



**MULTI-DONOR TRUST FUND FOR**  
**UN ACTION AGAINST SEXUAL VIOLENCE IN CONFLICT<sup>1</sup>**  
**INTERIM NARRATIVE REPORT COVER PAGE**

<p><b>Participating UN Organization(s):</b> DPKO, OHCHR, UNDP</p>	<p><b>Project<sup>2</sup> Title:</b> UN SCR 1888 – Team of Experts: Rule of Law/Sexual Violence in Conflict</p> <p><b>Project No:</b> UNA023</p>
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<sup>1</sup> Only relevant if project is more than one fiscal year (i.e. 1 January - 31 December)

<sup>2</sup> The term “project” is used for projects, programmes and joint programmes

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# TEAM OF EXPERTS: RULE OF LAW/SEXUAL VIOLENCE IN CONFLICT

## Interim Narrative Report

### I. PURPOSE

#### A. Mandate

The United Nations (UN) Team of Experts on the Rule of Law/Sexual Violence in Conflict (the Team or TOE) was created to assist governments in conflict and post-conflict situations by strengthening their capacity to address impunity for conflict-related sexual violence. The Team was established by Security Council resolution 1888 (2009) in response to the lack of progress on the issue. 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 United Nations 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.”

In November 2009, the Steering Committee of UN Action Against Sexual Violence in Conflict (UN Action) requested the Department of Peacekeeping Operations (DPKO), the Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Development Programme (UNDP) to serve as co-lead entities responsible for the development and establishment of the TOE.

The Team became operational in early 2011, after receiving catalytic funding from the UN Action network. The Team works with existing UN mechanisms, including UN Action, and draws from existing DPKO, OHCHR and UNDP human resources to provide assistance to national governments to prevent and respond to conflict-related sexual violence, with a focus on combating impunity for these crimes.

The Team has noted that countries facing conflict-related sexual violence challenges lack adequate national capacity and expertise to investigate and prosecute conflict-related these crimes. Capacity constraints remain therefore one of the main impediments to addressing impunity and improving access to justice for victims. To contribute to addressing this challenge, the Team focuses its efforts on strengthening the capacity of national rule of law actors, including the police and the judiciary, to address impunity for sexual violence crimes. It also ensures that survivors of sexual violence have access to effective remedies and reparation, so that they can begin the process of rebuilding their lives and communities.

Within the broader objective of strengthening the rule of law with respect to conflict-related sexual violence, the Team:

1. 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;
2. 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);

3. Makes recommendations to coordinate domestic and international efforts and resources to reinforce governments' ability to address conflict-related sexual violence; and
4. Works with a variety of UN mechanisms towards the full implementation of resolution 1820 (2008).

Between 2012 and 2014, the Team has operated under a three-year joint programme developed in coordination with the DPKO, OHCHR, and UNDP. It has supported national authorities in Bosnia and Herzegovina, the Central African Republic (CAR), Colombia, Côte d'Ivoire, the Democratic Republic of the Congo (DRC), Guinea, Liberia, Somalia and South Sudan.

## **B. 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.

## **C. Key Outputs**

The key outcome and outputs for the TOE joint programme 2012-2014 were the following: *National authorities are assisted in strengthening the rule of law with respect to conflict-related sexual violence.*

*Output 1: Situations of particular concern identified and reviewed through documentation, research and analysis*

*Output 2: Assessments conducted on situations of particular concern and priority support areas defined*

*Output 3: National authorities assisted through technical, strategic and programmatic support*

*Output 4: Programme efficiently managed and resourced*

*Output 5: Awareness of the work of the TOE by UN and non-UN entities increased*

## **D. Implementing Partners**

The TOE, 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, play a central role through guidance and support at field and headquarters levels. This includes the process of identification of needs and gaps at the national level, as well as the implementation of initiatives to help effectively deal with conflict-related sexual violence. In addition, the United Nations Country Teams (UNCT), members of UN Action and other UN entities provide valuable support and input to the TOE assessment missions. The Team works closely with national, regional and international organizations.

## **II. RESOURCES**

During the implementation of the 2012–2014 Joint Programme, the Team successfully reached its three-year funding target of \$8.4 million. The Team received contributions from Belgium, Estonia, Finland, Ireland, Japan, Luxembourg, Sweden, Switzerland, Turkey, the United Kingdom, and the United States. Since the Team and its work are solely funded through voluntary contributions, considerable effort is dedicated to ensuring adequate resource are mobilized to meet current commitments and fulfil its obligations under its Security Council 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 as well as the Office of the Special Representative of the Secretary General on Sexual Violence in Conflict (SRSG-SVC) to mobilize resources, and has demonstrated a coherent and consistent approach to engaging with donors and partners. 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.

### **A. Core Funding**

Since its inception, the TOE has mobilized core funding from the following countries:

<u>Country</u>	<u>Contribution Amount<sup>3</sup></u>
Belgium	\$330,970
Estonia	\$130,260
Finland	\$465,415
Ireland	\$129,020
Luxembourg	\$65,185
Sweden	\$4,824,586
United Kingdom	\$1,608,700
Total	\$7,554,136

### **B. Country Specific Funding**

Since its inception, the TOE has mobilized country specific funding from the following countries:

<u>Country</u>	<u>Contribution Amount<sup>4</sup></u>
Japan	\$2,150,000 (support for work in DRC and Somalia)
Switzerland	\$64,600 (support for work in Côte d'Ivoire)
Turkey	\$50,000 (support for work in Guinea)
United States	\$693,000 (support for work in DRC)
Total	\$2,957,600

## **III. IMPLEMENTATION AND MONITORING ARRANGEMENTS**

### **A. Approach**

The TOE supports and complements, with dedicated expertise, the work of the UN in enhancing security,

<sup>3</sup> Contribution amounts have been converted to US Dollar.

<sup>4</sup> Contribution amounts have been converted to US Dollar.

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 conflict-related sexual violence. It focuses on strengthening national capacity and ensuring that interventions build on and complement existing partners' and governments' initiatives.

The TOE regularly receives requests for assistance from national authorities, UN field presences or headquarters officials, and civil society organizations or victims groups. Once a request is received, 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 engage.

Following the receipt of a request and government consent, the TOE undertakes a technical assessment mission to review existing initiatives, laws, programs and mechanisms on the rule of law in general and on conflict-related sexual violence in particular, evaluate the existing capacity of national and international 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 the sustainability and added value of the Team's support and avoids duplication of efforts.

The Team ensures that during the assessment, the modalities of assistance to be provided 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 implemented have the full support of national and local authorities.

Following agreement on the recommendations and the modalities for support, 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 the government address the identified gaps. The Team tries to ensure that a government entity or other co-lead organization is responsible for the implementation of initiatives emanating from the assessments, while the TOE provides the necessary technical assistance through the deployment of expertise or direct advice.

The TOE has identified the following areas of focus in which governments experience the most critical capacity challenges to combating impunity for sexual violence:

- Criminal investigations and prosecutions;
- Collection, analysis and use of forensic evidence;
- Military justice (systems, investigations and prosecutions);
- Criminal law reform and procedural law reform;
- Witness, victim, and justice official protection;
- Security sector oversight systems/bodies; and
- Reparations for victims.

The Team focuses its assistance to national authorities in the following eight countries, which, in coordination with the Office of the SRSB-SVC and the Secretariat of UN Action, were identified as countries for priority focus: Bosnia and Herzegovina; CAR; Colombia; Côte d'Ivoire; DRC; Liberia; South Sudan and Sudan. In addition to these countries, the Team provided support to national authorities

in Somalia and Guinea. The selection of these eight countries does not prevent the TOE from engaging in other conflict and post-conflict countries identified as “situations of particular concern”.

## **B. Monitoring**

In 2014, the five key outputs identified above are the criteria against which the TOE’s progress is measured:

1. Situations of particular concern identified and reviewed through documentation, research and analysis;
2. Assessments conducted on situations of particular concern and priority Support areas defined;
3. National authorities assisted through technical, strategic and programmatic support;
4. Programme efficiently managed and resourced; and
5. Awareness of the work of the TOE by Governments, UN and non-UN entities increased.

To ensure that progress on each of the five outputs is measured and assessed, the TOE has established benchmarks, identified indicators, and established annual targets. The results and impact are reported in this annual report.

The Team conducts regular monitoring of the implementation of its engagement 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 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 UN Action and the co-lead entities - DPKO, OHCHR and UNDP - to brief and highlight progress on key outputs and ensure cohesion and cooperation among key UN members operating in conflict or post-conflict countries and with extensive involvement on sexual violence issues.

Guided by its mandate, as set out in Resolution 1888, the TOE’s work is led by the Team Leader, who is embedded in the Office of the SRSG-SVC and has a direct reporting line to the SRSG-SVC. The SRSG-SVC’s high level advocacy work with governments serves as an entry point for TOE interventions. Since 2011, the Office of the SRSG-SVC has focused on securing joint communiqués, signed by the host government and the UN, as platforms for engagement with governments on sexual violence. It should be noted that to date joint communiqués were signed with the Governments of the CAR, DRC, Guinea, the Federal Republic of Somalia, and South Sudan.

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.

## **IV. RESULTS**

### **A. Progress**

### ***Output 1: Situations of particular concern identified and reviewed through research and analysis***

Baseline – 3 Situations of particular concern reviewed

Indicator – # of situations of particular concern reviewed

Target (Year 3) – 7 situations of particular concern reviewed

3-year cumulative total – 27 situations of particular concern reviewed<sup>5</sup>

During the reporting period, the TOE identified and reviewed a total of eleven situations of particular concern, namely CAR, Colombia, Côte d'Ivoire, DRC, Guinea, Iraq, Liberia, Libya, Somalia, South Sudan, and Syria meeting the target for year three. The identification and review process allowed the TOE to gain a better understanding of the context and challenges faced in each situation enabling the TOE to understand the trends and patterns of conflict-related sexual violence in those countries. This increased clarity allowed the TOE to provide more targeted advice and support. By reviewing the situations in Iraq, Libya and Syria, the Team has been able to identify new trends of sexual violence different from those in other regions. These trends include the use of sexual violence as a tactic of terror; the trafficking of women and girls for the purpose of sexual violence; the use of sexual violence in detention settings; and the regional and cross-border nature of sexual violence crimes. On the latter, the Team identified the necessity of engaging with regional organisations in the Middle East and North Africa as allies in addressing these crimes.

### ***Output 2: Assessments conducted on situations of particular concern***

Baseline – 5 TOE assessment missions conducted

Indicator – # of TOE assessment missions conducted

Target (Year 3) – 5 TOE assessment missions conducted

3-year cumulative total – 18 TOE assessment missions conducted

During the reporting period, the TOE undertook a total of three assessment missions to Côte d'Ivoire, Guinea and Liberia. The target for year three was to undertake five assessment missions. The variation between planned assessment missions and completed missions is in part the result of security challenges to travel to certain countries and postponement of government invitations. In addition, the Team was short staffed for part of 2014, due to the absence of the DPKO staff member. No adjustment in targets is therefore required. These assessments resulted in the Government identifying remaining institutional, technical and infrastructural gaps with regard to Liberia, which contributed to the drafting of an exit strategy following three years of support. Mainly it led to proposing strategies to be followed by the UNCT and the Government in dealing with new forms of sexual violence in Liberia, which has become mainly societal. In Côte d'Ivoire, the assessment led to the creation of a special sexual violence unit in the police and gendarmerie, with a clear role and working methods. In addition, the Team assisted the national army, police and gendarmerie with the development of a detailed Action Plan for addressing sexual violence. In Guinea, the assessment led to the review and the strengthening of the on-going work with the Panel of Judges with regard to investigation and prosecution of the 28 September 2009 events. In addition, it led to the Government ensuring that sexual violence is taken into account in the national peacebuilding programme including in the reform of the justice and security sector, and in the beginning of a dialogue between the Government and the TOE on collaboration regarding witness and victims protection, and access to exhumations of mass graves to inform ongoing investigations.

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<sup>5</sup> During the three-year reporting period a country may be counted more than once.

### ***Output 3: National authorities assisted through technical, strategic and programmatic support***

Baseline – No deployments to situations of particular concern by consultants / TOE members  
Indicator – # of deployments to situations of particular concern by consultants / TOE members  
Target (Year 3) – 6 deployments to situations of particular concern by consultants / TOE members  
3-year cumulative total – 14 deployments to situations of particular concern by consultants / TOE members

In 2014, the TOE made six deployments (Colombia, DRC x 2, Guinea, Uganda (ICLGR), and Somalia). The TOE deployed experts to DRC, Uganda, and Somalia and an expert to Colombia for a short period of time, including for consultations with government officials and other stakeholders to obtain commitments or provide necessary support and advice on how to address impunity for conflict-related sexual violence. The Team also deployed an expert to Guinea for an extended period of time to mentor justice actors. Technical, strategic and programmatic advice, legal analysis and research, and direct mentoring on addressing specific challenges identified during assessments, has been provided. This support has contributed to assisting governments to provide effective rule of law responses to sexual violence crimes. An increase in the number of investigations was noted in the case of DRC and Guinea, while an increase in the number of prosecutions was noted specifically for the DRC. In Colombia, guidelines for addressing sexual violence by the military and police were adopted. The training for the police of the International Conference on the Great Lakes Region (ICGLR) gave an opportunity to use first hand skills for the collection and storage of forensic evidence in relation to sexual violence crimes.

### ***Output 4: Programme efficiently managed and resourced***

Baseline – 6 month work plan established  
Indicator – Budgeted funds timely disbursed in accordance with work plan  
Target (Year 3) – Year 3 resources disbursed to respective entities  
3-year cumulative total – \$6,376,990

During the reporting period, the TOE through the UN Action Multi Partner Trust Fund (MPTF) disbursed \$879,322 to DPKO; \$353,314 to OHCHR; and \$1,069,131 to UNDP. The combined total disbursement to the three co-lead entities was \$2,301,767. The budgeted disbursement amount was \$2,780,202. The difference between the budgeted disbursement amount and the actual disbursement was \$478,435. The variation is primarily the result of delays in identifying recruiting the P4 DPKO Team Member. The TOE anticipates the recruitment of the P4 DPKO Team Member in 2015. No adjustment in targets is required. The three-year cumulative disbursement to each co-lead entity: DPKO \$2,450,005; OHCHR \$970,338; and UNDP \$2,072,827. The total cumulative disbursement for all co-lead entities was \$5,493,170. The Team was able to build a good financial base for the reporting period and identify new supporters and diversify the types of sources of funding.

### ***Output 5: Awareness of the work of the TOE by UN and non-UN entities increased***

Baseline – 1 formal request for assistance received by the TOE  
Indicator – # of formal requests for assistance received by the TOE  
Target (Year 3) – 6 formal requests for assistance received  
3-year cumulative total – 21 formal requests for assistance received

The Team continued to diversify the number and nature of partners, and to consolidate existing partnerships through briefings, dissemination of its reports and direct engagement with a wide range of

actors in country and in concerned regions. As a result, the Team continued to receive requests for support. During the reporting period, the TOE received nine formal requests for assistance from national authorities, either directly or through the UN on the ground. Requests were made concerning Bosnia and Herzegovina, CAR, Côte d'Ivoire, DRC, Guinea, Libya, Mali, Somalia, and the ICGLR. The target for year three was the receipt of six formal requests for assistance. The TOE expected a tenth request following a planned mission to Darfur (Sudan). No adjustment in targets is required.

## **B. Activities Undertaken and Achievements**

### **i. Country Engagements**

#### *1. Bosnia and Herzegovina*

##### Background

Over twenty years ago, Bosnia and Herzegovina was the site of a large-scale conflict, characterized by grave violations of human rights, including mass killings, rape, and forced displacement. The war resulted in an estimated 100,000 deaths and some 2 million refugees and internally displaced persons - approximately 11,500 individuals are still listed as missing. Rape and other forms of sexual violence during the conflict were determined to be systematic, widespread, and perpetrated against women, men, girls and boys. Despite fractured efforts, many victims of the conflict, in particular survivors of conflict-related sexual violence still await justice, as deficits in judicial, health and social welfare systems, and a lack of political will to combat impunity and provide redress have severely impaired public confidence in institutions.

In response to continued concerns of lack of accountability for sexual violence crimes committed during the conflict, in June 2013, the SRSB-SVC visited Bosnia and Herzegovina to assess progress toward addressing the various challenges. During her visit the SRSB-SVC noted the critical need to provide assistance and services to survivors of conflict-related sexual violence. To support the Government and the UN system in addressing these issues, the SRSB-SVC committed the TOE to work with the UNCT to develop a comprehensive programme to identify and address gaps in existing care, support, and justice services, and to create an effective, comprehensive, and standardized approach for dealing with survivors of conflict-related sexual violence.

##### Assistance and Impact

The TOE provided advice to the UNCT on the development of a comprehensive programme entitled "Joint UN proposal: Seeking care, support and justice for survivors of conflict-related sexual violence in Bosnia and Herzegovina". This survivor-centered programme aims to strengthen the capacity of the Government and civil society to expand the delivery of reparations, rehabilitation for victims, equal access to services, access to justice, and efforts to combat stigmatization of survivors of conflict-related sexual violence.

In addition to technical and policy advice, the TOE actively supported the efforts of the UNCT to mobilize resources and to ensure the required inputs and international buy-in were in place. As a result of the collective efforts of the SRSB-SVC, the TOE, and the UNCT, the programme has been launched and activities are currently underway.

##### Challenges, Lessons Learned and Way Forward

Bosnia and Herzegovina continues to face a challenging context where political consensus and political will to address sensitive issues surrounding the conflict remains limited. This lack of political consensus and political will combined with donor fatigue continue to remain potential challenges to the success of initiatives undertaken in the country.

The failure to address issues of conflict-related sexual violence in the initial peace process and in subsequent projects and programmes has left a legacy which will be extremely difficult to remedy. Issues of conflict-related sexual violence must be included in initial ceasefire agreements, monitoring mechanisms and peace agreements to ensure the best chance of survivors receiving appropriate support.

The TOE will continue to follow the implementation and progress of the comprehensive programme and provide support as requested by the Government and the UNCT.

## *2. Central African Republic*

### Background

Following decades of conflict and instability, the situation in Central African Republic deteriorated in 2013, following a military coup against former President François Bozizé. The human rights situation has been described as serious due to the commission of widespread violations of international human rights and humanitarian law, including sexual violence by rival armed groups. In the absence of a strong government and the collapse of the armed forces, police and the gendarmerie, rape and other forms of sexual violence were committed during house-to-house searches, in IDP camps, and in acts of retaliation by anti-Balaka, ex-Séléka and other armed groups. Cases of sexual slavery and forced marriages involving children, mostly perpetrated by ex-Séléka elements, were also reported. Police stations were looted, and police and gendarmerie personnel abandoned their positions, creating a serious vacuum in the enforcement of law and order. The International Commission of Inquiry (COI), which published its final report in December 2014, found that sexual violence had occurred at alarming rates during and in the immediate aftermath of hostilities. The COI recommended the prosecution of perpetrators.

The Government has made efforts to address issues of impunity. In 2014, the government developed an initiative to establish a special criminal court tasked with investigating, prosecuting and adjudicating serious human rights violations, including crimes against humanity and war crimes. In addition the Government has called for support in the establishment of a Rapid Response Unit within the gendarmerie to respond to reports of sexual violence.

### Assistance and Impact

Following a request from the Government, the Team developed a concept for the creation of specialised unit on sexual violence within the Gendarmerie to respond rapidly to alleged cases of sexual violence by collecting and preserving evidence, interviewing victims and documenting cases. The Team also provided inputs to the draft Law on the creation of a Special Criminal Court to ensure that it has jurisdiction for crimes of conflict-related sexual violence. A functional criminal court and a police with strengthened response capacity will be key in ensuring accountability for sexual violence crimes.

### Challenges, Lessons Learned and Way Forward

Despite some recent progress in the operationalization of some police and gendarmerie units with the

support of international partners, the continued lack of capacity within security entities to respond to threats and incidents remains a major obstacle in the collective efforts to stop the violence and restore the rule of law in CAR. Without the reestablishment of the rule of law through the restructuring of national security entities, increased capacity of the justice sector, the restoration of state authority, and the allocation of appropriate resources, human rights violations, including sexual violence, will continue unabated. The TOE will continue supporting national authorities in CAR in close collaboration with UNDP and UN Women in the framework of the Global Focal Point arrangement.

### *3. Colombia*

#### Background

Sexual violence continues to be an issue of grave concern in the context of the armed conflict in Colombia. It has been used by armed groups, including the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo (FARC-ELN), Ejército de Liberación Nacional (ELN) and other illegal armed groups that have emerged since demobilization, and are referred to by the Government as criminal gangs or “Bacrim”. In some instances, members of state security forces have also committed acts of sexual violence. While the majority of reported cases are against women and girls, some men and boys have also been victims of sexual violence. Women human rights defenders and their families have also been targeted with sexual violence or received threats by members of illegal armed groups.

In rural areas, sexual violence has been perpetrated by armed groups, particularly against women from Afro-Colombian and indigenous populations, to displace populations forcefully from lucrative mining or agricultural zones, or in corridors strategic for drug trafficking. The FARC-ELN and other illegal armed groups that have emerged since demobilization have been among the key perpetrators of these crimes. Acts of such violence include abductions, rape, sexual slavery and forced abortions. In a newly observed dynamic, members of illegal armed groups have used sexual violence against relatives and other kin to exert control over their families and those of their subordinates in specific neighbourhoods. In some cases, women heading households have been forced to hand over their daughters to the leaders of these groups. As a result, women and girls flee neighbourhoods seeking protection.

Against this background, the Government of Colombia has taken important steps to address conflict-related sexual violence. These include: the adoption of a robust legislative framework, the establishment of protection mechanisms, and the design of a reparations programme for victims of sexual violence.

In the framework of the Havana peace process, a noteworthy development is the establishment of a gender sub-commission to ensure the integration of a gender perspective in the discussions. Additionally, conflict-related sexual violence has been raised in the negotiations through the participation in the peace talks of sexual violence survivors and leaders of women’s rights and sexual diversity organizations.

#### Assistance and Impact

The TOE provided expert input to the ground-breaking Law 1719 on Access to Justice for Victims of Sexual Violence in Colombia, particularly as it relates to the armed conflict, which was adopted by Presidential Decree on 18 June 2014. The law aims at enhancing the status of sexual violence survivors so that they can receive reparations, psychosocial support and free medical care. It 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.

#### Challenges, Lessons Learned and Way Forward

Challenges persist in implementing the progressive legal framework at the local level owing to institutional capacity constraints and the underreporting of cases, which is both a cause and a consequence of impunity for this crime. Of continuing concern, for example, is sexual violence in areas under the influence of non-State armed groups or groups that have emerged from the process of demobilization. The evolution of the peace talks in Havana, and the maintenance of the protection and empowerment of women at the centre of the discussions, will be another critical challenge in 2015.

The Team will support the visit of the SRSB-SVC to Colombia in 2015 to better understand and support national authorities in addressing the challenges that remain, and to discuss the role of Colombia in disseminating positive experiences through cross regional and country-to-country experience sharing. Given the crucial phase of the peace process in Havana, the Team will also provide support to ensure the continued inclusion of gender issues and conflict-related sexual violence in the negotiations and outcomes.

#### *4. Côte d'Ivoire*

##### Background

Sexual violence in Côte d'Ivoire continues to be of concern, four years after the disputed November 2010 election of outgoing President Gbagbo and incumbent Alassane Ouattara. Forces loyal to both parties committed human rights abuses, including sexual violence, in the wake of that insecurity and accompanying climate of impunity. The presence of armed criminal elements across the country, combined with a slow process of Disarmament, Demobilization and Reintegration of ex-combatants and the context of impunity continues to put women and children particularly at risk. The prevalence of small arms and light weapons is linked to insecurity in urban areas. Sexual violence remains high in Bouaké, where ex-combatants, often reinserted into society as motorcycle and taxi drivers, are reported to be involved in both armed robberies and sexual violence. In 2014, the situation remained fragile in certain parts of the country, particularly in Abidjan and the West. During this period, the UN Mission in Côte d'Ivoire (UNOCI) documented and verified 325 cases of rape, with 230 victims who were minors. .

To address sexual violence crimes, the Government has established a number of institutions and tools. Critically, the adoption of the National Strategy Against Gender-Based Violence on 5 September 2014 has helped the Government to frame its strategic directions and define its efforts in this area. Making this plan operational will require the active participation of all relevant Government institutions, under the leadership of the Ministry of Solidarity, Family, Women and Children.

##### Assistance and Impact

In Côte d'Ivoire, the TOE's engagement has contributed to helping the Government identify targeted initiatives to address the issue of accountability, and strengthen the impunity pillar of the National Strategy Against Gender-Based Violence that was adopted in September 2014. These initiatives have been identified following a 2013 experience-sharing exercise facilitated by the TOE between Côte d'Ivoire and Sierra Leone. In addition, the Team's technical advice to the national expert committee on addressing sexual violence has led to the development of a robust action plan for the security sector

forces, led by the national army, the *Forces Républicaines de la Côte d'Ivoire*, which includes prevention, capacity strengthening and deterrence.

The Team conducted a technical mission to Côte d'Ivoire on 19–23 October 2014. The aim of the mission was to discuss and agree with relevant Government entities the modalities to support their efforts to address impunity for, conflict-related sexual violence. The findings and recommendations in the mission report have been agreed with UNOCI leadership and the Government. These include: (i) providing technical support to the FRCI's 'Action Plan on Sexual Violence' as an essential piece of security sector reform; and (ii) providing technical support in the process of establishing Special Police Units, and (iii) providing technical expertise to assist with legislative review and legal training bodies.

The Team's support has resulted in action by the military to address sexual violence. In this regard, FRCI has put in place mechanisms to monitor sexual violence within its rank. In addition, officers of the FRCI have been trained on responding to sexual violence. Since the adoption of the plan, the FRCI has regularly received reports and alerts of sexual violence crimes from its different units.

### Challenges, Lessons Learned and Way Forward

Though the Government is making reforms to the judiciary and security sectors, the human rights situation remains a concern with the inconsistent commitment and capacity of the authorities to address the challenges in a sustainable way given the continued insecurity and impunity issue.

Other obstacles to accountability for sexual violence crimes include: the legal framework which remains weak; the medical certificate for victims of SV, which costs CFA 50,000 (approximately USD 100 USD), which is prohibitive for the majority of the population; the lack of accurate data, and specifically judicial data, which makes it challenging to formulate an appropriate response and to assess progress made by the Government to address accountability; and a lack of access to reparations by victims of sexual violence (a reparations law has been drafted but yet to be adopted).

The TOE will continue to engage with the Government and provide support in line with the prioritised areas of action.

## 5. *Democratic Republic of the Congo*

### Background

Incidents of sexual violence as well other human rights violations continued to be reported in the DRC in the course of 2014, and most specifically in the eastern provinces of Orientale, North Kivu and South Kivu. There has been an alarming resurgence of violence by armed groups, including an increase in rape and forced displacement. While most incidents were linked to armed groups, including; *the Front de résistance patriotique de l'Ituri (FRPI)*, *Forces Démocratiques de Libération du Rwanda (FDLR)*, *Raia Mutomboki*, *Nyatura*, *Alliance des Patriotes pour un Congo Libre et Souverain (APCLS)*, *Mayi Mayi Simba Lumumba* and other *Mayi Mayi* groups. However, there have also been continued reports of sexual violence committed by national security forces, including *Forces Armées de la République Démocratique du Congo (FARDC)* and *Police Nationale Congolaise (PNC)*.

The marked limited state authority and rule of law in areas affected by the conflict favours 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 climate of impunity allows the many forms of gender-based violence, including sexual violence, to flourish and intensify the existing discrimination against women and girls. While the majority of the victims in DRC are women and children, cases of sexual violence against men and boys have also been confirmed.

In addition to establishing a strong legal framework the Government of the DRC took important steps to address conflict-related sexual violence in the course of 2014, such as the prosecution of high-ranking army officers and the payment of reparations to survivors. Also, the President Kabila appointed a Personal Representative on Sexual Violence and the Recruitment and Use of Children, to accelerate national action and engage with the international community. In addition the *FARDC launched an Action Plan Against Sexual Violence*.

### Assistance and Impact

In the DRC, the TOE's assistance has focused on supporting the Government to implement its commitments under the 2013 Joint Communiqué. In the course of 2014, the Team's assistance focused on strengthening the capacity of key institutions to address conflict-related sexual violence. These include: the Office of the Personal Representative of the President on Sexual Violence and Child Recruitment (OPR); the Senate's Special Commission on Sexual Violence; the PSPEF, the Ministry of Defence and the FARDC.

Office of the Personal Representative of the President (OPR): The TOE has assisted the OPR to formulate a plan of operation and identify priorities that place the issue of accountability, especially by the *Forces Armées de la République Démocratique du Congo* (FARDC), at the heart of its advocacy efforts. This plan includes accountability for emblematic sexual violence incidents (*e.g.*, Walikale, Bushani, Mutongo and the prosecution of senior officers accused of crimes of sexual violence). One achievement from this support to the OPR and coordination with the United Nations system in DRC has been the convictions of war crimes, including rape, of General Jerome Kakwavu in November 2014 and Lieutenant Colonel Bedi Mobuli Engangela (alias Colonel 106) in December 2014. The TOE also provided technical advice to the DRC, through the OPR, on implementing reparations programmes for survivors.

Special Commission of the Senate on Sexual Violence: Following advocacy from the SRSR-SVC, in November 2003, the DRC Senate established a Special Commission of the Senate on Sexual Violence. In the course of 2014, the Team provided technical assistance to the Special Commission. A technical workshop was organized by the Team on 22 March 2014 in Kinshasa, to build the Commission's understanding of conflict-related sexual violence. In addition, the Team assisted the Special Commission in shaping its mandate and priorities, and in developing a detailed plan of activities. This resulted in the decision by the Special Commission to focus on areas most affected by conflict-related sexual violence (North-Kivu, South-Kivu, Ituri and North Katanga). This assistance has also helped the Special Commission to tailor its work around advocacy vis-à-vis state and non-state actors, oversight of national institutions addressing sexual violence, reporting and contribution to strengthening the legal framework. The Team has helped the Special Commission conduct its first field mission to South-Kivu and North Katanga, during which it engaged a number of actors. The Team has also provided technical advice to the Special Commission with regard to how they could contribute to efforts towards a draft law on a specialized court to deal with crimes committed in the DRC, as well as to a possible law establishing a reparations fund for victims of sexual violence.

Forces Armées de la République Démocratique du Congo (FARDC): The Team provided assistance to

the FARDC regarding the prevention of, and response to, incidents of sexual violence. In the course of 2014, working with high level focal points within the FARDC and the Ministry of Defense, the Team supported the FARDC in developing an Action Plan on addressing sexual violence, which was launched in August 2014. Through this plan, the FARDC now has a road map of the FARDC's efforts to tackle the issue. This plan is built on prevention measures including the issuance of command orders by military commanders preventing sexual violence, the strengthening of codes of conduct, and the signing of undertakings by all commanders and soldiers deployed to the field that they will refrain from sexual violence, report sexual violence crimes and take action if sexual violence is being committed. The conviction of General Kakwavu in November 2014 described above, and that of Lieutenant Colonel Bedi Mobuli Engangela, aka 'Colonel 106', in December 2014 for crimes against humanity, including for rape and sexual slavery, are among the first steps made in the implementation of the FARDC action plan.

**Support to Military Justice:** The Team accompanied military justice efforts in eastern DRC, through the deployment of an investigations expert to the Prosecutions Support Cell (PSC) in Goma until January 2014. The expert provided support to direct investigations and prosecutions by the military magistrates and to military mobile courts. Dedicated support was given to the investigations into the November 2012 Minova incidents during which over 200 women were allegedly raped by FARDC soldiers as they retreated from Goma after the city was captured by the rebel group M23. Moreover, during part of 2014, judicial monitoring was conducted in South Kivu and North Kivu for sexual violence cases involving the military. This exercise enabled the FARDC to trace the status of many sexual violence cases among the backlog of criminal cases. This exercise was facilitated by a comprehensive mapping of major sexual violence cases committed in the DRC since 2006, which was compiled by the Team.

#### Challenges, Lessons Learned and Way Forward.

When there is a combination of national ownership, leadership and responsibility, conflict-related sexual violence can be addressed. When sexual violence is given a high level attention, a government can achieve tangible results. This is highlighted by the appointment of the personal Representative of the President on sexual violence and child recruitment in the DRC, which has helped galvanize the commitment of the Government to address conflict-related sexual violence at the highest level. The military remains key to addressing sexual violence in most contexts in Africa. In the DRC, the signing of undertakings by commanders, committing to refrain from, to prevent and to respond to sexual violence, and the strong message this has sent to the entire army that this issue cannot be tolerated is something that can be emulated in other countries. Going forward, the TOE will seek to ensure that our efforts take into account a strong security sector reform dimension.

#### *6. Guinea*

##### Background

Following the incidents of 28 September 2009, which resulted in serious human rights violations, including killings, rapes, torture and abductions, the Guinean Government set up a National Commission of Inquiry, but its findings failed to shed light on the events and establish responsibilities. This led the UN to establish an International Commission of Inquiry (ICI) to investigate the allegations of human rights violations; establish the facts, the circumstances of the events, and their consequences; qualify the crimes perpetrated; and determine responsibilities.

In its report, the ICI concluded that Guinea had violated several provisions of international conventions ratified by the country. It also concluded that there was a strong presumption that crimes against humanity

were committed, as well as serious and reliable indications of criminal responsibility on the part of certain persons named in the report, either directly or indirectly as military leaders or hierarchical superiors. The report confirmed that at least 109 women and girls were victims of rape, including gang rape, and other forms of sexual violence, such as sexual mutilation and sexual slavery. The main alleged perpetrators were identified as members of the Guinean security forces.

During the visit by the SRSB-SVC, the Guinean Government and the UN signed a Joint Communiqué, according to which the Government agreed to: (i) combat impunity for sexual violence crimes; (ii) implement the recommendations of the International Commission of Inquiry; (iii) step up the reform of the security sector to include the question of preventing crimes of sexual violence; (iv) initiate a dialogue with the victims of the events of 28 September 2009, including the victims of sexual violence; and (v) provide reparations and promote national reconciliation. In the joint communiqué, the Government also welcomed the offer by the TOE to assist the efforts to combat impunity for sexual violence crimes, including through technical assistance to the Panel of Judges mandated to investigate the incidents.

Since 2012, the TOE has deployed an expert to assist the panel of judges to investigate and prosecute crimes committed in September 2009, including sexual violence.

### Assistance and Impact

The Team has continued to provide technical assistance to national authorities in Guinea to support efforts in combatting impunity for alleged crimes committed on 28 September 2009, in line with the Joint Communiqué signed in November 2011 between the Government of Guinea and the United Nations. The Team has continued to support the Panel of Judges mandated to investigate the September 2009 incidents through the deployment of a senior judicial advisor who is a former Minister of Justice and former President of the Supreme Court of Mauritania.

The support of the Team to the Panel of Judges has contributed to:

- The improvement of more appropriate questioning and investigation techniques by the Panel, which have resulted in approximately 450 hearings, including above 200 of victims of sexual violence.
- An increasing number of indictments of high ranking military officials allegedly responsible for the events of September 2009 (12 in total), including Colonel Pivi and General Baldé and a gendarme specifically on charges of rape.
- Significant progress in the finalisation of summons and indictment procedures of other high level military and civilian officials.
- The establishment of mechanisms for enhanced protection of the Panel members, including through the provision of a permanent group of police officers attached to the Presidential Guard, to ensure security at their office.
- Establishment of regular dialogue among the Panel of Judges, the Ministry of Justice and civil society organisations, including victims associations, on progress in the investigation, witness and victims protection and reparations for victims of sexual violence.

The Team facilitated two visits to New York by the newly appointed Minister of Justice of Guinea, Mr. Cheick Sako. The first visit, in March 2014, provided an opportunity for the Minister to meet with key stakeholders engaged in the fight against impunity in Guinea, including UN entities, Member States and civil society organizations, and to renew the political will of the Guinean Government to ensure accountability for the events of 28 September 2009. The second visit, in December 2014, facilitated the

participation of Minister of Justice in the Assembly of States Parties of the International Criminal Court in New York and the presentation of key achievements and remaining challenges in the investigation and prosecution of the 28 September 2009 events in the plenary session on gender-based and conflict-related sexual violence. Working directly with the Minister of Justice and assisting him to regularly report on the progress made, have helped maintain the spotlight on the Guinea situation and therefore ensured that national authorities and particularly the Panel of Judges continues to receive the support of the Government to accomplish its work.

### Challenges, Lessons Learned and Way Forward

Despite these important advances in the investigation and prosecution of the 28 September 2009 events, and more broadly in the justice and security sector reforms, national authorities in Guinea confront important human rights challenges that may hinder further progress in 2015. These challenges include, amongst others, the general impact of the Ebola outbreak, and more specifically in the functioning of criminal justice system, and the political instability linked to upcoming presidential elections in 2015.

In 2015, the Team will continue to support national authorities by pursuing its assistance in the following main areas:

- Ensuring access to mass graves, including by learning from the experience of Mali following the 2012 coup d'état, and seeking forensic expertise.
- Identification and establishment of practical mechanisms of witness and victims protection.
- Advising on possible modalities of reparations for victims or sexual violence, including interim reparation measures, and on potential sources of funding.

## 7. *Liberia*

### Background

Sexual violence in Liberia, particularly rape, remains alarmingly high and is a clear impediment to post-conflict peace building and recovery following the two civil wars (1989-2003), which saw sexual violence used as a weapon of war. Widespread poverty, a failure to address post-conflict trauma, and deeply rooted practices and beliefs that perpetuate gender-based discrimination and a climate of impunity for the perpetrators of these crimes have driven incidents of sexual violence.

The Government and its partners have put in place an impressive array of legislative and structural mechanisms to try to prevent and punish perpetrators of sexual violence, including Women and Child Protection Sections within the National Police, the Sexual and Gender-Based Violence Crimes Unit within the Prosecution Service and Criminal Court E. In addition, a “one stop centre” for survivors of sexual violence has been established, safe homes are available and the first forensic laboratory in the country has been established. While these efforts may appear comprehensive, in reality the challenges to combat sexual violence remain with persistent low reporting rates, low prosecution rates and even fewer convictions.

### Assistance and Impact

In July 2014, the TOE undertook a mission to Liberia to take stock of progress in the implementation of recommendations based on the TOE's April-May 2011 mission and identify remaining challenges for the Government and in-country partners to take forward. The Team's assessment resulted in the Government

identifying remaining institutional, technical and infrastructural gaps, which contributed to the draft of an exit strategy for the Team following three years of support. Mainly it led to providing targeting recommendations to the UNCT and the Government in dealing with the societal of sexual violence.

### Challenges, Lessons Learned and Way Forward

Institutional, technical, infrastructural and cultural challenges remain in the country's attempts to address sexual violence. This is in spite of improved institutional frameworks and strengthened legislation.

The TOE will begin moving forward with its exit strategy following three years of engagement.

## 8. *Somalia*

### Background

Since the 1991 collapse of the Government and descent into civil war, Somalia has faced chronic insecurity, the destruction of its social, economic and political infrastructure, and human rights abuses, including sexual violence perpetrated with impunity.

Despite these challenges, the Federal Government of Somalia has made efforts to increase engagement on human rights issues, including the signing of a joint communiqué with the United Nations on addressing sexual violence in May 2013, adopting a Post-Transition Human Rights Road Map for the period of 2013 to 2015, and signing the Somali Compact at the New Deal Conference in Brussels in September 2013 all of which strongly build on the necessity to address human rights concerns, including those affecting women and children, and ensure accountability for human rights violations. In December 2013, building on the commitments and positive cooperation established with the Government of Somalia and various other stakeholders, the Team undertook a joint technical assessment mission to Somalia and Kenya with representatives from the United Kingdom Preventing Sexual Violence Initiative and UN Women. The mission identified existing challenges, assessed existing national capacity and helped determine the form of assistance to be provided to Somalia, in line with the 2013 Joint Communiqué.

### Assistance and Impact

Based on the findings and recommendations of the Team's assessment report and in line with the 2013 Joint Communiqué, the Team supported the Ministry of Women and Human Rights Development to organize a five-day consultation workshop around the following themes: (i) civil society; (ii) service delivery; (iii) uniformed services; and (iv) access to justice. The objective was to agree on common objectives with all of the relevant Government ministries and to hear views from those delivering front line services. As a result of these consultations, the Government developed a draft action plan to tackle sexual violence to guide its work in meeting commitments under the 2013 Joint Communiqué. This draft was launched at the Global Summit to End Sexual Violence in Conflict held in London from 10 to 13 June 2014. This plan now constitutes a clear road map for the prevention and response to crimes of sexual violence in Somalia.

In addition supporting the Government to develop a national action plan, the TOE contributed to strengthening the provisions of the draft Sexual Offenses Bill to ensure compliance with international standards.

### Challenges, Lessons Learned and Way Forward

Political turmoil, cabinet reshuffles, and limited access due to insecurity continue to be significant challenges in addressing conflict-related sexual violence in Somalia.

In a context such as Somalia it is critically important to ensure national ownership, leadership and responsibility. While such an approach requires extensive consultation, it is essential to ensuring sustainability.

The next step for the Government action plan is to undertake regional consultations, to finalize the action plan and then to present the plan at a donors conference in Nairobi. Following finalization of the action plan, the TOE plans to provide initial financial and technical support in select areas.

## 9. *South Sudan*

### Background

Fifty years of conflict, first in the Republic of Sudan and after 9 July 2011 in the Republic of South Sudan resulted in the collapse of government institutions and the shredding of the social and traditional fabric of society. Ethnic tensions, conflict over resources, including land and cattle, and the proliferation and accessibility of small arms and light weapons added to the instability. Armed groups, which are reportedly based on ethnic, tribal or political lines, continue to operate in various parts of South Sudan despite disarmament efforts by the Government of South Sudan and the international community. The situation in South Sudan further disintegrated in 2013, with overt conflict between the Sudan People's Liberation Army (SPLA) and the Sudan People's Liberation Army/Movement in Opposition, which has led to serious human rights violations, including sexual violence crimes.

### Assistance and Impact

In July and October 2014, the TOE conducted consultations with the Government, United Nations and civil society organizations, to help identify key gaps in national prevention and response mechanisms to sexual violence. These consultations informed the joint communiqué signed between the UN and the Government in October 2014. The TOE has further pursued engagement with the Government towards the development of an implementation plan of the joint communiqué, to ensure concrete actions and strategies are defined by the Sudan People's Liberation Army and South Sudan National Police Service, respectively.

In addition to engagement with the Government, the TOE has also engaged in discussions with SPLA/M in Opposition to discuss issues of conflict-related sexual violence and possible approaches to discourage its occurrence. As a result of the engagement by the TOE and the Office of the SRSG-SVC, the leadership of SPLA/M in Opposition on 18 December 2014 unilaterally issued a Communiqué on Preventing Conflict-Related Sexual Violence on behalf of the SPLA/M in Opposition, which among other things committed to issuing clear orders prohibiting sexual violence through the chain of command, investigating alleged violations in a timely manner, and reinforcing the military justice system to ensure accountability for sexual violence crimes.

### Challenges, Lessons Learned and Way Forward

Political turmoil, cabinet reshuffles, ongoing conflict, and limited access due to insecurity continue to be significant challenges in addressing conflict-related sexual violence in South Sudan. The revision of the UNMISS mandate has also created some level of confusion and limited areas of engagement.

To address conflict-related sexual violence in a context like South Sudan, it is essential to be able engage with both parties to the conflict as well as armed groups. It is also important to recognize the serious capacity gaps in the ability of the Government as well as others to address such a sensitive issue.

The Team is actively engaging with the Government to support the organization of a two-day workshop in Juba to develop an overall implementation plan for the Joint Communiqué. This will bring together all relevant stakeholders from Government ministries, national Police and Military, parliamentary committees, civil society organizations, and the United Nations in South Sudan. This workshop will help define concrete activities in line with the priorities of the Joint Communiqué. The Team will also support the organization of two one-day workshops: one for the development of an action plan for the SPLA, in line with the commitments made in the Joint Communiqué relevant to the military, and one for the development of an action plan for the South Sudan National Police Service, in line with police-related commitments made in the Communiqué.

## *10. Sudan (Darfur)*

### Background

Despite significant international attention and support, the human rights situation in Darfur continues to decline. Initiatives such as the Doha Document for Peace in Darfur, the creation of the Special Court for Darfur Crimes, the establishment of a National Human Rights Commission, and the establishment of a Special Prosecutor have all failed to achieve peace in Darfur or to improve the human rights situation. 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.

### Assistance and Impact

The Team continued to actively follow the situation in Darfur and to support the work of the international community to fight impunity for sexual violence.

### Challenges, Lessons Learned and Way Forward

Ongoing security concerns, lack of access, and a lack of political will to support efforts 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.

## **ii. Other Engagements**

### *1. Outreach and Events*

The Team participated in the following outreach activities and events:

- *Workshop for Women Protection Advisors and Focal Points Entebbe, Uganda, 3-5 February 2014* - The three-day WPA workshop provided an opportunity for participants to obtain clarity regarding the conflict-related sexual violence mandate, share challenges and good practices, and enabled all participants and facilitators to develop a common approach and harmonized understanding of responsibilities and functions to be assumed by WPAs.
- *The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict, The Hague, 18 February 2014* - The Team took part in a workshop in The Hague on the 'International Protocol on the Documentation and Investigation of Sexual Violence in Conflict', led by the UK's Preventing Sexual Violence in Conflict Initiative (PSVI). This Protocol aims at improving accountability for sexual violence in conflict by capturing information and evidence that can be used to support future accountability processes. Participants discussed the basic principles and methods set out in the Protocol and how to support, facilitate and strengthen the documentation of sexual and gender-based violence crimes in accordance with these basic principles.
- *Global Summit to End Sexual Violence in Conflict, London, UK, 10-13 June 2014* - The UK Secretary of State for Foreign and Commonwealth Affairs, and the Special Envoy of the UN High Commissioner for Refugees, co-hosted the Global Summit to End Sexual Violence in Conflict, the largest ever Summit convened with the aim of ending sexual violence in conflict. The Team worked with PSVI to plan the content and structure for the Global Summit from January through June 2014, presenting at the Summit and contributing to its report. Over 120 countries attended, many at Ministerial level, as did over 900 experts, including survivors, from around the world.
- *Team of Experts Retreat, New York, USA, 29-31 July 2014* - The Team organized a brainstorming retreat to reflect on its work, review progress, identify challenges, explore opportunities and draw lessons from its engagements over the past three years. The brainstorming retreat helped the Team to explore key strategic priorities, adjust its approach, agree on new entry points and take into account emerging issues regarding conflict-related sexual violence. The Team specifically examined the following: (i) scope of work/challenges; (ii) partnerships; (iii) structure and use of rostered experts; (iv) visibility; and (v) country work.
- *UN Action Donor Conference, Geneva, Switzerland, 12 November 2014* - The Team participated in the UN Action Donor Conference to support resource mobilization by UN Action and to present to Member States how the work of the Team and UN Action complement one another.
- *UN Action Strategic Planning Meeting, Geneva, Switzerland, 13-14 November 2014* - The Team participated in the annual UN Action Strategic Planning Meeting, which (i) reviewed achievements and challenges in executing the UNA Strategic Framework during 2014; (ii) advanced implementation of the recommendations of the 5-Year Forward-Looking Review of UN Action, as well as obligations under Security Council resolutions 1820, 1888, 1960 and 2106; (iii) considered the challenges of resource mobilization and future strategic use of the MPTF; and (iv) revised priorities and defined concrete, budgeted deliverables under each of the three pillars of action for the Strategic Framework in 2015.
- *Working Group on Human Rights and Business, Geneva, Switzerland, 1-3 December 2014* - The Team was invited by the 'Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises' to be an official observer at its annual World Forum on Business and Human Rights in Geneva. The Team is committed to ensuring that development is

encouraged in a manner that respects human rights and enlisting the private sector as an active participant in the Team's efforts to eliminate sexual violence in conflict.

- *International Criminal Tribunal for Rwanda (ICTR)*: The TOE contributed to efforts by the ICTR to document lessons learned through addressing sexual violence for the past 20 years, by attending a conference held in Entebbe in February 2014.

## 2. *Contribution to Reports and Policy Documents*

The TOE contributed to a number of reports and policy documents, including:

- The Secretary-General's report on sexual violence in conflict (S/2015/203), with a section highlighting the TOE's efforts to strengthen the capacity of national justice actors to address impunity for conflict-related sexual violence in priority countries and other situations of concern.
- The Secretary General Guidance Note on Reparations for Conflict-Related Sexual Violence.
- The Office of the United Nations High Commissioner for Human Rights Analytical study focusing on gender-based and sexual violence in relation to transitional justice (A/HRC/27/21).
- The Secretary-General's report on Coordinating United Nations Rule of Law Activities (A/69/181).
- The TOE published a report on "Sexual Violence against Men and Boys", highlighting the key challenges and proposing the way forward.

## 3. *Contribution to UN Joint Assessment Missions*

The TOE participated in a Global Focal Point mission to Guinea from 27 January to 4 February 2014, which, at the request of the President of Guinea, identified main gaps and challenges and formulated recommendations to support Government efforts in areas such as access to justice, fight against impunity, military justice and sexual and gender-based violence. The TOE participation in the mission ensured the integration of sexual violence considerations in any justice and security sector reform efforts.

### **iii. Operational and Contractual Issues**

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, Islamic law, 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. The TOE has deployed five experts through the Experts Roster to support Colombia, the DRC, Guinea and Côte d'Ivoire.

The TOE continued the recruitment process for the DPKO Team member on a fixed term basis. The TOE continued to benefit from the seconded representative from PSVI, as well as an expert attorney seconded from Freshfields, Bruckhaus Deringer US LLP.

## **C. Lessons Learned**

From 29 to 31 July 2014, the Team organized a brainstorming retreat to reflect on its work, review progress, identify challenges, explore opportunities and draw lessons from its engagements over the past

three years. The brainstorming retreat helped the Team to explore key strategic priorities, adjust its approach, agree on new entry points and take into account emerging issues regarding conflict-related sexual violence. The exercise was facilitated by Mr. Todd Howland, Representative of OHCHR in Colombia. The Team specifically examined the following: (i) scope of work/challenges; (ii) partnerships; (iii) structure and use of rostered experts; (iv) visibility; and (v) country work.

From this retreat, the following Lessons Learned emerged and / or were reconfirmed as good practices:

1. To strengthen the capacity of the justice system to address sexual violence in a conflict or post-conflict context, it is important to provide support to each component of the criminal justice chain (police, prosecutors, judges, corrections, legal assistance); this avoids creating imbalances that would increase the likelihood of the system becoming ineffective.
2. Traditional or customary justice systems play an important role in many post-conflict countries. Any support provided to the justice system requires a deep understanding of the customary justice systems at play, their complexity and their relationship with formal justice institutions and legal frameworks. A better understanding and deeper analysis of traditional or customary justice mechanisms, including clan or tribal structures, jurisdictional issues and oral traditions, is required to ensure sustainable solutions.
3. National ownership, leadership and responsibility are greatly enhanced when support builds on existing government initiatives. Support must be targeted in-line with available capacities, budgets and administrative structures. In this regard, government entities, most importantly at technical level, should always be involved in assessments to ensure national ownership and sustainability.
4. Embedding expertise within government structures is a practical approach to day-to-day training. Sitting with government counterparts on a daily basis helps to develop trust and a strong working relationship, thus allowing greater access to information and collaboration in addressing challenges. The Team will pursue the deployment of expertise, preferably by embedding experts within national institutions to encourage skills sharing and methodological assistance by deployed experts to ensure sustainability once the experts complete their assignments.
5. In terms of approach, given the need to balance the range of demands with the available capacity, the work of the Team will benefit from strategically focusing more energy and resources on countries where it provides clear added-value. At the same time, the team is very well-placed to engage closely in countries that have received relatively less attention by the UN and its partners.
6. Through drawing national authorities' attention exclusively to this issue and conducting a gap-analysis, the Team is well-placed to continue to inform national authorities' strategic interventions in this area. The Team will also build upon its strength as an expert identifier of gaps within the UN system's response to preventing and responding to sexual violence.
7. The UN lacks capacity to work on Islamic law issues. The UN should enhance such capacity and seek to improve its understanding of the dynamics and relationships between Islamic law, traditional or customary law and statutory law to determine how these systems could jointly be used to help address accountability for sexual violence crimes.
8. Increased understanding is needed of the current challenges faced in the Middle East, North Africa and Asia regarding sexual violence.

9. Encouraging South-South cooperation is critical in conflict and post-conflict settings as a way to ensure that lessons and best practices can be shared among countries with comparative experiences and contexts.
10. Data on sexual violence is limited and scattered. Available data is not readily shared among relevant actors in the field or at headquarters, often as a result of divergent views on how it should be used or protected.
11. Judicial and administrative reparations should be available to victims of conflict-related sexual violence to obtain prompt, adequate and effective remedies. In terms of priority thematic areas, the work of the Team would benefit from increasing its emphasis on assisting governments in developing approaches to ensure reparations for victims of conflict-related sexual violence. Since reparations programs require significant resources, creative approaches must be explored to support reparation funds, including for instance through forfeiture and seizure of assets. In cases where adequate and effective reparations call for the relocation of survivors, efforts need to be made to ensure their safety and access to economic opportunities to be self-sustaining.
12. It is important to ensure that actions taken by the UN in strengthening the rule of law, security sector reform and disarmament, demobilization and reintegration in post-conflict societies are holistic and fully consider the need to address conflict-related sexual violence. Participation by the Team in UN assessment missions at strategic and technical levels helps to ensure this objective.
13. Conflict-related sexual violence remains a relatively new concept. Despite progress made, there is still limited understanding by a number of actors as to what constitutes conflict-related sexual violence and how this differs from gender-based violence. Additional training and capacity building is needed to address this confusion, not only among national stakeholders, but also within the UN.
14. The work of the Team would benefit from greater engagement and collaboration with national and international NGOs, academics and broader non-UN partners in priority countries, as this would result in more strategic and sustainable interventions.
15. It is important to thoroughly vet defence and security officers to ensure that those involved in gross human rights violations, including sexual violence, are excluded from service.

#### **D. Partnerships and Interagency Collaboration**

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 partners, agencies, organizations and governments work together.

Capacities of the co-lead entities have enabled the Team to obtain access to a variety of reports and updates on key human rights, development and peacekeeping issues. These include 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 CEDAW Committee, and special procedures mandate holders, such as the special rapporteurs on violence against women and on internally displaced persons, as well as the special

rapporteurs or independent experts on a number of human rights situations.

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

- UN Action - The TOE continues to maintain a strong partnership with the UN Action network, which has translated, amongst others, 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 TOE fundraising, with an earmark window in the UN Action MPTF to channel TOE funds. The TOE has also contributed to the development of UN Action tools.
- UN Country Teams, UN Peace Missions and other UN Actors - TOE assessments and deployments have received active support from UNCTs and Peace Missions, including through the provision of the necessary substantive and logistical support during assessments and deployments, and by ensuring follow-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.
- 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, amongst others.
- Regional Organizations - Regional organizations provide an important partner in the fight against impunity for sexual violence in conflict. In 2014, the Office of the SRSG-SVC entered into two Frameworks of Cooperation with the African Union and the ICGLR to support regionally created efforts to address conflict-related sexual violence. In December 2014, the Team provided support for a training session in Kampala, Uganda regarding the use of forensic and DNA evidence in sexual violence cases sponsored by the ICGLR's Regional Training Facility on the Prevention and Suppression of Sexual and Gender-Based Violence in the Great Lakes Region. This training was the first provided by the ICGLR Regional Training Facility and involved police and forensic laboratory personnel from the Governments of Burundi, CAR, the Republic of the Congo, DRC, Kenya, Rwanda, South Sudan, Sudan, Tanzania, Uganda, and Zambia. The Team also worked closely with the Great Lakes Women's Platform to ensure that sexual consideration are among the priorities of women groups in the region, including their advocacy efforts vis-à-vis the DRC processes.
- United Kingdom Preventing Sexual Violence Initiative - PSVI 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: the secondment of a PSVI Expert to the Team throughout 2014, regular sharing of information, consultation on priority countries, coordination of assessment missions, sharing lessons learned, in addition to the collaboration on the Global Summit and International Protocol, as detailed elsewhere in this Annual Report.
- Other Partners - The TOE has benefitted from partnerships with international and regional organizations, as well as advocacy groups and research institutions. Specifically, the Team has benefited from the support of Freshfields, Bruckhaus Deringer US LLP. The Team also continued

its relationship with Justice Rapid Response, which manages a stand-by roster of criminal justice professionals.

- 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” into its efforts where a traditional donor can pair with an emerging donor from the global “South” to provide support to a beneficiary country also located in the global “South.”

## **V. FUTURE WORK PLAN**

The following proposed activities are in line with the Annual Work Plan contained in the new 2015-2019 Joint Programme:

***Output 1: Countries experiencing or at risk of experiencing conflict-related sexual violence are identified and engaged for assessment and possible support***

Target (Year 1) – 2 countries or regional bodies which have entered into joint communiqué or frameworks of cooperation (underscoring the issue of accountability) welcoming the engagement of the Team of Experts

***Output 2: Priority actions for addressing impunity for conflict-related sexual violence by national authorities and relevant partners identified and understood***

Target (Year 1) – 2 TOE assessment missions conducted; and concrete initiatives defined in these countries

***Output 3: National authorities’ capacity to fight impunity for conflict-related sexual violence enhanced through technical, strategic and programmatic support***

Target (Year 1) – 5 deployments to situations of particular concern by the TOE members / rostered experts; police improves its capacity to investigate and document sexual violence, prosecutors take actions, and judges adjudicate sexual violence crimes.

***Output 4: Coherence and effectiveness of international community in addressing conflict-related sexual violence strengthened***

Target (Year 1) – 5 experience sharing; learning exercises, briefing events; national experts apply lessons learned.

**Year 1 Estimated Budget = \$3,158,263**

**END**