



*Fifteen Years After the Adoption of Security Council Resolution 1325
Enforcing International Law:
Moving the Women, Peace, and Security Agenda from Paper to Practice*

Introduction

Fifteen years ago, the UN Security Council undertook addressing and understanding the disproportionate and unique impact of armed conflict on women in its maintenance of international peace and security. To this end, the Council adopted Resolution 1325 (2000), creating the Women, Peace and Security (WPS) agenda. The Council subsequently adopted seven more resolutions as part of this agenda—Resolutions 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), and 2242 (2015)—which together inform the protection and promotion of women’s rights in conflict and post-conflict settings.¹

In recognition of the fifteenth anniversary of Resolution 1325 and its creation of the WPS agenda, in 2013, the Council requested a review of 1325’s implementation, which resulted in the publication of the Global Study in October 2015. The Study identifies gaps, challenges, trends, and priorities to consider in moving forward with the WPS agenda. The Study undertakes an in-depth evaluation of the past fifteen years and highlights major successes in addressing gender issues arising in conflict, including the inclusion of a comprehensive list of gender crimes in the Rome Statute of the International Criminal Court (ICC); the appointment of a Special Representative on Sexual Violence in Conflict; and the adoption of General Recommendation No. 30 on women in conflict prevention, conflict, and post-conflict situations by the Committee on the Elimination of Discrimination against Women (CEDAW Committee). The Global Study also provides essential recommendations for the future of the WPS agenda’s implementation.

Furthermore, the Study acknowledges that significant challenges remain to implementing the WPS agenda. Indeed, obstacles persist due to, for example, a lack of prosecutions of sexual violence crimes; a dearth of National Action Plans (NAPs) on women, peace, and security; and the rise of violent extremism, terrorism, and militarism.²

These challenges are rooted in one unaddressed weakness of the WPS agenda: its failure to explicitly incorporate the mandates of international law. This document will thus focus on how the panoply of women’s rights under international law can be used as a tool to achieve the objectives of the WPS agenda in two areas: (1) humanitarian responses to gender crimes and (2) prosecuting and deterring gender crimes. This document will also highlight the need for the Security Council to mainstream and integrate the WPS agenda into all of its work.

Overview: Women's Rights Under International Law and the WPS Agenda

The WPS agenda does not exist in a vacuum, which Resolution 1325 has recognized by reaffirming “the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts.”³ In fact, women’s rights in conflict and post-conflict situations are guaranteed and protected by the complementary and concurrently applying regimes of international human rights, humanitarian, refugee, and criminal law. These regimes and the obligations and rights enshrined in them give substance to the protections and provisions of the WPS agenda. Duty-bearers, including the UN Security Council, must consider all complementary legal regimes when fulfilling their obligations in order to guarantee women and girls the protections to which they are entitled under international law. Two sources of women’s rights that are particularly critical to the implementation of the WPS agenda are international humanitarian law (IHL) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

During armed conflicts, IHL is the *lex specialis* and provides essential protections to combatants and civilians alike that must be ensured without adverse distinction based on sex.⁴ These protections include guarantees of necessary medical care and the rights to accountability and reparations. It is crucial that these guarantees are understood in a gender-sensitive manner that is responsive to the specific needs of women in modern conflicts. An example of this conception can be seen in the Council’s recognition that sexual violence against women and girls is increasingly being used as a tactic of war.⁵ The deliberate targeting of women invokes both women’s specific protection needs as a result of such acts, including the right to necessary medical care, and States’ duties to take measures to end the use of such illegal tactics of war and to ensure justice and accountability.

CEDAW, as a comprehensive and near-universally ratified treaty, is key to understanding and implementing women’s rights in conflict and post-conflict settings and, by extension, the WPS agenda. In fact, in General Recommendation No. 30, the CEDAW Committee stated that, “[g]iven that all the areas of concern addressed in [WPS] resolutions find expression in the substantive provisions of the Convention, their implementation must be premised on a model of substantive equality and cover all the rights enshrined in the Convention.”⁶ This Recommendation further emphasizes the need to implement the WPS agenda in line with international law in order to improve humanitarian responses and access to justice, remedies, and reparations for women victims of war.⁷

Humanitarian Responses Must Conform to International Law

Modern warfare has changed greatly since the ratification of the Geneva Conventions in 1949, which were designed partly to protect civilians by regulating the means and methods of warfare. Today, the deliberate targeting of women and girls in war, including through systematic sexual violence, has necessitated the evolution of humanitarian responses in order to protect women and girls’ rights and bodies. As part of responses to modern wartime atrocities, humanitarian actions must thus align with the WPS agenda and women’s rights under international law. This section considers how incorporating women’s rights under international law can strengthen actions taken under the WPS agenda through two examples: (1) the duty to provide all necessary medical care to

victims of sexual violence under IHL and (2) the implementation of the WPS agenda at the State level through national action plans (NAPs).

The Duty to Provide All Necessary Medical Care to Victims of Sexual Violence Under IHL

The increased targeting of women with sexual violence requires the evolution of humanitarian medical protocols to respond to the specific consequences of acts of sexual violence. A progressive, effective response includes the provision and creation of services and protocols related to HIV transmission, unwanted pregnancy, and fistula repair. These protocols must be built on the baseline and universal standards guaranteed to victims of sexual violence as the “wounded and sick” under IHL, including the right to all necessary and non-discriminatory medical care based solely on their condition. For example, in the context of unwanted pregnancy from rape, such care must include access to safe abortion services.⁸ The provision of safe abortions, as part of IHL, applies universally and irrespective of national law, including domestic abortion laws. Taking into account that the majority of rape victims in conflict are children,⁹ it must be underscored that children enjoy “special respect and protection,” which encompasses their right to receive care and aid *provided by the parties to the conflict*.¹⁰

Over the last fifteen years, the UN has made great progress in recognizing the unique needs of women in armed conflict and highlighting the importance of providing medical care and access to safe abortions. The Secretary-General has stressed the need for UN Member States and agencies to provide multi-sectoral assistance and services tailored to the specific needs of women and girls in accordance with IHL. This call is also reflected in two of the Security Council’s WPS Resolutions: 2106 (2013) and 2122 (2013). In particular, Resolution 2122 noted “the need for access to the full range of sexual and reproductive health services, including regarding pregnancies from rape, without discrimination.”¹¹

However, despite progressive policy changes with respect to this issue,¹² the Global Study, the Inter-Agency Working Group (IAWG) on Reproductive Health in Crises, and Synthesis Report of the upcoming World Humanitarian Summit (WHS) have identified significant, persisting gaps in ensuring the availability of abortion services on the ground.¹³ The Global Study decries the denial of access to safe abortions as a violation of both IHL—violating the right to medical care, the prohibition against adverse distinction, and the right to be free from torture—and CEDAW. It also singles out the United States, the largest donor of aid, for violating international human rights law (IHRL) and IHL through its abortion restrictions on foreign aid.¹⁴ Recent findings by the IAWG on Reproductive Health in Crises underscore the urgent need for access to safe abortions, noting that 25%-50% of maternal deaths in refugee settings result from easily preventable complications from unsafe abortions. The findings also highlight the lack of funding appeals for reproductive health services: currently, only 14% of funding appeals for reproductive health services in humanitarian emergencies include provisions for family planning and less than 1% of appeals ask for money for abortion services.¹⁵ At the same time, the recent WHS Synthesis Report calls on States to “better respect, and ensure greater respect for, international humanitarian law” and notes that “humanitarian action must meet women’s and girls’ right to health (including sexual and reproductive, mental, and psychosocial aspects)” and “must provide these services without discrimination and according to

need.”¹⁶ This Report further stresses the need for comprehensive health care services, such as sexual and reproductive health services, including access to abortion, *especially* for victims of rape.

These gaps in the implementation of women’s right to all necessary medical care under IHL, including abortions, coupled with the Council’s own call to ensure these medical services, demonstrate that greater steps must be taken to guarantee access to safe abortion services on the ground. Accordingly, the Council should reaffirm its language from Resolution 2122 to ensure women’s access to these services under the medical mandates of IHL.

Implementing the WPS Agenda at the State Level Through National Actions Plans

The creation of NAPs on 1325, which are a key implementation measure of the WPS agenda, are another way that States can strengthen the WPS agenda. Although the number of countries with NAPs on WPS is increasing, only a minority of Member States have them. As new NAPs are developed and existing NAPs are re-evaluated, however, they should be constructed based on States’ obligations under international law.

To this end, new and existing NAPs must distinguish between the complementary regimes of IHRL (mandating gender equality) and IHL (requiring protection, medical care, and justice for women and girls affected by conflict-related sexual violence). Many NAPs, however, have failed to differentiate between these two legal regimes in their implementation of the WPS agenda. This conflation of IHRL and IHL, which have distinct legal bases and forces, has caused States to overlook the absolutely obligatory nature of their IHL obligations. By failing to explicitly affirm the protection of women and girls under IHL mandates, States fail to use the strongest legal force available to enforce such protections. In order to properly carry out States’ obligations under IHL, NAPs must explicitly state under which regime a right falls.

Determining which rights are under which legal regimes necessitates identifying which body of law applies and which governmental body or branch is responsible for enforcing that right.

Distinguishing between IHL and IHRL rights would give NAPs the legal force necessary to properly implement the WPS agenda. By directing responsible bodies to pre-emptively identify situations in which each body of law applies, States will be positioned to swiftly and appropriately handle the urgent nature of such violations.

Recommendations

To the UN Security Council

- Reaffirm the language on sexual and reproductive health services from Resolution 2122.
- Ensure that women and girls have access to the full range of sexual and reproductive health services, including safe abortions.
- Urge Member States to create and implement NAPs on WPS that are strongly supported by IHL provisions.
- Urge Member States to integrate IHL and the prohibition of rape as an unlawful tactic of war into NAPs on WPS.

To UN Member States

- Ensure that women and girls have access to the full range of sexual and reproductive health services, including safe abortions.
- Lift abortion restrictions on humanitarian aid in order to respect and ensure respect for women and girls' rights under IHRL and IHL.
- Create and implement NAPs on WPS that are strongly supported by IHL provisions.
- Explicitly delineate the aspects of NAPs on WPS that are pre-existing duties under IHL.
- Explicitly state that the protection of women and girls is pursuant to IHL mandates in NAPs on WPS.

To Civil Society

- Ensure that humanitarian responses align with IHL and provide all necessary medical care, including access to safe abortions, to women and girls in armed conflict.
- Include safe abortion services in funding appeals.

Sexual Violence Crimes Must Be Prosecuted, Stigmatized, and Stopped

When their rights are violated, women and girls are entitled to remedies and reparations under international law and, in the case of ongoing crimes, to the ending of those violations. The corollaries to these rights are States' obligations to investigate and punish all forms of gender-based violence and to ensure women's right to adequate, effective, and prompt remedies and reparations for sexual violence suffered during and after conflict.¹⁷ While these rights and obligations can be fulfilled in various ways, this section will focus on their realization through (1) justice and accountability and (2) stigmatization and deterrence.

Justice, Accountability, and Reparations

The CEDAW Committee, in General Recommendations Nos. 30 and 33, describe the many barriers to women's access to justice—including legal, procedural, institutional, social, and practical ones, in addition to gender discrimination—all of which necessitate a comprehensive, inclusive, and participatory approach to justice.¹⁸ While General Recommendation No. 30 highlights the value of reconciliation processes, it also underscores the need for “investigations into and prosecutions of perpetrators for human rights violations committed against women and girls.”¹⁹ In recent years, due in large part to the jurisprudence of the International Criminal Tribunals for the former Yugoslavia and for Rwanda as well as the codification of international crimes in the Rome Statute of the ICC, significant strides have been made in developing the infrastructure for prosecutions of crimes against women, including sexual violence.

However, despite improvements in the prosecutorial framework, convictions for sexual violence crimes remain low. In the absence of convictions at international courts, there is a pressing need to explore and open other avenues for justice, particularly those which the Council is mandated to pursue. Thus, the Security Council must take all possible measures to prevent and respond to conflict-related sexual violence by using the full range of its powers, including those under Chapter VII of the UN Charter. This could include the issuing of sanctions, the establishment of ad hoc tribunals and compensation funds for victims, referrals to the ICC, interventions under the

Genocide Convention and the Responsibility to Protect (R2P) doctrine, and the use of concrete punitive measures for parties listed in the “naming and shaming annex” of the UN Secretary-General’s annual report on conflict-related sexual violence.

In addition, the Council should ensure States’ compliance with their obligation to provide gender-sensitive remedies and reparations to victims of conflict under international law.²⁰ This is important because, to date, reparations programs have not adequately or comprehensively addressed the consequences of gender-based violence. For example, the Special Rapporteur on Violence Against Women has noted that “no reparations programme has succeeded in fully reflecting the economic impact of raising children born of rape,”²¹ indicating the persisting need for gender-sensitive reparations that redress reproductive violence, such as forced pregnancy.

The CEDAW Committee’s General Recommendation No. 30 reiterates that States must “ensure women’s right to a remedy, which encompasses the right to adequate and effective reparations for violations of their rights under the Convention” and “reparation measures should seek to transform the structural inequalities that led to the violations of women’s rights, respond to women’s specific needs and prevent their reoccurrence.”²² Such reparations must be comprehensive but can come from either judicial or non-judicial processes. They can also include interim reparations to meet the immediate needs of women, including access to necessary medical care.²³

Stigmatizing and Ending Ongoing Violations

As noted above, sexual violence and other international crimes against women continue. Moving forward, creative and bold steps utilizing the full range of tools available under international law must be used to deter future crimes. For example, Council should strengthen their approach to addressing conflict-related gender-based violence by incorporating (1) the means and methods, or weapons, framework of IHL into their responses and (2) women’s rights under international law into their actions to counter violent extremism and terrorism.

The Council and States alike have repeatedly acknowledged that sexual violence has been used—systematically, ruthlessly, and with impunity—as a deliberate tactic of war and terror. Strategic (or deliberate) rape used to gain a military advantage is one means of accomplishing, inter alia, genocide, ethnic cleansing, forced impregnation, political intimidation, and demoralization. Both opportunistic and strategic rapes occur during times of armed conflict; however, IHL calls for strategic rape to be treated differently.

Under the IHL weapons framework, which regulates the means and methods of warfare, strategic rape is a prohibited tactic or method of warfare.²⁴ The Chair’s summary of the Global Summit to End Sexual Violence in Conflict recognized this and stated that sexual violence “is a grave breach of the Geneva Conventions and when used as a method of warfare it will always be unlawful.”²⁵ Despite this recognition, no State, international body, or tribunal has treated strategic rape under the weapons framework. The failure to treat strategic rape as such violates women’s rights to non-discrimination and equal protection under IHL.¹⁵

Recognizing and treating strategic rape under the IHL weapons framework would help provide rape victims the same opportunities for justice, reparations, medical treatment, and deterrence available to

victims of other unlawful weapons or tactics, including conventional weapons.²⁶ The stigmatization of strategic war rape under the IHL weapons framework would also help end the perpetration of and impunity for sexual violence crimes.

To comply with its obligations under IHL, the Security Council should therefore ensure the enforcement of IHL provisions prohibiting and punishing the use of unlawful means and methods of warfare, including rape. Criminal prosecutions are particularly invaluable because they can deter the use of targeted sexual violence against women and girls. This again highlights the need for the Security Council to use all possible measures, including creating Commissions of Inquiry (COIs) to investigate crimes, referring situations to the ICC to ensure accountability, or imposing targeted sanctions.

In the context of countering violent extremism (CVE), which has relevance to stopping and deterring gender crimes, efforts will not succeed unless they conform to IHL and IHRL, including the Genocide Convention; promote the rule of law; and enforce doctrines such as R2P. CVE and counter-terrorism strategies must first and foremost address the pervasive impunity for gender crimes that renders women and girls easy targets for extremist and terrorist groups. Their strategies must therefore be founded on preventing and responding to crimes, including those amounting to genocide, that deliberately target women and girls, including rape, sexual slavery, forced pregnancy, and forced transfer, all of which are committed today by ISIS and Boko Haram. CVE initiatives should also recognize and hold accountable State actors who perpetrate sexual violence crimes in the course of their counterinsurgencies.

Recommendations

To the UN Security Council

- Ensure the enforcement of IHL provisions prohibiting and punishing the use of prohibited means and methods of warfare, including rape.
- Take all possible measures to prevent and respond to conflict-related sexual violence, including, inter alia, using its Chapter VII powers, creating COIs to investigate crimes, referring situations to the ICC, and imposing targeted sanctions.
- Ensure that violator States fulfill their obligation to provide comprehensive remedies and reparations to victims of sexual violence.
- Establish CVE strategies founded on preventing and responding to sexual violence crimes.

To UN Member States

- Provide necessary medical care to rehabilitate victims to fulfill obligation to provide remedies and reparations.
- Establish CVE strategies founded on preventing and responding to sexual violence crimes.

The Security Council Must Mainstream the WPS Agenda and Women's Rights Under International Law into Its Work

The Security Council's current agenda has numerous thematic and country-specific mandates outside of WPS that implicate women's rights in conflict. Examples of relevant thematic mandates include those on children and armed conflict (1998); protection of civilians in armed conflict (1999); threats to international peace and security caused by terrorist acts (2001); and post-conflict peacebuilding (2005). Examples of relevant country-specific mandates include those on Iraq (2005); Myanmar (2006); Libya (2011); and Mali (2012).²⁷ However, although all of these agendas directly implicate conflict's impact on women and all of them—especially those created after Resolution 1325—must include analyses of WPS issues, these mandates have not systematically integrated WPS issues into their work.²⁸

This is indicative of the Council's silo mentality when it comes to integrating the WPS agenda and IHL into their work. The programming of the Security Council-mandated Counter-Terrorism Committee (CTC) further illustrates the Council's narrow view. While the CTC recently held its first-ever open briefing on the positive role of women in CVE, a subsequent meeting on the global threat of terrorism merely discussed women as one element of one part of one session.²⁹ The meeting's two other sessions, on prohibition and prevention of incitement and on international cooperation, failed to incorporate the mandates and themes of the WPS agenda. The problem is not just that gender issues were not adequately addressed but also that, when they were addressed, it was in isolation of other issues that materially affect women's rights.

Instead of taking this siloed approach to its disparate mandates, the Council must ensure that the WPS agenda—and the accompanying rights of women under international law—are mainstreamed into and underpin all areas of its work, including peacekeeping operations, country missions, measures under Chapter VII, and sanctions. The Council should also incorporate WPS issues and women's rights into all of its relevant thematic mandates, such as the protection of civilians in armed conflict, children in armed conflict, and counter-terrorism, and country-specific mandates, particularly mandates for countries identified in the UN Secretary-General's "naming and shaming annex" on conflict-related sexual violence.

Sanctions regimes are another way the Security Council should mainstream the WPS agenda into its work. While sanctions may not always be the appropriate response, the framework governing sanctions should include the capacity to issue sanctions for sexual violence crimes. Notably, all of the Secretary-General's reports on conflict-related sexual violence have included information about sexual violence in conflict situations *where there are currently no sanctions committees in place*. To ensure that the Council has and uses all means available to effectively combat sexual violence, the Council should establish a sanctions regime for sexual violence in armed conflict, which would allow for more targeted measures in situations where a country-specific sanctions regime does not exist.

In his past four reports on conflict-related sexual violence, the Secretary-General urged the Council to deter perpetrators of sexual violence through targeted sanctions.³⁰ He specifically "encourage[d] other sanctions committees of the Security Council—including, as appropriate, the committees concerning Côte d'Ivoire, Somalia, the Sudan and Al-Qaida (specifically with regard to the

commission of sexual violence in Mali)—to focus on crimes of sexual violence” and “fully integrate the issue of conflict-related sexual violence into the work of relevant Security Council sanctions committees, including the Al-Qaida Sanctions List, as part of the criteria for the imposition of targeted measures.”³¹ However, despite the Secretary-General listing parties in the “naming and shaming annex” since 2011, the Council has only used sexual violence as part of its designation criteria in three sanctions mandates: for the Democratic Republic of the Congo (DRC), Somalia, and the Central African Republic (CAR).³² Furthermore, sanctions have only been issued in the DRC (against individuals in 2014 and entities in 2012 and 2014) and CAR (against individuals in 2015).

Furthermore, the imperative to mainstream the WPS agenda into the Security Council’s broader portfolio is strengthened by the duties of UN Member States under international law to respect and ensure respect for women’s rights. Of particular importance is common Article 1 of the Geneva Conventions, which imposes a positive duty to act in all situations of breaches of IHL. Thus, when the Council has seized itself of an issue—such as sexual violence in armed conflict under the WPS agenda—international law requires it to use all available measures to respond to breaches in all situations.

Recommendations

To the UN Security Council

- Incorporate WPS into country-specific mandates and relevant thematic mandates.
- Take steps to ensure that all Council sanctions mandates include designation criteria pertaining to acts of rape and other forms of sexual violence.
- Ensure that the framework governing sanctions include the capacity to issue sanctions for sexual violence crimes.

Conclusion

UN Security Council Resolution 1325 and the WPS agenda represent milestones in the improvement of the status of women and girl victims of war. However, fifteen years after Resolution 1325, mass rape persists as a weapon of choice in modern armed conflicts, and women and girls are denied the necessary medical care to which they are entitled. Women and girls made victims by armed conflicts deserve no less than the full rights and attention owed to them under international law and the WPS agenda. To right the wrongs done to women and girls and to actualize the guarantees of the WPS agenda, duty-bearers, including the Council, must anchor their implementation of the agenda and other programming in women’s rights under international law.

¹ See RADHIKA COOMARASWAMY ET AL., PREVENTING CONFLICT, TRANSFORMING JUSTICE, SECURING THE PEACE: A GLOBAL STUDY ON THE IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTION 1325 28 & 35 n.1 (2015), [hereinafter GLOBAL STUDY].

² *Id.* at 13–15.

³ S.C. Res. 1325, preamble, U.N. Doc. S/RES/1325 (Oct. 31, 2000).

⁴ Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field art. 12(2), Aug. 12, 1949, 75 U.N.T.S. 31; Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea art. 12(2), Aug. 12, 1949, 75 U.N.T.S. 85; Geneva Convention (III) Relative to the Treatment of Prisoners of War art. 16, Aug. 12, 1949, 75 U.N.T.S. 135; Geneva Convention (IV) Relative to the Protection of Civilian Persons in

Time of War arts. 13, 27(3), Aug. 12, 1949, 75 U.N.T.S. 287; Geneva Conventions I–IV art. 3; Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts arts. 9, 69, 70, 75, June 8, 1977, 1125 U.N.T.S. 3 [hereinafter Additional Protocol I]; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts arts. 2, 4, 18(2), June 8, 1977, 1125 U.N.T.S. 609; International Committee of the Red Cross (ICRC), Customary International Humanitarian Law Rules 55 (Access for Humanitarian Relief to Civilians in Need), 88 (Non-Discrimination).

⁵ Committee on the Elimination of Discrimination Against Women, General Recommendation No. 30 on Women in Conflict Prevention, Conflict and Post-Conflict Situations, ¶ 35, U.N. Doc. CEDAW/C/GC/30 (2013) [hereinafter CEDAW General Recommendation No. 30]; S.C. Res 1820, ¶ 1, U.N. Doc. S/RES/1820 (June 19, 2008).

⁶ See CEDAW General Recommendation No. 30, *supra* note 5, ¶ 26.

⁷ See, e.g., CEDAW General Recommendation No. 30, *supra* note 5, ¶¶ 38 (on gender-based violence), 52(c) (on sexual and reproductive health care), 79 (on women's right to a remedy), 81 (on access to justice).

⁸ GENEVA ACADEMY, ACADEMY-IN-BRIEF NO. 4: THE SITUATION OF WOMEN'S RIGHTS 20 YEARS AFTER THE VIENNA WORLD CONFERENCE ON HUMAN RIGHTS 17–19 (2014). See generally GLOBAL JUSTICE CENTER, THE RIGHT TO AN ABORTION FOR GIRLS AND WOMEN RAPED IN ARMED CONFLICT (2011).

⁹ SAVE THE CHILDREN, UNSPEAKABLE CRIMES AGAINST CHILDREN: SEXUAL VIOLENCE IN CONFLICT 2 (2013).

¹⁰ See ICRC's Customary International Humanitarian Law Rule 135 ("Children affected by armed conflict are entitled to special respect and protection"); Article 77(1) of Additional Protocol I ("The Parties to the conflict shall provide them with the care and aid they require, whether because of their age or for any other reason").

¹¹ S.C. Res. 2122, preamble, U.N. Doc. S/RES/2122 (Oct. 18, 2013).

¹² S.C. Res. 2122, preamble; S.C. Res. 2106, ¶ 19, U.N. Doc. S/RES/2106 (June 24, 2013); U.N. Secretary-General, *Rep. of the Secretary-General on Sexual Violence in Conflict*, ¶ 12, U.N. Doc. S/2013/149 (Mar. 14, 2013); U.N. Secretary-General, *Rep. of the Secretary-General on Women and Peace and Security*, ¶ 72(a), U.N. Doc. S/2013/525 (Sept. 4, 2013); DEP'T FOR INT'L DEV., SAFE AND UNSAFE ABORTION: THE UK'S POLICY ON SAFE AND UNSAFE ABORTION IN DEVELOPING COUNTRIES 9 (2014); see U.N. SCOR, 6984th mtg. at 48 (statement by Netherlands), U.N. Doc. S/PV.6984 (June 24, 2013); U.N. SCOR, 7160th mtg. at 15 (statement by France), U.N. Doc. S/PV.7160 (Apr. 25, 2014); Written Parliamentary Answers from Frans Timmermans, Minister of Foreign Affairs, and Liliaane Ploumen, Minister of Foreign Trade and Development Aid, in Answer to Questions from Parliament Member Sjoerd Sjoerdsma Regarding Safe Abortion for Raped Women in War Zones (Mar. 8, 2013).

¹³ See SYNTHESIS OF THE CONSULTATION PROCESS FOR THE WORLD HUMANITARIAN SUMMIT 30 (2015).

¹⁴ GLOBAL STUDY, *supra* note 1, at 77–78.

¹⁵ Liz Ford, *Women Caught up in Conflict Failed by Underfunding of Sexual Healthcare*, GUARDIAN (London), Aug. 6, 2015.

¹⁶ SYNTHESIS OF THE CONSULTATION PROCESS FOR THE WORLD HUMANITARIAN SUMMIT, *supra* note 13, at 30, 48.

¹⁷ G.A. Res. 60/147, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (Dec. 16, 2005) [hereinafter Basic Principles and Guidelines on the Right to a Remedy and Reparation].

¹⁸ See CEDAW General Recommendation No. 30, *supra* note 5, ¶ 81.

¹⁹ *Id.* ¶ 78.

²⁰ Basic Principles and Guidelines on the Right to a Remedy and Reparation; *Rep. of the Special Rapporteur on Violence Against Women, Its Causes and Consequences*, ¶¶ 45, 50, Human Rights Council, U.N. Doc. A/HRC/14/22 (Apr. 23, 2010) (by Rashida Manjoo).

²¹ GLOBAL STUDY, *supra* note 1, at 116; *Rep. of the Special Rapporteur on Violence Against Women*, ¶ 50.

²² CEDAW General Recommendation No. 30, *supra* note 5, ¶ 79.

²³ Basic Principles and Guidelines on the Right to a Remedy and Reparation, *supra* note 20, ¶ 21; U.N. Secretary-General, *Guidance Note of the Secretary-General: Reparations for Conflict-Related Sexual Violence*, 13, (June 2014).

²⁴ Janet Benshoof, *The Other Red Line: The Use of Rape as an Unlawful Tactic of Warfare*, 5 GLOBAL POL'Y J. 146, 149 (2014).

²⁵ FOREIGN & COMMONWEALTH OFFICE, CHAIR'S SUMMARY - GLOBAL SUMMIT TO END SEXUAL VIOLENCE IN CONFLICT (2014).

²⁶ Benshoof, *supra* note 24, at 156.

²⁷ U.N. Secretary-General, *Summary Statement by the Secretary-General of Matters of Which the Security Council Is Seized and of the Stage Reached in Their Consideration*, U.N. Doc. S/2015/10 (Jan. 2, 2015).

²⁸ See GLOBAL STUDY, *supra* note 1, at 350, 359.

²⁹ See Agenda of the Commemoration of the 10-Year Anniversary of the Adoption of Security Council Resolution 1624 (2005) (Sept. 14, 2015).

³⁰ U.N. Secretary-General, *Conflict-Related Sexual Violence: Rep. of the Secretary-General*, ¶ 116(a), U.N. Doc. S/2012/33 (Jan. 13, 2012); U.N. Secretary-General, *Sexual Violence in Conflict: Rep. of the Secretary-General*, ¶¶ 115, 128(a), U.N. Doc. S/2013/149 (Mar. 14, 2013); U.N. Secretary-General, *Conflict-Related Sexual Violence: Rep. of the Secretary-General*, ¶¶ 97(e), 97(m), U.N. Doc. S/2014/181 (Mar. 13, 2014); U.N. Secretary-General, *Conflict-Related Sexual Violence: Rep. of the Secretary-General*, ¶ 99(b), UN Doc. S/2015/203 (Mar. 23, 2015).

³¹ *Sexual Violence in Conflict: Rep. of the Secretary-General*, ¶ 115 (2013); *Conflict-Related Sexual Violence: Rep. of the Secretary-General* (2015) ¶ 99(b).

³² SECURITY COUNCIL REPORT, CROSS-CUTTING REPORT ON WOMEN, PEACE AND SECURITY 32 (2014).