to situations of particular concern with respect to sexual violence in armed conflict . . . to assist national authorities . . . to strengthen the rule of law”.

Operational since 2011, with experts from the Department of Peacekeeping Operations (DPKO), the Office of the High Commissioner for Human Rights (OHCHR) and the UN Development Programme (UNDP), which serve as co-lead entities, the Team complements existing UN mechanisms in providing direct technical assistance to national governments to prevent and respond to conflict-related sexual violence, with a focus on combating impunity and ensuring accountability for this crime.

Within the broader objective of strengthening the rule of law with respect to conflict-related sexual violence, the Team: (i) works closely with national legal and judicial officials and other personnel in the relevant governments’ civilian and military justice systems to address impunity, including by strengthening national capacity and drawing attention to the full range of justice mechanisms to be considered; (ii) identifies gaps in national response and encourages a holistic national approach in addressing conflict-related sexual violence, including by enhancing criminal accountability, judicial capacity and responsiveness to victims (such as reparations mechanisms); (iii) makes recommendations to coordinate domestic and international efforts and resources to reinforce governments’ ability to address conflict-related sexual violence; and (iv) acts in conjunction with a variety of UN mechanisms towards the full implementation of resolutions 1820 (2008), 1888 (2009), 1960 (2010) and 2106 (2013).

In line with its mandate, the TOE provides assistance to governments, including in the areas of criminal investigation and prosecution; military justice; legislative reform; protection of victims and witnesses; and reparations for survivors. Reporting to the Special Representative of the Secretary-General on Sexual Violence in Conflict (SRSG-SVC) and the co-lead entities, the TOE serves a catalytic role in implementing joint communiqués and frameworks of cooperation agreed between the SRSG-SVC and national authorities and regional actors, complementing the work of UN country presences.

The Team of Experts is a unique multi-entity technical team model in line with the UN efforts to deliver as one on complex human rights, rule of law and peace and security issues. The individual members of the Team of Experts are selected by the respective parent entity in consultation with the Team Leader. Given that the Team of Experts may not always have the full complement of specific skills within its standing capacity, it is supplemented by rostered experts in a variety of areas of expertise. These specialists complement the Team as required for periods of limited duration, and consist of both UN and external specialists.

Since January 2015, the Team has been operating under a five-year joint programme developed in coordination with DPKO, OHCHR and UNDP.

# OUR VISION

We believe that with sound legislation, comprehensive prevention and response mechanisms and enhanced capacity, military and civilian justice systems will be able to address conflict-related sexual violence promptly and effectively, leading to reduced impunity and ultimately to greater peace, security and development. Fundamental to the Team's vision is the recognition that national ownership, leadership and responsibility are the cornerstones in the fight against impunity for sexual violence crimes. We also believe in fostering experience sharing among countries that have experienced conflict-related sexual violence, as an important tool enabling national authorities to learn from the good practices and the challenges experienced by others in similar contexts.

# HOW WE WORK

With the existing dedicated and multi-disciplinary expertise, the TOE supports and complements the work of the UN in enhancing security, development, human rights and peacebuilding by providing strategic, technical and programmatic guidance and support to address conflict-related sexual violence. The Team uses a human rights-based approach to identify gaps and challenges faced by national authorities and institutions in responding to accountability for conflict-related sexual violence. It focuses on strengthening national capacity and ensuring that interventions build on, and complement existing partners' and governments' initiatives. It ensures that national authorities are in agreement with the support provided to them.

The TOE works in response to requests for assistance regularly received from national authorities, UN field presences or headquarters officials, civil society organizations or victims groups. Based on these requests, the TOE consults with the UN presence in the respective country, determines whether the context is appropriate for its engagement, and seeks consent from the government to provide assistance.

The SRSG-SVC's high level advocacy work with governments also serves as an entry point for TOE interventions. Since 2011, the Office of the SRSG-SVC has secured joint communiqués and frameworks of cooperation, signed by the host government and the UN, as a platform for engagement to assist governments in addressing sexual violence. To date joint communiqués have been signed with the Governments of Angola, the Central African Republic (CAR), the Democratic Republic of the Congo (DRC), the Republic of Guinea, the Republic of Iraq, the Federal Republic of Somalia and the Republic of South Sudan. In addition, a unilateral communiqué was issued by the Sudan People's Liberation Movement/Army-In Opposition (SPLA-IO). Governments have requested TOE technical assistance through each of these communiqués. Frameworks of cooperation have also been signed with the Kofi Annan

International Peacekeeping Training Centre, the African Union (AU), the International Conference on the Great Lakes Region (ICGLR), and the League of Arab States, which provided additional entry points for engagement by the Team.

Upon request or consent by a government, the TOE undertakes a technical assessment mission to help the government to review existing initiatives, laws, programs and mechanisms on the rule of law in general and on conflict-related sexual violence in particular, as well as to evaluate the existing capacity of national actors. Extensive consultations between the TOE, government entities, UN partners, civil society organizations, national human rights institutions, and other national and international stakeholders take place before, during and after assessments to ensure national ownership, coordination and complementarity. This approach ensures that the Team's support avoids duplication of efforts, adds value and is sustainable.

During assessments, the Team ensures that the modalities for the provision of assistance to national authorities to address conflict-related sexual violence are identified and clarified. The assessments often result in extensive recommendations for a range of actors, including the TOE itself, government entities and other national and international partners in the country. Recognizing that national ownership and leadership are critical for the sustainability of efforts to address conflict-related sexual violence, the TOE ensures that these recommendations, including the modalities for their implementation, have the full support of national and local authorities, as well as non-governmental organizations.

Once the recommendations and modalities for support are agreed, the TOE may assist in the identification and mobilization of human, technical and financial resources, or in the development of budgeted project proposals to help national authorities address the

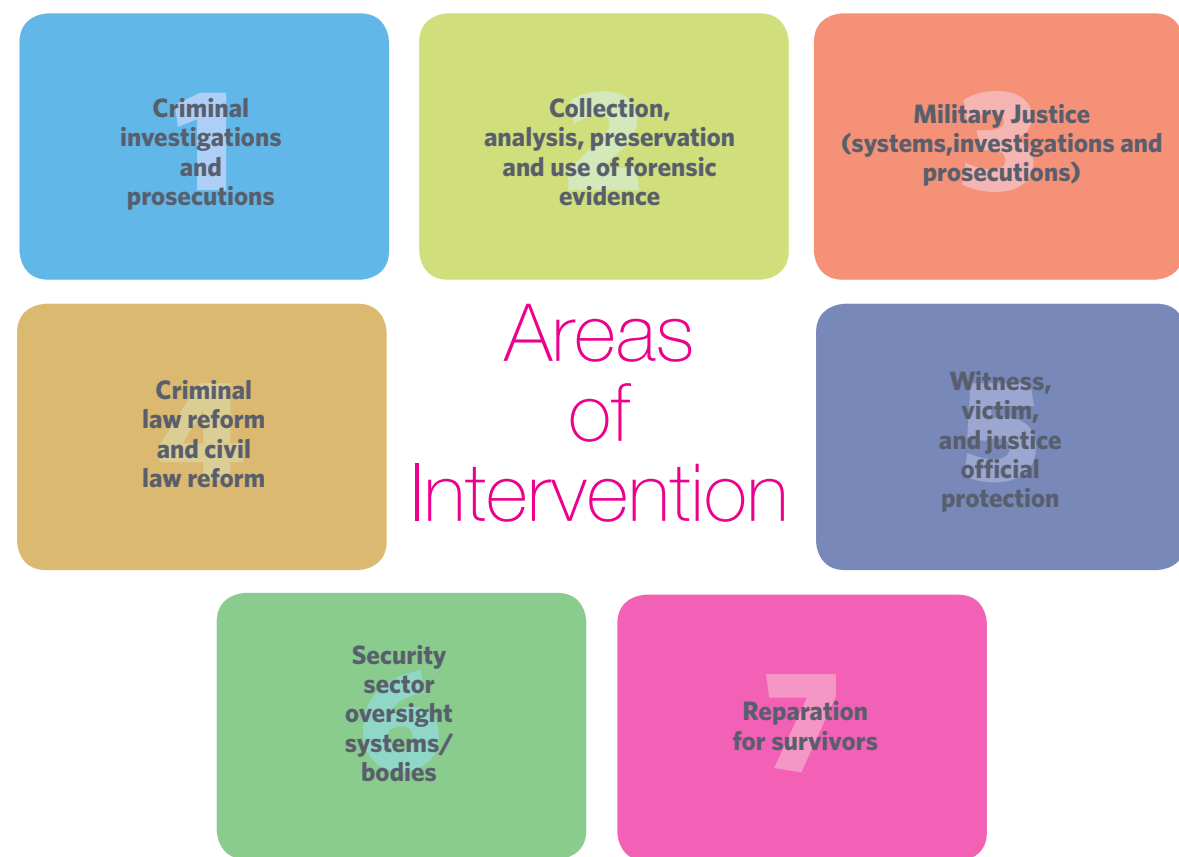
gaps the Team helped to identify. The Team tries to ensure that a government entity or a co-lead entity is responsible for the implementation of initiatives emanating from the Team's assessments, while the TOE provides the necessary technical assistance through the deployment of expertise or direct advice.

In implementing its mandate to assist national authorities and institutions to strengthen the rule of law with respect to conflict-related sexual violence, the Team works with a wide range of partners. Within the UN, DPKO, OHCHR and UNDP, as co-lead entities for the TOE, continue to play a central role through guidance and support at field and headquarters levels. This includes the process of identifying needs and gaps at the national level, as well as implementing initiatives to help effectively address conflict-related sexual violence. In addition, the UN Country Teams, members of UN Action and other UN entities provide valuable support and input to the TOE assessment missions. The Team also

works closely with national, regional and international organizations.

The TOE is currently supported in its efforts by approximately 70 national and international experts ready for deployment, with a range of competencies gathered under a profile within the UNDP Experts Roster for Rapid Response. The experts' various areas of expertise include criminal investigations and prosecutions, military justice systems, security sector oversight mechanisms, forensics, reparations, legal drafting, protection of victims and witnesses, and mentoring national justice officials. They also cover a variety of language skills and regional expertise.

In addition, there are ongoing discussions with the Government of Sweden regarding the secondment of an expert to contribute to the TOE's technical assistance to the ICGLR's Kampala based Sexual Violence Regional Training Facility (RTF).



## Monitoring the Impact of our Work

To ensure that we measure the impact of our work, we have established benchmarks, identified indicators and established annual targets, which are both qualitative and quantitative. The Team conducts regular monitoring of the implementation of its engagements and progress in delivering its work. It meets regularly to discuss and review the outputs, and identify and analyse factors that could affect progress toward defined targets. This is supported through regular follow-up on developments in particular countries, including political developments, institutional changes and legislative reforms. Given the changing context in most conflict and post-conflict countries, factors that could positively or negatively impact TOE's engagement on the ground are reviewed and revised on an ongoing basis, and taken into account in the delivery of the Team's work. The TOE also reflects on prior engagements to discern lessons learned that can be incorporated into and guide future engagements, and seeks out good practices of other actors. In addition, the TOE participates in regular meetings with the co-lead entities - DPKO, OHCHR and UNDP - and relevant UN Action network members, to brief and highlight progress on key outputs and ensure cohesion and cooperation among key UN entities operating in conflict or post-conflict countries and whose interventions contribute to addressing conflict-related sexual violence.

## The Advisory Group

The Team's Advisory Group consists of a senior representative from each of the co-lead entities contributing a member to the Team. Its role is to, inter alia: provide strategic advice on engagements of the Team; propose possible areas of engagement to the Team; advise on the management of the roster of experts; consider the Team's reports and recommendations from assessments and deployments and support the Team in its efforts to mobilize resources.



# Country Engagements



# Central African Republic



The security situation in CAR remained volatile, with continued intercommunal conflicts and challenges related to the displacement of over 400,000 people. The human rights situation continued to be of grave concern in 2016, with reports of patterns of conflict-related sexual violence of an ethnic and sectarian nature. During the reporting period, the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) reported tens of cases of conflict-related sexual violence including gang rapes, forced marriages and sexual slavery, committed mainly by ex-Séléka, anti-Balaka, Révolution et Justice elements and the Lord's Resistance Army (LRA).

Sexual violence crimes were committed in and around internally displaced persons camps, and as acts of retaliation by anti-Balaka, ex-Séléka and other armed groups. Sexual violence crimes were also reported to take place in homes, en route to markets and to fields, or during firewood collection. Sexual violence was also committed in the context of intercommunal clashes aimed to humiliate or punish the target population, as well as against women suspected of engaging in trade across the sectarian divide.

The response by the justice system has been limited, due to capacity constraints. It should be noted that as a result of the collapse of the judiciary and the disintegration of security institutions, specifically the police and the gendarmerie, most sexual violence cases have been addressed through "amicable settlements", such as promises of marriage, including the payment of a dowry or other financial compensation. The Ministry of Justice issued a circular in March 2016 requiring sentences for sexual violence crimes to be upgraded from "correctional" to criminal sanctions, to provide a stronger deterrent. However, with their current capacity, the police and the judiciary have been unable to provide adequate response to these crimes.

## Assistance and Impact

In 2016, the TOE deployed to CAR and continued to work with the Government on the establishment of a joint rapid response unit within the gendarmerie and the police, to ensure that crimes of sexual violence receive adequate attention. In coordination with UN Police and UNDP, the TOE designed a training programme on conflict-related

sexual violence (CRSV) targeting an initial group of 33 national police officers and gendarmes identified to integrate the Mixed Unit of Rapid Intervention and Repression of Sexual Violence against Women and Children (UMIRR), as well as other relevant actors whose work contributes to the adjudication of this crime. The first phase of the training targeted prosecutors and medical staff, to ensure a coordinated and holistic response to this crime. Peer-to-peer sessions were conducted by specialized trainers of the Special Unit on Sexual Violence and Child Protection of the DRC's national police, who were previously trained by the TOE, and deployed to CAR to assist their peers. Other stakeholders including UN Police, MINUSCA, UN Population Fund, UNICEF and International Committee of the Red Cross also contributed to the training.

In order to ensure national ownership of the UMIRR, an interdepartmental working group composed of representatives of the Ministry of Justice, Ministry of Health, Ministry of Social Affairs, National Police, Gendarmerie and key national and international NGOs was put in place in September to oversee the work of the unit. The working group has produced two tools for the UMIRR: (i) the Rules and Procedures on investigation of sexual and gender based violence; and (ii) the Internal Rules on the organization and administration of the Unit. As a result of this assistance, the UMIRR is now operational in Bangui, and despite its limited reach, constitutes the only entity at the disposal of the Government which is adequately functioning to address the issue of accountability.

Furthermore, in support of accountability efforts for conflict-related sexual violence crimes, the TOE deployed an expert for six months to CAR to support an OHCHR team to map the grave violations of international human rights and humanitarian law that have occurred in the country between January 2003 and December 2015. The expert was responsible for collecting and documenting all sexual violence-related cases and drafting of a related specific chapter. The Mapping Report has identified serious conflict-related sexual violence cases which inform transitional justice efforts, including the prosecutorial strategy of the Special Criminal Court. This ensures that the cases identified by the mapping report are part of the priorities of the Special Criminal

Court once operational. Furthermore, the TOE continues to ensure that the crimes documented by the UMIRR could be complementary to the case load of the Special Criminal Court.

In the context of the International Donor Conference on CAR, held in Brussels in November 2016, the TOE participated in a Panel on the Special Criminal Court, providing specific recommendations on how CRSV should be addressed and on integrating a victim-centred approach in the planning and establishment of this institution. In this regard, the TOE's recommendation for the Special Criminal Court to establish a special unit to prosecute sexual violence crimes has been positively received.

Finally, the TOE led the drafting process of a joint UN submission to the International Criminal Court on reparations for victims in the Bemba case (as the Bemba case was the first conviction before the ICC for sexual violence crimes). The joint amicus curiae submission was filed with the Court on 17 October 2016 with contributions from OHCHR, UN Women, MINUSCA, and the Office of the Legal Adviser (OLA). The submission advocates that the Court strongly considers providing individual reparations for victims of Mr. Bemba's crimes in CAR.

## Challenges and Path Forward

The continued lack of capacity of security and justice institutions to respond to threats and incidents as well as a lack of access to large parts of the country remain among the major obstacles in the collective efforts to stop the violence and restore the rule of law in CAR. The TOE will continue to support national authorities in CAR in close collaboration with UNDP in the framework of the Global Focal Point arrangement to ensure that national rule of law institutions address the issue of conflict-related sexual violence. It will be important to ensure that efforts and investment in the Special Criminal Court are in synergy with larger efforts to strengthen the overall national system and capacity to respond to conflict-related sexual violence. The team will continue to assist the Government to consolidate the joint rapid response unit to combat sexual violence and support efforts towards its extension outside the capital Bangui.





# Colombia

After four years of negotiations between the Government and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP), a peace accord was signed between both parties in November 2016. This marks the end of Latin America's longest-running civil war. A political dialogue between the Government and the Ejército de Liberación Nacional, Colombia's second-largest guerrilla group, also started in October. This is welcome progress after five decades of conflict in which, as stated by Colombian Constitutional Court in 2008, sexual violence was widespread and systematic.

The peace agreement between the Colombian Government and the FARC-EP provides for the establishment of a truth commission and a special jurisdiction for peace, which identifies sexual violence as a grave violation that cannot be subject to amnesty. The agreement contains strong gender commitments, and requests the SRSB-SVC, UN-Women, the Government of Sweden and the Women's International Democratic Federation to support the implementation of the agreement. On 25 January 2016, the UN Security Council established a special political mission of unarmed international observers to monitor and verify the ceasefire and the process of disarmament, demobilization and reintegration of the FARC-EP (S/RES/2261). It is to

be noted that in a letter dated 6 September 2016, the Colombian Minister of Foreign Affairs and the FARC-EP requested the Office of the SRSB-SVC to provide support in the implementation of the gender approach of the final agreement.

The legal framework of Colombia with regard to sexual violence is strong. This includes Law 1719 on Access to Justice for Victims of Sexual Violence in Colombia, particularly as it relates to the armed conflict, adopted by Presidential Decree on 18 June 2014, and to which the TOE provided inputs. This ground-breaking law explicitly recognizes that sexual violence can constitute a crime against humanity and that there can be no statute of limitations for such crimes. It includes offences that were previously omitted from the Penal Code, such as enforced sterilization, forced pregnancy and forced nudity and adds specific reference to aggravating circumstances, for example when sexual violence is committed as a form of retaliation against or intimidation of human rights defenders. The law also provides for the establishment of protection mechanisms and the design of a reparations programme for victims of sexual violence.

Despite this strong legal framework, and the adoption of an investigation protocol by the Attorney-General's

Office for sexual violence cases, a very small number of cases get reported and, of those, very few result in convictions. Between January and November 2016, the National Victims' Unit registered 85 cases of conflict-related sexual violence of which 31 per cent targeted women of Afro-Colombian origin. Reports from the UN in 2016 include the 79 such cases perpetrated by armed groups, including forced prostitution, sexual torture, sexual slavery and harassment by armed groups and security forces.

## Assistance and Impact

The TOE supported efforts of the SRSB-SVC to ensure that conflict-related sexual violence considerations remain central in the peace process between the Government and FARC-EP. In particular, the TOE has used the SRSB-SVC's good offices and advocacy to seek accountability for sexual violence crimes in the peace negotiations and in the agreement.

The TOE has also engaged with the Government of Colombia on how its strong legal and policy frameworks, as well as the successful initiatives established in the country on addressing conflict-related sexual violence can be used as example for other countries facing similar challenges. The TOE has initiated a process to draw from Colombia's experience and specialised expertise to promote cross-regional experience sharing, including in the area of forensics and reparations. In this regard, in March 2016 the TOE facilitated an experience sharing exercise between the Colombian National Institute of Legal Medicine and Forensic Science and a delegation of Guinean justice officials, led by the Minister of Justice. This exercise allowed both delegations to identify similarities between the two countries in terms of grave human rights violations committed in their recent history, including regarding emblematic cases of sexual violence. Both delegations recognised the importance of accessing mass graves in Guinea, which could contribute to establishing the truth, as well as to reconciliation and sustainable peace. Both countries agreed to pursue discussions on the modalities for the Colombian National Institute of Legal Medicine and Forensic Science to contribute to Guinea's efforts to access mass graves and build the capacity of Guinea in the area of forensics.

In addition, based on a request received in May 2016 from the Ministry of Solidarity, Women and the Protection of Children of Côte d'Ivoire, the TOE is currently planning an experience sharing exercise through which Côte d'Ivoire will learn from Colombia's efforts and initiatives on reparations for victims of sexual violence.

The Team will continue to support advocacy efforts by the SRSB-SVC to ensure the implementation of sexual and gender-based violence considerations of the peace agreement, with focus on accountability for conflict-related sexual violence crimes committed during the conflict.

## Challenges and Path Forward

Institutional capacity constraints at local level and the underreporting of cases continue to be both a cause and a consequence of impunity for sexual violence, despite the progressive legal framework of Colombia. Areas under the influence of non-state armed groups, or groups that have emerged from the process of demobilization continue to present risks for women and girls.

Continued attention to conflict-related sexual violence during the implementation of the Peace Agreement will be key in ensuring that victims of sexual violence see justice. The reintegration of former combatants into communities will be critical, including ensuring that they do not fall victim to sexual and gender-based violence. Another key element will be to strengthen protection measures for women's human rights defenders, including those who championed gender justice during the peace process, and who are facing threats from armed actors.

The TOE will continue to work with the Government of Colombia in promoting experience sharing of good practices to strengthen the capacity of conflict-affected countries in addressing conflict-related sexual violence. In this regard, the Team will support the Colombian National Institute of Legal Medicine and Forensic Science to share its experience with Guinean authorities in the framework of ongoing investigations and other accountability mechanisms established as part of the national reconciliation process. The Team will also assist Côte d'Ivoire to learn from Colombia's successful experience in the provision of reparations to victims of sexual violence.



# Côte d'Ivoire

Côte d'Ivoire has made considerable efforts in preventing and responding to conflict-related sexual violence. Côte d'Ivoire's political and military leadership has taken concrete steps towards addressing sexual violence crimes committed during the post-electoral crisis of 2010-2011, and to prevent the commission of further sexual violence crimes, including through the development of an Action Plan by the national army – Forces Armées de Côte d'Ivoire (FACI) – with the support of the Office of the SRSO-SVC, the signing of undertakings by senior commanders to reinforce their individual and command responsibilities, the ongoing training of officers of the FACI, the review of the code of conduct of the FACI with specific prohibition of sexual violence crimes, and the establishment of a joint mechanism with the UN Mission in Côte d'Ivoire (ONUCI) to follow up on reported allegations/cases of human rights violations including sexual violence crimes.

As a result of these efforts, in the course of 2016, there has been no pattern of sexual violence crimes.

In addition, on 3 June, President Alassane Ouattara signed a decree on the creation of a National Committee to combat conflict-related sexual violence with a mandate to coordinate the Government's practical and operational response to conflict-related sexual violence. However challenges persist regarding the prosecution of the crimes committed between 31 October 2010 and 31 May 2011. The cases of sexual violence documented by the Special Investigations and Prosecutions Cell are yet to be prosecuted. Furthermore, the report of the National Commission for Reconciliation and Compensation of Victims, presented to President Ouattara on 19 April 2016, included a consolidated list of victims of successive political crises between 1990 and 2012, sparking concern that returning refugees, including survivors of conflict-related sexual violence, may be denied victim status due to their omission from this list. More broadly, there are continuing concerns that women in general, and sexual violence survivors in particular, may be forgotten victims in the design and delivery of reparations.

In a joint report by UNOCI and OHCHR in July 2016 on rape and its repression in Côte d'Ivoire, authorities were called on to intensify their efforts to prevent and punish rape, noting that its prevalence had been exacerbated by years of conflict, which fostered a culture of violence linked with widespread insecurity and impunity. It further noted that the practice of reclassifying rape as a lesser offense that attracts a lesser sentence, while seen as a way to expedite trials, in fact minimizes the gravity of the crime. This is compounded by widespread recourse to out-of-court "amicable" settlements, which subordinate the interests of the victim to the aim of upholding social cohesion and community reputation, providing no real deterrence. Awareness-raising and community mobilization campaigns that engage traditional leaders and prefects will be critical to reducing stigma, which prevents many survivors from lodging formal complaints.

## Assistance and Impact

In 2016 the TOE conducted two technical assistance missions to Côte d'Ivoire, from 17-23 April and 24-27 May respectively, to engage with relevant Ivorian entities and UN counterparts, and to support ongoing efforts to strengthen accountability for conflict-related sexual violence. The deployments followed a preliminary mission conducted by the Team of Experts in October 2014, which resulted in the identification of areas of support to the Government, as well as an experience sharing exercise on addressing conflict-related sexual violence between officials from Côte d'Ivoire and Sierra Leone, which enabled Côte d'Ivoire to identify possible initiatives that could be established, in light of efforts made by Sierra Leone.

To ensure the effective implementation of the FACI Action Plan, the TOE, in coordination with UNOCI, continued to provide technical assistance to the FACI. This assistance resulted in the signing on 20 July of undertakings by 30 FACI and eight national gendarmerie commanders to prevent and respond to sexual violence crimes. Through these undertakings, the military and gendarmerie commanders commit to take action to ensure sexual violence is not

committed by elements under their command. They also commit to cooperate with the judiciary to ensure that any reported cases are fully investigated and prosecuted. They further acknowledge through these undertakings their command responsibility for crimes committed by their troops. In addition, with the technical support of the TOE, the codes of conduct of the FACI have been strengthened and now include the prohibition of sexual violence. With these measures, coupled with the existing command orders issued by the military leadership instructing officers to refrain from sexual violence, the FACI now has adequate institutional mechanisms to address conflict-related sexual violence.

The TOE also assisted the Gendarmerie in the development of an action plan, which includes the establishment of specialized units, training on investigation and documentation of sexual violence crimes, and the inclusion of sexual violence in the formal training curriculum in the gendarmerie schools in Abidjan and Daloa. Similar efforts are currently being made, in cooperation with UNDP and UNICEF, to strengthen the capacity of the police, through the creation of specialized units, as well as training on investigations, and understanding of referral pathways.

As a result of these efforts, reported cases of sexual violence have progressively decreased from a high of 180 cases noted in the 12 December 2014 Secretary-General's report on conflict-related sexual violence, to only 34 cases documented by ONUCI in the 2016 report. At least 23 perpetrators of these crimes were arrested, nine of whom were tried and sentenced. This has ultimately resulted in the de-listing of the FACI from the annex of the Secretary-General's annual report on conflict-related sexual violence.

In addition, the Team's engagements contributed to the issuance by the Ministry of Justice of two circulars calling on judicial authorities to refrain from reclassifying rape as a lesser crime, and reminding law enforcement officials that medical certificates are not mandatory to lodge a complaint by survivors or their representatives.



UN PHOTO | BASILE ZOMA

From 5 to 17 November 2016, the TOE facilitated a conference on “Addressing Conflict-related Sexual Violence by National Armed Forces in Africa”, hosted by the Government of Côte d’Ivoire. The conference aimed at promoting south-south experience sharing and to initiate the development of guidelines for African armed forces on addressing conflict-related sexual violence. The conference is the result of a constructive engagement between the TOE and the national authorities in Côte d’Ivoire over the past years, and was organised in collaboration with the AU, ONUCI, UNDP, UNITAR, the Nordic Centre for Gender in the Military, and the Kofi Annan International Peacekeeping Training Centre. The conference brought together senior military officers from FACI, Forces Armées Centrafricaines, Forces Armées de la République Démocratique du Congo (FARDC), Forces Armées et de Sécurité du Mali, Sudan People’s Liberation Army (SPLA) and Somali National Armed Forces. It was also attended by representatives from the military components of MONUSCO, MINUSMA, ONUCI, UNAMID, UNMISS and AMISOM. Participants shared experiences, best practices, tools and strategies developed to prevent and respond to sexual violence. They also brainstormed on challenges faced within their respective contexts, and explored ways of increasing cooperation among armed forces in Africa. They further identified the elements that will serve as the basis for the development of guidelines on addressing conflict-related sexual violence by armed forces in Africa, which are now under development and will be launched in 2017.

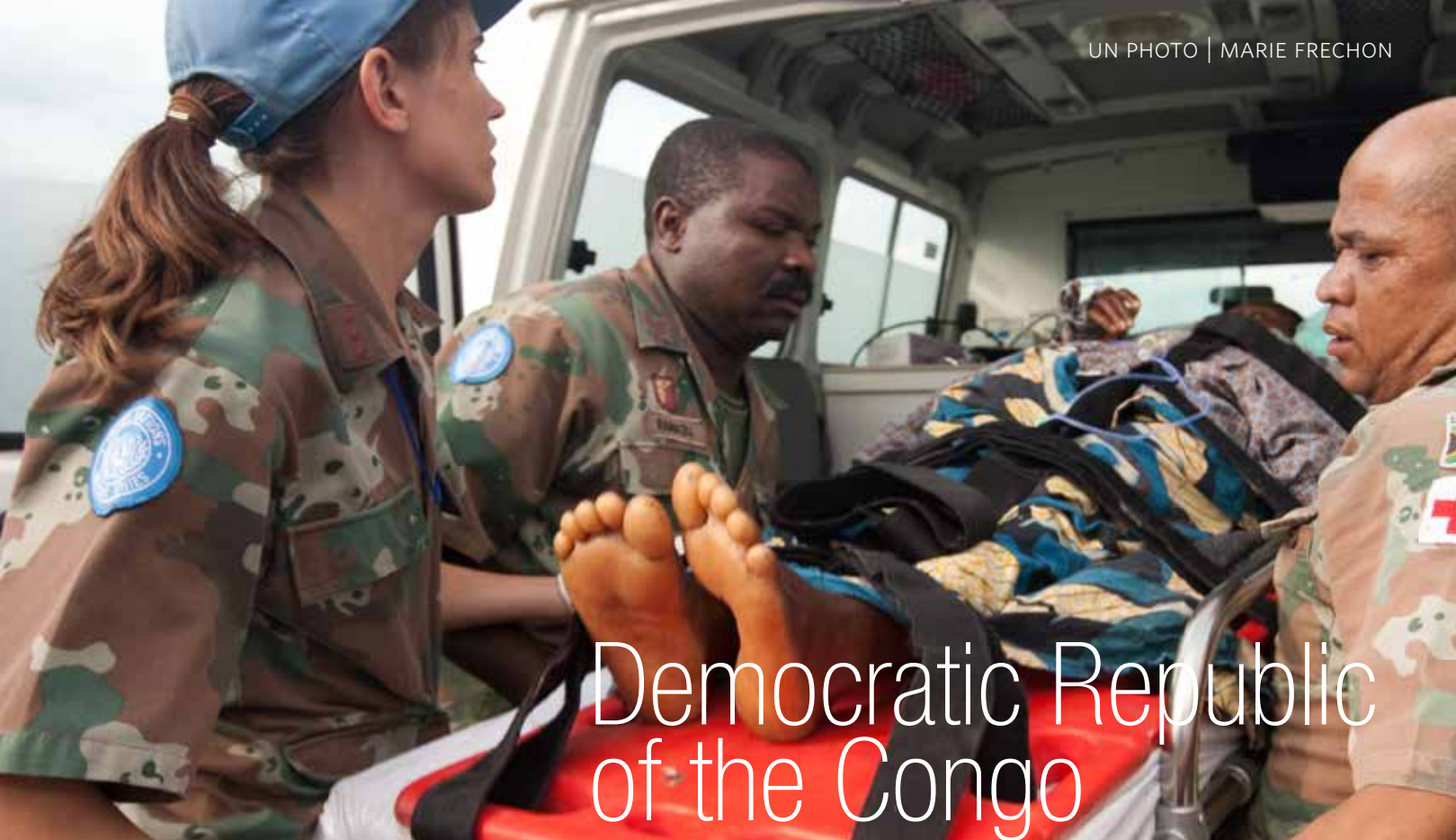
### Challenges and Path Forward

In view of the imminent departure of ONUCI, coupled with the need to promote national ownership, the TOE will deploy two national experts through UNDP to continue to provide technical assistance to consolidate national efforts. Such assistance will

focus mainly on legislative reform, investigative capacity of the police and the gendarmerie, the implementation of the FACI and the Gendarmerie Action Plans. The Team will also assist the Special Investigative and Prosecution Cell within the Ministry of Justice on the prosecution of cases related to the post-electoral crisis.

Additionally, based on elements identified during the conference on “Addressing Conflict-related Sexual Violence by National Armed Forces in Africa”, the TOE will work with the AU, the countries that participated in the conference and institutions that partnered in its organisation to draft and finalise these guidelines, which will encompass several areas, including: prevention; security sector reform; strengthening internal oversight; fighting impunity; national ownership; partnership building; capacity strengthening for national armed forces; and effective communication strategies on this issue. In line with the Framework of Cooperation signed between the Office of the SRSO-SVC and the AU on 31 January 2014 on the prevention and response to conflict-related sexual violence in Africa, the TOE is currently discussing the next steps in developing and finalising the guidelines to ensure they have buy-in at Africa regional level.





## Democratic Republic of the Congo

Conflict-related sexual violence, including rape, forced marriage and sexual slavery, continued to be reported in the DRC in the course of 2016, and most specifically in the eastern provinces of ex-Orientale, North Kivu, South Kivu, ex-Katanga and Maniema. The limited presence of state authority and rule of law institutions in areas affected by the conflict enables the occurrence of sexual violence. This is further reinforced by the limited capacity to address impunity for crimes in general and for sexual violence crimes in particular. A number of issues including land pressure, the proliferation of small arms, and an unregulated mining sector contribute to the prevailing insecurity and to the perpetuation of cycles of conflict and widespread sexual violence.

The majority of the cases were perpetrated by non-state armed groups, who were responsible for 68 per cent of verified incidents. Among these groups are: the Forces de résistance patriotiques en Ituri, Raia Mutomboki combatants, Mai Mai Simba factions, and the Forces démocratiques de Libération du Rwanda.

Other incidents were reported in the context of the intercommunal conflict between the Batwa and the Baluba in ex-Katanga province. There have also been reports of sexual violence against minors, including by the Allied Democratic Forces, operating in the Beni area, and a trend of kidnapping and rape of children in Kavumu, South Kivu. Government security forces include the FARDC, and the Congolese national police and members of the Congolese national intelligence agency were also responsible for a number of sexual violence cases.

The Government has continued to make considerable efforts to address accountability for sexual violence, including through the establishment of the FARDC Commission on Sexual Violence, which has pursued the implementation of its action plan to combat sexual violence. The judiciary has also actively continued to respond to these crimes, through the organisation of mobile courts, and a number of investigations and prosecutions. In 2016, the Government convicted 100 members of the State security forces for sexual

violence crimes. Verdicts were also rendered in cases involving non-state actors, including combatants from the Mouvement du 23 Mars and Nyatura. The Special Police for Women and Children continued to investigate and document sexual violence crimes, and members of the Special Commission on Sexual Violence of the Senate conducted sensitization in their constituencies on the issue of sexual violence.

However, despite efforts by the Government, it should be noted that perpetrators of the emblematic cases of sexual violence in Walikale, Bushani and Kalambahiro in 2010 and 2011 are yet to be held accountable, while members of the Mai Mai Cheka group who were behind the Walikale crimes, remain active in the conflict and continued to commit rapes in 2016. In addition, the award of reparations to victims of sexual violence issued by Congolese courts remain unpaid.

### Assistance and Impact

Addressing accountability for the gravest cases of sexual violence has remained high on the agenda of TOE's support to the DRC. The TOE, in cooperation with the International Centre for Transitional Justice, assisted the Ministry of Justice and Human Rights and the military justice authorities in defining criteria for prioritization of cases of serious crimes pending before national jurisdictions. Of the 17 priority cases selected by the Government, 14 concern conflict-related sexual violence. Following the TOE's advocacy in Kinshasa, the Ministry of Justice officially endorsed this list and authorized the Auditorat General to proceed with the cases. During the last quarter of 2016, the TOE provided technical assistance to the Auditorat General to conduct three workshops with the judiciary in eastern DRC, which helped assess the progress made in prosecuting the agreed priority cases and identify new cases to be prioritized and therefore closely monitored. In December 2016, the TOE assisted the Auditorat General to host a national technical meeting in Kinshasa to discuss the impact

of the prioritization of serious crimes (which so far has been limited to eastern Congo) and consult on its eventual adoption at the national level.

The TOE also continued to assist the FARDC in the implementation of its action plan. In this regard, the Team continued to use the signing of undertakings (developed by the TOE) by FARDC commanders as a tool to ensure their commitments to prevent and respond to this crime. In 2016, 193 military field commanders signed undertakings to prevent and address sexual violence.

The TOE has closely followed up on two specific cases with judicial authorities to ensure action is taken. These are the Walikale incidents (387 victims in 2010-2011) and the Kavumu case, which involves the rape of children. With regard to the Walikale incidents for instance, one of the suspects, Mr. Seraphin Lionso, has been arrested. The TOE is currently liaising with relevant stakeholders to advocate for the arrest and prosecution of Ntabo Ntaberi Sheka, who bears the highest command responsibility in these incidents.

As for the Kavumu incidents, in which at least 50 children in the same village below age twelve were raped by armed men, allegedly from a militia called "Jeshi ya Yesu" - the "Army of Jesus" - the TOE provided technical and capacity support to the "Police Speciale pour la Protection de la Femme et de l'Enfant" in South-Kivu to conduct investigations. In this case, TOE's support has enabled the Police to obtain adequate information, which in June 2016 led to the arrest of over 40 members of a militia suspected of involvement, including Mr. Frederic Batumike Rukembanyi, a member of the South-Kivu provincial parliament, reported to have command responsibility over the militia. The arrest of such an influential politician, who was subsequently charged with crimes against humanity including rape and murder, is the first in the province and could have a positive impact on efforts to address accountability.



The TOE also assisted efforts by the DRC's Personal Representative of the President on Sexual Violence and Child Recruitment (BRP) to oversee national efforts to address conflict-related sexual violence. The TOE support included the continued provision of a national expert to the BRP, which has ensured the BRP maintains focus on accountability. The TOE continued to support the DRC towards the elaboration of a reparations programme. Working in support of a consultant recruited by the BRP, the TOE contributed to the development of the first draft of a reparations program. This includes an initial phase for the planning for payment of certain outstanding reparation judgments of conflict-related sexual violence already rendered by Congolese courts.

In June and July 2015 the TOE deployed to Goma and Kinshasa, and assisted national military justice authorities in the preparation of a prioritization strategy that will allow the national judiciary to identify and prioritize the investigation and prosecution of emblematic conflict-related sexual violence cases. This assistance has contributed to the development by the military justice system in North and South-Kivu of a strategy for the prosecution of the outstanding mass rape incidents, including Walikale and Kavumu.

The TOE is also supporting the creation of three new special police units to respond to sexual violence in Rutshuru, Goma and Bukavu and special prosecution support cells in all civil jurisdictions in Eastern DRC.

### Challenges and Path Forward

The progress made by the DRC, especially on accountability for sexual violence committed by the national army, is the result of a combination of national ownership, leadership and responsibility, as well as international assistance. When sexual violence is

given high-level attention, a government can achieve tangible results. The appointment of the Personal Representative of the President in the DRC has helped galvanize the commitments of the Government to address conflict-related sexual violence at the highest level. Support to the BRP will therefore remain paramount to TOE's efforts going forward. The main framework of the TOE's engagements will be the priorities agreed in the October 2016 review meeting of the Joint Communiqué. High on this agenda is the implementation of the agreed prosecutorial strategy for emblematic cases. Supporting the FARDC remains key to addressing sexual violence in the DRC. Without engaging the FARDC directly on specific commitments, and assisting the implementation of the Action Plan, little progress can be made. In the DRC, the signing of undertakings by commanders, committing them to refrain from, to prevent, and to respond to sexual violence, has sent a strong signal to the entire army that these crimes cannot be tolerated, and this has been emulated by countries such as Côte d'Ivoire. Going forward, the TOE will seek to assist national security sector reform efforts, including ensuring that elements involved in the commission of sexual violence are excluded from security forces. In addition, focus will be put on engaging non-state actors, especially those committed to dialogue with the Government, and to the establishment of mechanisms for the prevention of sexual violence crimes.

Providing reparations to survivors of conflict-related sexual violence is still a serious challenge in the DRC. In this regard, the TOE will pursue its assistance to the Ministry of Justice to finalise the ongoing review and strengthening of the existing legislation on sexual violence to integrate the issue of reparations. Similar efforts will be made in relation to the adoption of a law on the protection of victims and witnesses.

After the serious human rights violations which took place in Guinea on 28 September 2009 at the stadium in Conakry, including killings, sexual violence, torture and enforced disappearances, Secretary-General Ban Ki-moon appointed an International Commission of Inquiry to undertake investigations into the crimes and identify those responsible. In December 2009, the International Commission of Inquiry found that at least 157 people were killed, at least 109 women and girls were raped and subjected to other forms of sexual violence, and over 1,000 people were injured as a result of the events in the stadium and the surrounding areas. The International Commission of Inquiry's recommendations to the Guinean authorities included: (i) prosecuting those responsible and providing compensation to victims; (ii) providing the families concerned with information on cases of disappearance; and (iii) fulfilling their obligations in the area of victims and witness protection.

In follow up to the International Commission of Inquiry's recommendations, the Guinean authorities established a national Panel of Judges to investigate and prosecute alleged crimes related to these events. In November 2011, the Government signed a Joint Communiqué with the UN on addressing sexual violence, specifically committing to: (i) combat impunity for sexual violence; (ii) implement the recommendations of the International Commission of Inquiry; (iii) reinforce security sector reform with a view to including prevention of sexual violence; (iv) engage in a dialogue with the victims of the 28 September 2009 events, including victims of sexual violence; and (v) ensure reparations and promotion of national reconciliation. The Government also welcomed technical assistance of the Team of Experts to the Panel of Judges.

In line with the Joint Communiqué, in December 2012, the Office of the SRSG-SVC, through the TOE, deployed an expert to provide technical assistance to the Panel of Judges to strengthen its capacity with regard to: investigation techniques; collection and safeguarding of useful testimonies and evidence from survivors; establishment of enhanced protection measures for the



Panel of Judges and establishment of a regular dialogue between the Ministry of Justice and civil society organizations, as well as victims groups, on the progress of this case.

### Assistance and Impact

In the course of 2016, the TOE pursued its technical assistance to the Panel of Judges investigating atrocities committed during the events of 28 September 2009, which include sexual violence. Through the technical assistance of a judicial expert deployed by the TOE, the Panel of Judges has been

able to use appropriate and ethical questioning and investigation techniques, which has resulted in over 450 hearings, including the testimony of at least 200 victims and witnesses of sexual violence. These testimonies have been collected and safeguarded for future prosecutions.

This support by the TOE has led to the indictment of seventeen high-ranking military officials by the Panel of Judges, including former President Moussa Dadis Camara, and the arrest of key suspects through increased judicial cooperation with neighbouring countries, including most recently that of Lieutenant Aboubacar Sidiki Diakité, "aide-de-camp" of former President Camara.

The Team's assistance has also led to the establishment of enhanced protection measures for the Panel of Judges, including through advice on possible threats, advocacy for a permanent deployment to the judges' offices of a unit of police officers attached to the Presidential Guard, and the provision of logistics to secure evidence collected, testimonies and relevant files. This resulted in the mitigation of possible threats against victims, witnesses, their representatives, as well as panel members. The TOE's support also helped to improve dialogue on the progress of the investigation between the Ministry of Justice, civil society organizations and victims groups.

The TOE also supported two visits by SRSO-SVC to Guinea in April and August 2016, resulting in a renewed request by the Government for TOE's support in the finalisation of the investigation phase and the preparation of forthcoming trials. The April 2016 visit was jointly conducted with the Under-Secretary of State for Civilian Security, Democracy and Human Rights at the United States' Department of State, and aimed at enhancing the visibility of efforts by Guinea in recent years in the areas of justice sector reform and the fight against impunity for sexual violence. It was also an opportunity to discuss possibilities of support from the international community to the accountability process related to the 28 September 2009 events.

The TOE continues to assist the Ministry of Justice to plan the upcoming trials. In September 2016, the TOE deployed the expert based in Guinea to Dakar to engage with the Extraordinary African Chambers which prosecuted Hissene Habré for crimes against humanity including sexual violence, to inform Guinea's strategy for the September 2009 incidents. Furthermore, the TOE continues to provide assistance to Guinea on judicial cooperation with neighbouring countries to facilitate hearings and/or extradition of remaining key witnesses or suspects residing outside the country.

Additionally, the TOE has facilitated a dialogue between the Guinean authorities and representatives from countries that have undergone similar challenges in addressing conflict-related sexual violence, including Colombia and the DRC, to facilitate experience sharing of good practices.

This includes an exchange between the Minister of Justice and the Colombian National Institute of Legal Medicine and Forensic Science, on how Guinea could draw from Colombia's forensics expertise to access mass graves in relation to the 2009 events. This exchange has further informed Guinea's ongoing

efforts to develop a reparations strategy, which will now consider the provision of information to victims' families and any possible dignified burials as part of the reparations.

### Challenges and Path Forward

In 2017, the TOE will continue to provide support to the Panel of Judges, through the continued deployment of the judicial advisor who has been supporting the Panel and the Minister of Justice for the last five years. The Team will continue to support national authorities by pursuing its assistance in the following main areas: (i) completion of the hearing of remaining witnesses, including those living outside of the country; (ii) providing assistance to locate mass graves, including through an experience sharing exercise with the Colombian National Institute of Legal Medicine and Forensic Science; (iii) strengthening mechanisms of witness and victims protection in view of the forthcoming trials; and (iv) advising on possible modalities of reparations for victims or sexual violence, including interim reparation measures, and on potential sources of funding.

At the request of the Guinean authorities, the TOE will also support the Minister of Justice in the creation of a Coordination Committee that will overlook preparations and planning of the forthcoming trials for the 28 September 2009 events, including in the areas of witness and victims protection, sensitization and outreach to Government officials, survivors, victims associations and the general public. In this regard, the TOE has committed to support the ongoing process until the end of the trials, including through the recruitment of an additional judicial expert, given its potential in showcasing the success by an entirely-led national judicial process, with technical support from the international community, in combatting impunity for international crimes.



In terms of South-South experience sharing and cooperation, the TOE will facilitate a technical visit to Guinea by medical staff from the DRC Panzi Hospital, including Dr. Denis Mukwege, to provide medical and psychological support to survivors of sexual violence of the 28 September 2009 events. The visit by Dr. Mukwege is a response to a request by the Guinean authorities as part of their efforts to provide reparations to survivors. Dr. Mukwege's team will also discuss with the Government the modalities of support and cooperation in the short, medium and long term, including training, capacity building, and supporting the creation of a network for collaboration among the health institutions and workers in Guinea and Panzi Hospital.

Finally, as a result of the exchange in New York between the Minister of Justice and the Colombian National Institute of Legal Medicine and Forensic Science facilitated by the TOE, the TOE will also facilitate an experience sharing exercise between Colombia and Guinea in 2017, which will ensure that Colombia can

share with Guinea its experiences and expertise in the area of forensics, both in relation to the 2009 events and more broadly in the development of Guinea's own forensic capacity to address future serious human rights violations, including sexual violence.



# Iraq



UN PHOTO | BIKEM EKBERZAD

Unresolved sectarian and political tension in Iraq and the Syrian civil war allowed the violent extremist group Islamic State of Iraq and the Levant (ISIL) to flourish in the mid-2010s. By January 2014, the city of Fallujah in the Anbar province of Iraq fell to ISIL militants and the group established its capital in Raqqa, Syria. By spring 2014, nearly half a million civilians in Iraq had been displaced due to fighting. In a “blitz” offensive in June 2014, ISIL stormed the city of Mosul and took large swathes of territory in northern Iraq and declared itself a “caliphate”. On 3 August 2014, ISIL mounted a brutal attack on the districts of Sinjar, Tel Afar, and the Ninewa Plains in northern Iraq. Almost immediately, reports of massive human rights violations surfaced in areas under ISIL control.

The UN has verified that at that time ISIL committed, and continues to commit to the present day, sexual violence and sexual slavery on an unprecedented scale against ethnic and religious minorities, including the Yezidi population of northern Iraq. Enslaved women and girls in the hands of ISIL fighters are brutally raped on a continuous basis, often being exchanged between multiple fighters. The sexual violence crimes committed by ISIL likely constitute war crimes, crimes against humanity, and genocide. Anti-ISIL coalition forces have since reclaimed Fallujah and are launching an offensive to re-take Mosul. With these military gains, the need for justice and services in the wake of ISIL’s brutality will continue.

## Assistance and Impact

In January 2016, the TOE sent an expert to northern Iraq to deepen its information base regarding alleged ISIL crimes of conflict-related sexual violence.

The deployment of the TOE led in part to the signing of a joint communiqué between the Office of the SRSG-SVC and the Foreign Ministry of the Government of Iraq on the margins of the UN General Assembly in September 2016. The joint communiqué, inter alia, invited the TOE to provide expertise to the Iraqi and regional governments on how to strengthen the rule of law and address sexual violence in conflict. This agreement, after years of negotiation, is a landmark development for both the UN and the Iraqi government.

The TOE continues its preparations for deployment to Iraq to conduct a technical assessment regarding the Government’s response to conflict-related sexual violence by ISIL and other armed groups. This deployment takes into account a request for technical assistance received from the regional government of Kurdistan. In addition, the Team pursues its engagement with the national and regional authorities as appropriate, on the way forward in the provision of technical assistance to ongoing accountability efforts for sexual violence crimes in Kurdistan.

## Challenges and Paths Forward

Significant portions of Iraqi territory still remain under control of ISIL, making access difficult. The security

situation in Iraq and Syria will continue to pose challenges for the region and for the involvement of the TOE. However, the signature of the joint communiqué is a positive step by the Government in redressing conflict-related sexual violence and the TOE’s upcoming technical assessment will be useful to design a program of activities in order to implement the communiqué’s commitments. The next year will be a significant one to advance the agenda of providing justice and services to survivors of conflict-related sexual violence in Iraq.

Going forward, in collaboration with the national authorities, the TOE will identify and prioritise a number of initial ISIL-related cases for investigation and prosecution by the Iraqi judicial system, around which technical assistance will be provided. This will allow the Team to assess possible challenges to be expected in such prosecutions and tailor the international support and advice in this effort. As part of this initiative, the Team will also proceed with the training of law enforcement and judicial officers currently working on the interviewing, investigation and prosecution of these cases in Iraq. Additionally, technical assistance will be provided to national law reform efforts that would include the incorporation of war crimes, crimes against humanity and genocide in the Iraqi legal framework, and the review of criminal code and other relevant legislation to ensure compliance with international standards. The Team will also support linkages between actors currently working on documentation and ensure synergies between relevant entities collecting information on perpetrators and victims/survivors, while ensuring full respect for the rights and interests of the latter.





# Mali



For the past five years, the situation in Mali has remained unstable, especially in the north where armed groups have systematically used sexual violence as a weapon of war to punish, intimidate and enslave women and girls. The UN has documented sexual violence crimes including rape, gang rape, forced prostitution, sexual slavery and forced marriage. Perpetrators of these crimes include elements from the Malian Defense and Security Forces, elements of the Groupe d'autodéfense des Touaregs Imghad et leurs alliés, elements the Mouvement pour l'unicité et le jihad en Afrique de l'Ouest, as well as elements from the Mouvement national pour la Libération de l'Azawad.

Some efforts are being made by the Government to address conflict-related sexual violence in Mali. The Government has worked with the UN to conduct sensitization sessions with religious leaders, prompting some to publicly commit to supporting new laws and to speaking out against sexual violence. With regard to accountability, support from MINUSMA to the Ministry of Justice has led to the investigation of a number of alleged rapes. However, progress remains slow in relation to cases of sexual violence committed by extremist groups in 2012, with just 37 of the 80 victims having been heard by a magistrate.

In April, the SRSB-SVC visited Mali to assess the situation and agree on a joint communiqué with the Government as a basis for cooperation and assistance in addressing sexual violence. The joint communiqué is still under consultation with national authorities. On 30 June, the President of the Plateforme signed a unilateral communiqué in which he committed to work with the leaders of the Coordination des mouvements et forces patriotiques de résistance, Mouvement arabe de l'Azawad, and Groupe d'autodéfense des Touaregs Imghad et leurs alliés to accelerate efforts to prevent and punish sexual violence within their ranks.

## Assistance and Impact

Following the April 2016 visit to Mali, the TOE continues to follow up with the Government on the process of reviewing a draft joint communiqué on addressing conflict-related sexual violence, which will be the

basis of the Team's technical assistance. Proposed support by the TOE to national authorities include: (i) strengthening the capacity of National Police in the field of investigations, collection, preservation of evidence and conflict-related sexual violence case building; (ii) contributing to the ongoing efforts by the Truth and Reconciliation Commission to include accountability for conflict-related sexual violence; and (iii) enabling judicial authorities to establish adequate witness protection. In addition, national authorities expressed the need for assistance on possible inclusion of prevention and response to conflict-related sexual violence in on-going programming on antiterrorism. This complements already programmed assistance in line with the UN Joint Justice Programme, including national legislative reform, under the leadership of the Ministry of Justice, as well as strengthening the capacity of the Malian Bar Association to provide legal aid in conflict-related sexual violence cases.

## Challenges and Path Forward

The ongoing crisis in Mali resulted in the weakening of rule of law institutions in the Northern region. The slow return of members of the judiciary and police to the north has affected the level of confidence in public institutions. Rebuilding the justice system is therefore critical in addressing conflict-related sexual violence. In this regard, the TOE will continue to work in the framework of the Global Focal Point arrangement to ensure that national rule of law institutions address the issue of conflict-related sexual crimes. In this regard, the TOE will assist with building the capacity of stakeholders on the provision of legal aid for victims of sexual violence. Additionally, through embedded expertise, the TOE will provide technical assistance on investigation and prosecution of sexual violence crimes. Finally, the TOE will contribute to the strengthening of the legal framework in relation to sexual violence to ensure it meets international standards and provides remedies to survivors. Given the involvement of the non-state actors who are part of the peace process, in the commission of sexual violence crimes, it is critical to pursue engagement with them in order to provide the necessary support to enable them meet their 2016 commitments, to address sexual violence crimes.

Somalia has faced chronic insecurity; the destruction of its social, economic, political, security and legal infrastructure; and wide-spread human rights abuses, including sexual violence, following decades of conflict and instability. The protracted conflict in Somalia continues to result in widespread sexual violence against women and girls, particularly in the context of population movements, such as the return of Somali refugees from Kenya, those internally displaced, as well as members of minority clans, due to a lack of preventive measures, limited access to formal and informal justice mechanisms, and weak clan protection. These crimes were attributed to armed elements, including from clan militia, Al-Shabaab, Al Sunna Wal Jama, the Somali National Armed Forces, and the Puntland Army, and the Somali National Police. The UN has documented cases of rape and gang-rape, especially in Al-Shabaab controlled areas, where access to services continues to be limited. Somalia's weak legislative framework and the limited capacity of national institutions continue to hamper access to justice, perpetuating a climate of impunity.

While a number of efforts have been made by the Government to respond to sexual violence, including the establishment of a Women and Child Protection Unit within the police, the adoption of a Sexual Offences Act in Puntland, the provision of free legal services to survivors and the establishment of mobile courts, it should be underscored that addressing impunity for sexual violence crimes remains a serious challenge in Somalia.

### Assistance and Impact

During 2016, the TOE worked with UNSOM and UNDP (Somalia) to integrate TOE activities into the existing Somalia Joint Rule of Law Programme to facilitate implementation of the Joint Communiqué and National Action Plan on Sexual Violence. Funds have been made available by the MPTF Office to UNDP (Somalia) to ease administrative processes in supporting work in Somalia. Specific support is being provided to enhance the capacity of the Somali National Armed Forces to investigate conflict-related sexual violence and

the Somali National Police. In this regard, members of the Somali National Armed Forces participated in the regional conference on "Addressing Conflict-related Sexual Violence by National Armed Forces in Africa" in which participants shared experiences, best practices, tools and strategies developed to prevent and respond to sexual violence. Regarding the police, the Women and Child Protection Units within the police are now functioning in Mogadishu. Despite these improvements, obtaining convictions is still a challenge, as families tend to withdraw complaints in favour of reaching settlements outside the formal system. The Team supported the development of the Sexual Offences Bills that are awaiting passage by Parliaments in Somalia and Somaliland. Specifically, this support contributed to strengthening the definition of rape as a crime against a person rather than a crime against morality, and criminalising gang rape, child marriage and human trafficking for the purpose of sexual exploitation. The law also helps to clarify the role and obligation of public officials in investigating and prosecuting sexual violence cases, criminalises obstruction of justice, and prohibits the out-of-court settlement of sexual violence crimes. In addition, the TOE contributed to the draft "Somaliland Rape and Sexual Violence Law" to ensure compliance with international standards. The resulting legislation, once passed, should provide strong legal basis upon which to address sexual violence.

### Challenges and Path Forward

Political turmoil, cabinet reshuffles and limited access due to insecurity continue to be significant challenges in addressing conflict-related sexual violence in Somalia. The next step will be to support the Government in the review process under the Joint Communiqué and the National Action Plan. The Team will continue supporting ongoing activities, including the consolidation of special police units, and the strengthening of Somali National Armed Forces' investigative capacity on conflict-related sexual violence. In terms of prioritized activities, the TOE will be supporting the Government both technically and financially in areas in which security permits.



UN PHOTO | TOBIN JONES

# Somalia

SUSPECTED AL-SHABAAB MILITANTS WAIT TO BE TAKEN FOR INTEROGATION DURING A JOINT NIGHT OPERATION BY THE SOMALI SECURITY SERVICES AND THE AFRICAN UNION MISSION IN SOMALIA (AMISOM), IN MOGADISHU.

# South Sudan



UN PHOTO | ISAAC BILLY

Since December 2013, just two years after gaining independence, South Sudan has been riven by conflict. In this context, widespread and systematic sexual violence has been used as a tactic of war to terrorize and persecute populations, in a manner that indicates its ethnic, as well as political, undertones. Indeed, on 30 November, the Commission on Human Rights in South Sudan, established by Human Rights Council resolution 31/20, reported “a steady process of ethnic cleansing [...] using starvation, gang rape and the burning of villages”. The latest wave of conflict has resulted in almost two million people being displaced internally and over one million fleeing to neighbouring countries. Mass displacement has exacerbated the risk of sexual violence by militias, armed youth and elements of the security forces. The fear spread by sexual violence causes women to restrict their movements, impeding essential livelihood activities in contexts already beset by food shortages and economic deterioration. The situation is exacerbated by a destabilizing circulation of small arms and light weapons. Impunity has prevailed due to the inability of national institutions to effectively prosecute sexual violence and provide remedies to survivors. The weakness of the formal justice system has increased reliance on traditional mechanisms, which generally do not regard sexual violence as a crime, and routinely settle cases by ordering victim and perpetrator to marry.

## Assistance and Impact

In 2016, the Team of Experts continued to engage with the parties to the conflict to reinforce individual and command responsibility for preventing and punishing conflict-related sexual violence in line with the 2014 Joint Communiqué signed between the UN and the Government and the 2014 Unilateral Communiqué issued by SPLA-IO. This engagement facilitated a common approach and understanding to addressing sexual violence and led to the development and validation of implementation plans for each

communiqué in which a number of initiatives were identified by the parties focusing on accountability; the protection of victims, witnesses and service-providers; and the initiation of specific Plans of Action within the SPLA and the SSNPS. In addition, the Team of Experts in coordination with UNMISS and UNDP organized awareness raising sessions on the prevention of sexual violence for 45 designated members of the SPLA, including one woman, and 40 designated members of the South Sudan National Police Service (SSNPS), including seven women. The Team of Experts also pursued advocacy for action vis-a-vis SPLA leadership resulting in the Chief of Defense Staff, General Malong, issuing command orders prohibiting the commission of sexual violence crimes and holding commanders responsible for sexual violence crimes committed by their troops.

## Challenges and Path Forward

The withdrawal of Dr. Machar from South Sudan following the renewed fighting in July 2016, prompted H.E. President Salva Kiir to appoint former opposition negotiator, Taban Deng Gai, as first vice president, resulting in the fragmentation of SPLA-IO and bringing into question the status of the Peace Agreement. In light of the claims of a merged SPLA and SPLA-IO the Team’s work with SPLA-IO will focus on providing support to the integrated national army.

The Team will continue to support activities contained in the implementation plan of the Joint Communiqué and will work toward finalization of the SPLA and SSNPS Action Plans. Assisting South Sudan to address accountability for conflict-related sexual violence will remain a priority. In this regard, the TOE will provide guidance and expertise in developing a prosecution strategy including the identification of the most serious cases/incidents of sexual violence, the planning of all aspects of the investigation, and provide technical assistance during the investigations.

# Sudan (Darfur)



Patterns of widespread and systematic sexual violence have devastated the lives and livelihoods of Darfuri women and girls over the past 13 years. Although more than a decade has elapsed since the Security Council referred the situation to the Prosecutor of the International Criminal Court in 2005 (S/RES/1593), following global concern over war crimes and crimes against humanity including ethnically-motivated rape, progress towards accountability has been limited. As a consequence, the threat and terror of sexual violence, linked with a prevailing climate of volatility and lawlessness, continues to cast a long shadow over everyday life, restricting women's freedom of movement. Indeed, as in previous years, most attacks recorded during the reporting period took place when women ventured to isolated areas to farm or collect firewood.

In 2016, the highest number of cases was recorded between January and June, as a result of active hostilities between the Government and the Sudan Liberation Army Abdul Wahid rebel movement in Jebel Mara. During these military operations, women were raped and abducted, with internally displaced women composing the majority of the victims. From July to December, the farming season coincided with the southern migration of armed nomadic herders from the north resulting in tensions over land and increased reports of attacks and incidents of sexual violence.

Sexual violence continues to be a recurring theme, and impunity remains a serious challenge. Non-reporting of cases by survivors for fear of reprisal; general lack of will among law enforcement officials to take action; survivors' distrust of law enforcement officials; and the lack of capacity by law enforcement agencies, especially the police, to address violations remain the norm. Even where there is adequate evidence, police do not consistently pursue formal prosecutions for sexual violence, leaving communities to resort to traditional justice.

## Assistance and Impact

The Team continued to actively follow the situation in Darfur, and advocate for accountability for sexual violence.

## Challenges and Path Forward

Ongoing security concerns, lack of physical access and a lack of political will to address conflict-related sexual violence continue to pose serious challenges.

The TOE will continue to follow the situation in Darfur and engage when and where possible.

# Outreach & Events

THE TEAM PARTICIPATED IN THE FOLLOWING OUTREACH ACTIVITIES AND EVENTS



**Conference on Judicial Cooperation in the Great Lakes Region of Africa, Kinshasa, DRC 15-16 March 2016**

The TOE attended and participated in a conference on judicial cooperation among DRC, Rwanda, Uganda and Tanzania hosted by the International Center on Transitional Justice in Kinshasa, DRC.



**2016 OHCHR Annual Heads of Field Presences Meeting, Geneva, Switzerland 6-10 June 2016**

The TOE discussed with heads of human rights components ongoing and potential collaboration and provided support to SRSG-SVC on a session dedicated to the consolidation of protection functions on peace operations.



**ICGLR Symposium on Access to Justice, Kampala, Uganda 7 July 2016**

The TOE attended and made a presentation at the ICGLR's Symposium on Access to Justice and Fighting Impunity for Sexual Violence in the Great Lakes Region.



**Tokyo Conference on African Development, Nairobi, Kenya 27-28 August 2016**

The Team of Experts participated in the Tokyo Conference on African Development, where it engaged with a wide range of African and Japanese stakeholders, to advocate for the prioritization of the prevention and response to sexual violence. The participants at the conference adopted the Nairobi Declaration and its implementation plan.



**EU Genocide Network Training, The Hague, Netherlands 14 October 2016**

The TOE co-hosted and provided training to prosecutors of the European Union Network for Investigation and Prosecution of Genocide, Crimes against Humanity and War Crimes. The training provided guidance on prosecuting conflict-related sexual violence in national legal systems. This training was co-hosted with the Prosecuting Conflict-related Sexual Violence Network, Eurojust and The Hague Institute for Global Justice.



**Conflict-Related Sexual Violence Survivor Experience Sharing, New York, USA 19 October 2016**

The Office of the SRSG-SVC and TOE co-hosted an experience sharing session between survivors of sexual violence during the Rwandan genocide and survivors of sexual violence committed by the ISIL. Both groups shared experiences on the crimes they suffered, and what justice and accountability meant in the wake of grave international crimes.



**2016 Women's Protection Advisers Capacity-building Meeting, New York, USA 7-11 November 2016**

The Team of Experts participated in the meeting and presented an overview of the work of the Team of Experts to the participants.



**High-Level Panel event on the Empowerment and Leadership of Women and Girls, co-organised by the Government of Liberia and the Government of Canada, Monrovia, Liberia 23-27 November 2016**

The Team attended the event and provided support to the SRSG-SVC, who used the event as an opportunity to engage the Government and the UN on the way forward in addressing remaining challenges regarding sexual violence.



**International Day for the Elimination of Sexual Violence in Conflict Photo Exhibit, New York, USA 19 June 2016**

The Team of Experts provided support to the SRSG-SVC in organizing, jointly with the Government of Argentina, an event to commemorate the International Day for the Elimination of Sexual Violence in Conflict. The event included a photo exhibit which highlighted the importance of ensuring accountability for sexual violence crimes, in contexts such as Iraq, Syria, DRC and Northern Nigeria.

# Contribution to Reports and UN Policy

THE TOE CONTRIBUTED TO A NUMBER OF REPORTS AND POLICY DOCUMENTS, INCLUDING:

The Secretary-General's annual report on conflict-related sexual violence (S/2016/361).

The Secretary-General's annual report to the Security Council on women, peace and security (S/2016/822)

The joint UN amicus curiae submission to the International Criminal Court on reparations for victims in the Bemba case. The joint submission was filed with the Court on 17 October 2016 with OHCHR, UN Women, MINUSCA and OLA.

Contribution to UN Joint Strategic and Assessment Missions including for Somalia, Côte d'Ivoire and Liberia.

The UN public report - Rape Crimes and their Prosecution in Côte d'Ivoire (July 2016), prepared by the Human Rights Division of the UN Mission in Côte d'Ivoire (ONUCI), and released jointly with OHCHR.

The UN public report - Addressing Impunity for Rape in Liberia (October 2016), prepared by the Human Rights and Protection Service of the UN Mission in Liberia (UNMIL), and released jointly with OHCHR.

# Lessons Learned

The TOE is currently compiling lessons we have learned through the provision of expertise and capacity support to governments to address sexual violence. The lessons will be published in a report that seeks to identify those tools and approaches that have worked best and which can be used by both UN entities and Member States in addressing conflict-related sexual violence. It also reviews initiatives that have been successful on the ground in addressing conflict-related sexual violence, in line with agreed commitments made by governments, and introduces the practical tools developed by state and non-state actors to combat conflict-related sexual violence. The following are the key lessons:



UN PHOTO | MARCO DORMINO

- There needs to be a greater focus on early warning and prevention of conflict-related sexual violence. UN actors should use the UN Action Matrix of Early-Warning Indicators of Conflict-Related Sexual Violence to inform their work at the first signs of a conflict. As the TOE relies on information supplied by UN actors on the ground in conflict situations, establishing monitoring, analysis and reporting arrangements in accordance with Security Council resolution 1960 (2010) at the earliest possible time is essential.
- When conducting a technical assessment, the analysis of a country's legal framework regarding conflict-related sexual violence must include both formal and informal legal systems that may impact survivors of sexual violence. The analysis of national legal frameworks must also include an examination of laws regarding potentially vulnerable groups like children, the displaced, the disabled, the detained, and minority groups, including lesbian, gay, bisexual, transgender and intersex individuals.
- The TOE's capacity support and expertise is greatly enhanced by collaborating with already existing national institutions and initiatives dealing with conflict-related sexual violence. The TOE's work in follow up to assessments has benefited from the identification of responsible and capable interlocutors within these institutions, who need to be empowered to drive progress on conflict-related sexual violence in difficult contexts. Beyond governmental actors, the TOE must continue to strengthen civil society's responses to conflict-related sexual violence.
- Embedding international experts into national judicial processes has ensured that these processes make substantial progress while remaining nationally-owned.
- The TOE has found that creating and supporting specialized units of prosecutors and investigators that handle serious international crimes, including conflict-related sexual violence, can ensure significant progress on accountability. The creation of specialized units further allows training resources to be deployed in a targeted, continuous and multi-sectoral fashion on a small team of dedicated practitioners.
- The UN and international donors must ensure support to the entire justice chain that handles a case of conflict-related sexual violence, and not just during the investigation and prosecution phase.
- Protection for victims, witnesses, justice officials and human rights defenders is absolutely vital if justice processes are to move forward for conflict-related sexual violence. The UN and international donors must make resources available for witness protection programmes. Revisions of legal frameworks should enhance available protection measures.
- Security sector institutions must create clear plans of action to address conflict-related sexual violence. These plans should focus around clear axes regarding prevention, deterrence, response and accountability. There must also be tools to monitor compliance and evaluate the progress of these plans. Reducing conflict-related sexual violence should be not only a political imperative, but a strategic imperative of security institutions.
- International judicial cooperation on investigations and prosecutions regarding conflict-related sexual violence must be strengthened. The TOE will devote increasing resources to assist national actors in pursuing this cooperation and continue to support cooperation agreements and experience sharing throughout the global South.
- Legal aid and reparations to victims is an essential component of the justice process for conflict-related sexual violence crimes.
- Promoting South-South experience sharing on the prevention and response to sexual violence crimes has proved to be an important tool that enables stakeholders facing similar challenges and constrains to learn from each other and identify entry points for their strategies at the national level.



# Partnerships

The TOE has achieved success in its activities by drawing on the capacities, expertise and knowledge of its partners and the national authorities it seeks to assist. Based on this, the Team has noted that the fight against impunity for conflict-related sexual violence will only succeed if both international and national stakeholders work in synergy, and agree on priorities, tools and the way forward.

In addition to drawing on the capacities of the co-lead entities, the TOE has also benefited from collaboration and partnerships with a number of actors.

## UN COUNTRY TEAMS, UN PEACE MISSIONS AND OTHER ACTORS

TOE assessments and deployments have received active substantive and logistical support from UN Country Teams and Peace Missions, including following up to recommendations from assessments. The TOE also consults special procedures of the Human Rights Council and members of UN treaty bodies with relevant expertise to inform the Team's missions on issues that cut across areas of mutual concern. The Team has benefited from human rights reports from human rights field presences, thematic reports to the Human Rights Council and the General Assembly, Universal Periodic Reviews, concluding observations and general recommendations from UN treaty bodies, such as the Committee on the Elimination of all Forms of Discrimination Against Women, and reports from thematic and country specific special procedures mandate holders.





## REGIONAL ORGANIZATIONS

Regional organizations are important partners in the fight against impunity for sexual violence in conflict.

In line with the Framework of Cooperation between the UN and the ICGLR, in August 2015, the Team and the ICGLR Regional Training Facility organized a technical workshop for investigators and prosecutors in the military justice systems regarding the prosecution of sexual violence crimes. The workshop involved participants from CAR, Somalia, South Sudan and Sudan. Discussions with ICGLR are ongoing for the development of a comprehensive training programme on sexual violence for which the TOE plans to second embed expertise in 2017.

As part of the Framework of Cooperation between the League of Arab States and the UN on addressing conflict-related sexual violence the TOE contributed to the development of a workplan to strengthen the League's capacity to address conflict-related sexual violence. This plan includes a guidance note on strengthening the legal framework of the League's Member States on sexual violence, enhancing their capacity to collect forensic evidence, and improving judicial cooperation among Member States.

The Team also worked closely with the Great Lakes Women's Platform to ensure that sexual violence considerations are among the priorities of women groups in the region, including through their advocacy efforts in the DRC processes.

## UN ACTION

The TOE continues to maintain a strong partnership with the UN Action network, which has translated, amongst other things, into regular information sharing, support in the process of building country profiles and briefings before and after TOE assessments and deployments. The UN Action MPTF has continued to serve as a platform for fundraising, with an earmark window for TOE funds. The TOE has also contributed to the development of UN Action tools.

## NATIONAL AUTHORITIES AND NATIONAL PARTNERS

TOE assessments and deployments have been conducted in close partnership with government entities in particular Ministries of Justice, Gender, Interior and Defence; national police and the military; special bodies such as national human rights institutions, law commissions, reconciliation commissions, bar associations, civil society organisations, women's groups, parliamentary commissions and working groups.

## UNITED KINGDOM PREVENTING SEXUAL VIOLENCE INITIATIVE

The Preventing Sexual Violence Initiative has committed to fully supporting the TOE in its work to achieve greater coherence and cooperation in the fight against impunity. Areas of cooperation include: regular sharing of information, consultation on strategies and priority countries, coordination of assessment missions, coordination on country support initiatives, sharing lessons learned and collaboration on the rollout of the International Protocol.

## SOUTH-SOUTH COOPERATION

Conflict-related sexual violence is a global phenomenon and requires a global response. As a result, no single country, region or continent has a monopoly on solutions. The Team is committed to ensuring that the global South participates in response efforts with both experience-sharing and funding. The Team intends to continue promoting learning between Governments through South-South experience sharing and to introduce "triangular cooperation" where a traditional donor can pair with an emerging donor from the global South to provide support to a beneficiary country in the global South.

# Priority Plans for 2017

| CENTRAL AFRICAN REPUBLIC   | COLOMBIA   | CÔTE D'IVOIRE  | DEMOCRATIC REPUBLIC OF CONGO   | GUINEA  | IRAQ  | SOMALIA   | SOUTH SUDAN  | SUDAN   | OTHER ACTIVITIES  |   |
|--|--|--|--|---|---|---|--|---|---|---|
| <p>Support the strengthening and expansion of the UMIRR within the national gendarmerie and police to address conflict-related sexual violence.</p> <p>Support the work of the Special Criminal Court and ensure conflict-related sexual violence is addressed fully and appropriately.</p> <p>Provide technical assistance to the Government in identifying and addressing remaining challenges on addressing accountability for sexual violence crimes, in line with the recommendations of the May 2015 Bangui Forum.</p> <p>Support capacity strengthening for military justice officials on investigating and prosecuting sexual violence crimes.</p> | <p>Promote experience sharing of good practices to strengthen the capacity of conflict-affected countries in addressing conflict-related sexual violence.</p> <p>Support the Colombian National Institute of Legal Medicine and Forensic Science to share its experience with Guinean authorities in the framework of ongoing investigations and other accountability mechanisms established as part of the national reconciliation process.</p> <p>Facilitate learning between Colombia and Cote d'Ivoire on strategies for the provision of reparations to survivors of sexual violence.</p> | <p>Support the national army - the FACI- to fully implement its action plan on sexual violence.</p> <p>Assist with the establishment of special units within the police and gendarmerie dedicated to address sexual violence.</p> <p>Provide technical assistance to the Ministry of Justice in reviewing the Penal Code and the Penal Procedure Code to ensure provisions on sexual violence crimes are in line with international standards.</p> <p>Strengthen the special investigations and prosecution unit - Cellule Spéciale d'Enquêtes et d'Instruction - in the Ministry of Justice with technical advice on addressing sexual violence crimes.</p> <p>Assist the judicial training institute - Institut de Formation Judiciaire - to review its curriculum and include conflict-related sexual violence modules.</p> | <p>Support the implementation of the roadmap 2017-2019 for the full implementation of the Joint Communiqué, agreed in October 2016.</p> <p>Support the national army - the FARDC - in implementing its action plan on addressing conflict-related sexual violence.</p> <p>Provide technical assistance to the judiciary in prosecuting sexual violence crimes, with a focus on the gravest sexual violence cases identified through the 2016 prosecutorial strategy.</p> <p>Embed an expert in the Prosecution Support Cells, and support mobile courts.</p> <p>Strengthen the investigation capacity of the Special Police Units on Women and Children in North and South Kivu.</p> | <p>Provide technical assistance to women magistrates deployed to tribunals of first instance in Bunia, Beni, Goma, Bukavu and Uvira.</p> <p>Advocate with the Government for the payment of outstanding judgments of reparation by Congolese courts for conflict-related sexual violence.</p> <p>Engagement with the Special Commission of the Senate on Sexual Violence, including its efforts to engage non-state actors, and its law making efforts specifically on a draft law on the protection of victims and witnesses.</p> <p>Technical support to the Office of the Personal Representative of the President on Sexual Violence and Child Recruitment.</p> | <p>Assist efforts to complete hearings of remaining witnesses, including those outside of the country, in relation to the 28 September 2009 incidents.</p> <p>Facilitate experience sharing with the Colombian National Institute of Legal Medicine and Forensic Science, and with the Panzi Hospital in the DRC.</p> <p>Strengthen protection mechanisms for witnesses, victims and justice officials in view of the forthcoming trials.</p> <p>Assist the Ministry of Justice in devising a comprehensive strategy to prepare for forthcoming trials for the September 2009 events.</p> <p>Advise on possible modalities of reparations for victims or sexual violence, including interim reparation measures, and on potential sources of funding.</p> | <p>Assist the Government of Iraq in the implementation of its commitments to address accountability as provided by the Joint Communiqué on addressing conflict-related sexual violence.</p> <p>Assist the Iraqi Government with proper documentation of sexual violence crimes and safeguarding of evidence for prosecution.</p> <p>Assist in identifying and prioritising a number of initial ISIL-related cases for investigation and prosecution by the Iraqi judicial system, around which technical assistance will be provided.</p> <p>Assist the Government in assessing possible challenges in such prosecutions and provide advice in this regard.</p> | <p>Strengthen the capacity of law enforcement and judicial officers currently working on the interviewing, investigation and prosecution of these cases in Iraq.</p> <p>Provide technical assistance to national law reform efforts that would include the incorporation of war crimes, crimes against humanity and genocide in the Iraqi legal framework; the review of criminal code and other relevant legislation to ensure compliance with international standards.</p> <p>Assist in establishing linkages among actors working on documentation of sexual violence crimes.</p> | <p>Support the Government in the review process under the Joint Communiqué and the National Action Plan.</p> <p>Assist the Government in undertaking regional consultations on the Action Plan.</p> <p>Provide technical assistance to the Ministry of Women and Human Rights Development on the implementation of the National Action Plan.</p> <p>Strengthen the investigative capacity of the police's specialised unit on sexual violence.</p> <p>Assist in law review and reform efforts, including advocacy for the adoption of the Sex Offences Act.</p> <p>Strengthen the investigative capacity of Somali national armed forces on conflict-related sexual violence.</p> | <p>Support the Government in the implementation of the Joint Communiqué on Addressing Conflict-Related Sexual Violence.</p> <p>Assist the South Sudan National Police Service in the finalisation and implementation of its Action Plan on Addressing Conflict-Related Sexual Violence.</p> <p>Assist in national law review and harmonisation efforts.</p> <p>Work to ensure that crimes of sexual violence are given adequate attention in the proposed hybrid court.</p> <p>Provide guidance and expertise in developing a prosecution strategy including the identification of the most serious cases of sexual violence, the planning of all aspects of the investigation, and provide technical assistance during the investigations.</p> | <p>Continue to follow the situation in Darfur.</p> <p>Conduct an assessment mission to Darfur, as soon as Sudanese visas are obtained.</p> <p>Strengthen capacity for Sudanese military, police and justice institutions, through the ICGLR-RTF.</p> <p>Publish the "Lessons learned by the Team of Experts on Assisting Governments to Address Conflict-Related Sexual Violence.</p> <p>Monitor the situations in Burundi, Libya, Northern Nigeria and Syria.</p> <p>Conduct a training workshop for legal aid providers in cooperation with the ICGLR-RTF.</p> <p>Publish the "Guidelines on Addressing Sexual Violence by the Military in Africa".</p> |

# Support from Member States

During the reporting period, the Team mobilized \$1,554,068 of the estimated \$15,791,317 required to fund the 2015-2019 Joint Programme. In addition, the Team mobilized \$2,700,000 in country specific funding. Contributions were received from Estonia, Japan, Sweden, and the United Kingdom. Since the Team and its work are solely funded through voluntary contributions, considerable effort is dedicated to ensuring that adequate resources are mobilized to meet current commitments and fulfil its obligations under its mandate. To reach its funding targets, the Team has developed a resource mobilization strategy, and based on this strategy

has organized a number of donor consultation meetings, programme briefings and presentations. In addition, the Team, where appropriate, has partnered with UN Action members, and counted on the support of the SRSG-SVC to mobilize resources, therefore demonstrating a coherent and consistent approach to engaging with donors and partners. Indeed the SRSG-SVC has actively campaigned to seek funds for the Team emphasizing the importance of allocating sustainable resources to its work as a valuable tool at the disposal of the UN system and Member States in the fight against impunity for conflict-related sexual violence.



\* PLEDGED

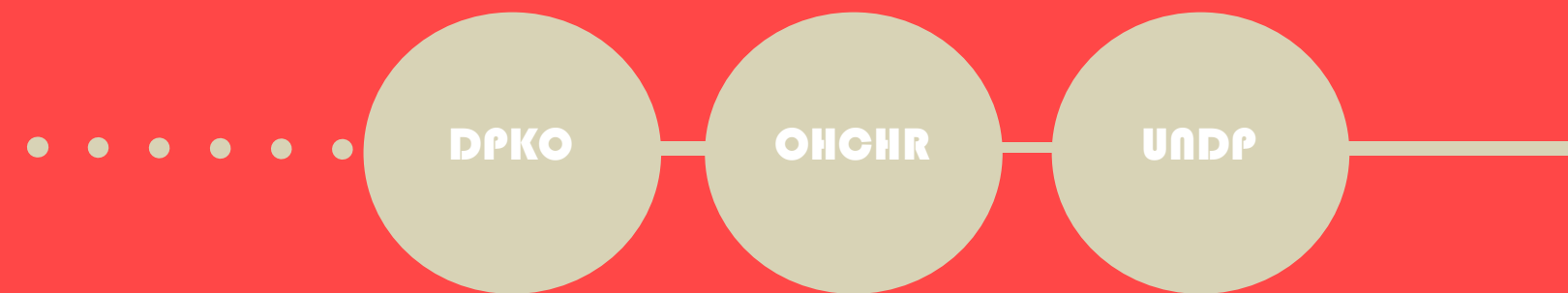
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OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON  
SEXUAL VIOLENCE IN CONFLICT

**REPORT & RECOMMENDATIONS**

Workshop on  
Sexual Violence  
against Men and Boys  
in Conflict Situations

New York 25-26 July 2013



**Team of Experts**  
Rule of Law/Sexual Violence in Conflict

**ADDRESSING  
SEXUAL  
VIOLENCE  
WITHIN  
THE MILITARY  
JUSTICE SYSTEM  
IN THE GREAT  
LAKES REGION**

KAMPALA, UGANDA 10-12 AUGUST 2015

**TRAINING FOR MILITARY JUSTICE OFFICIALS**  
ORGANIZED BY: INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION &  
UNITED NATIONS TEAM OF EXPERTS: RULE OF LAW/SEXUAL VIOLENCE IN CONFLICT



# Team of Experts

Rule of Law/Sexual Violence in Conflict

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