

Women, Peace and Security

February 2019

Democratic Republic of the Congo

For February, in which the Equatorial Guinea has the presidency of the UN Security Council, the MAP provides recommendations on the Democratic Republic of the Congo, Haiti, Iraq, and ISIL / Da'esh.

After two years, the elections took place in the Democratic Republic of the Congo (DRC) at the end of December 2018. The pre-electoral context saw a range of violations targeting civilians, including incidents in Mai Ndombe between 16 – 18 December; 890 people were killed, 82 injured and 465 houses and buildings were burned down or plundered (OHCHR). As a result of the violence, between 20,000 and 30,000 people have been internally displaced, and more than 16,000 people, mainly women and children, have fled to the neighboring Republic of Congo. The humanitarian situation continues to be dire. Food insecurity continues to rise, particularly affecting women and girls. Additionally, as of 27 January 2019, 59% of those who have contracted Ebola were women; women and girls are at a higher risk due to the caregiving they provide to family members (ONUSCO). Sexual and gender-based violence (SGBV) continues to be widespread and has increased by 60% in North Kivu over the last year. As the Security Council discusses the **situation** in the DRC, there should be consideration of measures to ensure that women fully and freely participate in future elections. The Council should also focus continued attention on ways to address institutional discrimination against women as an important aspect of conflict prevention and peacebuilding efforts. The obstacles faced by women in the elections, including threats, violence, and lack of funding for women candidates, should be duly identified and remedied to improve women's participation in local elections planned over the next two years. Further, Article 13.3 of the Electoral law should be revised to meaningfully support women's representation in political parties, including through temporary special measures (CEDAW). It is vital that the new President prioritizes the implementation of policies and laws on women's rights, including the women, peace and security (WPS) agenda, by appointing women as head of key ministries and allocating sufficient financial resources to finalize, implement, and monitor the second National Action Plan on 1325 (2000) in 2019. Given the widespread, active efforts to undermine freedom of expression and peaceful assembly, particularly in the lead-up to the election, the new President should prioritize the protection of those rights as a core commitment. Further, efforts to address the Ebola outbreak must be gender-sensitive and actively engage with women in local communities as a priority; the Council should ask for concrete information and updates on ways in which the mission has adopted a gendered response lens in the context of the UN Stabilization Mission in the DRC's (MONUSCO) stated prioritization of women in its response (S/2019/6, S/PV.8397). Finally, the Council should continue to take forward the discussions and recommendations from the February 2018 Informal Expert Group (IEG) meeting, particularly in advance of the renewal of the mandate of the MONUSCO in March 2019 (S/2018/362).

Haiti

As the United Nations Mission for Justice Support in Haiti (MINUJUSTH) continues to draw down, and in advance of parliamentary elections in late 2019, the Council should inquire about progress achieving the WPS benchmarks laid out by the Secretary-General (S/2018/795). In its consideration of the forthcoming report on MINUJUSTH and in any briefings, senior UN officials should include information on efforts to ensure women's full and meaningful participation in all aspects of the parliamentary elections, including as candidates, voters, and as part of formal electoral mechanisms. The Council should inquire about progress on addressing under-reporting of SGBV, strengthening rule of law institutions and addressing human rights abuses. Abuses to specifically consider include due process for women in overcrowded prisons, prolonged pretrial detention, and the April 2017 criminal code reform that addresses some gaps in protection for victims of SGBV. The Council should also call on MINUJUSTH to build the capacity of local organizations and urge the Government to ensure gender-sensitive services for survivors of SGBV and sexual exploitation and abuse (SEA) by UN peacekeepers, and to establish transparent, survivor-centered, readily accessible mechanisms to hear claims for remedies. The Council should express concern regarding the UN Victims' Rights Advocate's (VRA) non-responsive, non-cooperative and opaque approach to facilitating child support claims filed by Haitian mothers impregnated by UN peacekeepers. The VRA's office should obey the 2004 Status of Forces Agreement, Haitian legislation and court orders, as well as UN policies (A/RES/62/214) on facilitation of child support claims arising out of SEA and the provision of material assistance to victims and their children. The Council should express concern regarding the progress of the UN's New Approach to Cholera (A/71/620), as addressed by the Secretary-General in recent reports (S/2018/795, S/2018/1059), particularly with respect to Track 2's promise of material assistance to those most directly affected by the

disease. The Council should inquire into what attempts have been made to ensure responses are gender-sensitive and urge MINUJUSTH to work with the Government to fulfill its obligations to provide access to legal remedies and the right to fair hearings for victims of corruption and human rights abuses by state agents.

Iraq

In its discussion of the **situation** in Iraq and the most recent report on the UN Assistance Mission in Iraq (UNAMI), the Council should consider the extent to which the mission is mainstreaming gender as a cross-cutting issue ([S/RES/2421 \(2018\)](#), OP 2(e)), and inquire about progress in the key areas of discussion from the May 2018 IEG meeting ([S/2018/475](#)). There should be follow-up on progress in ensuring women are fully and substantively participating in all decision-making. The Council should inquire as to progress in establishing a fair and transparent judicial process that addresses SGBV and allows for witnesses and victims to participate in transitional justice reform, as well as provide reparations and reintegration assistance for victims of SGBV. The establishment of an Investigative Team under [resolution 2379 \(2017\)](#) is an important step towards calling for accountability for crimes committed against civilians by ISIL. However, the Investigative Team's first report ([S/2018/1031](#)) does not establish clear procedures for how it will investigate sexual violence and other gender-based crimes committed by ISIL. The Council should inquire with the Special Advisor and Head of the UN Investigative Team on progress hiring a gender expert and call on them to elaborate on processes for investigating sexual and gender-based crimes by ISIL (Da'esh) in Iraq, as provided for in the terms of reference. The Council should ensure that the Investigative Team has sufficient resources to thoroughly investigate crimes committed by all parties to the conflict. The Council should call for the expansion of current documentation and reporting requirements to cover all gender-based crimes, including crimes against women human rights defenders, LGBTIQ persons, men and boys, and those persecuted for defying prescribed gender roles. In this regard, the Council should request an update on the implementation of the UN-Iraq Joint Communiqué on the prevention of and response to conflict-related sexual violence. The Council should urge the Government to pass the draft Family Violence Protection law, which clarifies that NGOs may provide shelter for women fleeing SGBV. The Government should also issue a directive that allows NGOs to continue to provide such shelter while the draft law is pending before the Iraqi Parliament. Further, the Council should urge the Government to swiftly amend articles 41, 128, 377, 380, 398, 409 and 427 of the Criminal Code ([CEDAW](#)). Council members should also exert diplomatic pressure on the Government to stop all administrative procedures that hinder women's access to documentation, including those which prevent women suspected of being affiliated with ISIL (Da'esh) from obtaining documents for themselves and their children.

ISIL (Da'esh)

The Security Council is expected to consider a **report** from the UN Secretary-General on efforts to counter ISIL (Da'esh). The Council should support further action to ensure that gender considerations are integrated into any follow-up reforms of national institutions (SDG 16) and to analyze the current strategies and policy frameworks for economic reform and their role in perpetuating structural inequalities as well as women's political and economic representation. Considering the increasingly militarized character of counterterrorism work, the Council should support the design of alternative strategies that do not incentivize proliferation or use of arms for economic security, and that do not expose families of individuals associated with ISIL (Da'esh) to stigmatization or violence, which undermines fundamental human rights. The report should include cross-cutting gender and conflict analysis. It should also continue the positive trend in the seventh report of the Secretary-General, which included information and recommendations regarding female returnees, including those who were imprisoned, the risks of being trafficked that women and girls particularly face, and the range of human rights abuses perpetrated. Additionally, the report should include information and gender analysis on Member States' and UN entities' efforts to ensure women and women's organizations participation and leadership in developing strategies to counter terrorism and violent extremism ([S/RES/2242 \(2015\)](#), OP 13), as well as future plans by UN entities to ensure women and women's civil society organizations are integral to efforts to counter ISIL (Da'esh) at all levels. The Council should call for the UN system to conduct a detailed inter-agency mapping to develop an understanding of local context and capacities with the participation of women themselves before national and international peace programmes are designed, formulated or implemented. Finally, the report should also include recommendations on accountability and strategies to fight impunity, drawing the work of the International Criminal Court, ad hoc and mixed tribunals ([S/RES/2242 \(2015\)](#), OP 14).