

6 November 2023

## Intentions of WPS agenda

On 28 January 2022, in an [open letter to the UN Security Council](#), WILPF called on the 15 member states to act to prevent the unfolding crisis in Ukraine. In the strongest possible terms, we urged the Council to address the underlying causes of the serious threat to international peace and security and to prevent debate being abused by its member states to “grandstand their militaristic rhetoric.” We provided fulsome analysis of the obligations under International Law, including under its Resolutions on Women Peace and Security (WPS).

The UNSC has been paralysed over the conflict in Ukraine. It has utterly failed to uphold the Charter, international law, and totally ignored its own resolutions as they pertain to WPS. The Council is already obligated to ensure the application of the Resolutions and that no further Resolution of the Council is needed to take action. From the texts of the resolutions, there can be no doubt as to the intention of the UNSC to re-affirm existing legal obligations on states and to secure mechanisms for both implementation and monitoring.

The Security Council resolutions adopted since resolution 1325 are cumulative, and as affirmed and reaffirmed by the UNSC, mutually reinforcing. All resolutions reference the Beijing Platform for Action and CEDAW. In addition, they affirm the primary role of Member States to implement fully all Security Council resolutions on Women, Peace and Security, with recognition in every resolution that States bear the primary responsibility to respect and ensure the human rights of all persons within their territory. This was most powerfully stated in Resolution 1325 which recognized, “the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts.”

This is particularly relevant to conflict related sexual violence. States have consistently paid greater attention to this violation of rights over and above the other significant harms experienced during conflict. Despite this, when there is real time evidence of sexual violence, (and not only in Ukraine but in multiple conflicts on the Council’s agenda), the UNSC has failed to undertake even the most minimal of actions it mandated itself to undertake.

While the Special Representative of the Secretary General (SRSG) on Conflict Related Sexual Violence (CRSV) is Pramila Patten, her mandate as set out in SCR 1888, is to:

- **provide coherent and strategic leadership**
- **work effectively to strengthen existing United Nations coordination mechanisms**
- **engage in advocacy efforts with:**
  - a) governments, including military and judicial representatives
  - b) all parties to armed conflict (State and non-state armed groups)
  - c) civil society.

SRSR Patten visited Ukraine 100 days after the invasion and opined:

**“Painfully, my visit cast into stark relief the gap that still exists between the aspiration of prevention expressed by this Council through the robust normative framework that has been established over the past decade and the reality on the ground for the most vulnerable.”**

Lacking however was mention of what should, therefore, be the response of the Council.

The mandate has relied on the use of Joint Communiqués or Frameworks of Cooperation, and engagement of States’ responsibility in line with their international obligations. They are voluntary arrangements with no accountability. If states fail to respond or comply there is no accountability. As a result, the appropriate resolutions were left in abeyance, despite what we argue is the obligatory wording of the Resolutions.

Women Peace and Security Resolution, 1820 adopted in 2008, stresses that sexual violence targeted at civilians ‘can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security.’

The language used is pertinent:

**Demands** the immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians with immediate effect. (reiterated in 1960 p2)

**Demands** that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence, which could include, inter alia, enforcing appropriate military disciplinary measures and upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians, debunking myths that fuel sexual violence, vetting armed and security forces to take into account past actions of rape and other forms of sexual violence.

Resolution 2106 gives specific instructions:

S/RES/2106 (2013)

13-372154

OP 10. (Calls on these parties) to make and implement specific time-bound commitments to combat sexual violence, which should include, inter alia, issuance of clear orders through chains of command prohibiting sexual violence and accountability for breaching these orders, the prohibition of sexual violence in Codes of Conduct, military and police field manuals or equivalent and to make and implement specific commitments on timely investigation of alleged abuses; and further calls upon all relevant parties to armed conflict to cooperate in the framework of such commitments, with appropriate United Nations mission personnel who monitor their implementation, and calls upon the parties to designate, as appropriate, a high-level representative responsible for ensuring implementation of such commitments;

Application of these resolutions are directly relevant to the current situation in Ukraine and indeed, in all conflicts.

The obligation is therefore clear. A simple question: what has the UNSC done to ensure implementation by Russia? What was communicated to Russia to obtain such guarantees?

Violations of International Humanitarian Law are all pervasive in the conflict in Ukraine and must be addressed. The issue of CRSV is an entry point because of the obligatory nature of the resolutions passed but draws attention to the absence of application of the WPS agenda more broadly. It is also to assert that the prevention of sexual violence requires the advancement of substantive gender equality before, during and after conflict, including by ensuring women's full and effective participation in political, economic and social life. Support for this should be provided in Ukraine now, failure to recognize the value of social reproduction and the role of women in sustaining communities will be to exclude that participation.

There are multiple ongoing conflicts, including now the horror of the Israeli-Palestine war, and the slaughter in Sudan. Root causes remain the same as throughout history. Despite the WPS agenda, the thinking during conflict remains unchanged, unchallenged by the UNSC and what was supposed to make real changes in how conflict is fought has been pushed to the side. There was a belief that by looking through a different prism, real protection and recognition of the possibilities of peace would be possible. We urge you in the strongest possible terms to now look through that prism.

The Council has the opportunity to restore some credibility by addressing itself to its own Resolutions on WPS and contributing to attempts to create conditions for peace and stability.