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PEACE AND SECURITY COUNCIL  
461<sup>ST</sup> MEETING

14 OCTOBER 2014  
ADDIS ABABA, ETHIOPIA

PSC/PR/CDLXI

**CONCEPT NOTE**

**PEACE AND SECURITY COUNCIL OPEN SESSION ON SEXUAL VIOLENCE  
IN CONFLICT SITUATIONS IN AFRICA**

**CONCEPT NOTE****PEACE AND SECURITY COUNCIL OPEN SESSION ON SEXUAL VIOLENCE  
IN CONFLICT SITUATIONS IN AFRICA****I. BACKGROUND**

Sexual violence of women and children has been a distinct feature in conflict situations throughout the world, including in Africa. In some conflict situations, men too have been victims of sexual violence. Sexual violence, including rape, forced impregnation, sexual slavery and other forms of sexual abuse, are inflicted upon women, girls, men and boys, as a strategic tool for intimidating and humiliating the affected populations, to spread fear within the target group, and to exact “revenge” against “the enemy”.

Undoubtedly, sexual violence is a threat to peace and security to the extent that it destroys the social fabric and diminishes the prospects for post-conflict reconciliation and peacebuilding, while instilling in the victimized groups a desire for revenge.

Within the overall framework of the Constitutive Act of the African Union (AU) and other defining instruments of the AU, including the African Charter on Human and Peoples Rights, the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, and the African Charter on the Rights of the Child, the AU has a “zero tolerance” response to sexual violence, and indeed against any other form of conflict-related sexual and gender-based violence. The AU has adopted a number of policies to promote its vision of an end to these forms of violence.

On 15 October 2010, in Nairobi, Kenya, on the occasion of the International Day for Rural Women, the Assembly of the AU declared the period 2010-2020 as the *African Women’s Decade*. The objective of the *African Women’s Decade* is to re-to accelerate the implementation of agreed global and regional commitments on gender equality and women’s empowerment. The Peace and Security Council (PSC) has been implementing the objective of the *African Women’s Decade* together with the United Nations Security Council Resolutions: 1325, 1820, 1888 and 1889, with particular focus on violence against women which include sexual and gender-based violence.

Related to the issue of conflict-related sexual violence is the conduct of personnel in peacekeeping missions deployed in situations of conflict and post-conflict peacebuilding. A matter of grave concern is misconduct by peacekeepers, in particular sexual abuse and exploitation (SEA) of vulnerable populations, for example situations in which peacekeepers exploit the vulnerability of local women and girls, extracting sexual favours in exchange for access scarce to employment and scarce goods.

To combat such SEA, the AU in its Peace Support Operations (PSOs), foresees the establishment of a dedicated Unit on Conduct and Discipline in all its PSOs. The first to be established is in African Union Mission in Somalia (AMISOM). In addition, the AU has also recruited a Conduct and Discipline Advisor, with the assistance of its partners, tasked with elaborating and coordinating the AU’s efforts to address

SEA.<sup>1</sup> The other initiatives on SEA include pre-deployment training of all troop and police contributing countries (T/PCCs), development of a conduct and discipline policy, strategy, and directive for AU PSOs that also focuses on SEA; and a number of activities carried out by PSOs to prevent and address SEA. With specific reference to AMISOM, these include: developing a policy on SEA, carrying out sensitization and awareness activities, establishing focal points for reporting cases, and engaging with several NGOs as partners in areas where it has personnel in an effort to create awareness and facilitate reporting of instances of SEA.

The recent appointment of a Special Envoy on Women Peace and Security, Mme. Bineta Diop, in February 2014, to support AU's efforts in this area through high level advocacy, in the areas of preventing conflict-related sexual violence, protecting women and girls in conflict contexts, and promoting women's participation in peace processes, is further evidence of the Commission's commitment to address the scourge of conflict-related sexual violence.

The PSC has been fully engaged in the fight against sexual violence in conflict situations. Beginning in 2010, it has held four annual open sessions related to women and children in conflict situations and sexual violence. These sessions offer the PSC and AU Member States in general, as well as regional actors and partners, an opportunity to coordinate and further strengthen their commitments for the promotion and protection of the rights of women and children in conflict situations in Africa, as provided for in the international and regional policy and legal frameworks.

In all of these open sessions, the PSC has condemned the use of sexual violence as a weapon of war and emphasized the need to fight impunity in conflict situations, as well as the need to hold accountable perpetrators of these acts. The PSC has also reaffirmed its commitment to mainstreaming gender and women protection in conflict situations, to women's empowerment and to promoting the overall protection of vulnerable groups from conflict-related violence.

This fifth open session on sexual violence in conflict situations will provide an occasion for strategic dialogue among regional actors to take stock of the recommendations of the PSC, evaluate the status of their implementation, identify key challenges and opportunities, acknowledge initiatives that translate the decisions to meaningful actions that impact on the lives of women and children in Africa, and identify practical ways of supporting them.

## II. CONTEXT

AU actions to address sexual violence in conflict situations are generally predicated on a number of decisions on gender, women, peace and security taken by its Members States, as well as the relevant decisions of the United Nations which include the following:

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<sup>1</sup> The post is currently funded by the Rapid Recruitment Mechanism, a mechanism that is supported by the Norwegian Government and implemented by the Norwegian Refugee Council.

- i) The Solemn Declaration on Gender Equality in Africa, signed by Heads of Government of the Member States of the AU in July 2004 whereby they specifically undertake to appoint women as Special Envoys and Special Representatives of the AU and to launch a campaign against gender-based violence.
- ii) The gender policy (2009) of the Commission, which commits to eradicate all forms of gender-based violence.
- iii) The UN landmark decision on women peace and security, Resolution 1325 of 31 October 2000, that specifically calls on all parties to conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse in conflict situations.
- iv) The adoption by the UN of the Human Rights Due Diligence Policy (HRDDP) that was endorsed by the UN Secretary-General Ban Ki-moon in July 2011, and constitutes a landmark measure to ensure that the UN lives up to its own normative standards by guaranteeing that its support to security forces and entities around the world is consistent with the organization's purposes and principles in the Charter and its obligations under international law to respect, promote and encourage respect for International Humanitarian, Human Rights and Refugee Law.

### III. OBJECTIVE

While the efforts described above are significant steps in the right direction, there is still no policy framework and roadmap on how to stem conflict-related sexual violence and SEA. It is in this context that the PSC had decided to convene an open session in order to review the AU's efforts to date, as well as to engage with key stakeholders to guide the development of AU's interventions in these areas.

The session is expected to:

- (i) outline a broad framework for future intervention and concrete action in this arena, including in developing an appropriate policy framework and roadmap for intervention in the future;
- (ii) ensure that the issue of sexual violence is adequately addressed by the PSC, especially in its decision-making process;
- (iii) give the PSC the opportunity to interact with non-state actors, civil society organizations, partners and regional networks advocating for the rights of women and children in Africa.

In particular, the session could offer guidance on the following:

- i) The key considerations that should form the guiding framework for addressing sexual violence in conflict situations and SEA.

- ii) Best practices, lessons learnt, analysis, and innovative ideas that could inform the AU in developing a comprehensive approach for addressing sexual violence in conflict situations.

The following questions may be particularly pertinent during the debate:

- i) What is the extent, nature, pattern, and trend of sexual violence and SEA in conflict situations where the AU has been/is engaged?
- ii) What are the major drivers for the occurrence of sexual violence and abuse and how can these be addressed?
- iii) Are the measures that the AU has in place sufficiently robust? If not, what immediate-, mid- and long-term measures need to be put in place to address the situation?
- iv) How can the AU peace support operations better engage with host communities, as well as with partners, to ensure accessibility, mutual respect, trust and confidence building, as well as effectiveness for SEA reporting and redress mechanisms?
- v) What is the AU's role and responsibility in ensuring timely and credible investigation, prosecution and accountability on sexual violence when it occurs?
- vi) What measures should be put in place for the AU to monitor and evaluate its progress in addressing the issue of sexual violence in conflict situations?

#### **IV. EXPECTED OUTCOME**

- i) It is expected that the open session will recommend innovative and concrete ideas for further consideration.
- ii) The outcome of this session is expected to influence and guide ongoing efforts by the AU in combating sexual violence.
- iii) Identify potential areas of collaboration with partners in combating/addressing sexual violence in conflict situations.
- iv) Pave way for AU future substantive engagement/consultation on sexual violence in conflict situations.

#### **V. PARTICIPANTS**

The Session will be held at the ambassadorial level and will be open to all AU Member States, representatives of diplomatic missions in Ethiopia, development partners, academicians, civil society organizations, think-tanks and other relevant stakeholders. The session will be interactive in nature and participants are encouraged to be frank, objective and innovative in their thinking.

**VI. DATE AND VENUE**

The open session will be held on 14 October 2014, at 10:00 a.m., Plenary Hall of the Old Conference Center of the AU Headquarters in Addis Ababa, Ethiopia.

**VII. LOGISTICS AND MEETING'S ARRANGEMENTS**

The meeting proceedings will be in Arabic, English, French and Portuguese. **Interventions will be limited to a maximum of four (4) minutes per speaker.**

**African Union Commission (AUC)**

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PSC Outcomes

Communiqués

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2014-10-14

# Communiqué of the 461st Meeting of the Peace and Security Council of the African Union Held on 14 October 2014, Addis Ababa, Ethiopia.

Peace and Security Council

African Union Commission

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