

UN Peacekeeping and the Protection of Civilians from Sexual and Gender-Based Violence

JENNA RUSSO



Cover Photo: Members of the UN police's Gender, Child and Vulnerable Persons Protection team with the UN Mission in South Sudan (UNMISS) provide training on combating sexual and gender-based violence to residents of a protection of civilians site in Juba, South Sudan, on December 5, 2016. (UN Photo/JC McIlwaine.)

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Suggested Citation:

Jenna Russo, "UN Peacekeeping and the Protection of Civilians from Sexual and Gender-Based Violence," International Peace Institute, May 2022.

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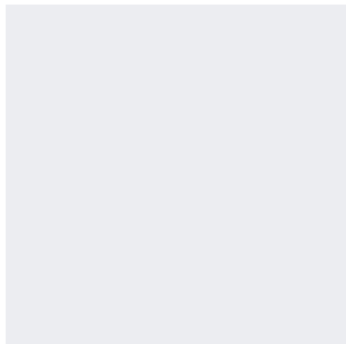
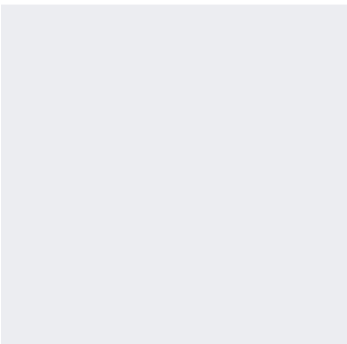
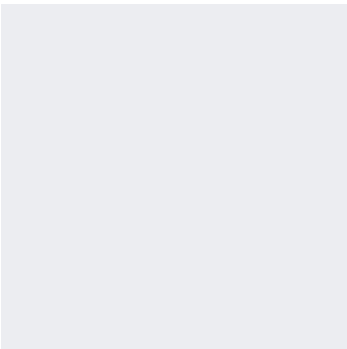
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ACKNOWLEDGEMENTS

The author would like to thank the practitioners and researchers who agreed to participate in interviews, as well as civil society representatives from South Sudan and the Democratic Republic of the Congo, whose experiences were essential in shedding light on this topic. Special thanks are also given to Robert Nagel, Chloe Madeleine Emmanuelle Silvestre, and Lauren Spink for their feedback on the report, as well as to Albert Trithart and Anna Sattler for their efforts to finalize this report.

IPI is grateful to the Government of the Kingdom of the Netherlands for funding this research and publication.



CONTENTS

Abbreviations	iii
Executive Summary	v
Introduction.....	1
Conceptualizing Sexual and Gender-Based Violence	3
SGBV in Peacekeeping Mandates	6
Mission Structures and Processes Related to SGBV	9
Integrating Gender throughout Mission Work.....	9
Training.....	10
Monitoring and Reporting	11
Female Peacekeepers.....	13
Protection Activities	14
Protecting Displaced People.....	14
Shifting toward Mobile Approaches to Physical Protection	16
Increasing Women’s Participation	18
Strengthening the Rule of Law and Combating Impunity	20
Strengthening Partnerships	22
Conclusion and Recommendations.....	23

ABBREVIATIONS

CAR	Central African Republic
CPAS	Comprehensive Planning and Performance Assessment System
CRSV	Conflict-related sexual violence
CSO	Civil society organization
CWG	Community watch group
DFS	UN Department of Field Support (now UN Department of Operational Support)
DPKO	UN Department of Peacekeeping Operations (now DPO)
DPO	UN Department of Peace Operations
DRC	Democratic Republic of the Congo
EP	Engagement platoon
ET	Engagement team
FVRA	Field victims' rights advocate
IDP	Internally displaced person
MARA	Monitoring, Analysis and Reporting Arrangements
MONUSCO	UN Organization Stabilization Mission in the Democratic Republic of the Congo
OIOS	UN Office of Internal Oversight Services
PCC	Police-contributing country
POC	Protection of civilians
SAGE	Situational Awareness Geospatial Enterprise
SEA	Sexual exploitation and abuse
SGBV	Sexual and gender-based violence
TCC	Troop-contributing country
UNMISS	UN Mission in South Sudan
WPA	Women's protection adviser
WPS	Women, peace, and security

Executive Summary

While all UN multidimensional peacekeeping operations are mandated to prevent and respond to conflict-related sexual violence (CRSV), three missions are also mandated to protect civilians from sexual and gender-based violence (SGBV). These include the missions in the Democratic Republic of the Congo (MONUSCO) and South Sudan (UNMISS), which are the focus of this report, as well as the mission in the Central African Republic (MINUSCA). While SGBV is often used and understood interchangeably with CRSV, SGBV is broader in scope, as it encompasses nonsexual forms of gender-based violence and need not be connected to armed conflict.

There are a number of reasons why it is difficult for peacekeepers to protect civilians from SGBV, particularly forms of SGBV that fall outside of CRSV. Many forms of SGBV are beyond missions' capabilities and areas of operation, and because SGBV is rooted in cultural understandings of masculinity and femininity, addressing the drivers of such violence requires a level of embeddedness in communities that peacekeeping operations lack. Overall, there is a lack of conceptual clarity on what SGBV includes in the context of peacekeeping mandates and a lack of consistency in how these mandates are understood and implemented.

Despite these conceptual ambiguities, MONUSCO and UNMISS have various structures and processes to implement their mandates to protect civilians from SGBV. Both missions have taken steps to better integrate gender throughout their mandated activities, including through the development of gender strategies, trainings related to gender and CRSV, systems for monitoring and reporting on gender-related indicators, and the work of gender advisers, women's protection advisers (WPAs), and female peacekeepers. However, structural barriers remain. Coordination between the mission components that contribute to SGBV, including WPAs, gender advisers, and protection of civilians (POC) units, is ad hoc and depends on the will of individual personnel. Further, monitoring and

reporting systems do not systematically include the types of detailed gender indicators that would inform a more strategic response to SGBV.

Nonetheless, both missions do undertake activities to protect civilians from SGBV. For UNMISS, many of these activities have focused on preventing SGBV in and around POC sites, including through physical protection. More recently, both UNMISS and MONUSCO have shifted from static models of protection toward mobile models with temporary deployments to high-risk areas. Beyond providing physical protection, the missions have promoted women's political participation, which can help address the structural inequalities that perpetuate SGBV. They have also sought to strengthen the rule of law and combat impunity, which can help uproot cultures of rape and other forms of SGBV. Throughout these activities, the missions have partnered with local organizations and UN country teams, which are more embedded in local communities and better situated to address the scope of SGBV.

To further strengthen their work on SGBV, UN peacekeeping missions, the UN Department of Peace Operations (DPO), and member states on the Security Council should consider the following recommendations:

- Provide clear guidance on what it means to protect civilians from SGBV as part of a peacekeeping mandate;
- Systematically and meaningfully integrate gender advisers and WPAs into POC planning at the strategic and operational levels;
- Include gender-sensitive indicators in monitoring and reporting systems and prioritize the gathering of sex-disaggregated data;
- Take a holistic approach to protecting civilians from violence, recognizing the risks of armed responses and prioritizing partnerships; and
- Continue to combat impunity and engage with governments and armed groups to promote accountability.

Introduction

Over the past two decades, the protection of civilians (POC) has become a central feature in the mandates of multidimensional peacekeeping operations. Over the same period, the development of the women, peace, and security (WPS) agenda has increased focus on the protection of women, who are generally perceived to account for the “vast majority of those adversely affected” by conflict-related violence.¹ Thus, the WPS and POC agendas have largely developed in tandem and are often linked in mandated language provided by the Security Council.² The mandates of all UN multidimensional peacekeeping operations currently include language on gender, to varying degrees, and all of these operations have mandates to prevent and respond to conflict-related sexual violence (CRSV).³ In addition, the missions in the Democratic Republic of the Congo (DRC), South Sudan, and the Central African Republic (CAR) have explicit mandates to protect civilians from sexual and gender-based violence (SGBV).

The UN Department of Peace Operations (DPO) defines SGBV as “any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (i.e., gender) differences between women and men.”⁴ This includes, but is broader than, CRSV, as it encompasses forms of gender-based violence in addition to sexual violence and need not be connected to armed conflict.

There are a number of reasons why it is difficult for

peacekeepers to protect civilians from SGBV, particularly forms of SGBV that fall outside of CRSV.⁵ Many forms of SGBV are beyond missions’ capabilities and areas of operation, including most instances of intimate partner violence, which in some contexts comprise a significant proportion of SGBV.⁶ Further, because SGBV is rooted in cultural understandings of masculinity and femininity, addressing the drivers of such violence requires a level of embeddedness in communities that peacekeeping operations lack.

A key finding of this report is that there is a lack of conceptual clarity on what SGBV includes in the context of peacekeeping mandates, resulting in

The complexities of preventing and responding to SGBV underscore the need to take a whole-of-mission approach to protection.

unclear guidance for peacekeepers and a lack of consistency in how these mandates are understood and implemented. In particular, SGBV is often used interchangeably with CRSV,

and women are often treated as the primary victims.⁷ There are multiple reasons why this is the case, including that WPS resolutions have emphasized that sexual violence and CRSV against women has been an effective frame for mobilizing international attention to the protection agenda.⁸ Further, missions may view CRSV as more clearly within their purview given its connection to conflict and narrower scope and because they have clear mandates, structures, policies, and guidance to prevent and respond to CRSV (see Box 1).⁹

For these reasons, much of missions’ work to protect civilians from SGBV is focused on protection from CRSV. While CRSV is an important part of missions’

1 UN Security Council Resolution 1325 (October 31, 2000), UN Doc. S/RES/1325 (2000).

2 Rosemary Foot, “The Protection of Civilians in Armed Conflict, and the Women, Peace and Security Agenda,” in *China, the UN, and Human Protection: Beliefs, Power, Image*, Rosemary Foot (Oxford: Oxford University Press, 2020).

3 Laura Cuzzuol and Welmoet Wels, “UN Peacekeeping Operations and Gendered Threats to the Protection of Civilians,” International Peace Institute, February 2021.

4 UN Department of Peace Operations (DPO), “The Protection of Civilians in United Nations Peacekeeping Policy,” UN Doc. 2019.17, November 2019.

5 Conflict-related sexual violence (CRSV) is a type of sexual and gender-based violence (SGBV), and instances of CRSV can thus be labeled as SGBV. In this report, the term CRSV is used when specifically referring to this subset of SGBV, while SGBV is used as a broader umbrella term.

6 While intimate partner violence usually falls outside the purview of UN peacekeeping, in South Sudan, for example, peacekeepers did respond to some instances of intimate partner violence within POC sites. UN Refugee Agency (UNHCR), “Sexual and Gender-Based Violence (SGBV) Prevention, Risk Mitigation and Response: Promising Practices,” December 2019.

7 See forthcoming IPI issue brief by Gretchen Baldwin on SGBV.

8 Janosch Neil Kullenberg, “Overlapping Agendas and Peacekeepers’ Ability to Protect,” *International Peacekeeping* 28, no. 4 (2021).

9 At the time of publication, the peacekeeping operations in the Democratic Republic of the Congo (MONUSCO), the Central African Republic (MINUSCA), Mali (MINUSMA), and South Sudan (UNMISS) all have mandates to prevent and respond to CRSV. This work is guided by the UN Policy for Field Missions on Preventing and Responding to CRSV. See: United Nations, “United Nations Field Missions: Preventing and Responding to Conflict-Related Sexual Violence—Policy,” January 2020. DPO has also created a Handbook for Field Missions on Preventing and Responding to CRSV. See: United Nations, “Handbook for Preventing and Responding to Conflict-Related Sexual Violence,” June 2020.

work, conflating SGBV with CRSV can preclude them from recognizing other forms of SGBV they could address. These could include physical violence and other forms of coercion that prevent women from participating in local or national processes, intentional barriers to women's access to justice mechanisms, forced recruitment targeting able-bodied men, arbitrary detention and summary execution targeting men and boys, and torture targeting men or sexual and gender minorities in detention. While in some cases missions are working to protect civilians from such violence, they often do not understand it as SGBV, masking its gendered nature and precluding gender-informed responses.¹⁰

The purpose of this report is to examine how missions are implementing their mandates to

protect civilians from SGBV, including CRSV, as well as to assess good practices, gaps, and opportunities for improvement. The report draws on lessons learned from the UN missions in South Sudan (UNMISS) and the DRC (MONUSCO), which are both explicitly mandated to respond to SGBV, and both have mandates to take gender into account as a cross-cutting issue.

The complexities of preventing and responding to SGBV underscore the need to take a whole-of-mission approach to protection that encompasses not only physical protection from violence but also activities that address cultural norms related to gender, strengthen the rule of law, and enhance women's participation. This report thus considers a range of protection activities carried out by

Box 1. SGBV-related resolutions, policies, and guidance

The DPO policy on POC requires that POC be undertaken with a gender perspective, considering gender-based differences in status and power and how they shape the immediate protection needs and long-term interests of women, men, girls, and boys.¹¹ It further requires that gender analysis and considerations be included across all three tiers of POC and in mission POC strategies (on the three tiers of POC, see Table 1).

The DPO handbook on POC notes that armed conflict affects women, men, boys, and girls differently and that an analysis of these effects must be incorporated into protection strategies.¹² It provides examples of how gender can be integrated throughout the three tiers of POC; however, all the examples pertain to women and girls, and there is a heavy focus on CRSV. Little attention is paid to other forms of SGBV or risks posed to men, boys, or sexual and gender minorities.

The DPKO/DFS policy on gender-responsive peacekeeping requires that POC initiatives reflect the intersection between gender and protection and that gender outcomes be included in all POC plans, policies, analyses, and reports.¹³

The UN Security Council resolutions on women, peace, and security (WPS) set forth women as those most affected by conflict-related violence and are based on the four pillars of prevention, protection, participation, and relief and recovery. Among the resolutions that focus specifically on protection, there is a heavy focus on preventing and responding to CRSV against women. For example, Resolution 1820 (2008) recognizes CRSV as a tactic of war, Resolution 1888 (2009) establishes a special representative of the secretary-general on sexual violence in conflict, and Resolutions 1960 (2010) and 2106 (2013) call for accountability for perpetrators of CRSV. While there are clear areas of overlap between the WPS and POC agendas, in practice they have remained somewhat siloed and are not formally integrated.¹⁴

10 Cuzzuol and Wels, "UN Peacekeeping Operations and Gendered Threats to the Protection of Civilians."

11 UN Doc. 2019.17.

12 UN DPO, "The Protection of Civilians in United Nations Peacekeeping—Handbook," 2020.

13 UN Department of Peacekeeping Operations (DPKO, now DPO) and Department of Field Support (DFS, now DOS), "Gender Responsive United Nations Peacekeeping Operations Policy," UN Doc. 2018.01, February 2018.

14 Kullenberg, "Overlapping Agendas and Peacekeepers' Ability to Protect."

missions, as well as structures and processes that promote the effective integration of gender into mission planning and activities. The findings are based on a desk review of academic and policy literature; UN policies, guidance, and mandates; eighteen interviews with UN personnel, scholars, and members of civil society organizations (CSOs); and one closed-door workshop.

Conceptualizing Sexual and Gender-Based Violence

SGBV is broad in scope, encompassing all harmful acts perpetrated against a person's will on the basis of their socially ascribed gender. While SGBV is

often used and understood interchangeably with CRSV, conflating the two terms masks other gendered risks and limits policymakers' understanding of the broad spectrum of gender-based violence (see Box 2 on terminology).¹⁵ For example, in addition to sexual violence, women and girls may be at risk of other forms of physical violence, abduction, psychological abuse, or restricted access to medical services, education, or economic opportunities.¹⁶ Men and boys may be targeted for summary execution, forced recruitment, torture, or arbitrary detention. As argued by Laura Cuzzuol and Welmoet Wels, nearly all threats are gendered, and it is thus crucial to use a gender lens when assessing and responding to such violence.¹⁷

Box 2. Terminology

Conflict-related sexual violence (CRSV) refers to “incidents or... patterns of sexual violence that occur in conflict or post-conflict settings or other situations of concern.... CRSV includes rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilisation, or any other form of sexual violence of comparable gravity, against women, men, girls or boys.”¹⁸

Sexual exploitation and abuse (SEA) encompasses two distinct issues: Sexual exploitation is “any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another.” Sexual abuse is “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.”¹⁹ (See Box 5 for more detail on SEA.)

Sexual and gender-based violence (SGBV) is “an umbrella term for any harmful act that is committed against a person's will and is based on socially ascribed (gender) differences between women and men.”²⁰ The nature and extent of specific types of SGBV vary across cultures, countries, and regions. Examples include sexual violence, including CRSV; some forms of torture in detention settings; domestic violence; intentional barriers to women's access to justice mechanisms, health services, and economic and political opportunities; forced recruitment; honor killings; and harmful traditional practices such as female genital mutilation.

Sexual and gender minorities include “lesbians, gay men, bisexuals, and transgender people (LGBT); intersex people (people whose bodies do not have typically male or female sex characteristics due to variations in chromosomes, gonads, sex hormones, and/or genitals); gender non-conforming people who may not see themselves as transgender; and people involved in same-sex relations who may not see themselves as lesbian, gay or bisexual, possibly preferring another word to self-identify (such as polyamorous, queer or two-spirited) or possibly preferring no label at all.”²¹

15 Baldwin, forthcoming IPI issue brief on SGBV.

16 Gretchen Baldwin, “Expanding Gendered Understandings Key to Protection Concerns,” *IPI Global Observatory*, November 15, 2019.

17 Cuzzuol and Wels, “UN Peacekeeping Operations and Gendered Threats to the Protection of Civilians.”

18 UN DPO, “POC Policy.”

19 Ibid.

20 Ibid.

21 Jeffrey O'Malley and Andreas Holzinger, “The Sustainable Development Goals: Sexual and Gender Minorities,” UN Development Programme (UNDP), 2018.

SGBV is rooted in societal power structures, which exist prior to conflict, but may be manipulated or exacerbated during crises, including armed conflict.²² SGBV manifests itself differently according to sociocultural expectations of femininity and masculinity. In some contexts, gender-based violence centers on the subordination of the feminine, including attempts to exercise power over the target through acts of humiliation, torture, deprivation, or emasculation.²³ In other cases, SGBV stems from assumptions that men are inherently prone to violence and pose a risk to the security and power of the perpetrating group, potentially leading to arbitrary arrest, summary execution, or other forms of violence.

An individual's overlapping and intersecting characteristics may compound their risk of SGBV. For example, people from minoritized ethnic groups, refugees and internally displaced people (IDPs), sexual and gender minorities, people with disabilities, and those who are otherwise poor or marginalized may face heightened risk of SGBV. Gender also shapes vulnerabilities to risk, as when men deny women and girls access to power, money, education, and other resources, which heightens their risk of SGBV.

The protection needs of men have not been elevated to the same extent as those of women and children, and sexual and gender minorities have been almost

Box 3. SGBV and CRSV in South Sudan

South Sudan is a deeply patriarchal society. While national legislation grants equal rights to all people, customary laws and norms legitimize the subordination of women, particularly within the home.²⁴ According to a 2013 survey, 82 percent of women and 81 percent of men agreed that “a woman should tolerate violence in order to keep her family together,” and 68 percent of women and 63 percent of men agreed that “there are times when a woman deserves to be beaten.”²⁵ As such, there are deeply entrenched social and cultural structures that create an enabling environment for SGBV.

CRSV has been a prevalent feature of the conflict in South Sudan, both at the national and local levels. Rape is common, and abductions for the purpose of forced marriage and sexual slavery have continued even after the signing of the 2018 peace agreement. Continued insecurity at the local level also exacerbates the risk of SGBV, as families are pressured to commodify girls via forced and early marriage to gain access to food, cows, and other assets.²⁶ Women and girls also have less access to education, and women are often required to relinquish money they earn to male family members.²⁷

There are fewer documented cases of sexual violence against men in South Sudan, though many such cases go unreported due to fear of stigma and the lack of services available for male victims.²⁸ Other forms of SGBV affecting men and boys include summary execution, arbitrary detention, forced recruitment, and targeting by national police forces for their presumed association with armed groups. Men (particularly young men) comprise the vast majority of civilian casualties in South Sudan.²⁹

Homosexuality is illegal in South Sudan and is deeply stigmatized. There are no known organizations in the country that provide services specifically to sexual and gender minorities.

22 Sara E. Davies and Jacqui True, “Reframing Conflict-Related Sexual and Gender-Based Violence: Bringing Gender Analysis Back In,” *Security Dialogue* 46, no. 6 (2015); Jennifer Scott et al., “An Assessment of Gender Inequitable Norms and Gender-Based Violence in South Sudan: A Community-Based Participatory Research Approach,” *Conflict and Health* 7, no. 4 (2013).

23 Manuela Colombini, “Gender-Based and Sexual Violence against Women during Armed Conflict,” *Journal of Health Management* 4, no. 2 (2002).

24 Organisation for Economic Co-operation and Development (OECD) Development Centre, “Social Institutions and Gender Index: South Sudan,” 2019.

25 Scott et al., “An Assessment of Gender Inequitable Norms and Gender-Based Violence in South Sudan.”

26 Interview with South Sudan civil society organization (CSO) representative, October 19, 2021.

27 Ibid.

28 For example, in the 2021 report of the secretary-general on CRSV, only 5 of the 193 documented cases targeted male victims. UN Security Council, *Conflict-Related Sexual Violence—Report of the Secretary-General*, UN Doc. S/2021/312, March 30, 2021, para. 48.

29 Julie Gregory and Aditi Gorur, “Data Overview: Violence against Civilians in South Sudan,” Stimson Center, October 13, 2020, available at www.stimson.org/2020/data-overview-violence-against-civilians-in-south-sudan/.

Box 4. SGBV and CRSV in the DRC

CRSV, in particular rape, is prevalent in the DRC. Multiple parties to the conflict are complicit, including state security forces, with high levels of impunity. The mission has primarily documented female victims of CRSV; however, population-based surveys in eastern DRC indicate that prevalence among men is much higher than reported, with 23.6 percent of male respondents indicating that they had been victims of sexual violence.³⁰ Men have also been forced to witness sexual violence or perpetrate sexual acts against family members as a form of punishment or torture.

Individuals are also at high risk of other forms of SGBV, including forced and early marriage, trafficking, and intimate-partner violence.³¹ The risk to girls is especially high, as they often marry and begin child rearing at an early age yet lack access to medical and other resources. Girls are also less likely to be literate or have an education. Boys may be at high risk of forced mobilization into state and non-state armed groups.

While homosexuality is not officially a crime in the DRC, individuals suspected of being homosexual are regularly arrested for violating public-decency laws.³² Once in prison, they are at increased risk of SGBV and usually lack access to legal services to advocate for their rights. There are also strong cultural taboos against homosexuality, and sexual and gender minorities are often alienated by their families and subject to harassment and violence. Because of these cultural taboos, CSOs and humanitarian actors are reluctant to engage with this issue for fear of alienating the communities they are trying to serve.³³ Therefore, there are few services available to sexual and gender minorities who may wish to seek protection or treatment.

completely absent from protection policies and mandates. This is due, in part, to the success of the WPS agenda in elevating women's protection needs, which has sometimes led to exclusionary protection practices.³⁴ While women may be disproportionately affected by sexual violence, protection planning and activities also need to take into consideration gender-based violence targeting men and boys.

Security Council Resolution 2467 (2019) on sexual violence in armed conflict acknowledges that men and boys are victims of sexual violence and urges member states to strengthen policies on, and challenge cultural assumptions about men's invulnerability to, such violence.³⁵ In his 2020 report on CRSV, the secretary-general notes that incidents of sexual violence against men and boys were recorded in almost all of the country settings

covered in the report.³⁶ Yet despite the basic acknowledgement that such abuses exist, male victims and sexual and gender minorities continue to be regularly overlooked as vulnerable, including in the allocation of services and other resources.³⁷ Other forms of SGBV affecting men and boys are often not viewed as gender-based, thus masking the gender dimensions of such violence.

No Security Council resolutions have mentioned the risk of SGBV against sexual and gender minorities (though the Human Rights Council and General Assembly have passed resolutions on this topic).³⁸ Further, as all Security Council resolutions are binary in their understanding of gender, individuals who do not identify as men or women are unaccounted for in policy dialogues and mandates.³⁹

30 Chris Dolan, "Into the Mainstream: Addressing Sexual Violence against Men and Boys in Conflict," Overseas Development Institute (ODI), May 2014.

31 UN Population Fund (UNFPA) GBV Sub-Cluster: Democratic Republic of the Congo, "Gender Based Violence in the Democratic Republic of the Congo: Key Facts and Priorities of Humanitarian Actors," May 2019.

32 Chris Dolan, Maria Eriksson Baaz, and Maria Stern, "What is Sexual about Conflict-Related Sexual Violence? Stories from Men and Women Survivors," *International Affairs* 96, no. 5 (September 2020).

33 Interview with former MONUSCO official, December 9, 2021.

34 Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict and Team of Experts, Rule of Law/Sexual Violence in Conflict, "Workshop on Sexual Violence against Men and Boys in Conflict Situations: Report and Recommendations," July 25–26, 2013.

35 UN Security Council Resolution 2467 (April 23, 2019), UN Doc. S/RES/2467 (2019).

36 UN Doc. S/2021/312 (2021).

37 Sandesh Sivakumaran, "Lost in Translation: UN Responses to Sexual Violence against Men and Boys in Situations of Armed Conflict," *International Review of the Red Cross* 92, no. 877 (March 2010).

38 See, for example: Office of the UN High Commissioner for Human Rights (OHCHR), "Resolutions on Sexual Orientation, Gender Identity and Sex Characteristics," available at www.ohchr.org/en/sexual-orientation-and-gender-identity/resolutions-sexual-orientation-gender-identity-and-sex-characteristics.

39 Albert Trithart, "A UN for All? UN Policy and Programming on Sexual Orientation, Gender Identity and Expression, and Sex Characteristics," International Peace Institute, February 2021.

Box 5. Sexual exploitation and abuse

While some peacekeepers are mandated to protect civilians from SGBV, in some cases they are themselves perpetrators of such violence. Like other forms of SGBV, sexual exploitation and abuse (SEA) is rooted in power dynamics, wherein UN peacekeepers abuse power differentials for sexual purposes, including by trading aid for sexual favors, buying sex from sex workers, or forcing individuals to engage in sexual acts. Even when an act itself is legal under the domestic law of the host country (e.g., countries where sex work is legal), it is considered an abuse of power, and the UN has a “zero-tolerance” policy for such behavior. In addition to being a violation against the individuals directly affected, SEA also erodes trust with local communities and makes it harder for missions to implement their mandates.

In 2017, the secretary-general introduced a “New Approach” to combating SEA, including efforts to enhance training and accountability and promote victim-centered approaches. To this end, the UN has increased its focus on preventing SEA, including through pre-deployment and in-mission training for all UN peacekeepers.⁴⁰ Such training is important to clarify peacekeepers’ understanding of what is expected of them and how to report violations they witness. However, some peacekeepers have reported that the heavy focus on SEA has made them less willing to engage with women and children in local communities to minimize the risk of SEA.⁴¹ Further, UN officials have acknowledged that training may not effectively combat the attitudes that enable SEA.⁴²

A focus on accountability is thus an important complement to training. While the UN is limited in its ability to sanction perpetrators, it does have some tools at its disposal. For example, the UN has begun reporting the nationalities and mission settings of accused perpetrators to exert pressure on troop- and police-contributing countries (T/PCCs), and it withheld \$600,000 from T/PCCs for substantiated SEA claims between 2016 and 2019.⁴³ More dramatically, in 2021, the UN repatriated an entire Gabonese contingent following widespread allegations of SEA in CAR, though this decisive response remains an outlier. While the UN also pressures T/PCCs to hold perpetrators accountable through their domestic legal systems, criminal accountability remains low.⁴⁴

To better promote victim-centered approaches, in 2017, the secretary-general appointed the first-ever victims’ rights advocate as well as field victims’ rights advocates (FVRAs). To date, FVRAs have been deployed to four countries, including the DRC and South Sudan, and the secretary-general has prioritized their deployment to other contexts. Common tasks of FVRAs include connecting victims with service providers, helping to resolve paternity claims and child-support payments, and coordinating projects supported by the UN Trust Fund in Support of Victims of Sexual Exploitation and Abuse. Yet the FVRAs have encountered challenges, including lack of resources, the poor quality of services that victims receive from partners, and the unavailability of services in more remote locations. Further, while trust fund projects could provide important resources to victims, the fund has received few voluntary contributions from member states, and projects that focus on activities like vocational training may fail to address the systemic inequalities that lie at the root of SGBV.⁴⁵

40 Jessica Anania, Angelina Mendes, and Robert U. Nagel, “Preventing Sexual Exploitation and Abuse by Male Peacekeepers,” United States Institute of Peace, September 2020.

41 UN Office of Internal Oversight Services (OIOS), “Evaluation of the Prevention, Response and Victim Support Efforts against Sexual Exploitation and Abuse by United Nations Secretariat Staff and Related Personnel,” UN Doc. IED-21-010, March 2021.

42 Interviews with UN officials, October 21, 2021, and December 10, 2021.

43 UN Doc. IED-21-010.

44 Ibid.

45 Code Blue, “Criminal Accountability is ‘Largely Unachieved,’” Aids-Free World, June 8, 2021, available at www.codebluecampaign.com/press-releases/2021/6/8.

SGBV in Peacekeeping Mandates

Some UN peacekeeping operations are explicitly mandated to protect civilians from SGBV, including MONUSCO and UNMISS. Both missions have provisions on SGBV within their POC mandates. UNMISS is mandated to provide “specific protection for women and children” and to “deter, prevent, and respond to sexual and gender-based violence within its capacity and areas of deployment.” To promote accountability, UNMISS is also mandated to support and coordinate with the government on the investigation and prosecution of crimes related to SGBV and CRSV.⁴⁶ Similarly, MONUSCO is mandated to work with the government and humanitarian workers to protect civilians from “all forms of sexual and gender-based violence,” though the mandate’s language on accountability does not specifically reference SGBV.⁴⁷

Beyond the POC sections of the mandates, the Security Council has also requested the secretary-general to support both MONUSCO and UNMISS in strengthening their SGBV prevention and response, including through data collection, threat analysis, early-warning systems, and engagement with victims of sexual violence and women’s organizations.⁴⁸ The council has also mandated both missions to promote women’s full, equal, and meaningful participation in political processes and institutions, with MONUSCO’s mandate making specific reference to the participation of survivors of SGBV.⁴⁹ More generally, both missions are mandated to take gender into account as a cross-cutting issue, while MONUSCO’s mandate also establishes child protection as a cross-cutting issue,

Lack of conceptual clarity on what SGBV entails in the context of peacekeeping mandates can mask nonsexual forms of gender-based violence that may fall within the mission’s purview, as well as forms of SGBV targeting men and boys.

with a focus on halting the recruitment and use of children in armed conflict.⁵⁰

In spite of these clear mandates to protect civilians from SGBV, there is a lack of conceptual clarity on what these mandates entail, particularly given the broad scope of SGBV. While the mandates provide some language to delimit the scope of work—for example that missions should provide protection “within their capacities and areas of deployment”—this language is vague. Further, mission mandates use many terms related to SGBV and CRSV that are not always clearly delineated from one another. For example, UNMISS’s mandate refers not only to SGBV and CRSV but also to “sexual violence,” “other forms of violence against women and girls,” “sexual violence in conflict,” “sexual and gender-based violence in armed conflict,” and “sexual violence in conflict and post-conflict related situations.”⁵¹

Without conceptual clarity, there appears to be a mismatch between DPO’s definition of SGBV and what missions can reasonably achieve. At the same time, lack of conceptual clarity can also mask nonsexual forms of gender-based violence that may fall within the mission’s purview, as well as forms of SGBV targeting men and boys. For example, missions can (and sometimes do) respond to SGBV by increasing women’s access to justice mechanisms; enhancing women’s participation in local and national political processes, including through the provision of physical protection; mitigating the risk of forced recruitment; monitoring detention facilities and reporting incidents of torture; and protecting men and boys from arbitrary detention and summary execution. Yet these activities are not always understood as part of the missions’ response to SGBV.

46 UN Security Council Resolution 2625 (March 15, 2022), UN Doc. S/RES/2625 (2022), paras. 3(a), 20.

47 UN Security Council Resolution 2612 (December 20, 2021), UN Doc. S/RES/2612 (2021), para. 29(i).

48 UN Doc. S/RES/2625 (2022), para. 20; UN Doc. S/RES/2612 (2021), para. 42.

49 UN Doc. S/RES/2625 (2022), para. 3(c); UN Doc. S/RES/2612 (2021), para. 32.

50 UN Doc. S/RES/2625 (2022), para. 20(k); UN Doc. S/RES/2612 (2021), paras. 31–32.

51 UN Doc. S/RES/2625 (2022).

Table 1. Examples of activities to protect civilians from SGBV across the three tiers of POC⁵²

Tier 1: Protection through dialogue and engagement	Tier 2: Provision of physical protection	Tier 3: Creating a protective environment
<ul style="list-style-type: none"> • Engaging with armed groups and other perpetrators of CRSV to advocate for violence reduction, including through the creation of framework agreements on CRSV • Using public information tools to inform individuals of their rights related to SGBV and to address cultural norms that perpetuate such violence • Ensuring women, sexual and gender minorities, and other groups disproportionately affected by SGBV are included in formal and informal peace processes, dialogues, and conflict-resolution mechanisms and have space to express their protection concerns • Ensuring that negotiated political agreements include provisions on CRSV, as well as on SGBV more broadly • Engaging with communities to understand their risk to various forms of SGBV and to facilitate early warning and response 	<ul style="list-style-type: none"> • Focusing patrols and other physical protection efforts on areas of high mobility for women and girls (e.g., “firewood patrols”) • Creating safe spaces in camp settings for women, girls, sexual and gender minorities, people with disabilities, and other groups that are disproportionately vulnerable to SGBV • Providing physical protection to women participating in formal and informal peace processes • Understanding and mitigating the elevated risk of SGBV, particularly CRSV, during military operations • Regularly monitoring detention facilities, where individuals may be particularly at risk of SGBV, including sexual violence • Using unarmed approaches to physical protection, including civilian-led monitoring teams and patrols • Ensuring that patrols include a minimum number of female peacekeepers, who may be better able to liaise with female community members 	<ul style="list-style-type: none"> • Promoting women’s participation in government and other national and local fora that can address the structural gender inequalities that perpetuate SGBV • Addressing SGBV within security sector reform processes, including via training and national frameworks and plans of action that commit to zero tolerance of SGBV • Enhancing accountability for SGBV-related crimes, including by building the capacity of formal courts and tribunals and training justice personnel to investigate and prosecute such crimes • Promoting the creation of civic space that includes opportunities for the participation of women, sexual and gender minorities, and other traditionally marginalized groups • Working with the UN country team and local partners to address customary practices that may amount to SGBV, including early marriage, female genital mutilation, honor killing and maiming, and forced abortion⁵³

52 On guidance for gender-responsive POC, including potential strategies across the three tiers of protection, see also: UN DPO, “The Protection of Civilians in United Nations Peacekeeping—Handbook,” p. 157.

53 UN Refugee Agency (UNHCR), “Emergency Handbook: Sexual and Gender Based Violence (SGBV) Prevention and Response,” 2015, available at <https://emergency.unhcr.org/entry/60283/sexual-and-gender-based-violence-sgbv-prevention-and-response>.

Mission Structures and Processes Related to Gender and SGBV

Missions have various structures and processes to implement their mandates to protect civilians from SGBV, including strategies to integrate gender throughout their work, trainings, and monitoring and reporting systems. Because protecting civilians from SGBV requires a whole-of-mission approach, this section considers structures and processes not only in the POC unit but also those that serve to integrate gender throughout the missions' work more broadly.

Integrating Gender throughout Mission Work

As in other multidimensional missions, gender advisers in MONUSCO and UNMISS are responsible for ensuring that gender is integrated as a cross-cutting issue throughout mandated activities. They also provide guidance to mission leaders and training for gender focal points and other civilian and uniformed personnel. Gender units, under the leadership of a senior gender adviser, are located in the office of the special representative of the secretary-general to enable direct reporting and guidance to mission leaders.⁵⁴

In both UNMISS and MONUSCO, the gender units have developed strategies for integrating gender throughout the work of the mission. MONUSCO's gender strategy, adopted in December 2016, requires all mission components to integrate gender into their work plans and include gender-related indicators and sex-disaggregated data in their reporting. A 2019 audit by the UN Office of Internal Oversight Services (OIOS) determined that MONUSCO had, overall, adopted gender as a cross-cutting issue. The audit notes, however, that the mission had not adequately mainstreamed gender in military

operations, which play a significant role in POC and are often associated with an elevated risk of CRSV.⁵⁵

UNMISS's gender strategy, adopted in 2020, puts forth a two-track approach, promoting gender responsiveness throughout the mission while also identifying priority areas of work. The mission also has an SGBV strategy, adopted in June 2019, which was developed by the mission's rule of law section and focuses on combating impunity.⁵⁶

In addition to gender advisers, UNMISS and MONUSCO have women protection advisers (WPAs), who are located in the human rights division. WPAs advise mission leaders on preventing and responding to CRSV with a whole-of-mission approach and oversee the mission's monitoring, analysis, and reporting arrangements on CRSV (MARA; see Box 6). UNMISS was the first mission to have WPAs appointed, in 2012, with MONUSCO following in 2014.

WPAs and gender advisers have crossover in their areas of work given their mutual focus on gender and implementation of WPS mandates. The work of gender advisers and WPAs is meant to be complementary, and DPO's policy on gender-responsive peacekeeping tasks gender advisers to work closely with WPAs (and the broader human rights component) in facilitating their work on CRSV as part of broader efforts to prevent, mitigate, protect, and respond to "all forms of SGBV."⁵⁷ Nonetheless, because WPAs and gender advisers have distinct portfolios and are situated in different parts of the mission, their work is not always integrated. Interlocutors from UNMISS's gender unit indicated that they work regularly with WPAs but that this cooperation was dependent on their individual efforts.⁵⁸ Another interviewee who had experience with both MONUSCO and UNMISS indicated that in some cases WPAs and gender advisers compete for resources and attention.⁵⁹

Other challenges stem from the fact that gender

⁵⁴ UN Doc. 2018.01.

⁵⁵ UN OIOS Internal Audit Division, "Audit of Gender Mainstreaming and Responsiveness in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo," UN Doc. AP2018/620/06, March 2019.

⁵⁶ Interview with UNMISS official, December 14, 2021.

⁵⁷ UN Doc. 2018.01.

⁵⁸ Interview with interlocutors from UNMISS gender unit, December 17, 2021.

⁵⁹ Interview with former UNMISS and MONUSCO personnel, November 30, 2021.

adviser and WPA posts regularly go unfilled for prolonged periods of time, in part due to the real or perceived lack of qualified candidates and individuals' unwillingness to work in remote locations.⁶⁰ For example, MONUSCO was mandated to deploy WPAs as early as 2009, but negotiations and funding delayed their actual deployment until 2014, when its sexual violence in conflict unit was restructured to fill this capacity.⁶¹ In other cases, posts are filled by national staff or UN volunteers who may be less empowered to act authoritatively in their roles.⁶² Further, the small number of gender advisers and WPAs makes it challenging for them to integrate gender across the missions and coordinate with relevant colleagues.⁶³

Beyond gender advisers and WPAs, all substantive mission components, including uniformed components, are required to appoint a gender focal point.⁶⁴ However, focal points vary in their capacity to integrate gender into their respective work plans, and they do not always receive adequate training. As of 2019, UNMISS had gender focal points in 94 percent of its mission components (forty-eight out of fifty-one), but many of these had not been formally appointed, had not received training or terms of reference on their roles and responsibilities, and did not hold positions that were senior enough to allow them to influence decision making.⁶⁵ Similar challenges have been observed in MONUSCO. As of 2019, only 60 percent of mission entities had appointed gender focal points (thirty-five out of fifty-eight), and most of these had not adequately reflected their terms of reference in their work plans.⁶⁶ Interlocutors from UNMISS and MONUSCO noted that high turnover has

In spite of some progress in integrating gender throughout the work of MONUSCO and UNMISS, coordination between their gender and protection of civilians units remains weak.

contributed to the challenge of maintaining and training focal points.

In spite of some progress integrating gender throughout the work of MONUSCO and UNMISS, coordination between their gender and POC units remains weak. DPO's policy on gender-responsive peacekeeping requires missions to reflect gender in all strategic documents and planning processes, including POC strategies and initiatives. However, interlocutors from UNMISS stated that there has been little cross-fertilization between gender and POC units, and that they have not been involved in recent strategic planning related to POC.⁶⁷ An interviewee from MONUSCO similarly acknowledged that while gender advisers are supposed to

provide guidance on gender-related aspects of violence, this role has not been emphasized within the mission.⁶⁸ One reason is that gender units tend to focus more on the participation of women in host communities and gender parity within the mission than

on protection. While WPAs are more focused on protection and tend to be better integrated with protection planning and activities, they are focused on CRSV, leaving a gap when it comes to protection from other forms of SGBV.

Training

While there are no SGBV-specific modules in the pre-deployment training materials developed by the UN's Integrated Training Service (ITS), there are modules on CRSV and sexual exploitation and abuse (SEA). In addition, ITS integrates gender throughout all training materials, including the comprehensive POC training materials.⁶⁹ The UN

60 Hannah Elena Dönges and Janosch Kullenberg, "What Works (and Fails) in Protection," in *The Oxford Handbook of Women, Peace and Security*, Sara E. Davies and Jacqui True, eds. (New York: Oxford University Press, 2019).

61 Ibid.

62 Kullenberg, "Overlapping Agendas and Peacekeepers' Ability to Protect"; Lauren Spink, "'We Have to Try to Break the Silence Somehow': Preventing Conflict-Related Sexual Violence through UN Peacekeeping," Center for Civilians in Conflict (CIVIC), October 2020.

63 Written exchange with DPO official, March 2022.

64 UN DPKO and DFS, "Gender Responsive United Nations Peacekeeping Operations Policy," para. 24.

65 UN OIOS Internal Audit Division, "Audit of Gender Mainstreaming and Responsiveness in the United Nations Mission in the Republic of South Sudan," UN Doc. AP2018/633/09, June 2019.

66 UN Doc. AP2018/620/06.

67 Interview with interlocutors from UNMISS gender unit, December 17, 2021.

68 Interview with MONUSCO personnel, December 9, 2021.

69 UN Doc. 2018.01.

requires all troop- and police-contributing countries (T/PCCs) to provide pre-deployment gender-related trainings using these materials and based on UN standards.⁷⁰ However, the quality of training varies, and the UN has little leverage to enforce compliance or control quality.⁷¹ Further, differences in cultural understandings of gender can influence the way trainings are delivered and the level of emphasis placed on gender-related topics.⁷²

Uniformed and civilian peacekeepers also receive training upon their arrival in the mission and throughout their deployment, including generic cross-cutting trainings on gender, CRSV, and SEA, as well as job-specific training, including on protecting civilians from SGBV and other violence in IDP camps. However, compliance with these mandatory gender trainings has been low. As of 2019, only 5 percent of civilian staff in UNMISS and 31 percent of civilian staff in MONUSCO had completed a mandatory online course on gender.⁷³ According to OIOS, this lack of compliance has reduced awareness of gender-related issues and could impede the integration of gender perspectives into priority areas of work.⁷⁴ In response to these findings, UNMISS and MONUSCO have agreed to monitor staff completion of the trainings.

There are also gaps in the design of trainings related to SGBV. Pre-deployment training spans only a few weeks, during which time peacekeepers take in large amounts of information on many topics. This amount of time is insufficient for individuals to adequately learn how to deal with cases of SGBV, which requires specialized training on topics such as engaging with victims who need psychosocial support and recognizing SGBV among victims who are men or sexual and gender minorities who may

be reluctant to speak directly about violence they have experienced.⁷⁵

Monitoring and Reporting

WPS resolutions and individual mission mandates require regular reporting on gender integration, sexual violence, and the impact of conflict on women and girls using gender-disaggregated data. To fulfill these mandates, and as part of its effort to be more data-driven, the UN has implemented multiple tools in mission settings to improve monitoring and reporting, including the use of WPS indicators, the Situational Awareness Geospatial Enterprise (SAGE), the MARA, and the Comprehensive Planning and Performance Assessment System (CPAS; see Box 6). Such tools help to hold missions accountable for integrating gender throughout their work and enable more strategic responses to gender-related protection threats.

While interviewees noted the importance of these tools for strategic planning, their value depends on the availability of reliable sex-disaggregated data, which varies. Interviewees from MONUSCO noted that the MARA in particular has become well institutionalized in the mission, with the mission's human rights staff across fifteen field offices collecting and reporting on data related to CRSV.⁷⁶ This information informs the mission's protection working group as well as monthly MARA meetings, where mission personnel jointly prioritize hot spots for protecting civilians from CRSV. Nevertheless, one analyst interviewed was skeptical of the extent to which CRSV and SGBV were prioritized in relation to other protection tasks, as the emphasis is often on preventing killings rather than other forms of violence.⁷⁷

70 UN General Assembly Resolution 49/37 recognizes member states' responsibility to train uniformed personnel for peacekeeping operations and requests the secretary-general to develop training materials and assist member states in this regard, which is carried out by DPO's Integrated Training Service (ITS). See: UN General Assembly Resolution 49/37 (February 9, 1995), UN Doc. A/RES/49/37, paras. 47–55. The 2018 DPKO and DFS guidelines on Operational Readiness Preparation for TCCs in Peacekeeping Missions note that, "All military personnel need to be able to perform their tasks in accordance with the 'DPKO/DFS guidelines on integrating gender perspective into the work of UN military in Peacekeeping Operations.'" UN DPKO and DFS, "Operational Readiness Preparation for Troop Contributing Countries in Peacekeeping Missions," UN Doc. 2018.29, December 2018, p. 9.

71 Interview with UN personnel, October 21, 2021.

72 Velomahanina T. Razakamamaravo, Luisa Ryan, and Leah Sherwood, "Improving Gender Training in UN Peacekeeping Operations," Women in International Security (WIIS), February 2018.

73 UN Doc. AP2018/633/09; UN Doc. AP2018/620/06.

74 UN Doc. AP2018/633/09, p. 8; UN Doc. AP2018/620/06, p. 9.

75 Spink, "We Have to Try to Break the Silence Somehow."

76 UN Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict and UN Action against Sexual Violence in Conflict, "Provisional Guidance Note: Implementation of Security Council Resolution 1960 (2010) on Women, Peace and Security (Conflict-Related Sexual Violence)," June 2011.

77 Interview with MONUSCO personnel, December 9, 2021.

Box 6. Monitoring and reporting tools in UN peace operations

Situational Awareness Geospatial Enterprise (SAGE): SAGE is a database missions use to record and track information on violent incidents, including the number of victims, their age, and their sex. SAGE is also used to track the movement of armed groups, protests, and other relevant events. Missions are supposed to use SAGE to record sex- and age-disaggregated data on SGBV, though this does not always occur.

Monitoring, Analysis and Reporting Arrangements (MARA) on CRSV: The MARA was established in response to Security Council Resolution 1960 (2010) to “ensure the systematic gathering of timely, accurate, reliable and objective information on CRSV against women, men, and children in all situations of concern.”⁷⁸ As such, the MARA focuses specifically on CRSV and does not include other SGBV-related incidents. WPAs are tasked with overseeing missions’ implementation of the MARA. Information gathered can be used to inform POC planning and activities, including responses in hot spots.

WPS indicators: Under DPO’s 2018 gender policy, all missions are required to report on fifteen core WPS indicators organized across four pillars: prevention, participation, protection, and relief and recovery. Missions can also choose to monitor and report on additional gender-sensitive indicators in line with their mandates and areas of work.

Comprehensive Planning and Performance Assessment System (CPAS): Rolled out beginning in 2018, CPAS uses data mapping and analysis to help peacekeeping missions undertake an iterative strategic planning process that is responsive to local dynamics. From an SGBV perspective, CPAS takes into account data on and analysis of gender-related protection risks to inform POC activities.

In UNMISS, gathering data has been challenging, as individuals are reluctant to report SGBV due to fear of stigma and because the mission often lacks access to conflict-affected areas. While the mission partners with other organizations that can augment its data and reporting, there is a shortage of partners that can meet the mission’s minimum standard of reporting.⁷⁹

Data on male victims and victims who are sexual and gender minorities is particularly lacking in both the DRC and South Sudan. These individuals may be reluctant to report their abuse due to stigma, fear of retaliation, and the lack of medical, psychosocial, or legal services available. This lack of reporting feeds into stereotypes that SGBV against men is rare, something that was expressed by a number of peacekeepers and CSO representatives interviewed for this project. When pressed, interviewees often acknowledged that such incidents probably do occur, though they were thought to be rare and not a key area of focus for the mission. Interviewees were similarly dismissive

of their obligation to provide tailored protection services to sexual and gender minorities, given the normative and legal constraints in their operating environments and the lack of reporting on such crimes.

While the MARA focuses narrowly on CRSV, SAGE could be used to monitor other forms of SGBV. However, this is dependent on whether mission leaders decide to build gender into the system, involve gender advisers in the design process, and prioritize gender analysis. As a result, SAGE is not systematically used for this purpose.⁸⁰

Both UNMISS and MONUSCO have integrated WPS indicators into CPAS. However, as with SAGE, mission leaders have discretion over the types of indicators measured and do not always prioritize gender. CPAS also faces constraints stemming from the fact that local populations have no direct input into how it measures mission effectiveness; thus, it excludes community perceptions on how individuals experience and could

⁷⁸ Interview with external analyst, January 13, 2022.

⁷⁹ Interview with UNMISS personnel, December 14, 2021.

⁸⁰ Interview with external analyst, January 13, 2022.

receive protection from SGBV.

Finally, there are challenges stemming from the number of overlapping monitoring and reporting systems within and outside of missions. In addition to the mechanisms listed above, mission human rights components maintain their own databases of violations, as do partner organizations. Some missions also maintain systems that predate SAGE. While it may not be possible or preferable to formally integrate all such systems, including due to the sensitivity of human rights databases, the siloing of these systems prevents more efficient tracking and integration of information.⁸¹

Data on male victims and victims who are sexual and gender minorities is particularly lacking in both the DRC and South Sudan.

Female Peacekeepers

Increasing the number of female peacekeepers is a key priority of the WPS agenda and is further emphasized in the secretary-general's Uniformed Gender Parity Strategy.⁸² There is a good deal of literature on the presumed value of adding female peacekeepers, as well as corresponding myths.⁸³ Two of the most common assertions are that female peacekeepers are better able to liaise with community members and that their presence reduces SEA. Recent research has affirmed some of these assertions, including that a greater presence of female peacekeepers is associated with increased implementation of women's rights provisions in peace agreements and increased reporting of rape.⁸⁴

At the field level, the presence of female peacekeepers is assumed to increase missions' ability to gather information and build trust with local communities, as female community members may be more comfortable sharing their experiences

with female peacekeepers.⁸⁵ For this reason, MONUSCO and UNMISS, among other peacekeeping operations, have used all-women or mixed-gender engagement teams (ETs) to increase the presence of female peacekeepers during patrolling and information gathering.⁸⁶ DPO has also recognized gendered engagement as important to accomplishing military operational objectives, including those related to protection, most recently by institutionalizing mixed-gender engagement platoons (EPs).⁸⁷

MONUSCO has been at the forefront of institutionalizing the use of ETs to gather information from all members of a host community rather

than just men, as has historically been the case. Some mission personnel have linked this information gathering by ETs directly to early-warning mechanisms and CRSV prevention.⁸⁸ UNMISS has also used ETs in joint patrols with national security forces to facilitate women's participation in local dialogues and support victims of CRSV.

A key benefit of ETs is their ability to gather information on gendered risks to civilian safety, which should feed into protection planning and activities. However, there have been barriers to integrating ETs into command structures and reporting flows. The lack of female community liaison assistants and language assistants has also limited the value of having mixed-gender teams to converse with female community members.

Surveys of mission personnel have confirmed the value of ETs and the presence of female peacekeepers more generally.⁸⁹ However, there is a lack of systematic data to demonstrate their impact. While it may be presumed that female

81 Lauren Spink, "Data-Driven Protection: Linking Threat Analysis to Planning in UN Peacekeeping Operations," CIVIC, November 2018.

82 UN DPO, "Uniformed Gender Parity Strategy 2018–2028," April 2019.

83 See, for example: Nina Wilén, "Female Peacekeepers' Added Burden," *International Affairs* 96, no. 6 (November 2020); Dustin Johnson and Gretchen Baldwin, "Women in Peacekeeping: Signs of Change at the United Nations?" *IPI Global Observatory*, September 17, 2020.

84 Neil Narang and Yanjun Liu, "Does Female Ratio Balancing Influence the Efficacy of Peacekeeping Units? Exploring the Impact of Female Peacekeepers on Post-Conflict Outcomes and Behavior," *International Interactions* (2021).

85 Wilén, "Female Peacekeepers' Added Burden."

86 For a detailed discussion on engagement teams, see: Gretchen Baldwin, "From Female Engagement Teams to Engagement Platoons: The Evolution of Gendered Community Engagement in UN Peace Operations," *International Peace Institute*, November 2021.

87 UN DPO, "United Nations Infantry Battalion Manual (UNIBAM): Second Edition," January 2020.

88 Baldwin, "From Female Engagement Teams to Engagement Platoons."

89 Ibid.; Robert U. Nagel, Kate Fin, and Julia Maenza, "Gendered Impacts on Operational Effectiveness of UN Peace Operations," *Georgetown Institute of Women, Peace and Security (GIWPS)*, May 2021.

peacekeepers are, in some circumstances, better able to engage women from local communities, there are dangers to the gender-essentialist thinking that underpins such assumptions. In particular, suggesting that women are better suited to undertake certain tasks places an added burden on female peacekeepers and can lead to backlash if women are unable to effectively complete these tasks.⁹⁰ It also perpetuates the notion that gender is a women's issue rather than a responsibility to be shared by all personnel.

When it comes to reducing SEA, data does indicate that female peacekeepers are less likely to commit such abuses, and a greater number of female peacekeepers is associated with fewer cases of SEA overall.⁹¹ However, it is not clear that female peacekeepers are able to deter their male counterparts from committing SEA. Rather, it may be that simply lowering the ratio of male to female peacekeepers lowers the presence of potential offenders (though it should not be presumed that female peacekeepers cannot be perpetrators of SEA). It is also possible that women are more likely to join military organizations that foster cultures of accountability for SEA, making the relationship spurious.⁹² Overall, it is dangerous to assume that female peacekeepers can or should be responsible for stopping abuse committed by their male counterparts.

Police in UNMISS work not only to reduce sexual violence, for example via “firewood patrols,” but also to reduce forced recruitment, for example by maintaining the civilian nature of protection of civilians sites.

protect civilians from SGBV, including not only physical protection from violence but also other activities undertaken as part of a whole-of-mission approach.

Protecting Displaced People

Rates of SGBV are often disproportionately high among people who have been forcibly displaced. This is both because victims of SGBV are more likely to flee and because those who flee are more vulnerable to attack due to their crowded living spaces, scarce resources, and high levels of trauma.⁹³ Forms of SGBV that displaced people may be particularly susceptible to include sexual violence; domestic violence, which can increase as a result of trauma and drug and alcohol abuse in camp settings; forced recruitment; and physical violence, for example if men are assumed to be associated with armed groups. Both UNMISS and MONUSCO have mandates to protect displaced people. MONUSCO's POC mandate

instructs the mission to pay “particular attention to civilians gathered in displaced persons and refugee camps.”⁹⁴ UNMISS's POC mandate similarly tasks the mission to give “particular attention to IDPs and refugees, including, but not limited to, those in protection sites and camps.”⁹⁵

MONUSCO's engagement with displaced people is more limited than that of UNMISS, given that the government, rather than the mission, oversees the IDP camps. Nevertheless, MONUSCO does monitor violence in and around some camps via early-warning systems and works with humanitarian actors to provide physical protection when there are outbreaks of violence. In some cases, ETs visit camp settings to assess the protection needs of female IDPs and consider opportunities for their

Protection Activities

Despite the lack of conceptual clarity and challenges related to structures and processes, missions have made progress in addressing SGBV. This section will explore several activities undertaken by UNMISS and MONUSCO to

⁹⁰ Wilén, “Female Peacekeepers’ Added Burden.”

⁹¹ Sabrina Karim and Kyle Beardsley, “Explaining Sexual Exploitation and Abuse in Peacekeeping Missions: The Role of Female Peacekeepers and Gender Equality in Contributing Countries,” *Journal of Peace Research* 53, no. 1 (2016).

⁹² Amelia Hoover Green, “Command and (Maybe) Control: Military Institutions and Sexual Violence During Peacekeeping Operations,” *International Peacekeeping* 27, no. 4 (2020).

⁹³ David Deng and Rens Willems, “Sexual and Gender-Based Violence (SGBV) in Unity State, South Sudan,” South Sudan Law Society, University for Peace (UPEACE) Centre the Hague, and PAX, March 2016.

⁹⁴ UN Doc. S/RES/2612 (2021), para. 29(i).

⁹⁵ UN Doc. S/RES/2625 (2022), para. 3(a).

rehabilitation.⁹⁶

In South Sudan, a large portion of the mission's time, attention, and resources has gone into protecting individuals sheltering in POC sites, which, until recently, were under the auspices of the mission.⁹⁷ The mission's police component, in particular its Gender, Child and Vulnerable Persons Protection Unit, has been at the forefront of protecting civilians in the sites from SGBV. UN police work not only to reduce sexual violence, for example via "firewood patrols" (discussed below), but also to reduce forced recruitment, for example by maintaining the civilian nature of the sites and minimizing the entry of members of armed groups. Further, UN police have in some cases responded to domestic violence in the POC sites, though this type of SGBV usually falls outside the scope of peacekeeping protection activities. The mission has also adjusted the camps' layouts to provide more well-lit areas and improve access to latrines, reducing vulnerability to SGBV and other forms of violence.

Nevertheless, the POC sites have had high rates of SGBV, particularly sexual violence and forced recruitment. Men have also been arbitrarily detained and abused by members of the South Sudanese police based on the presumption that they are members or supporters of armed opposition groups.⁹⁸ Instances of rape and other forms of attack have been especially prevalent when women and girls leave the sites to gather firewood and other supplies. In response, UNMISS organized weekly women's security meetings at the POC site in Bentiu, leading to coordinated patrols to accompany women traveling from the site to gather supplies. These so-called "firewood patrols" have been considered a good practice, demonstrating how community engagement can increase civilian security.⁹⁹

UNMISS also developed community watch groups (CWGs) in the POC sites, which are trained by UN police on protection-related issues, including SGBV. CWGs patrol, resolve minor disputes, undertake fact-finding investigations, and teach other IDPs about safety and security protocols.¹⁰⁰ They are not meant to intervene directly in cases of significant violations, which are referred to UN police. While some CWG members have been accused of abusing their authority, interlocutors from UNMISS expressed that the groups have increased the agency of community members and augmented the capacity of UN police. According to one UNMISS police officer, the groups have been "very effective in preventing and responding to SGBV."¹⁰¹ UNMISS is not the only mission to use CWGs, which were also used in the UN mission in Sudan (UNMIS) and are considered a good practice that can be replicated in other camp settings.¹⁰² Nevertheless, clear guidelines are essential to ensure the proper handling of cases in line with UN norms and standards.

Dealing with perpetrators of SGBV and other violations in the camps has been a challenge. While UNMISS provides security at the gates of POC sites to maintain their civilian status, members of armed groups have moved in and out of some sites, and some sites have experienced gang violence and other violent incidents due to drug and alcohol abuse.¹⁰³ The mission has tried to hold perpetrators accountable by detaining or referring them to national authorities for investigation and prosecution. However, until recently, the mission lacked a framework for handing over detainees to national authorities, leading to some individuals being held for prolonged periods of time. Concerns that detained individuals would be mistreated by government officials, particularly if they were perceived to support the opposition, added to the

96 Robert U. Nagel, Kate Fin, and Julia Maenza, "Gendered Impacts on Operational Effectiveness in UN Peace Operations: Case Study—United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)," GIWPS, May 2021.

97 At the time of writing, all but one of the POC sites had transitioned to government oversight.

98 Interview with South Sudan CSO representative, October 19, 2021.

99 Dönges and Kullenberg, "What Works (and Fails) in Protection."

100 Jenna Stern, "Establishing Safety and Security at Protection of Civilians Sites: Lessons from the United Nations Peacekeeping Mission in South Sudan," Stimson Center, September 2015.

101 Interview with UNMISS police officer, January 14, 2022.

102 Ibid.

103 UN Security Council, *Future Planning for the Protection of Civilians Sites in South Sudan—Report of the Secretary-General*, UN Doc. S/2019/741, September 12, 2019.

UN's dilemma of how to deal with perpetrators.¹⁰⁴ In 2018, UNMISS developed a framework to facilitate the handover of perpetrators accused of committing serious crimes in the POC sites, including sexual violence. Transferred individuals have been tried in mobile courts and other national justice mechanisms (see below on strengthening the rule of law and promoting accountability).¹⁰⁵ Challenges remain, however, including the lack of mechanisms to protect those who have been victimized and may later come into contact with their attackers.¹⁰⁶

Because cultural norms around the subordination of women can promote tolerance of SGBV, UNMISS undertakes training and awareness-raising initiatives in the POC sites to inform individuals of their rights and to promote reporting of SGBV. As part of this work, UNMISS has facilitated “anti-SGBV clubs” in the sites and in schools, women’s clubs, and communities in the surrounding areas. The clubs provide members with information on SGBV, including precautions they can take to mitigate their risk and steps they can take if they are victimized.¹⁰⁷

Shifting toward Mobile Approaches to Physical Protection

Until recently, both UNMISS and MONUSCO used largely static approaches to protection. While UNMISS’s efforts have centered on the POC sites, MONUSCO has used a “protection through presence” model, in which personnel stationed at operating bases respond to threats within their areas of operation. MONUSCO has instituted a number of mechanisms to enhance community engagement and facilitate early warning and

response to threats, including community alert networks, community liaison assistants, and joint protection teams.¹⁰⁸ As of 2019, more than 900 communities in eastern DRC were covered by early-warning systems, with the mission receiving about 500 alerts per month.¹⁰⁹ According to an interlocutor from MONUSCO, an estimated 70 percent of alerts received from community alert networks come from female community members, potentially enhancing the mission’s ability to respond to violence affecting women.¹¹⁰

Nevertheless, there are significant limitations in the mission’s ability to respond to the alerts it receives, including inaccessibility to remote areas and the fact that most responses occur after the crime has been committed and perpetrators have fled.¹¹¹ Interviewees further noted that such systems raise community members’ expectations that the mission will protect them, which can erode trust in the mission when this protection is not provided.¹¹²

More recently, due to budget cuts and reductions in personnel, MONUSCO has shifted from the static approach known as “protection through presence” to a mobile “protection by projection” model. UNMISS has undertaken a similar shift as it has begun handing over the POC sites to the government, adopting a “hub-and-spoke” model, in which it aims to respond to protection needs in high-risk areas. These mobile models can allow missions to take a more dynamic approach to protection, particularly in a context like South Sudan with high levels of intercommunal violence. However, there are tradeoffs to mobile protection, including that short-term mission presence may not provide the same level of protection as static sites and because it limits the mission’s ability to engage and build trust with communities.¹¹³

104 Charles T. Hunt, “Protection through Policing: The Protective Role of UN Police in Peace Operations,” International Peace Institute, February 2020.

105 UN Security Council, *Report of the Secretary-General on South Sudan (Covering the Period from 4 June to 1 September 2018)*, UN Doc. S/2018/831, September 11, 2018.

106 Interview with South Sudan CSO representative, October 19, 2021.

107 Interview with UNMISS police, January 14, 2022.

108 For more information on UN community engagement mechanisms, see: Harley Henigson, “Community Engagement in UN Peacekeeping Operations: A People-Centered Approach to Protecting Civilians,” International Peace Institute, November 2020.

109 David Gressly, “Protection of Civilians in the Democratic Republic of the Congo: A New Approach,” UN DPO, Medium, January 8, 2019.

110 Interview with external analyst, January 13, 2022.

111 Sebastian von Einsiedel, “Non-Military Protection of Civilians in UN Peace Operations: Experiences and Lessons,” United Nations University Centre for Policy Research, June 2015.

112 Interview with DRC CSO representative, November 4, 2021.

113 Lauren Spink, “Protection with Less Presence: How the Peacekeeping Operation in the Democratic Republic of Congo is Attempting to Deliver Protection with Fewer Resources,” CIVIC, January 2018.

Missions' decisions on where to deploy mobile protection capacities are based on information-gathering and early-warning systems, including analysis that comes from the MARA and SAGE, as well as UN human rights monitoring and reporting. As noted above, however, gender is not always fully integrated into the design of these systems or prioritized when planning protection activities. Further, because areas with high levels of SGBV are not necessarily the same areas where "hot" conflict is occurring, they may not be prioritized when determining deployments to hot spots.¹¹⁴

Even when peacekeepers are present in areas where CRSV and other forms of SGBV are occurring, the UN's ability to mitigate such violence is often limited. Many instances of SGBV take place in private and fall outside the scope of the mission's mandate.¹¹⁵ Previous studies have also cast doubt on the UN's ability to deter state and non-state actors from committing CRSV, particularly when these groups lack centralized command and control.¹¹⁶ Further, in areas where peacekeepers have been known to perpetrate SEA, local actors may even be emboldened to commit CRSV, thinking that the mission does not take sexual violence seriously.¹¹⁷ SEA—along with attitudes around the acceptability of SGBV, stigma, and a broader lack of trust in security forces and UN peacekeepers—can also present a barrier to reporting. Interviewees from CSOs noted that missions need to do better building trust with local communities to handle cases of SGBV, including by communicating ways in which UN peacekeepers

Even when peacekeepers are present in areas where CRSV and other forms of SGBV are occurring, the UN's ability to mitigate such violence is often limited.

are held accountable for SEA.¹¹⁸

There are also broader risks that come from pursuing armed responses to civilian protection. While physical protection from violence does not preclude unarmed approaches, some missions and member states have viewed robust, militarized approaches to protection as a way to enhance mission effectiveness and contribute to stabilization objectives.¹¹⁹ Nevertheless, rates of SGBV—and CRSV, in particular—are often higher in areas surrounding military operations, and individuals who have been subject to SGBV by members of armed groups may feel less secure in the presence of armed protection actors. In the DRC, for example, while the mission is mandated to mitigate risks to civilians "before, during, and after any military operation," there have been numerous human rights violations surrounding joint operations.¹²⁰

Further, militarized approaches reinforce masculine logics that promote the use of weapons and violence as a means to enhance security. While peacekeepers' unwillingness to use force when necessary has well-documented consequences for civilians, there are also risks to centering military responses in protection efforts.¹²¹ Sustainable responses to SGBV must move beyond short-term physical protection toward efforts that promote community engagement, foster partnerships, and enhance women's participation, all of which are discussed below (see Box 7 on community engagement).

114 Mats Berdal and David Shearer, "The UN and Civil War: Hard Lessons from South Sudan," *Survival* 63, no. 5 (2021).

115 Karin Johansson, "Peacekeeping and Protection from Conflict-Related Sexual Violence," *International Peacekeeping* 27, no. 4 (2020). Though as Thomas and Ralph argue, in some cases rape and other forms of sexual violence are used as public events to promote particular military objectives. See: Dorothy Q. Thomas and Regan E. Ralph, "Rape in War: Challenging the Tradition of Impunity," *SAIS Review* 14, no. 1 (Winter–Spring 1994).

116 Lisa Hultman and Karin Johansson, "Responding to Wartime Sexual Violence: UN Peacekeeping and the Protection Agenda," *Global Responsibility to Protect* 9, no. 2 (April 2017). The authors find, however, that large deployments of UN police may demonstrate a deterrent effect.

117 Hoover Green, "Command and (Maybe) Control: Military Institutions and Sexual Violence During Peacekeeping Operations."

118 Interviews with representatives of CSOs, October 29, 2021, and November 4, 2021.

119 Jenna Russo, "Militarised Peacekeeping: Lessons from the Democratic Republic of the Congo," *Third World Quarterly* 42, no. 12 (2021); Thierry Tardy, "A Critique of Robust Peacekeeping in Contemporary Peace Operations," *International Peacekeeping* 18, no. 2 (2011).

120 UN Security Council Resolution 2098 (March 28, 2013), UN Doc. S/RES/2098 (2013), para. 11(a)(i).

121 UN General Assembly, *Evaluation of the Implementation and Results of Protection of Civilians Mandates in United Nations Peacekeeping Operations—Report of the Office of Internal Oversight Services*, UN Doc. A/68/787, March 7, 2014.

Box 7. Community engagement and POC

Community engagement is not a discrete task but rather a cross-cutting effort that spans all three tiers of POC. Both UNMISS and MONUSCO are mandated to undertake community engagement, and the DPO policy on POC calls for tailored, community-based approaches to protection informed by meaningful engagement with women, men, girls, and boys.

As noted above, community engagement can help inform the deployment of protection capacities. It can also build trust between community members and peacekeepers, which is important to the protection work of the missions. For example, interlocutors from CSOs in the DRC noted that lack of trust in UN peacekeepers, including because of SEA, has inhibited the mission's ability to protect civilians from SGBV, as victims are reluctant to report abuse. The shift to a mobile protection approach makes this relationship building even more challenging.

In some cases, the mission's civil affairs division may also undertake local conflict-resolution work as part of its community engagement. For example, in South Sudan, where instances of SGBV and other forms of violence are closely tied to seasonal cattle raids, the mission organizes migration committees with pastoralists and bordering communities to form agreements to facilitate safe passage for pastoralists. After the migration season, fora are held to discuss any violations and unsettled issues to mitigate reprisal attacks. Interlocutors from the mission noted that these efforts have been largely successful, and there is a sense that they have reduced the number of violations.¹²²

Increasing Women's Participation

Increasing the full and equal participation of women is a core part of the WPS agenda and is included in the mandates of both UNMISS and MONUSCO. It is also part of the first and third tiers of POC (protection through dialogue and engagement and establishment of a protective environment). Women's participation at both the national and local levels can help prevent SGBV by addressing the structural inequalities that perpetuate it. Women's representation in formal peace processes can also help ensure that formal provisions on CRSV and SGBV are included in cease-fires and other agreements, which UN officials cited as important for holding armed groups accountable.¹²³

Nevertheless, participating in political processes can increase women's risk of gender-based

violence, requiring tailored strategies to ensure their protection. Indeed, intentional barriers to women's political involvement, including physical violence and intimidation, can be a form of SGBV. As noted by Dubravka Šimonović, the former special rapporteur on violence against women, its causes, and consequences, "Make no mistake: this [violence against women in politics] is gender-based violence, and its goal is stopping not just the individuals specifically targeted, but all women from expressing their political voice and agency."¹²⁴ The secretary-general's 2019 report on WPS refers to "unprecedented high levels of political violence targeting women," including "killings, sexual violence, abductions, forced disappearances, physical assault, and mob violence."¹²⁵ Recent surveys show that the majority of female parliamentarians from African countries are victims of psychological or physical violence intended to intimidate and deter them from pursuing political careers.¹²⁶ Yet this nexus between women's partici-

¹²² Interview with interlocutors from UNMISS, January 21, 2022. However, quantified evidence on the reduction of violations was unavailable.

¹²³ Interview with UN officials, November 12, 2021. Nevertheless, women's participation in peace processes should not be delimited to a focus on gender-related issues, and women should not be forced to shoulder the burden in ensuring that agreements are gender-sensitive.

¹²⁴ UN Women and OHCHR, "Violence Against Women in Politics: Expert Group Meeting Report and Recommendations," March 8–9, 2018, p. 6.

¹²⁵ UN Security Council, *Women and Peace and Security—Report of the Secretary-General*, UN Doc. S/2019/800, October 9, 2019, para. 36.

¹²⁶ Dawn Clancy, "Sexism and Violence Against Women MPs in African Is Pervasive, a New Report Reveals," *PassBlue*, January 5, 2022, available at www.passblue.com/2022/01/05/sexism-and-violence-against-women-mps-in-africa-is-pervasive-a-new-report-reveals/.

pation and protection is often overlooked.¹²⁷

Both MONUSCO and UNMISS have undertaken initiatives to promote women's political participation. MONUSCO has reserved slots on its radio station for female candidates to present their electoral programs, built the capacity of female candidates, conducted workshops to promote gender-sensitive reporting and improve coverage of female candidates, and held working sessions with CSOs to discuss barriers to female participation.¹²⁸

Similarly, UNMISS has built the capacity of female candidates and used its radio station to promote female participation, including by establishing separate phone lines for women to ensure female callers have their voices heard.¹²⁹ The mission is also ensuring women's participation in the peace process via grassroots fora. Such initiatives are especially important given that local groups have been largely absent from the formal peace process, and their lack of buy-in continues to drive conflict at the subnational level.¹³⁰

UNMISS has also worked to enhance women's participation in the security sector by creating a national security sector women's network to increase the visibility of female personnel and ensure they are considered for promotions and during the attribution of ranks.¹³¹ Such efforts to boost women's participation in the security sector can also enhance the safety and security of other community members, including from SGBV, as victims may be more likely to report abuse to

female officers given high levels of perpetration by male officers.¹³²

Because women in patriarchal societies often lack access to formal political processes, enhancing their participation at the local level is critical. Both UNMISS and MONUSCO have sought to increase the number of women involved in local committees and conflict-resolution mechanisms, including by setting minimum thresholds for women's participation. Interviewees were mixed in their perceptions of the effectiveness of these efforts. Some interlocutors from UNMISS noted that women often remain quiet during discussions, believing

While women's participation can help address the structural inequalities that perpetuate SGBV, participating in political processes can also increase women's risk of gender-based violence.

that their opinions will not matter or men may hold their participation against them.¹³³

When women do participate, it is often the same small group of women attending multiple community events.¹³⁴

Interlocutors from the DRC similarly noted that simply bringing women to the table is

not enough, as they may be reluctant to speak in public fora.¹³⁵ Yet other interviewees felt that most women do engage meaningfully and express their opinions.¹³⁶ One interviewee pointed out that women do not need to be trained to be leaders in their communities; they are already leaders, they simply need to be given the opportunity and space to participate in discussions.¹³⁷

Facilitating women's participation at the local level requires not only creating space for their involvement but also addressing cultural norms and other barriers that may inhibit their full participation.

127 Catherine Turner and Aisling Swaine, "At the Nexus of Participation and Protection: Protection-Related Barriers to Women's Participation in Northern Ireland," International Peace Institute, June 2021.

128 UN General Assembly, *Budget Performance of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo for the Period from 1 July 2019 to 30 June 2020—Report of the Secretary-General*, UN Doc. A/75/605, November 20, 2020.

129 UN OIOS, "Evaluation of the Contribution of the UNMISS Civil Affairs Division to the Reduction of Local Conflict in South Sudan," UN Doc. IED-19-007, April 2019; Lauren Spink, "Protection through Dialogue: How UNMISS is Linking Local Engagement with a National Peace Process in South Sudan," CIVIC, June 2020.

130 Jenna Russo, "The Protection of Civilians and the Primacy of Politics: Complementarities and Friction in South Sudan," *Journal of International Peacekeeping* 25, no. 1 (2022).

131 Interview with UNMISS personnel, December 14, 2021.

132 Ibid.

133 IPI virtual "field conversation" on protecting civilians from gender-specific threats, November 9, 2020.

134 Interview with UNMISS personnel, December 14, 2021.

135 Interview with DRC CSO representative, November 4, 2021.

136 Interview with UNMISS civil affairs, January 21, 2022.

137 Interview with former MONUSCO personnel, December 9, 2021.

For example, interlocutors from UNMISS noted that they sensitize community leaders to address deeply rooted traditional understandings of gender that deter female participation. While officials noted that progress is slow, they said they have seen a change in attitudes over time.¹³⁸

Strengthening the Rule of Law and Combating Impunity

Missions' efforts to strengthen the rule of law and combat impunity can help to uproot cultures of rape and other forms of SGBV. Legal accountability can also affect the decision-making calculus of those who may be prone to commit such crimes.¹³⁹ More broadly, intentional efforts to keep women from accessing justice mechanisms are themselves a form of SGBV. Therefore, efforts to overcome such barriers and increase women's access to justice mechanisms are a way of combating SGBV.

Missions' efforts to strengthen the rule of law and combat impunity can help to uproot cultures of rape and other forms of SGBV.

Reflecting this link between justice and protection, UNMISS's mandate and mission concept include judicial accountability as part of the mission's POC work.¹⁴⁰ The mission is specifically mandated to coordinate with the police, security and government institutions, and civil society on the investigation and prosecution of SGBV and CRSV.¹⁴¹ Since 2017, the mission has supported the operationalization of mobile courts, both within and beyond the POC sites. The mobile courts aim to provide access to justice for underserved communities, complementing a formal justice system that lacks capacity and is often viewed as corrupt. The mobile courts tried more than 495 cases between 2019 and 2020, including CRSV and other SGBV-related crimes. After the onset of the COVID-19 pandemic, the mission has

supported the mobile courts in conducting remote investigations. The mission is also supporting the South Sudanese armed forces in deploying military mobile courts to address crimes committed by soldiers, including CRSV.¹⁴² Nevertheless, impunity in South Sudan remains high, and the majority of soldiers tried thus far have been of low rank. Further, to date, survivors have not received compensation.¹⁴³

Beyond the mobile courts, UNMISS's rule of law section trains and sensitizes police and national justice institutions on investigating and prosecuting SGBV and CRSV. This includes support to national justice officials who are part of South Sudan's new Gender-Based Violence and Juvenile Court, which provides specialized expertise on gender-based violence cases as well as victim-centered facilities, including video conferencing equipment that allows for privacy and reduced contact with perpetrators. Court proceedings began in October 2019, and as of December 2020, more than 600 cases of gender-based violence had been filed, and 13 cases of rape had come before the court, resulting in 12 convictions and one dismissal.¹⁴⁴

MONUSCO has also supported mobile courts, which convicted 103 members of the national armed forces, 28 members of the national police, and 8 members of non-state armed groups of CRSV-related crimes in 2020.¹⁴⁵ The mission has also worked with national authorities to implement the 2014 national action plan on CRSV, including a zero-tolerance policy on sexual violence. Congolese authorities have indicated that the threat of prosecution has served as a credible deterrent for

¹³⁸ Interviews with officials from UNMISS, December 14, 2021.

¹³⁹ Hyeran Jo and Beth A. Simmons, "Can the International Criminal Court Deter Atrocity?" *International Organization* 70, no. 3 (Summer 2016).

¹⁴⁰ Adam Day, "The UN Security Council and Transitional Justice: South Sudan—An Early Assessment of UNMISS' Support to the Peace Process," United Nations University Centre for Policy Research, August 2020.

¹⁴¹ UN Doc. S/RES/2625 (2022), para. 3(a).

¹⁴² UN Security Council, *Letter Dated 18 February 2021 from the Permanent Representatives of Ireland, Mexico, and the United Kingdom of Great Britain and Northern Ireland to the United Nations Addressed to the Secretary-General*, UN Doc. S/2021/166, February 22, 2021, Annex ("Informal Expert Group on Women and Peace and Security of the Security Council—Summary of the Meeting on the Situation in South Sudan, Held on 2 February 2021").

¹⁴³ UN Doc. S/2021/312, para. 50.

¹⁴⁴ UNDP, "South Sudan's Gender Based Violence Court Inaugurated During #16DaysOfActivism," December 3, 2020, available at www.ss.undp.org/content/south_sudan/en/home/presscenter/pressreleases/2020/gbv-court-south-sudan-launch.html.

¹⁴⁵ UN Doc. S/2021/312, para. 30.

both the national armed forces and police. While there was a rise in recorded instances of sexual violence committed by state security forces between 2017 and 2019, the proportion committed by state forces has decreased significantly since 2012.¹⁴⁶

In addition to prosecution, other forms of monitoring and reporting can help hold perpetrators accountable and deter future violence. Data from the MARA informs the secretary-general's annual report on CRSV, which lists individuals credibly suspected of patterns of rape and other forms of sexual violence in situations of armed conflict on the agenda of the Security Council. This report has reportedly been a vital advocacy tool for engaging with state and non-state actors.¹⁴⁷ In South Sudan, for example, national security forces developed an action plan on CRSV in an effort to be delisted from the report.

Similarly, data from the Monitoring and Reporting Mechanism (MRM) on grave violations against children in armed conflict informs the secretary-general's annual report on children and armed conflict, which also lists suspected perpetrators. This list created an entry point for MONUSCO to support the government in implementing its action plan to prohibit the recruitment and use of children in the armed forces, ultimately leading to the delisting of Congolese forces in 2017.¹⁴⁸ This has been a priority area for the mission given the widespread use of children in state and non-state armed forces and groups and the associated risks of SGBV against girls and boys. MONUSCO's senior women's protection adviser has also engaged in regular working sessions with the government to implement a national action plan on sexual violence committed by the police.¹⁴⁹ While such plans do not guarantee action on the part of governments, they can create entry points for

engaging in dialogue and holding individuals accountable.

Engagement with non-state armed groups may require a different approach than engagement with state security forces. While perpetrators from non-state armed groups are also included in reports of the secretary-general, these groups vary in the extent to which they are sensitive to public reporting. For example, a UN official noted that in the DRC, the proliferation and fragmentation of non-state armed groups have made it challenging to hold them accountable via public reporting mechanisms.¹⁵⁰ The missions do undertake some direct engagement with non-state armed groups. For example, MONUSCO has undertaken training and dialogues to mitigate forced recruitment, and UNMISS has engaged with the Sudan People's Liberation Army in Opposition (SPLA-IO) and National Salvation Front with a view to lowering CRSV. Nevertheless, some interviewees were skeptical that the mission should engage with non-state armed groups, preferring legal avenues for accountability.¹⁵¹

Monitoring detention facilities is another way that UN peace operations can strengthen the rule of law in host countries and mitigate SGBV. Detainees are at increased risk of SGBV as a form of punishment, a way to weaken their resistance, or a method for extracting information. In his annual report on CRSV, the secretary-general has noted the risk that detention poses to men and boys, and the special rapporteur on torture has recognized that women and girls, as well as lesbian, gay, bisexual, transgender, and intersex (LGBTI) detainees are at particular risk of torture or ill-treatment.¹⁵² Migrants may also face heightened vulnerability during prolonged detention, as they are unlikely to have access to legal protection.

146 Walter Lotze, "The Evolving United Nations Approach to Preventing and Addressing Conflict-Related Sexual Violence: Experiences from the Democratic Republic of the Congo," *International Peacekeeping* 27, no. 4 (2020).

147 Interview with official from the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, October 27, 2021.

148 UN OIOS Internal Audit Division, "Audit of the Child Protection Programme in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo," UN Doc. AP2019/620/02, December 2019.

149 UN General Assembly, *Budget Performance of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo for the Period 1 July 2017 to 30 June 2018—Report of the Secretary-General*, UN Doc. A/73/633, December 10, 2018.

150 Interview with official from the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, October 27, 2021.

151 Interview with former MONUSCO official, December 9, 2021.

152 UN Doc. S/RES/2467 (2019); UN General Assembly Human Rights Council, *Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, UN Doc. A/HRC/31/57, January 5, 2016.

Both MONUSCO and UNMISS regularly visit detention facilities, during which time human rights officers advocate for compliance with international human rights standards and raise concerns related to prolonged or arbitrary detention. In one instance, advocacy from MONUSCO led to the release of 117 unlawfully detained inmates in Bukavu and the transfer of 27 minors to juvenile court.¹⁵³ The MARA is also used to monitor CRSV in detention facilities, and in 2019, the secretary-general recommended more consistent monitoring and analysis of sexual violence against men and boys in detention settings, as well as violations against LGBTI individuals.¹⁵⁴

While such activities are critical for ensuring compliance with international humanitarian and human rights law, challenges persist, and levels of abuse remain high. In terms of access, while the government of the DRC has regularly allowed MONUSCO to monitor facilities maintained by the Ministry of the Interior, the mission has not been given access to facilities run by the National Intelligence Agency, despite the president's promises.¹⁵⁵ In South Sudan, blockages to the mission's freedom of movement have impeded human rights monitoring, including at extrajudicial detention facilities run by the National Security Service, where detainees are regularly subject to torture, including SGBV.¹⁵⁶

To address SGBV, missions need to partner with local organizations and UN country teams, which are more embedded in local communities and better situated to address the scope of such violence.

Strengthening Partnerships

To address SGBV, missions need to partner with local organizations and UN country teams, which are more embedded in local communities and better situated to address the scope of such violence. As noted by one interviewee from

UNMISS, “The mission doesn’t have a lot to bring to the table at the community level; they can run community groups, but they don’t deliver services or programs.... If you want to work on long-term interventions, you have to partner with local organizations and other UN agencies.”¹⁵⁷ Other mission personnel similarly stressed that the mission does not have the tools to deal with SGBV at the local level: while it can respond to flare-ups between groups, it cannot deal with the social, cultural, and economic drivers of SGBV, which are better addressed by CSOs and other groups.¹⁵⁸ This is not so much a criticism of UN peacekeeping as it is a recognition of its limitations.

For example, the humanitarian cluster system in South Sudan includes a sub-cluster on gender-based violence, which is led jointly by the UN Population Fund (UNFPA) and the International Rescue Committee. UNMISS participates in meetings of the sub-cluster, and UN agencies, including UNFPA, participate in quarterly MARA working group meetings. Nevertheless, UNMISS’s involvement in the sub-cluster has been limited, leaving a gap between the mission’s short-term efforts and the longer-term presence of its UN and external partners at the local level.

Since 2019, UNMISS has also collaborated with the South Sudan Council of Churches, which has denounced CRSV and called on the conflict parties to refrain from SGBV. UNMISS peacekeepers have also provided protection to members of the council when they are mediating intercommunal conflicts.

Perceptions of the UN’s efforts to partner with local organizations varied between those within and outside the mission. Mission personnel stressed their continued engagement with partners, while CSO representatives cited a proliferation of

153 MONUSCO, “MONUSCO Says Some Hundred Detainees Released in Bukavu since January 2011,” press release, May 18, 2011, available at <https://monusco.unmissions.org/en/monusco-says-some-hundred-detainees-released-bukavu-january-2011>.

154 UN Security Council, *Conflict-Related Sexual Violence—Report of the Secretary-General*, UN Doc. S/2019/280, March 29, 2019.

155 US Department of State, “2020 Country Reports on Human Rights Practices: Democratic Republic of the Congo,” March 30, 2021, available at www.state.gov/reports/2020-country-reports-on-human-rights-practices/democratic-republic-of-the-congo/.

156 UN Security Council, *Final Report of the Panel of Experts on South Sudan Submitted Pursuant to Resolution 2521 (2020)*, UN Doc. S/2021/365, April 15, 2021.

157 Interview with UNMISS personnel, November 30, 2021.

158 Interview with mission personnel, December 9, 2021.

barriers, including the UN's posture as having "power over" community members and organizations, its lack of willingness to share information with external partners, and its poor communication with local communities.¹⁵⁹ CSOs have also had difficulty getting missions to pay attention to specific types of SGBV, including threats to sexual and gender minorities.¹⁶⁰

Conclusion and Recommendations

The UN Security Council and peacekeeping operations have taken several steps to better integrate gender throughout the work of missions, and the inclusion of language on SGBV in peacekeeping mandates is a welcome development. Nevertheless, there is a lack of conceptual clarity on the scope of missions' work on protecting civilians from SGBV. While DPO has provided a definition of SGBV, it is very broad, extending beyond what missions can realistically address. At the same time, policymakers and peacekeeping personnel regularly conflate SGBV with CRSV, masking the gender dimensions of nonsexual forms of violence and of violence against men and boys, as well as sexual and gender minorities. In spite of these challenges, there are forms of SGBV that missions can and do address.

To further strengthen their work on SGBV, UN peacekeeping missions, DPO, and member states on the Security Council should consider the following recommendations.

- **Provide clear guidance on what it means to protect civilians from SGBV as part of a peacekeeping mandate:** DPO and members of the Security Council need to set clearer parameters on what forms of SGBV peacekeepers can realistically attend to. For example, domestic violence or economic violence may be beyond the scope of peacekeeping mandates (though some
- **Systematically and meaningfully integrate gender advisers and WPAs into POC planning at the strategic and operational levels:** DPO's policy on POC requires missions to integrate gender into their POC planning and activities, necessitating the involvement of gender advisers and WPAs. Yet mission structures do not automatically ensure such integration, and their participation depends on the initiative of mission leaders and individual personnel in these components. Despite this structural separation, mission leaders can take immediate action to ensure that gender analysis feeds into protection planning and activities. They should also ensure that these analyses take into account power dynamics, intersectional identities, and the gendered effects of conflict on women, men, boys, girls, and sexual and gender minorities.¹⁶¹
- **Include gender-sensitive indicators in monitoring and reporting systems and prioritize the gathering of sex-disaggregated data:** To facilitate thorough gender analyses and continue moving toward data-driven approaches to peacekeeping, missions should prioritize monitoring and reporting on gender-sensitive indicators, including on SGBV and

community engagement efforts aim to address cultural beliefs that perpetuate such violence). The precise scope of violence that missions can address will vary by context, depending on their capacity and reach as well as culturally specific manifestations of SGBV. Therefore, mandated language, guidance, and training must be tailored to each context. Guidance should also clarify that SGBV encompasses not only sexual violence against women and girls but also other forms of gender-based violence affecting men, women, girls, boys, and sexual and gender minorities. In particular, detailed guidance is needed on how to tailor responses to the specific needs of men, boys, and sexual and gender minorities.

¹⁵⁹ Interviews with mission personnel, October 19, October 29, November 4, and November 11, 2021.

¹⁶⁰ One Congolese interviewee from a CSO noted that they had tried repeatedly to get in touch with MONUSCO to establish a partnership to protect sexual and gender minorities. However, the mission had been unresponsive to that point, including in a case where the CSO alerted the mission that four lesbians were reportedly threatened to be burned alive because of their sexual orientation. While the human rights section of the mission acknowledged receipt of the information, the mission never followed up with the CSO, and subsequent efforts to secure protection from the mission have gone unheeded. Interview with DRC CSO representative, November 18, 2021.

¹⁶¹ Phoebe Donnelly, "How to Do a Gender Analysis: Practical Guidance for the UN Community," *IPI Global Observatory*, February 12, 2021.

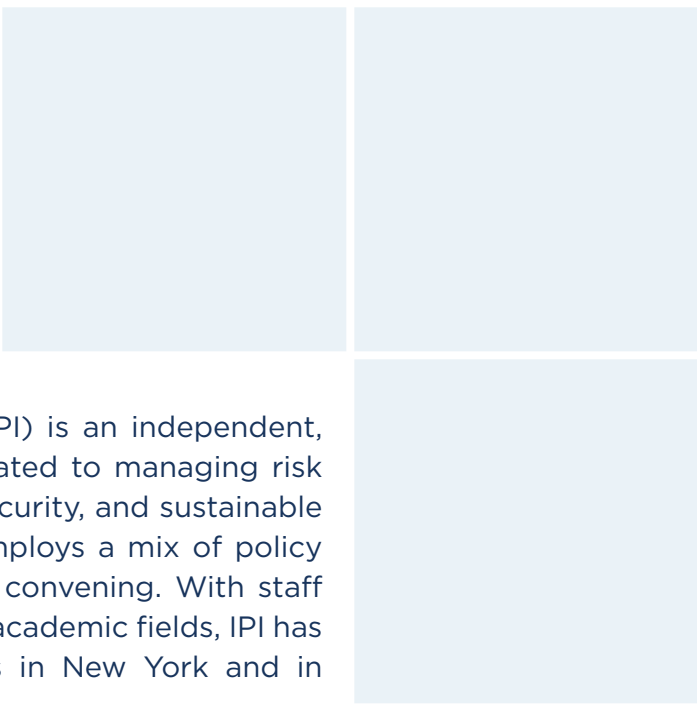
CRSV.¹⁶² Missions need to build such indicators into systems including SAGE and CPAS and to train and equip personnel to gather sex-disaggregated data that can feed into protection planning and activities. They can also train and work with partners, including CSOs, to augment their capacity to gather data where they lack access. As missions move toward mobile approaches, gender-sensitive monitoring and reporting will be particularly important to inform decisions on where to deploy peacekeepers.

- **Take a holistic approach to protecting civilians from violence, recognizing the risks of armed responses and prioritizing partnerships:** Armed approaches to civilian protection may increase the risk of SGBV, including CRSV, and fail to deal with the underlying dynamics that perpetuate such violence. Without diminishing the value of short-term physical protection, missions should respond to SGBV, as well as violence more broadly, in a holistic manner, prioritizing women's participation at all levels and addressing the cultural and legal structures that underpin SGBV.

Because UN peacekeeping operations are not locally embedded, they must also build partnerships with local leaders, CSOs, and UN country teams, which are better situated to facilitate longer-term change. These partnerships should empower local communities, allowing them to define their own protection needs, and promote community-led unarmed strategies.

- **Continue to combat impunity and engage with governments and armed groups to promote accountability:** Ensuring criminal and other forms of accountability can deter potential perpetrators. Moreover, providing women access to justice mechanisms is itself a way of combating SGBV, as intentionally blocking their access is a form of gender-based violence. To that end, the UN should continue to support mobile courts and build the capacity of national justice institutions to investigate and prosecute SGBV-related cases. The UN should also continue to monitor and report on violations, use these reports to spur the creation of national frameworks and agreements on CRSV and SGBV, and use these agreements to hold actors accountable.

¹⁶² Robert U. Nagel, Kate Fin, and Julia Maenza, "Peacekeeping Operations and Gender: Policies for Improvement," GIWPS, May 2021.



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