

## Commitments on gender-based violence in humanitarian action

### Brief summary of results from HERE's mapping exercise, August 2020

Despite important progress made in recent years towards recognising the severity of gender-based violence (GBV)<sup>1</sup> it remains a common occurrence in times of war and conflicts, and challenges to ensure that it is adequately addressed by humanitarian actors persist. While in the past two decades major commitments have been made by humanitarian actors to ensure that GBV is a priority as of the start of an intervention,<sup>2</sup> there has been evidence of major operational gaps in GBV responses as recently as 2017 and 2018.<sup>3</sup> Equally, the level of compliance by conflicting parties to existing norms remains limited.<sup>4</sup>

As a first step to explore existing gaps in addressing GBV needs, HERE has mapped the commitments made to tackle GBV in humanitarian action.<sup>5</sup> The mapping exercise has thought of commitments both in terms of their source (where the commitments flow from)<sup>6</sup> and their content (the scope of what different actors commit to). While a number of commitments made to promote gender equality and address GBV are intended to be upheld at all times, including during crises, the mapping has explored what exists in relation to GBV in humanitarian action and situations of armed conflict more specifically.

To ensure consistency with the current understanding of the nature of GBV commitments, the mapping has distinguished between 'normative', 'political', 'policy', and 'good practice' commitments, as done by the organisers of the May 2019 Oslo international conference on « Ending Sexual and Gender-based Violence in Humanitarian Crises ». In categorising the commitments thus, HERE has used the following definitions:

- **Normative:** International legally binding commitments.
- **Political:** Non-binding commitments issued by inter-governmental, supranational bodies or political UN bodies. They include the outcome statements of high-level conferences/summits.
- **Policy:** Articulation of long-term goals that form the basis for specific rules and guidelines, defining roles and responsibilities on sexual and gender-based violence (SGBV).
- **Good practice:** They provide more specific rules and guidelines aiming, in some instances, to operationalise a policy framework.

---

<sup>1</sup> The UN Security Council and international criminal tribunals have for example enforced rape as a war crime or crime against humanity, and on the humanitarian side, agencies have strengthened their frameworks and approaches to GBV. In 2008, the Gender-based Violence Area of Responsibility (GBV AoR) was also created under the Protection Cluster.

<sup>2</sup> The introduction to the *IASC Guideline for Gender-based Violence Interventions in Humanitarian Settings* reads: "To save lives and maximise protection, a minimum set of activities must be rapidly undertaken in a coordinated manner to prevent and respond to gender-based violence from the earliest stages of an emergency" accessible under: [https://www.unfpa.org/sites/default/files/pub-pdf/gbv\\_emergencies.pdf](https://www.unfpa.org/sites/default/files/pub-pdf/gbv_emergencies.pdf).

<sup>3</sup> See for example [the synthesis of the Rohingya response evaluations of IOM, UNICEF, and UNHCR](#).

<sup>4</sup> See the latest *Report of the Secretary-General on Conflict-related sexual violence* 3 June 2020, Res. S/2020/487.

<sup>5</sup> See [Mapping results of GBV commitments in humanitarian action](#).

<sup>6</sup> In order to keep it manageable, the mapping exercise has considered commitments deriving from supra-/international collective initiatives.

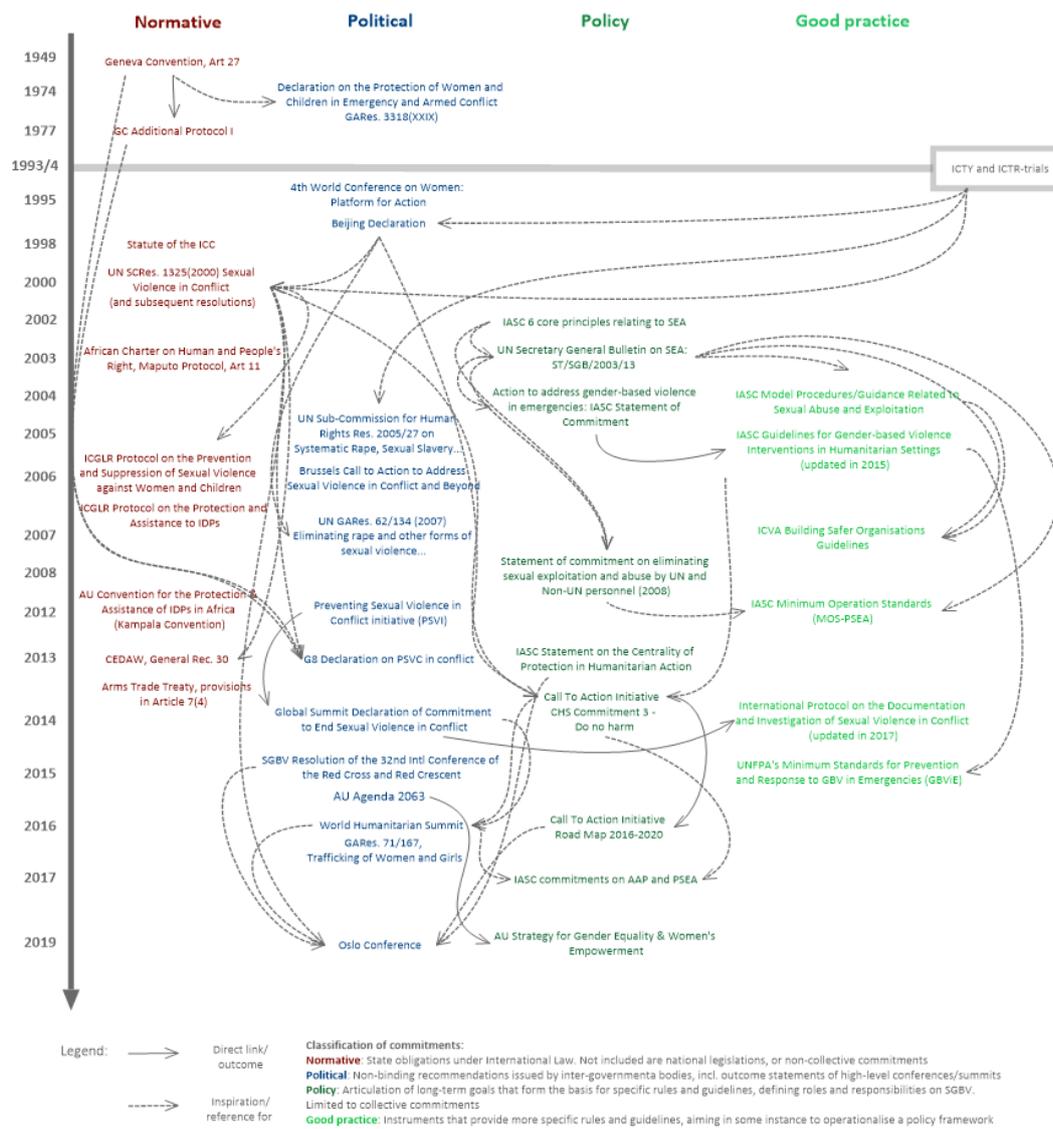


Illustration based on the *Mapping results of GBV-related commitments in humanitarian action* (available in a separate excel file).  
 For a narrative, see also the *Brief overview of GBV-related commitments in humanitarian action*.

The detailed results from the mapping exercise are available in a separate excel file, and an overview can be found in Figure 1 above.

## General considerations

### Normative commitment

The earliest commitment considered by the mapping exercise is enshrined in the 1949 *Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War*. Article 27 addressed the vulnerability of women in armed conflict vis-à-vis sexual violence, and called upon parties to the conflict to provide protection for women against “any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault”. It then took more than forty years and the establishment of two *ad hoc* international criminal tribunals for State leaders to intensify their normative commitments in the fight against conflict-related sexual violence. The work of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) in the 1990s demonstrated that conflict-related sexual violence is punishable by international law. Both tribunals held warlords accountable for the systematic rape of women, men, and children, defining gender-based crimes – such as rape or sexual enslavement – as war crimes and crimes against humanity. In the aftermath of Yugoslavia and Rwanda, the UN Security Council (UNSC) in 2000 put conflict-related sexual violence on its

agenda and began adopting numerous resolutions under the umbrella Women, Peace and Security<sup>7</sup> with some resolutions focusing specifically on sexual violence in conflict.

### Political commitment

With the *Declaration on the Protection of Women and Children in Emergency and Armed Conflict* in 1974, the United Nations General Assembly was the first of the main UN bodies to officially address women's vulnerability in armed conflict.<sup>8</sup> The 4th World Conference on Women in Beijing in 1995, organised by the UN, resulted in the Beijing Declaration, unanimously adopted by the 189 countries attending the conference. The Declaration concluded that armed conflicts are one area of concern for which the related 'Beijing Platform for Action' set strategic objectives and precise actions to be taken by all stakeholders. Years later, the Beijing Declaration is still resurfacing in several political and normative commitments on conflict-related GBV.<sup>9</sup>

More recently, political leaders also started to make commitments outside the UN system. In 2013, the G8 issued the *Declaration on Preventing Sexual Violence in Conflict*, in which the foreign ministers of the Group of Eight recognised the need to work together on this topic. That same year, the *Call to Action on Protection from Gender-Based Violence in Emergencies* was launched by the United Kingdom and Sweden. The initiative aimed to bring together governments and donors, international organisations, and NGOs with the intention of establishing specialised GBV-programmes at the onset of an emergency. Unlike other commitments issued by individual states, this initiative led to the establishment of a comprehensive policy framework, the *Call to Action Road Map* (2016). This collective policy commitment provides a number of concrete measures to be taken in order to implement the political commitments made three years earlier.

### Policy and good practice commitments

Overall, a large number of such commitments captured by the mapping exercise have been made by the humanitarian sector, in an effort to improve the response to GBV in emergencies or to protect beneficiaries from sexual exploitation and abuse by humanitarian personnel. The policy commitments on Protection from Sexual Exploitation and Abuse (PSEA) captured by the mapping exercise were all made in the last two decades and were prompted by findings of sexual exploitation of refugee children by aid workers in Guinea, Liberia, and Sierra Leone. The first report was the product of an assessment mission in the Fall of 2001 undertaken by UNHCR/Save the Children UK to examine the nature and extent of sexual violence and exploitation of refugee children and other children of concern.<sup>10</sup> In 2002, the IASC published the *Six Core Objectives Relating to Sexual Exploitation and Abuse* (SEA), based on a report by the IASC Task Force on Protection from Sexual Exploitation and Abuse (PSEA) by humanitarian workers. These objectives are brief and precise, condemning every act or attempt of SEA by humanitarian workers. The United Nations, through the *Secretary-General Bulletin on SEA*, reiterated these principles in 2003, and declared them binding for all UN agencies and UN staff. The bulletin is perceived as the United Nations' PSEA code of conduct. To this day, the IASC's 6 core objectives inform a number of policy and good practice initiatives issued by humanitarian agencies.

Other commitments introduced by the humanitarian sector aim to ensure a more effective and efficient response to conflict-related GBV. The IASC published a statement of commitment to address GBV in emergencies in 2004 and issued *Guidelines for GBV Interventions in Humanitarian Settings* the following year, updated in 2015. The *IASC Statement on the Centrality of Protection* (2013) aimed to ensure that gender-based violence is taken into consideration in all aspects of humanitarian response.

---

<sup>7</sup> For an enumeration of all ten resolutions adopted by the UNSC on Women, Peace and Security, see: <http://www.peacewomen.org/why-WPS/solutions/resolutions>.

<sup>8</sup> United Nations General Assembly, 1974. Resolution A/RES/3318, Declaration on the Protection of Women and Children in Emergency and Armed Conflict, 14 December 1974.

<sup>9</sup> See for example the first UNSCRs in this matter, 1325(2000), or UNGA 62/134 (2007) on "Eliminating rape and other forms of sexual violence in all their manifestations, including in conflict and related situations".

<sup>10</sup> UNHCR, Save the Children UK, Sexual Violence & Exploitation (2002): *The Experience of Refugee Children in Guinea, Liberia and Sierra Leone*, February 2002, <https://www.unhcr.org/en-au/3c7cf89a4.pdf>.

## Concluding remarks

HERE undertook this mapping exercise as part of its broader endeavour to review the commitments that donor governments and organisations have made in a number of key policy areas.<sup>11</sup> What is happening on the ground in terms of the fulfilment of these commitments? Have their commitments lived up to their promise or do gaps remain?

The mapping of commitments on gender-based violence in humanitarian action has indicated a number of trends and issues that are worth being addressed more comprehensively in future research. There is a plethora of commitments on GBV, they cover a wide range of topics, and are of varying degrees of specificity. While it is good that many commitments are the result of multi-stakeholder initiatives, it would appear worthwhile to explore whether the operational side and of the humanitarian response, through policy and good practice commitments, is not carrying a disproportionately large portion of the responsibility, letting state actors with accountability under international humanitarian law and human rights law off the hook. Within humanitarian action, there is also a risk that the attention to PSEA becomes over-emphasised at the expense of other protection and GBV-related concerns. Additionally, clarity is needed with regard to the connections between GBV and protection more broadly, as well as the groups at risk that are actually covered in the commitments. Indeed, it is only recently that a more inclusive notion of *gender* has started to be used after a decades-long focus on *women and girls*.<sup>12</sup> In line with its first strategic objective to demonstrate the gap between policy and practice,<sup>13</sup> HERE is currently considering how to best investigate these issues further.

---

<sup>11</sup> Based on its own research and in consultation with its partners, HERE has identified three areas as especially worthy of attention: 1. Protection, specifically with regards to (a) sexual and gender-based violence (SGBV) and (b) the use of the (ICRC-led) professional standards; 2. accountability to affected populations caught in situations of armed conflict; and 3. the humanitarian-development nexus.

<sup>12</sup> The UN Security Council, for example, in its latest resolution adopted under the WPS agenda, recognised, “ [...] that men and boys are also targets of sexual violence in conflict and post-conflict settings, including in the context of detention settings and those associated with armed groups [...]” (UNSC (2019), S/RES/2467(2019) of 23 April 2019, para. 32).

<sup>13</sup> See [HERE's 2019-2021 Strategy](#).