

# UN Tools for Addressing Conflict-Related Sexual Violence: An Analysis of Listings and Sanctions Processes

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**Cover Photo:** Deputy secretary-general and SRSO for sexual violence in conflict visit exhibition on conflict-related sexual violence. August 7, 2023. United Nations.

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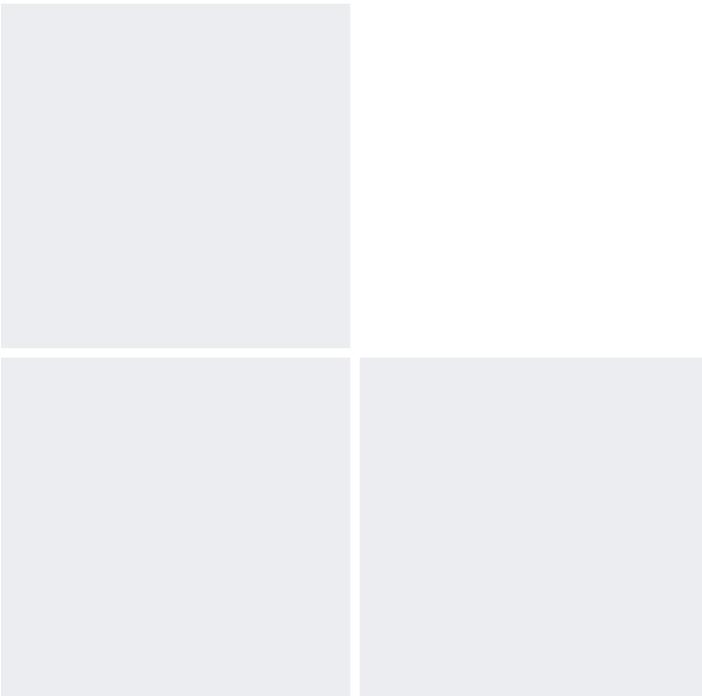
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# CONTENTS

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Abbreviations .....	iii
Executive Summary .....	v
Introduction.....	1
Overview of the CRSV Annual Report and the Process for Listing Parties.....	3
Data Collection .....	4
Listing Criteria and Party Compliance.....	5
Designations for SGBV in Security Council Sanctions Regimes.....	7
SGBV as a Criterion for Listing in Sanctions Regimes.....	8
How Does the Work of the SRSG-SVC Relate to Sanctions Committees?.....	9
Why Are So Few Parties Designated for SGBV?.....	12
What Are the Consequences of So Few Designations?.....	18
Conclusion and Recommendations.....	19
Annex: UN Sanctions Regimes and SGBV Designation Criteria.....	22



## ABBREVIATIONS

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CAAC	children and armed conflict
CAR	Central African Republic
CRSV	conflict-related sexual violence
DRC	Democratic Republic of the Congo
GBVIMS	gender-based violence information management system
IHL	international humanitarian law
IHRL	international human rights law
MARA	monitoring, analysis, and reporting arrangements
MRM	monitoring and reporting mechanism
OHCHR	Office of the High Commissioner for Human Rights
SGBV	sexual and gender-based violence
SRSR-CAAC	special representative of the secretary-general for children and armed conflict
SRSR-SVC	special representative of the secretary-general on sexual violence in conflict
SCAD	Security Council Affairs Division
SVC	sexual violence in conflict
SGBV	sexual and gender-based violence
UNFPA	UN Population Fund



## Executive Summary

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Since the Security Council first recognized conflict-related sexual violence (CRSV) as a threat to international peace and security in 2008, the UN has developed an increasing number of pathways to prevent and respond to such crimes. One of these pathways is the annual report of the secretary-general on CRSV, which includes an annexed list of perpetrators who are credibly suspected of committing or being responsible for patterns of CRSV violations in contexts on the agenda of the Security Council. This list can be a tool to publicly name perpetrators and to open a door for engagement that may facilitate changes in behavior.

Data and information for the annual reports on CRSV are gathered and verified by the UN, primarily through the monitoring, analysis, and reporting arrangements (MARA). Once a party is listed, there is a process for de-listing that includes entering into dialogue with the UN to develop and implement an action plan to cease the violations, along with verification by the UN that the violations have ceased. In some cases, being listed in the annex of the secretary-general's reports has led parties to the conflict (both state and non-state) to address CRSV violations, including by adopting time-bound commitments.

In addition to being listed in the annual report of the secretary-general, perpetrators of CRSV may also be designated in UN sanctions regimes. There are currently fourteen UN sanctions regimes in place, of which seven refer to sexual and gender-based violence (SGBV) either as a stand-alone criterion or within broader criteria on international humanitarian law or international human rights law.<sup>1</sup> However, designations for SGBV are relatively rare. Many parties with a documented history of committing SGBV-related violations, including some listed in the secretary-general's reports on CRSV, are not sanctioned or are not sanctioned for SGBV specifically. This gap results in part from constraints on the panels of experts investigating violations and a lack of political will on the part of member states both to SGBV designations and to sanctions designations more broadly.

While listing perpetrators in the annex of the secretary-general's annual report and designating parties through sanctions both aim to prevent and respond to CRSV, the two processes are not always coherent with one another. This is in part because decisions over who to designate for sanctions are based on multiple factors, some of which are highly political. Nevertheless, there is room for improving the functioning and coherence of these processes. This report, therefore, analyzes the relationship between the annual reports of the secretary-general on CRSV and sanctions designations and provides recommendations to enhance their complementarity. In this context, the report makes the following recommendations:

For member states:

- Explicitly list SGBV as a criterion within all sanctions regimes for contexts where sexual violence may be taking place.
- Prioritize utilizing existing SGBV-related criteria as appropriate with available evidence.
- Provide additional resources for panels of experts.
- Increase coherence between the parties listed in the annual reports on CRSV and the individuals and entities designated in sanctions regimes.
- Organize an annual field visit for sanctions committees to the context in question.
- Create a standing capacity within the UN to engage with designated parties, with the aim of encouraging compliance and facilitating de-listing.

For the UN Secretariat and panels of experts:

- Establish a platform for regularly coordinating and sharing information between the office of the special representative of the secretary-general on sexual violence in conflict and panels of experts.
- Institute more structured handover processes between incoming and outgoing members of panels of experts.
- Provide more robust training on SGBV for panels of experts.
- Strengthen CRSV expertise and capacity within the Security Council Affairs Division.

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<sup>1</sup> Whereas the secretary-general reports on patterns of CRSV, sanctions regimes use the broader term "SGBV."



## Introduction

Patterns of conflict-related sexual violence (CRSV) persist in conflicts across the globe, including in the Democratic Republic of the Congo (DRC), Ethiopia, Haiti, Sudan, South Sudan, Ukraine, and elsewhere. Recognizing the “widespread and systematic use of sexual violence as a weapon or tactic of war,” in 2008, the UN Security Council adopted Resolution 1820, which recognized CRSV as a threat to security and an impediment to the restoration of peace.<sup>2</sup> Following this, in 2009, the council established the mandate of the special representative of the secretary-general on sexual violence in conflict (SRSG-SVC) to tackle CRSV as a peace and security issue through the adoption of Resolution 1888.<sup>3</sup>

As set out in Resolution 1888, the role of the SRSG-SVC is to (1) provide coherent and strategic leadership to the UN’s system-wide efforts to address CRSV; (2) strengthen existing UN coordination mechanisms; and (3) engage in advocacy efforts with state and non-state armed groups, as well as civil society. Each of these areas of work is geared toward effective prevention of and response to CRSV.<sup>4</sup>

As part of its mandate, the office of the SRSG-SVC compiles the annual report of the secretary-general to the Security Council on CRSV.<sup>5</sup> In addition to updating the council annually on incidents, patterns, and trends related to CRSV, this report includes an annexed list of perpetrators who are credibly suspected of committing or being responsible for patterns of CRSV violations in contexts on the agenda of the Security Council, based on UN-verified information. Perpetrators remain listed in the annual report each year until the UN has verified that the party has ceased committing violations for at least one reporting cycle. To be de-

listed, parties must undertake time-bound and concrete measures to prevent the violations for which they have been cited. These measures are typically achieved through structured dialogue and cooperation with the UN on the development and implementation of action plans that include provisions explicitly referenced in Security Council Resolutions 1960 (2010), 2106 (2013), and 2467 (2019). Thus, the purpose of the listing process is not only to publicly list perpetrators to enhance prevention and deterrence but also to provide an entry point for the UN to work directly with parties to the conflict to prevent further violations.

In addition to being listed in the annual report of the secretary-general, in some cases, perpetrators of CRSV may be designated in UN sanctions regimes. In addition to recognizing sexual violence as a threat to peace and security, Resolutions 1820 (2008), 1888 (2009), 1960 (2010), 2106 (2013), 2242 (2015), 2331 (2016), and 2467 (2019) also note that sanctions can be imposed on parties in armed conflict to protect women and girls from sexual violence.<sup>6</sup> Since then, sexual and gender-based violence (SGBV) has been included in several sanctions regimes as a stand-alone listing criterion, including the regimes for the Central African Republic (CAR), Haiti, Libya, al-Shabaab in Somalia, South Sudan, and Yemen.<sup>7</sup> Other sanctions regimes include broader criteria for humanitarian and human rights violations, under which SGBV may be included.

The process for listing perpetrators in the annex of the secretary-general’s annual report on CRSV and the process for designating individuals or entities for SGBV through sanctions both aim at preventing and deterring CRSV. However, these two processes are not always coherent with one another. This is in part because decisions over who to designate for sanctions are based on multiple

2 UN Security Council Resolution 1820 (June 19, 2008), UN Doc. S/RES/1820.

3 UN Security Council Resolution 1888 (September 30, 2009), UN Doc. S/RES/1888. The work of the council on CRSV is grounded in a series of resolutions. See: UN Doc. S/RES/1820; UN Doc. S/RES/1888; UN Security Council Resolution 1960 (December 16, 2010), UN Doc. S/RES/1960; UN Security Council Resolution 2106 (June 24, 2013), UN Doc. S/RES/2106; UN Security Council Resolution 2242 (October 13, 2015), UN Doc. S/RES/2242; UN Security Council Resolution 2331 (December 20, 2016), UN Doc. S/RES/2331; UN Security Council Resolution 2467 (April 23, 2019), UN Doc. S/RES/2467.

4 United Nations, “Our Mandate,” Office of the SRSG-SVC, available at <https://www.un.org/sexualviolenceinconflict/our-work/our-mandate/>.

5 This study uses the term “CRSV annual report” rather than “SVC annual report.” Except for one report (UN Doc. A/67/792–S/2013/149), the secretary-general refers to these as the annual reports on CRSV.

6 For example, Resolution 1820 states that the Security Council “affirms its intention, when establishing and renewing state-specific sanctions regimes, to take into consideration the appropriateness of targeted and graduated measures against parties to situations of armed conflict who commit rape and other forms of sexual violence against women and girls in situations of armed conflict.” UN Doc. S/RES/1820, para. 5.

7 While the annual report of the secretary-general and the office of the SRSG-SVC use the terminology and scope of CRSV, sanctions regimes use the broader term sexual and gender-based violence. See Boxes 1 and 4.

factors, some of which are highly political. For example, determinations over UN sanctions designations rest in the hands of member states on Security Council sanctions committees, and their decisions are based on much more than the availability of evidence of violations. Rather, they are deeply shaped by domestic political constraints, national interests, and the political dynamics of the sanctions committees as a whole.

Notwithstanding these political challenges, there is room for improving the functioning and coherence of these processes. The purpose of this report, therefore, is to analyze the relationship between the annual reports of the secretary-general on CRSV and sanctions designations and to provide recommendations to enhance their complementarity. While it is beyond the scope of this project to look in detail at the impact of these processes on individual and group behavior, it will

The process for listing perpetrators in the annex of the secretary-general's annual report on CRSV and the process for designating individuals or entities for SGBV through sanctions both aim at preventing and deterring CRSV.

consider the potential consequences of so few designations for SGBV.

The findings in this paper are based on a review of the relevant academic and policy literature, as well as interviews with thirty-three UN officials, member-state representatives, and other experts.

The first section provides an overview of the CRSV annual report and the process for listing parties. The paper then focuses on designations in sanctions regimes for crimes related to SGBV, including the level of coherence between the reporting of the secretary-general and designations in sanctions regimes. Next, the paper analyzes the reporting and political barriers that inhibit more regular designations for SGBV in sanctions regimes. Finally, it provides recommendations to the UN and member states on how to improve the coherence, coordination, and effectiveness of these processes.

### Box 1. Terminology

**Conflict-related sexual violence (CRSV)** refers to “rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls, or boys that is directly or indirectly linked to a conflict... The term also encompasses trafficking in persons for the purpose of sexual violence and/or exploitation, when committed in situations of conflict.”<sup>8</sup>

**Sexual and gender-based violence (SGBV)** includes CRSV but is broader in scope, encompassing “any type of violence against individuals or groups based on their sex or gender... Women, men, girls, boys and lesbian, gay, bi, trans, and intersex (LGBTI) people can all be victims of SGBV.”<sup>9</sup> It is not necessarily conflict-related; however, it may increase during periods of conflict or instability.

**The monitoring, analysis, and reporting arrangements (MARA)** is the primary mechanism for capturing data on CRSV, including incidents, patterns, and trends, for the annual report of the secretary-general on CRSV. The MARA captures information on CRSV in armed conflict, post-conflict settings, and other situations of concern.<sup>10</sup>

8 UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, UN Doc. S/2023/413, June 22, 2023, para. 5.

9 United Nations, “Handbook for United Nations Field Missions on Preventing and Responding to Conflict-Related Sexual Violence,” 2020, p. 6.

10 United Nations, “Tools for Action: Monitoring, Analysis and Reporting Arrangements (MARA),” available at <https://www.un.org/sexualviolenceinconflict/tools-for-action/mara/>.

## Overview of the CRSV Annual Report and the Process for Listing Parties

In September 2009, the Security Council requested that the secretary-general appoint a special representative on sexual violence in conflict (SRSG-SVC).<sup>11</sup> Shortly after, in 2010, the council encouraged the secretary-general to include a mechanism in his annual reports on CRSV to list parties “credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the agenda of the Security Council.”<sup>12</sup> This was intended both to send a

political message about the consequences of committing sexual violence and to encourage engagement between listed parties and the UN. In this respect, it could be an entry point for both preventing CRSV and holding perpetrators accountable.<sup>13</sup>

To date, the secretary-general has released twelve annual reports on CRSV that contain an annexed list of perpetrators.<sup>14</sup> In total, seventy parties across twelve country contexts have been listed.<sup>15</sup> Only one party has ever been de-listed from the CRSV reports on the basis of preventive measures taken.<sup>16</sup> Other parties that have been removed from the list have “disbanded, ceased to exist, disintegrated or were absorbed by larger groups.”<sup>17</sup>

### Box 2. The secretary-general’s annual reports on children and armed conflict (CAAC)

In addition to the annual reports on CRSV, the secretary-general also issues an annual report on children and armed conflict (CAAC). The violations for which perpetrators can be listed in this report include rape and other forms of sexual violence. The office of the special representative on children and armed conflict (SRSG-CAAC) is responsible for assembling the annual report of the secretary-general on CAAC.

The annual reports on CAAC were the first reports of the secretary-general to include an annexed list of perpetrators. In 2001, “in an effort to bridge the gap between declarations and practice,” the Security Council requested that the secretary-general include in his annual reports on CAAC a list of parties that recruit or use children in violation of their international obligations “in situations that are on the Security Council’s agenda or that may be brought to the attention of the Security Council by the Secretary-General, in accordance with Article 99 of the Charter of the United Nations.”<sup>18</sup>

In August 2009, the council requested that the secretary-general list parties that engage “in patterns of killing and maiming of children and/or rape and other sexual violence against children in situations of armed conflict.”<sup>19</sup> The council further expanded the scope for listing in 2011 to include attacks on schools and hospitals and, in 2015, to include the abduction of children in situations of armed conflict.<sup>20</sup>

Since the council expanded the scope of the annex to include rape and other sexual violence against children, the secretary-general has released fourteen annual reports that list parties for this violation.<sup>21</sup>

11 UN Doc. S/RES/1888, para. 4.

12 UN Doc. S/RES/1960, para. 3.

13 Interview 2, October 2023; Interview 4, October 2023; Interview 5, October 2023; Interview 12, October 2023; Interview 21, November 2023.

14 As of April 2024. The first two reports of the secretary-general on CRSV did not include an annexed list of perpetrators, as they predated Resolution 1960 (2010), which encouraged the creation of the annex.

15 Occasionally, across the CRSV reports, parties are listed together (e.g., “Ex-Séléka factions” in CAR, “All Mai-Mai Simba Factions” in the DRC, or “Government forces, including the National Defence Forces, intelligence services and pro-government militias” in Syria) and therefore may encompass more than one group. The number of total parties who have been listed might be slightly higher or lower, depending on how they are grouped.

16 See: UN Security Council, *Report of the Secretary-General on Conflict-Related Sexual Violence*, UN Doc. S/2017/249, April 15, 2017.

17 UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, UN Doc. S/2020/487, June 3, 2020, para. 75.

18 United Nations, “Press Briefing by Special Representative for Children and Armed Conflict,” Office of the SRSG-CAAC, November 21, 2001, available at <https://childrenandarmedconflict.un.org/2001/11/21nov01/>; UN Security Council Resolution 1379 (November 20, 2001), UN Doc. S/RES/1379, para. 16. In 2003, the secretary-general suggested that six grave violations against children (including sexual violence) receive priority attention in monitoring. UN General Assembly and Security Council, *Children and Armed Conflict: Report of the Secretary-General*, UN Doc. A/58/546-S/2003/1053\*, November 10, 2003, para. 81. In his subsequent report, the secretary-general began to denote parties who were also responsible for “rape and other grave sexual violence.” UN General Assembly and Security Council, *Children and Armed Conflict: Report of the Secretary-General*, UN Doc. A/59/695-S/2005/72, February 9, 2005.

19 UN Doc. S/RES/1882, para. 3.

20 UN Security Council Resolution 1998 (July 12, 2011), UN Doc. S/RES/1998, para. 3; UN Security Council Resolution 2225 (June 18, 2015), UN Doc. S/RES/2225, para. 3.

21 The first time that the secretary-general began to denote parties who were “also responsible for” rape and sexual violence in the CAAC annex was in the report covering the reporting period from November 2003 to December 2004. See: UN Doc. A/59/695-S/2005/72. This was the language used for the following three reports. Since the Security Council’s decision to formally list parties for sexual violence in the CAAC report in August 2009, the secretary-general has released fourteen reports.

This section offers an overview of the annual report on CRSV and the process for listing parties. It is divided into two subsections: (1) data collection and (2) listing criteria and party compliance.

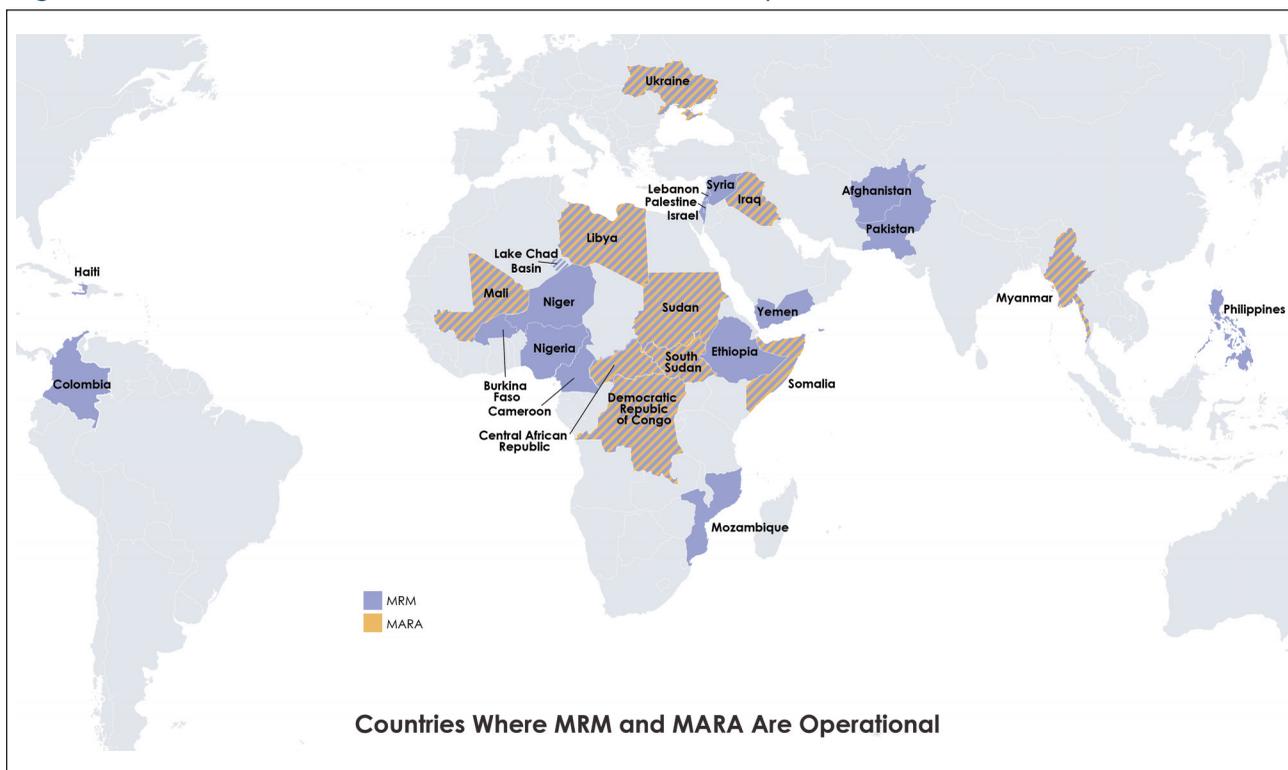
## Data Collection

Data and information for the annual reports on CRSV are gathered and verified by the UN. To facilitate this process, the Security Council mandated the monitoring, analysis, and reporting arrangements (MARA), which captures anonymized information on cases, as well as incidents, trends, and patterns related to CRSV in armed conflict, post-conflict settings, and other situations of concern.<sup>22</sup> The MARA is the primary source of information for the annual report on CRSV. In addition, the reports reference information gathered through the UN human rights

system, including reports issued by special rapporteurs and investigations led by the Office of the High Commissioner for Human Rights (OHCHR), such as commissions of inquiry and fact-finding missions.<sup>23</sup> The reports can also draw on anonymized qualitative information captured through the gender-based violence information management system (GBVIMS), overseen by the UN Population Fund (UNFPA), if an information-sharing protocol is elaborated at the country level.<sup>24</sup>

The annual reports on CRSV also occasionally reference information gathered through the monitoring and reporting mechanism (MRM), which captures data and information for the secretary-general's annual report on children and armed conflict (CAAC) (see Box 3).<sup>25</sup> These two systems—the MARA and MRM—overlap in several contexts (see Figure 1).

Figure 1. Countries where the MRM and MARA are operational<sup>26</sup>



22 UN Doc. S/RES/1960, para. 8; United Nations, “Tools for Action: Monitoring, Analysis and Reporting Arrangements (MARA)”; United Nations, “Provisional Guidance Note: Intersections Between the Monitoring, Analysis and Reporting Arrangements (MARA) & the Gender-Based Violence Information Management System (GBVIMS),” 2016.

23 See, for example: UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, UN Doc. S/2023/413, June 22, 2023, paras. 3, 21, 41, 49, 65, and 68.

24 United Nations, “Provisional Guidance Note.”

25 See, for example: UN Doc. S/2023/413, paras. 45 and 53.

26 The United Nations monitors and reports on grave violations against children according to the global MRM guidelines in these contexts. The MARA is currently being set up in Ukraine (information on file with author).

### Box 3. The monitoring and reporting mechanism (MRM)

In 2005, the UN Security Council adopted Resolution 1612 establishing the Security Council Working Group on Children and Armed Conflict and the monitoring and reporting mechanism (MRM), a system for gathering information for the report on CAAC.<sup>27</sup> While the MARA gathers data on CRSV perpetrated against all victims, the MRM captures information on six grave violations committed against children (those under eighteen years old) including “rape or other grave sexual violence.”<sup>28</sup> The Country Task Force on Monitoring and Reporting (CTFMR) manages the MRM. It comprises all relevant UN actors at the country level and is co-chaired by UNICEF and the highest-ranking UN representative in the country (the SRSG/deputy SRSG in UN mission contexts or resident coordinator/humanitarian coordinator in non-mission settings).<sup>29</sup>

There are coordination mechanisms that are meant to facilitate data and information sharing on CRSV across the UN system. In the field, the MARA Working Group, which comprises UN entities based in the country that are selected by the SRSG and the senior women’s protection adviser, facilitates coordination at the country level. Members of the working group meet monthly to analyze trends, coordinate information gathering across mechanisms, and make recommendations on listing and de-listing parties in the CRSV reports.<sup>30</sup> At headquarters, the UN Action Steering Committee brings together the principals from UN agencies and the office of the SRSG-CAAC to discuss the CRSV report before its publication (typically in April).

In some cases, being listed in the annex of the secretary-general’s reports has led parties to the conflict (both state and non-state) to address CRSV violations.

### Listing Criteria and Party Compliance

In 2009, the Security Council requested that the secretary-general submit information on the criteria and procedures used for listing and de-listing perpetrators of violations for the CAAC report.<sup>31</sup> The secretary-general enumerated four criteria, and the

council subsequently mandated that three of the criteria be applied to the CRSV report.<sup>32</sup>

The first criterion for listing a party is a “pattern” of violations—in other words, “a ‘methodical plan’, ‘a system,’ and a collectivity of victims.” A party therefore cannot be listed for isolated incidents; the acts must be shown to be “systematic” and “linked” to the situation. Second, the violations for which a party can be listed include “rape, sexual slavery and/or any other form of sexual violence.” Third, as part of the de-listing process, the party is required to enter into dialogue with the UN to develop and implement an action plan to cease its violations. Fourth, a party is de-listed when the UN has verified that the party has ceased committing the violations for at least one reporting cycle. The implementation of preventive measures through action plans is taken into consideration when making de-listing determinations. A de-listed party must continue to give the UN access to monitor and verify compliance for a minimum of one reporting cycle following removal from the list, or it may be re-listed in the annexes, and the Security Council may be alerted to the noncompliance.<sup>33</sup>

27 The secretary-general presented an action plan for the establishment of the MRM in February 2005. See: UN Doc. A/59/695-S/2005/72. The council then endorsed the proposal, resulting in the creation of the MRM in July 2005. See: UN Security Council Resolution 1612 (July 26, 2005), UN Doc. S/RES/1612, paras. 2–4, 8.

28 The six grave violations against children include killing and maiming, recruitment or use as soldiers, abduction, attacks on schools or hospitals, denial of humanitarian access, and sexual violence. United Nations, “The Six Grave Violations,” Office of the SRSG-CAAC, available at <https://childrenandarmedconflict.un.org/six-grave-violations/>.

29 Office of the SRSG-CAAC, UNICEF, and UN Department of Peacekeeping Operations (DPKO), “Field Manual: Monitoring and Reporting Mechanism (MRM) on Grave Violations against Children in Situations of Armed Conflict,” June 2014, pp. 24–26; UN High Commissioner for Refugees (UNHCR), “Technical Note on UNHCR’s Engagement in the Implementation of the Protection Mechanisms Established by Security Council Resolutions 1612 and 1960 (MRM and MARA),” January 2018.

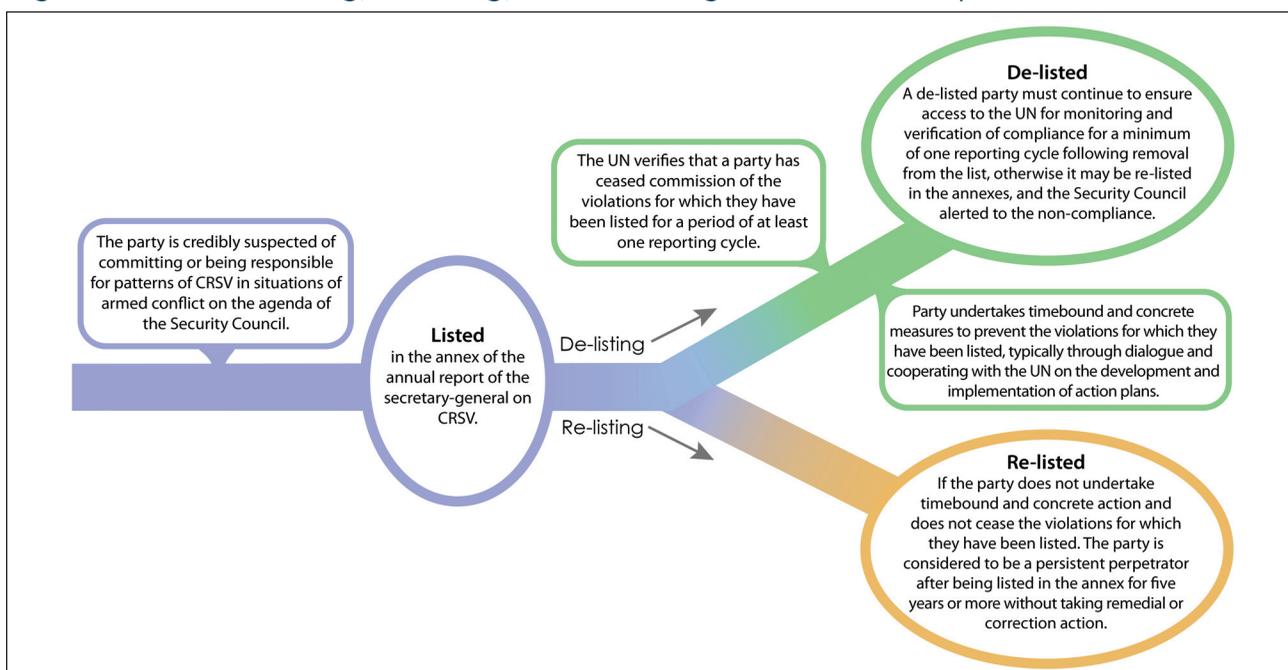
30 United Nations, “Handbook for United Nations Field Missions on Preventing and Responding to Conflict-Related Sexual Violence,” pp. 71, 73, and 82. For information on women’s protection advisers, see, for example: UN Doc. S/2023/413, para. 7.

31 UN Doc. S/RES/1882, para. 19.

32 UN Doc. S/RES/1960, para. 4.

33 UN General Assembly and Security Council, *Children and Armed Conflict: Report of the Secretary-General*, UN Doc. A/64/742-S/2010/181, April 13, 2010, paras. 175–180.

Figure 2. Paths to listing, re-listing, and de-listing in the annual report on CRSV



While the third criterion—the action plan—was not mandated as such by the council, Resolution 1960 “calls upon parties to armed conflict to make and implement specific and time-bound commitments to combat sexual violence.”<sup>34</sup> These “time-bound” commitments can take the form of a joint (for state actors) or unilateral (for non-state actors) communiqué or framework of cooperation, with accompanying action plans specifying the process for implementation.<sup>35</sup> The annex of the CRSV report uses an asterisk to denote parties that have “made formal commitments to adopt measures” to address CRSV.

Although it is beyond the scope of this report to fully measure the impact of listing parties, previous studies have found mixed evidence for the

effectiveness of naming and shaming perpetrators.<sup>36</sup> Nevertheless, in some cases, being listed in the annex of the secretary-general’s reports has led parties to the conflict (both state and non-state) to address CRSV violations, including by adopting time-bound commitments. For example, of the seven country contexts where state actors are listed in the 2022 report, national authorities from six contexts have entered into formal dialogue with the UN, issuing joint communiqués or frameworks of cooperation to address CRSV.<sup>37</sup>

However, far fewer non-state actors have expressed commitments to address CRSV. Of the thirty-seven non-state actors listed in the 2022 report, only two have issued unilateral communiqués.<sup>38</sup> Moreover,

34 UN Doc. S/RES/1960, para. 5. This language was reiterated in UN Doc. S/RES/2106 and UN Doc. S/RES/2467.

35 UN Doc. S/2020/487, para. 76.

36 For example, DeMeritt finds that naming and shaming by human rights organizations can reduce killings, though the effect of media reporting more broadly has no effect. Jacqueline DeMeritt, “International Organizations and Government Killing: Does Naming and Shaming Save Lives?” *International Interactions* 38, no. 5 (2012). DeMeritt and Conrad find that actors who are shamed over a particular violation simply shift to other types of “unshamed” violations. Jacqueline H. R. DeMeritt and Courtenay R. Conrad, “Repression Substitution: Shifting Human Rights Violations in Response to UN Naming and Shaming,” *Civil Wars* 21, no. 1 (2019).

37 These include national authorities in CAR, DRC, Myanmar, Somalia, South Sudan, and Sudan. Sudan agreed to a framework of cooperation in 2020, but the agreement expired in 2022 and has not yet been renewed. National authorities in the Syrian Arab Republic have not entered into formal dialogue with the UN. See: United Nations, “Communiqués,” Office of the SRSG-SVC, available at [https://www.un.org/sexualviolenceinconflict/digital-library/joint-communicues/?wpv\\_view\\_count=16161&wpv\\_post\\_search=&wpv\\_paged=2](https://www.un.org/sexualviolenceinconflict/digital-library/joint-communicues/?wpv_view_count=16161&wpv_post_search=&wpv_paged=2); United Nations, “Frameworks of Cooperation,” Office of the SRSG-SVC, available at [https://www.un.org/sexualviolenceinconflict/digital-library/frameworks-of-cooperation/?wpv\\_view\\_count=16916&wpv\\_post\\_search=&wpv\\_paged=1](https://www.un.org/sexualviolenceinconflict/digital-library/frameworks-of-cooperation/?wpv_view_count=16916&wpv_post_search=&wpv_paged=1).

38 See: Coordination des mouvements de l’Azawad, “Communiqué Unilateral: La coordination des mouvements de l’Azawad (MNL, HCUA, MAA) sur la prévention et la lutte contre les violences sexuelles liées au conflit,” available at <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2020/02/Communiqu%C3%A9-Unilateral-CMA-2017.pdf>; Sudan Peoples’ Liberation Movement, “Communiqué: The Sudan People’s Liberation Movement and Sudan People’s Liberation Army (SPLM/SPLA) on Preventing Conflict-Related Sexual Violence in South Sudan,” December 2014, available at [https://www.un.org/sexualviolenceinconflict/wp-content/uploads/joint-communicue/splm-spla-on-preventing-crsv-in-south-sudan/SPLA\\_SPLM\\_Communique\\_on\\_Sexual\\_Violence\\_in\\_Conflict\\_2014.pdf](https://www.un.org/sexualviolenceinconflict/wp-content/uploads/joint-communicue/splm-spla-on-preventing-crsv-in-south-sudan/SPLA_SPLM_Communique_on_Sexual_Violence_in_Conflict_2014.pdf).

only one party (the Ivorian Armed Forces) has ever been de-listed after following the de-listing process.<sup>39</sup> The low levels of expressed commitments from non-state actors and the small number of de-listings have raised questions over whether strengthening the links between these lists and more coercive tools such as sanctions might enhance the effectiveness of the listing process and increase accountability.

## Designations for SGBV in Security Council Sanctions Regimes

Over the past two decades, the UN Security Council and Secretariat have attempted to increase the linkages between the CRSV agenda and UN sanctions regimes. In its 2009 resolution calling for the establishment of the office of the SRSG-SVC, the council reiterated its intention to consider including sexual violence as a designation criterion in sanctions regimes. In 2010, it expressed its intention to use the listings in the annual reports of the secretary-general as a basis for more focused UN engagement with listed parties, “including, as appropriate, measures in accordance with the procedures of the relevant sanctions committees.”<sup>40</sup> In 2013, the council further urged sanctions committees to apply targeted sanctions against those who perpetrate and direct sexual violence in conflict, expressing its intention to “consider including, where appropriate, designation

criteria pertaining to acts of rape and other forms of serious sexual violence.”<sup>41</sup> Again, in 2019, the council urged sanctions committees to apply targeted sanctions against those who perpetrate and direct sexual violence in conflict and reiterated its intention to consider including designation criteria pertaining to acts of rape and other forms of sexual violence when adopting or renewing targeted sanctions. In this resolution, the council also encouraged the secretary-general to ensure that panels of experts and monitoring teams include expertise on SGBV.<sup>42</sup>

Member states have signaled their support for sanctions designations related to SGBV, including through specific provisions in Security Council resolutions and dedicated debates. For example, in the Security Council’s 2022 open debate on CRSV, a broad cross-section of member states called for sanctions regimes to more regularly include SGBV as a listing criterion and for panels of experts for sanctions regimes to include individuals with expertise to investigate such crimes.<sup>43</sup> The secretary-general has also recommended strengthening linkages between the parties listed in his annual reports on CRSV and sanctions designations, as discussed below. Nevertheless, sanctions designations have been underutilized as a tool to address CRSV or broader forms of SGBV, with relatively few parties sanctioned for perpetrating such crimes, even in contexts where high levels of sexual violence are known to occur.

### Box 4. Terminology in listing and sanctions processes

The listing processes of the secretary-general and sanctions regimes use different terminology for sexual violence. The term “conflict-related sexual violence,” used by the office of the SRSG-SVC, is based on its mandate and couched in international humanitarian legal frameworks that guide the work of the council. Sanctions regimes use the broader term “sexual and gender-based violence,” based primarily on precedents from previous resolutions. Interviewees varied in their preference for one term over the other and the extent to which they felt the use of different terminology was problematic. While some felt the term “CRSV” is more clearly connected to threats to international peace and security, others expressed the need to encompass broader forms of SGBV, such as political violence against women, that lie at the core of the women, peace, and security agenda.

<sup>39</sup> See: UN Doc. S/2017/249.

<sup>40</sup> UN Doc. S/RES/1960, para. 3.

<sup>41</sup> UN Doc. S/RES/2106, para. 13.

<sup>42</sup> UN Doc. S/RES/2467, paras. 10–11.

<sup>43</sup> United Nations, “Perpetrators of Sexual Violence in Armed Conflict Must Be Brought to Justice, Security Council Delegates Demand amid Calls for Explicit Sanctions Criteria,” press release SC/14860, April 13, 2022.

This section analyzes the use of sanctions designations for SGBV. It also considers the coherence, or lack thereof, between sanctions designations and listings in the reports of the secretary-general on CRSV, as well as barriers to greater consistency.

## SGBV as a Criterion for Listing in Sanctions Regimes

There are currently fourteen UN sanctions regimes in place, of which seven refer to SGBV either as a stand-alone criterion or within broader criteria on international humanitarian law (IHL) or international human rights law (IHRL). These include the sanctions regimes for CAR, the DRC, Haiti, Libya, al-Shabaab in Somalia, South Sudan, and Yemen. Some regimes, like those for CAR and Haiti, include planning, directing, or committing SGBV as a stand-alone designation criterion. Others, like the regime for the DRC, couch SGBV within a list

of other international humanitarian and human rights criteria. Finally, some regimes, like the regime for Sudan, do not explicitly list SGBV but include broader international humanitarian and human rights violations, allowing individuals to be designated for perpetrating sexual violence–related crimes (see Table 1).

The decision to include SGBV as an explicit or stand-alone criterion has less to do with available evidence of sexual violence than the political interests and considerations of member states. Some member states have prioritized addressing CRSV and broader forms of SGBV in their foreign policy and work on the council. This has led to concerted efforts to add specific mandated language on SGBV and to increase the capacity of panels of experts to investigate such crimes.<sup>44</sup> For example, several member states—in particular, elected members of the council—successfully

Table 1. Designation criteria on SGBV in UN sanctions regimes<sup>45</sup>

Sanctions regime	Explicit criteria on SGBV (as a stand-alone paragraph or under IHL/IHRL violations)	Only implicit criteria on SGBV (within IHL/IHRL designation criteria)	No criteria on SGBV or IHL/IHRL
al-Shabaab	X		
CAR	X		
DRC	X		
Haiti	X		
Libya	X		
Sudan		X	
South Sudan	X		
Yemen	X		
Guinea-Bissau			X
Democratic People's Republic of Korea (DPRK)			X
1636 Regime: Lebanon			X
1988 Regime: Taliban (Afghanistan)			X
1518 Regime: Iraq and Kuwait			X
1267, 1989, and 2253 Regime: Islamic State of Iraq and the Levant (Da'esh), al-Qaida			X

<sup>44</sup> Interview 15, November 2023.

<sup>45</sup> Resolution language can be found in the annex.

advocated for the inclusion of SGBV as a stand-alone criterion in the sanctions regime for CAR, setting a precedent that has been maintained in subsequent renewals. However, in other cases, member states have opposed highlighting SGBV (or extending other aspects of sanctions regimes) for political reasons. This was seen in the case of Mali, where Russia vetoed the extension of the UN sanctions regime due in part to the panel of experts' implication of Wagner mercenaries in abuses, including violence against women.<sup>46</sup>

More broadly, sanctions regimes are facing increasing pushback from some permanent and elected council members. One interviewee noted that members of sanctions committees may be reluctant to renegotiate sanctions resolutions to add criteria on SGBV or other issues for fear that the regimes will be rolled back rather than expanded.<sup>47</sup>

Interviewees expressed different opinions when it came to the importance of including SGBV as an explicit criterion in sanctions regimes.

Some stated that the broad criteria of IHL or IHRL violations provide sufficient cover to investigate and designate individuals for SGBV.<sup>48</sup> However, others noted the importance of explicitly referencing SGBV, not only because it signals the importance of the crime and the UN's commitment to addressing it but also because it facilitates the inclusion of capacity to investigate sexual violence in panels of experts.<sup>49</sup> This is particularly important in contexts where national authorities are not expeditiously addressing sexual violence or where there are high levels of impunity.<sup>50</sup> Some felt that singling out SGBV in the mandate may be more likely to trigger investigations of such crimes.<sup>51</sup> Nevertheless, one UN official cautioned that having specific criteria on SGBV can raise concerns among

The decision to include SGBV as an explicit or stand-alone criterion has less to do with available evidence of sexual violence than the political interests and considerations of member states.

parties on the ground who fear being investigated. In some cases, this has hampered the ability of humanitarian actors to maintain trust with community members. Thus, it is necessary to weigh the benefits and risks of including SGBV as an explicit criterion.<sup>52</sup>

## How Does the Work of the SRSG-SVC Relate to Sanctions Committees?

There are several ways that the work of the office of the SRSG-SVC links to UN sanctions committees. First, the narrative sections of the annual reports of the secretary-general can complement the panels of experts' reporting by illustrating both patterns of CRSV and information on specific perpetrators.

Second, the SRSG-SVC has the mandate to brief the committees on trends and specific violations. Finally, the office of the SRSG-SVC can share information with members of the panels of experts.

While the SRSG-SVC has regularly briefed sanctions committees in the past, political tensions have recently disrupted this practice, particularly following the SRSG's reporting that Russian forces had perpetrated acts of sexual violence in Ukraine. This report prompted backlash from the Russian delegation, which stated that the SRSG had "abused her status... spreading false information with regard to a United Nations Member State."<sup>53</sup> Since then, Russia has insisted that any such briefings must be approved in advance by the committee's practice of consensus. While sanctions resolutions passed by the council may express the intention for sanctions committees to invite or consult the SRSG, the language is not binding, and thus the briefings are not required to take place. Efforts to strengthen

46 UN Security Council, *Final Report of the Panel of Experts on Mali Established Pursuant to Security Council Resolution 2374*, UN Doc. S/2023/578, August 3, 2023; Al Jazeera, "Russia Vetoes UN Resolution to Extend Sanctions, Monitoring in Mali," August 31, 2023.

47 Interview 2, October 2023.

48 Ibid.

49 Interview 4, October 2023; Interview 6, November 2023; Interview 13, October 2023; Interview 2, October 2023.

50 Interview 10, October 2023.

51 Interview 21, November 2023.

52 Interview 2, October 2023.

53 UN Security Council, *9378<sup>th</sup> Meeting*, UN Doc. S/PV.9378, July 14, 2023.

mandate language to require regular briefings by the SRSG have been systematically blocked since 2023.<sup>54</sup>

Therefore, the SRSG-SVC has had to resort to briefing via “informal informal” sessions, which do not have to be approved by consensus. While this has continued the practice of circulating necessary information to committee members, it could set a precedent for regularly downgrading such briefings to informal sessions, reducing both their visibility and their importance.<sup>55</sup>

The secretary-general has also consistently recommended increasing the links between the annual reports and sanctions designations. In 2020, the secretary-general recognized the “limited correlation” between the parties listed in his annual reports on CRSV and the individuals and entities designated in sanctions regimes. He therefore recommended “the referral of persistent perpetrators listed in... [the annual reports on CRSV] for the consideration of relevant sanctions committees” as “an important aspect of enhancing compliance.”<sup>56</sup> He reiterated this recommendation in subsequent annual reports, stating that “it is critical to enhance coherence between the practice of listing and the designation of parties for the imposition of targeted and graduated measures, in order to leverage behavioural change and open space for dialogue on protection.”<sup>57</sup>

While several interviewees responded positively to the recommendation to strengthen the link between listings and sanctions, some were skeptical about how such referrals would take place. In 2019, the secretary-general recommended that the council consider the establishment of a formal mechanism to “consistently monitor compliance

by parties to conflict” and facilitate “appropriate actions such as referrals to relevant sanctions committees in order for due consideration to be given to the designation of those individuals who bear responsibility related to the list parties.”<sup>58</sup> However, even if such a mechanism were established, it is unclear what effect it would have on committee members, as the main obstacles to designations are often political barriers rather than a lack of information.<sup>59</sup> Nevertheless, having a system whereby sanctions committees are alerted to persistent perpetrators of CRSV and consider them for designations in a more intentional manner could be effective.

Proponents of the recommendation also emphasized the usefulness of graduated levels of coercion to hold perpetrators accountable.<sup>60</sup> At the same time, some argued that escalating the level of coercion to sanctions designations could be counterproductive,

There is limited overlap between the parties listed in the annual reports of the secretary-general and in sanctions regimes.

as once a party is sanctioned, “the whole motivation for an action plan disappears,” which could prompt parties to disengage from the UN.<sup>61</sup>

If the secretary-general’s recommendation were adopted, it could affect many perpetrators, as over 70 percent of the parties listed in the annual reports of the secretary-general are “persistent perpetrators,” appearing in the annex “for five or more years without taking remedial or corrective action.”<sup>62</sup>

There is limited overlap between the parties listed in the annual reports of the secretary-general and in sanctions regimes. Of the forty-nine parties currently listed in the annual report, twenty-one are designated for sanctions, either because the group itself is sanctioned or because individuals affiliated with the group are sanctioned.<sup>63</sup> While

54 Interview 18, November 2023.

55 Ibid.; Interview 6, October 2023.

56 UN Doc. S/2020/487.

57 UN Doc. S/2023/413.

58 UN Security Council, *Conflict-Related Sexual Violence: Report of the Secretary-General*, UN Doc. S/2019/280, March 29, 2019, para. 124.

59 Interview 5, October 2023.

60 Interview 1, October 2023; Interview 2, October 2023; Interview 17, November 2023; Interview 18, November 2023.

61 Interview 2, October 2023.

62 UN Doc. S/2023/413, para. 19.

63 Based on the 2022 reporting period. See: UN Doc. S/2023/413. In most cases, the annual reports of the secretary-general list an armed group or state force, while UN sanctions target an individual who is a member of that entity. For example, *Unité pour la paix en Centrafrique* is listed as an entity as part of the *Coalition des patriotes pour le changement en CAR*, while its leader, Ali Darassa, is sanctioned as an individual.

some listed parties are not eligible for sanctions because there is no regime in place for their context, there are twenty-one parties listed in the report of the secretary-general that are eligible for sanctions but have not been designated. Of these twenty-one parties, fourteen are persistent

perpetrators, having been listed for five or more years (see Figures 3 and 4).

Yet even in cases where persistent perpetrators are designated for sanctions, the designations do not always draw on criteria on SGBV. One particularly

Figure 3. Total parties listed in the 2022 annual report on CRSV and parties designated for sanctions

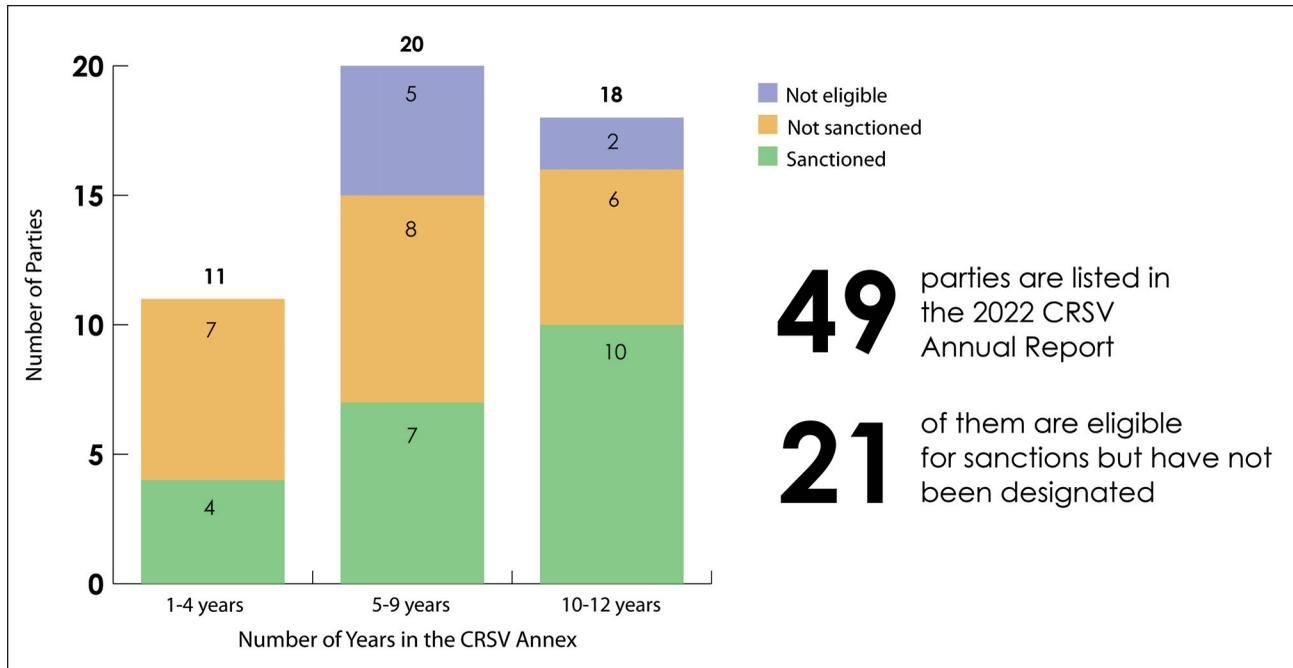
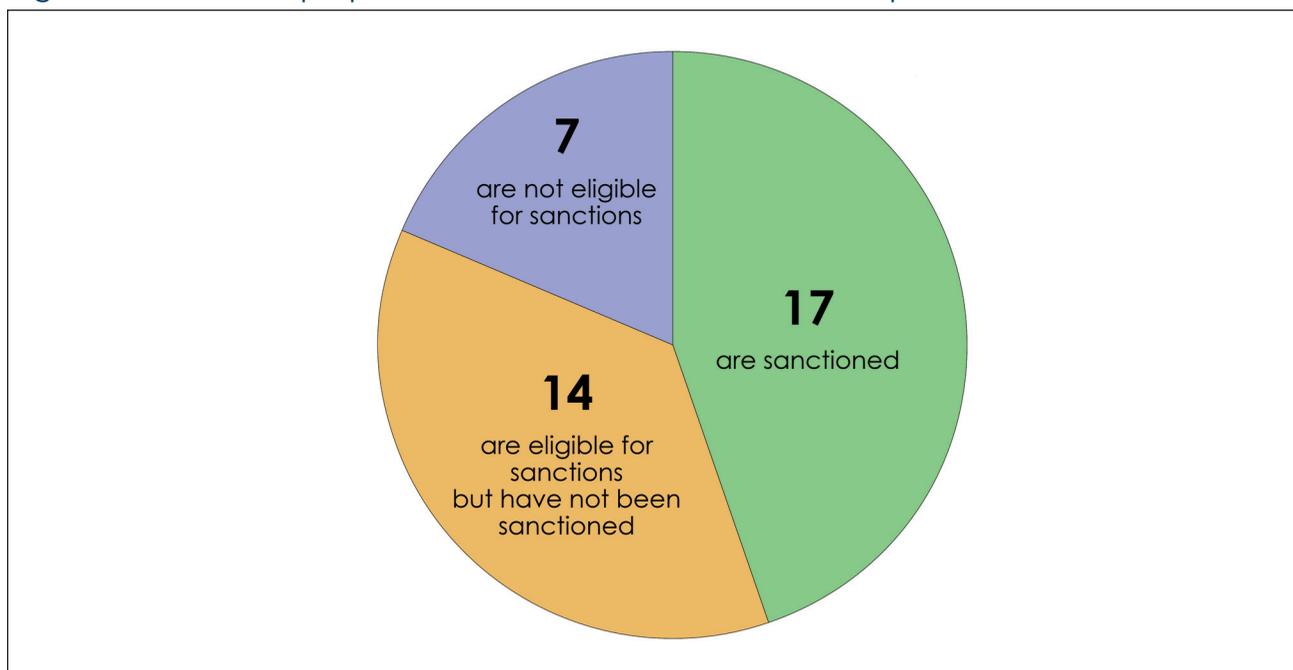


Figure 4. Persistent perpetrators listed in the 2022 annual report on CRSV and sanctions



cogent example is the sanctions regime for CAR, which was the first to include SGBV as a stand-alone criterion. Since this criterion was included in 2018, three individuals have been sanctioned. All of the individuals are persistent perpetrators within the annual reports of the secretary-general and have references to SGBV-related crimes in the narrative of their designations. However, none of their sanctions designations refer specifically to the criterion on SGBV.<sup>64</sup> This is a missed opportunity to create a stronger link between the two mechanisms.

While the inconsistency between these mechanisms is primarily due to perpetrators listed by the secretary-general not being sanctioned, some entities have been sanctioned for committing SGBV but are not listed in the annual reports. This particularly occurs when sanctioned individuals come from countries that are not on the agenda of the council. While such individuals may be referenced in the narrative of the annual reports, the annexed listings are limited to situations of armed conflict on the agenda of the council. One example is Yemen, where multiple parties are sanctioned for violations of IHL and IHRL, with specific reference to SGBV included in the narrative of the designations. Because Yemen is not currently on the agenda of the council, sanctioned individuals are not listed in the annexes of the annual reports of the secretary-general, though they are referenced in the narrative of the report.<sup>65</sup> In other cases, such as Libya, parties coming from countries on the agenda of the council have been sanctioned for SGBV but are not listed by the secretary-general.<sup>66</sup>

## Why Are So Few Parties Designated for SGBV?

While half of UN sanctions regimes currently include SGBV as an explicit criterion, designations for violations of SGBV are relatively rare.<sup>67</sup> As of April 2024, 614 individuals and 138 entities were under UN sanctions, yet only 25 individuals and 2 entities are currently designated for committing SGBV, even though sexual violence is known to be widespread across many of these contexts (see Table 2).<sup>68</sup> Of these designated parties, none are designated exclusively for SGBV. In other words, all of the parties designated for SGBV have also been designated for committing other violations in the sanctions regimes. While this makes sense in some cases, given that perpetrators of SGBV may also warrant designation for other crimes, it illustrates that member states rarely elevate SGBV in isolation from other crimes. Among sanctions regimes that have SGBV as a stand-alone criterion, only five parties are sanctioned with explicit reference to that criterion.<sup>69</sup> In other cases, parties are designated for IHL and IHRL violations, with the narrative referencing SGBV but not drawing on the explicit, stand-alone SGBV criterion.

In some cases, this is because the stand-alone criterion on SGBV was added to the sanctions regime after a party had already been designated, and committee members did not subsequently update the narrative for the designation. For example, in 2016, Joseph Kony was designated for his involvement in “planning, directing, or committing acts that violate international human rights law or international humanitarian law,”

64 Two of the individuals, Bi Sidi Souleman and Ali Darassa, are sanctioned under the generic criterion on IHL and IHRL. However, while the narrative for Martin Koumtamadji refers to SGBV-related crimes, he is only sanctioned for violation of the arms embargo. All three of these individuals are members of listed parties in the CRSV reports, and Martin Koumtamadji (also known as Abdoulaye Miskine) is included by name in the CRSV report annex.

65 This includes the Houthis, which were sanctioned as an entity in 2022; Sultan Saleh Aida Aida Zabin, sanctioned in 2021; and Motlaq Amer Al-Marrani, sanctioned in 2022. While the Houthi designation did not use the SGBV or IHL and IHRL criteria, SGBV is mentioned in the narrative summary. For the latter two, SGBV is mentioned in the narrative, though the designation utilized the IHRL criteria rather than the stand-alone criterion on SGBV.

66 This includes Mohammed Al Amin Al-Arabi Kashlaf, sanctioned in 2018, and Osama Al Kuni Ibrahim, sanctioned in 2021. There are an additional five individuals who are sanctioned under IHL and IHRL criteria, along with other criteria, and whose narratives mention human trafficking of migrants, which may include elements of SGBV, although the narratives do not explicitly note that trafficking is for the purpose of sexual violence. This includes Ermias Alem, Fitiwi Abdelrazak, Ahmad Oumar Imhamad al-Fitouri, Mus'ab Mustafa Abu al Qassim Omar, and Abd al Rahman al-Milad, all of whom were sanctioned in 2018.

67 See also: Sophie Huvé, “The Use of UN Sanctions to Address Conflict-Related Sexual Violence,” Georgetown Institute for Women, Peace, and Security, 2018.

68 This includes instances when parties are sanctioned for SGBV as a stand-alone criterion and when parties are sanctioned under IHL- and IHRL-related criteria and the narrative mentions SGBV. In some cases, an entity is designated, while in others, individuals from an entity are designated. This figure omits cases where SGBV is mentioned in a narrative but different criteria are used for designation (e.g., violating an arms embargo) because the designation was not based on IHL and IHRL or SGBV criteria. This figure also omits cases where there are no references to the specific criterion used for designation, even if the narrative references SGBV, as there is ambiguity over which criterion was used.

69 This includes Johnson Andre, Renel Destina, and Vitelhomme Innocent in Haiti; Osama Al Kuni Ibrahim in Libya; and Malek Reuben Riak Rengu in South Sudan.

Table 2. UN sanctions regimes and SGBV designations (as of April 2024)<sup>70</sup>

Sanctions regime	Sanctioned for SGBV/Total sanctioned <sup>71</sup>		
	Individuals	Entities	Total
al-Shabaab	0/20	0/1	0/21
CAR	4/14	1/1	5/15
DRC	7/44	1/9	8/53
Haiti	4/5	0/0	4/5
Libya	2/29	0/2	2/31
Sudan	0/3	0/0	0/3
South Sudan	6/8	0/0	6/8
Yemen	2/12	0/1	2/13
Guinea-Bissau	0/10	0/0	0/10
DPRK	0/12	0/20	0/32
1636 Regime: Lebanon	0/0	0/0	0/0
1988 Regime: Taliban (Afghanistan)	0/135	0/5	0/140
1518 Regime: Iraq and Kuwait	0/66	0/10	0/76
1267, 1989, and 2253 Regime: Islamic State of Iraq and the Levant (Da'esh), al-Qaida	0/256	0/89	0/345
<b>TOTAL</b>	<b>25/614</b>	<b>2/138</b>	<b>27/752</b>

including “acts involving sexual violence.”<sup>72</sup> Because the CAR sanctions regime did not have a stand-alone criterion on SGBV at that time, the perpetration of such crimes fell under the umbrella of IHL and IHRL violations. A stand-alone criterion on SGBV was added in 2018, but this is not reflected in designations made prior to that time.<sup>73</sup> Yet in other cases, as noted above, individuals have not been sanctioned using an explicit SGBV criterion even when it exists.

There are also cases where designations do not specify the criteria for which an individual has been sanctioned. For example, some designations in the DRC sanctions regime between 2009 and 2012 refer to the section of the resolution that lists all violations but do not cite specific subparagraphs. While this is less common in more recent designa-

tions, a recent example is the 2020 designation of Seka Baluku from the DRC. While the narrative references SGBV, the designation points broadly to Paragraph 7 of the resolution, which encompasses all potential violations.<sup>74</sup>

Overall, in three of the six sanctions regimes that have SGBV as a stand-alone criterion, no parties are sanctioned under that criterion. This includes the regimes for al-Shabaab, CAR, and Yemen. SGBV was added as a stand-alone criterion to the regimes for al-Shabaab and CAR in 2018 and to the regime for Yemen in 2020.<sup>75</sup> Yet no parties sanctioned subsequent to those dates cite this criterion, even when SGBV is cited in the narrative.

There are multiple barriers that may lead to a lack of designations for SGBV, including difficulties in

<sup>70</sup> UN Security Council, “Sanctions,” available at <https://www.un.org/securitycouncil/sanctions/information>.

<sup>71</sup> This is not to imply that all individuals and entities have committed SGBV and should be sanctioned for this crime.

<sup>72</sup> Kony’s designation was pursuant to paragraphs 12 and 13(b), (c), and (d) of Resolution 2262 (2016).

<sup>73</sup> UN Security Council Resolution 2399 (January 30, 2018), UN Doc. S/RES/2399, para. 21.

<sup>74</sup> UN Security Council Resolution 2293 (June 23, 2016), UN Doc. S/RES/2293 (2016)\*. See also: UN Security Council, “Seka Baluku,” available at <https://www.un.org/securitycouncil/content/seka-baluku>.

<sup>75</sup> See footnote 68 for explanation of coding methodology.

gathering the required evidence and generating sufficient political will on the part of member states.

### Constraints on the Panels of Experts

Sanctions designations are most often determined by sanctions committees. While the Security Council can also designate parties for sanctions via a resolution, this is less frequent. Designations by sanctions committees happen when a member state decides to “sponsor” a designation, which must be agreed to by all other committee members, with decisions taken by consensus. In most cases, the decision to sponsor a designation follows the presentation of a statement of case made by the panel of experts for that committee. Statements of case are detailed portfolios of evidence compiled by the panels of experts on specific violations for which a party can be sanctioned. While member states can also propose designations based on information received from their own intelligence, this can be more difficult because they are often not able to share enough national intelligence with other committee members to garner their full support.

While ensuring high standards of evidence and verification is necessary to build a strong case, this can make reporting difficult.

Members of panels of experts interviewed for this study described the very high standards they maintain when collecting evidence for statements of case, which are usually built over the course of many months. Each documented violation is corroborated by a minimum of three witnesses or sources, which are all carefully vetted. Once a statement of case has been drafted, the panel reviews each section internally to ensure that the findings can be defended prior to sharing them with member states. Thus, by the time statements of case reach sanctions committees, they have been heavily scrutinized.<sup>76</sup>

While ensuring high standards of evidence and verification is necessary to build a strong case, this can make reporting difficult. Experts are not always

able to access the country or area in question due to security constraints or impediments by the host state or non-state actors. For example, the panel of experts for the DRC has not been able to visit areas of the country controlled by the M23 since 2022. Thus, they have had to rely mainly on the testimonies of witnesses and victims based in Goma. This situation is likely to worsen with growing insecurity and the withdrawal of the UN mission, which previously facilitated access to some areas for the experts.<sup>77</sup> Even in areas experts can access, witnesses may be reluctant to report violations due to threats of retribution by armed groups, cultures of shame, or a lack of trust in the system.<sup>78</sup> Consequently, there are many instances when the panel has been unable to report on findings on certain armed groups due to insufficient evidence.<sup>79</sup>

Experts also work with limited resources, including modest salaries on consultant contracts and no budget for translators or other services. For example, one expert described how because they were unable to reach victims, they transported them to where the experts were stationed, which also helped to protect the victims’ safety. Yet because there was no budget for such activities, the experts covered the expenses out of their own salaries. Experts also described how they sometimes relied on their drivers to provide translation services so they could collect testimonies from witnesses in remote areas.<sup>80</sup> This presents obvious risks, as drivers are not trained to engage with victims and witnesses of sexual violence, and the quality of the testimony depends on their willingness and ability to convey information accurately. Nevertheless, some member states have resisted providing additional resources to avoid incentivizing false testimonies—for example, if potential witnesses are motivated by access to food, accommodation, or other resources provided.

Some experts went further to describe an overall lack of trust between experts, on the one hand, and

<sup>76</sup> Interview 8, October 2023.

<sup>77</sup> Interview 26, March 2024.

<sup>78</sup> Interview 3, October 2023. These challenges are also present in the processes for information gathering for the CRSV reports.

<sup>79</sup> Written feedback received March 29, 2024.

<sup>80</sup> Interview 23, November 2023.

sanctions committees and the Secretariat's Security Council Affairs Division (SCAD), on the other. While it is the job of SCAD to flag potential political implications that may arise when statements of case are presented, some experts recounted feeling "blocked" by SCAD in their relationships with committee members. Experts also noted that they are required to undergo cumbersome administrative processes to justify the need to reach various areas when conducting investigations.<sup>81</sup> While such challenges have been a regular point of discussion between the Secretariat and members of panels of experts, they have yet to be resolved.

Shortages of capacity and expertise are also issues, as IHL- and IHRL-related crimes are usually covered by a single expert who must cover many potential perpetrators and geographic areas. When this expert leaves the panel, the institutional knowledge is often lost. For example, one expert conveyed that when they began their tenure on the panel, there was no handover meeting with the previous expert, and they only received half a page of notes. Thus, the expertise built up over time was lost, interrupting any longer-term strategy for which groups and geographic areas to focus on.<sup>82</sup> Recruitment procedures can also lead to prolonged gaps in expertise on panels. One expert further noted that handover notes submitted to SCAD were not routinely shared.<sup>83</sup> There have been efforts to improve continuity and facilitate longer-term strategies by strengthening the relationship between panels and the office of the SRSG-SVC. Nevertheless, some experts noted that communication with the office of the SRSG-SVC was not as regular as it could be and recommended further institutionalizing this relationship.

While experts covering IHL and IHRL are usually selected based on their expertise in that area, they do not necessarily have experience investigating sexual violence-related crimes. One women, peace,

and security expert interviewed noted that job ads for IHL and IHRL experts lack sufficient detail on gender expertise, even when the sanctions resolution includes SGBV as a specific criterion.<sup>84</sup> Other experts on the panel may also need to deal with issues related to SGBV (for example, the expert on armed groups), but they usually do not have specialized training on how to properly handle SGBV cases. While panels of experts do receive a one-week online induction training, experts recalled that only about one hour was dedicated to SGBV. The Secretariat is reportedly working to consolidate methodologies on investigating SGBV-related crimes for all experts. However, this has not yet been fully rolled out, and current levels of training were deemed insufficient.<sup>85</sup> Some members of panels of experts and monitoring teams have benefitted from additional trainings beyond the standard induction training, including a week-long course on SGBV that was piloted in 2019 and aims to strengthen experts' capacity to undertake investigations and reporting on SGBV. If further systematized, this type of training could fill identified gaps, given that it targets not only humanitarian experts but also armed group experts who may also require skills in investigating and reporting on SGBV.<sup>86</sup>

Another challenge is the vast geographic area covered by some panels of experts. For example, in the DRC, which has the highest number of persistent perpetrators that are currently not designated for sanctions, it is difficult for experts to reach all areas where violations are taking place. Thus, while the experts have recently prioritized investigating the M23-related conflict in North Kivu, they have been less able to investigate smaller armed groups operating in more remote areas of the country, including groups listed in the annual reports of the secretary-general. An additional challenge linked to the M23 conflict is the panel's responsibility for "sifting through the massive volume of reporting on many other types of grave IHL violations," which the panel is also mandated to report on.<sup>87</sup>

81 Interview 3, October 2023; Interview 23, November 2023.

82 Interview 26, March 2023.

83 Interview 3, October 2023.

84 Interview 21, November 2023. See also: Phoebe Donnelly and Emily Myers, "Forced Marriage by Non-state Armed Groups: Frequency, Forms, and Impact," International Peace Institute, April 2023.

85 Interview 15, November 2023.

86 This training was organized by Justice Rapid Response and the Institute for International Criminal Investigation, with contributions from DPPA and SCAD.

87 Interview 26, March 2024.

## Lack of Political Will

Despite the constraints on panels of experts, political will on the part of member states is arguably the greater barrier to designations. One expert, describing their interaction with member-state representatives on the sanctions committee, said, “I wasn’t prepared for how political this was going to be. This isn’t about humanitarian or human rights considerations at all—it’s just about politics.”<sup>88</sup> Another interviewee cautioned against focusing on improving investigating and reporting processes “when the biggest impediment is the politics of member states.”<sup>89</sup> Nevertheless, one expert noted that panels need to be able to deal with the very political process of designations, though it is not often considered among the skills needed by experts. They noted a weakness in how panels prepare member states, including host states and committee members, to receive statements of case to ensure “they land in a useful way in highly politicized environments.”<sup>90</sup>

One expert said, “I wasn’t prepared for how political this was going to be. This isn’t about humanitarian or human rights considerations at all—it’s just about politics.”

Because sanctions committees operate on the basis of consensus, their effectiveness depends on the political and working relationships of the members and the extent to which they hold a common vision on the role of sanctions in a given context.<sup>91</sup> For example, the use of SGBV designations in Haiti has widely been considered successful, though nascent. Four of the five individuals are sanctioned for SGBV-related crimes, and the narrative sections of all five reference SGBV.<sup>92</sup> Further, there is a shared view among the committee members—and, uniquely, the host state—that designations should increase. This has helped to foster a positive working relationship among committee members and with the panel of experts.<sup>93</sup> Similarly, several

years ago, some council members felt that there was not enough reporting on SGBV in the DRC, and they specifically requested additional reporting. This prompted the panel of experts to connect with other mechanisms on the ground, including the MARA, which improved the humanitarian expert’s coordination with UN agencies and access to information.<sup>94</sup> Panels of experts and women’s protection advisers and CRSV focal points have also coordinated in other settings, including CAR, Haiti, Libya, Mali, Somalia, Sudan, and Yemen.

Other committees are more politically divisive. For example, some member states oppose the use of sanctions in Sudan, in part because they view them as an impediment to the country’s development and the host state has been outspoken in criticizing them.<sup>95</sup> Despite historically high levels of reported violence in Darfur and across the country, only three individuals are currently designated in the sanctions regime, and there have been no new designations since

2014.<sup>96</sup> Similar constraints were noted for sanctions against ISIS, where the committee has been presented with “overwhelming evidence” and perhaps “the most thoroughly documented case of widespread sexual violence in recent history,” but no individuals are designated for SGBV. The lack of such designations was described as happening “over and over again” across multiple contexts, to the great frustration of many interviewees.<sup>97</sup>

Member states often refrain from proposing sanctions designations because they know such proposals will fail to achieve consensus. As one UN official described, France, the UK, and the US “are often thinking that there’s no chance we’re going to

88 Interview 8, October 2023.

89 Interview 5, October 2023.

90 Written feedback provided April 8, 2024.

91 Interview 1, October 2023.

92 One official interviewed noted that the lack of reference to the SGBV criterion for the fifth individual may simply have been an oversight by the committee. Written feedback provided April 8, 2024.

93 Interview 24, November 2023.

94 Interview 23, November 2023.

95 Interview 1, October 2023; Interview 8, October 2023; Interview 14, October 2023.

96 UN Security Council, “Narrative Summaries of Reasons for Listing,” available at <https://www.un.org/securitycouncil/sanctions/1591/materials/summaries>.

97 Interview 5, October 2023.

get designations through the committee because China and Russia are going to protect the host states, such as with CAR and the DRC... so there's not as much effort around this. It's not that they don't deserve to be sanctioned."<sup>98</sup> This was echoed by other sanctions committee members, who expressed a desire to pursue additional sanctions for SGBV, including in South Sudan, but feel that there is "no appetite" and any attempts would "not get past the committee."<sup>99</sup> Similarly, one official recalled that experts had put forth statements of case on dozens of individuals in CAR with little to no action by the committee.<sup>100</sup> Such accounts undermine the idea that lack of evidence is a primary barrier to designations, as many statements of case presented to the committees are not even discussed.<sup>101</sup>

Political resistance to designations is not always due to opposition to addressing SGBV specifically. Rather, it can reflect member states' desire to protect potential perpetrators from sanctions, as well as their relationships with host states. In other cases, opposition to sanctions can stem from member states' views on the effect of sanctions on the development of targeted states. However, some experts did cite resistance to SGBV designations specifically. One expert recounted the "politicization" of SGBV by some committee members, including an implicit warning not to "over-report" on such violations. Such resistance can also be observed in committee members' unwillingness to approve members of the panels of experts who are proposed by the Secretariat. Member states may oppose a specific individual or the inclusion of someone with a particular profile. For example, the Sudan panel of experts went for the better part of a year without a humanitarian expert due to political disagreement among committee members.<sup>102</sup> Similarly, in 2022, the sanctions committee blocked all the proposed members of the panel of experts for CAR. Other interviewees observed that some

member states were ambivalent over or resistant to designations on the basis of SGBV, suggesting that it is often easier to get an entity designated for a "less contentious issue."<sup>103</sup>

While sanctions committee members may directly oppose a particular sanctions designation, in other cases, a designation may not occur simply because member states are not willing to expend the political capital needed to sponsor or support it. Supporting a sanctions designation is time- and resource-intensive, partially due to domestic political constraints.<sup>104</sup> Because sanctioning is a legal action, once triggered, it creates domestic requirements, which must be approved by a member state's capital. In some cases, this process can take many months. Sanctions for SGBV or other human rights violations may also be lower-priority than sanctions for other crimes such as terrorism. As one UN official said, "In my view, the terrorist suspects get a higher priority... You're talking about someone promoting violence versus someone committing mass rape, and yet there's so much more political interest in sanctioning terrorists than those that have commanded and perpetrated sexual violence in Africa."<sup>105</sup>

Across sanctions regimes related to terrorist organizations, there is a noticeable lack of designations for SGBV, particularly in the 1267/1989/2253 sanctions regime, which covers ISIS, al-Qaida, and associated individuals and groups.<sup>106</sup> Despite widespread reporting of SGBV-related crimes, this sanctions regime contains no criteria related to IHL or IHRL, including SGBV. Designation criteria for the regime instead focus narrowly on activities undertaken in support of these groups, such as financing, supplying arms, and recruitment. Thus, no parties associated with ISIS or al-Qaida are sanctioned for committing SGBV or other violations of IHL or IHRL. Nevertheless, some of the narrative summaries of the sanctions designa-

98 Interview 6, October 2023.

99 Interview 24, November 2023.

100 Interview 6, October 2023.

101 Interview 8, October 2023.

102 Ibid.

103 Interview 18, November 2023.

104 Interview 15, November 2023.

105 Interview 6, October 2023.

106 UN Security Council, "Security Council Committee Pursuant to Resolutions 1267 (1999) 1989 (2011) and 2253 (2015) Concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and Associated Individuals, Groups, Undertakings and Entities," available at <https://www.un.org/securitycouncil/sanctions/1267>.

tions under the 1267/1989/2253 regime do refer to SGBV-related crimes. For example, the narrative for Sultan Aziz Azam, ISIL-K's spokesperson, refers to the targeting of female journalists. Similarly, the narrative summaries on elements associated with Boko Haram cite the abduction of schoolgirls, but there is no criterion to sanction them for such gender-based violence.

Even in counterterrorism contexts where SGBV criteria exist, they have been underutilized. For example, SGBV was added to the sanctions regime for al-Shabaab in 2018, but of the five individuals sanctioned since then, none have been sanctioned for SGBV, and sexual violence-related crimes are not mentioned in any of the narratives of their designations. This is despite the fact that al-Shabaab has been listed as a persistent perpetrator in the annual reports of the secretary-general for the past nine years.

When it comes to terrorist organizations, sanctions are widely utilized, particularly against parties associated with al-Qaida and ISIS, which comprise approximately 45 percent of all sanctions designations. Terrorist groups have little (if any) political support in the Security Council, and the usual political constraints that impede designations for SGBV arguably do not apply. This points instead to a broader negligence to include criteria on SGBV and broader IHL and IHRL violations, despite widespread evidence that such crimes are occurring.

## What Are the Consequences of So Few Designations?

Broadly speaking, sanctions may seek to coerce or constrain actors' behavior or signal to third parties that crimes cannot be committed with impunity.<sup>107</sup>

Designations for SGBV are markedly lower than designations for other violations, which can be interpreted as a devaluing of SGBV compared with other crimes.

While it is beyond the scope of this study to examine the effectiveness of sanctions, the research pointed to the potential consequences of failing to designate more individuals for SGBV. Among those interviewed, many were skeptical that sanctions change individual or group behavior. For example, one UN official noted that while they theoretically supported the inclusion of SGBV in sanctions regimes, they had not "seen very much evidence over whether sanctions actually work to deter."<sup>108</sup> Another UN official reflected that sanctions designations are "a massive effort" that nevertheless seem "somewhat futile."<sup>109</sup> Still others suggested that sanctions do not have much effect, as the individuals most likely to be sanctioned often do not have bank accounts or passports anyway.

However, some interviewees argued that belligerents do show sensitivity to both the listings in the reports of the secretary-general and designations in sanctions regimes. As one UN official argued, "If someone believes there's no effect in these processes, then why do individuals do so much to get off these lists?"<sup>110</sup> Another official working on Sudan noted that community members in Darfur felt that soldiers and commanders were fearful of being sanctioned, and they were eager to share their testimonies in the hope that sanctions could deter future violations.<sup>111</sup> Similarly, some parties in Haiti have reportedly indicated to members of the sanctions committee that they feared being designated.<sup>112</sup> The effectiveness of both sanctions designations and listings in the reports of the secretary-general largely depends on the nature and objectives of the parties in question, in addition to the capacity of the UN to follow up.<sup>113</sup> Groups that are trying to achieve or maintain legitimacy in the eyes of the international community, including state actors and non-state actors seeking international recognition, are likely to be more

107 For example, Beirsteker et al. find that UN sanctions between 1991 and 2013 focused on coercion as their main purpose in 56 percent of cases but were effective in coercing only 10 percent of the time. Thomas J. Biersteker et al., "UN Targeted Sanctions Datasets (1991–2013)," *Journal of Peace Research* 55, no. 3 (2018); Interview 7, October 2023.

108 Interview 7, October 2023.

109 Interview 4, October 2023.

110 Interview 6, October 2023.

111 Interview 8, October 2023.

112 Interview 24, November 2023.

113 Interview 17, November 2023.

sensitive to such processes.<sup>114</sup> Yet a disproportionate share of those sanctioned are non-state actors, largely due to political sensitivities.

While several interviewees noted that sanctions can send an important signal regarding the UN's commitment to address CRSV and other forms of SGBV, some cautioned that sanctions may do little to change the behavior of the parties in question because of their highly punitive nature.<sup>115</sup> While the listing processes of the secretary-general seek to open a door to engage with parties and change behavior, sanctions can close this door, particularly because it is so difficult for parties to be de-listed. While not true in all cases, this perception is in line with previous literature that finds that UN sanctions are more effective at signaling than at coercing or changing behavior.<sup>116</sup>

The effectiveness of sanctions is also limited by the lack of follow-up once parties are sanctioned. As noted by one expert, "People have a vitriolic response to being listed, but you have to think about how they can get off the list. Managing these relationships is hugely important, but there's no one responsible for doing this. Why don't they engage with the host state to try and move behavior?" In this expert's view, for sanctions to be effective in changing behavior, there has to be a more viable way for designations to be removed. Otherwise, designations may simply harden the parties' positions and behaviors. Overall, the process for de-listing is challenging, and even deceased individuals regularly remain on sanctions lists due to difficulties in removing their names.<sup>117</sup> Thus, it could be important to consider how to make sanctions lists more dynamic in response to individual and group behavior.<sup>118</sup>

While debates over the efficacy of sanctions are warranted, they nonetheless remain a widely used tool in the UN (and among individual member states). As noted above, more than 750 individuals and entities have been sanctioned by the UN.

However, designations for SGBV are markedly lower than designations for other violations, which can be interpreted as a devaluing of SGBV compared with other crimes (see Table 2).<sup>119</sup>

## Conclusion and Recommendations

Since the Security Council first recognized CRSV as a threat to international peace and security in 2008, the UN has developed an increasing number of pathways to prevent and respond to such crimes. Among these, the listings in the annual reports of the secretary-general are a visible tool, not only to publicly name perpetrators but also to open a door for engagement that may facilitate changes in their behavior. While the use of sanctions designations for SGBV is rare, the inclusion of SGBV as a criterion in resolutions signals the UN's commitment to address this crime and can help mobilize the resources required to investigate violations. While this report did not attempt to measure the impact of each of these tools, at least some parties seem to show sensitivity to listings and designations, pointing to their potential as a deterrent. Further, progress has been made in institutionalizing the normative commitment to preventing and responding to CRSV, particularly through the work of the office of the SRSG-SVC. Nonetheless, as outlined above, there are opportunities to increase the effectiveness and coherence of these processes.

Based on the findings in this report, the following recommendations are made for member states, the UN Secretariat, and panels of experts:

### For member states:

- **Explicitly list SGBV as a criterion in all sanctions regimes for contexts where sexual violence may be taking place.** While general criteria related to violations of IHL and IHRL technically encompass SGBV, explicitly listing

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

115 Interview 3, October 2023; Interview 18, November 2023; Interview 2, October 2023; Interview 5, October 2023.

116 Biersteker et al., "UN Targeted Sanctions Datasets (1991–2013)."

117 Interview 3, October 2023.

118 As of March 2024, 124 requests for de-listing had been submitted to the UN focal point for de-listing (ninety-five individuals and forty entities), of which nineteen individuals and seventeen entities had been de-listed. UN Security Council, "Procedures for Delisting," available at [https://www.un.org/securitycouncil/sanctions/1267/aq\\_sanctions\\_list/procedures-for-delisting](https://www.un.org/securitycouncil/sanctions/1267/aq_sanctions_list/procedures-for-delisting).

119 Expert roundtable discussion on sanctions and counterterrorism, Permanent Mission of France to the United Nations, March 15, 2024.

SGBV as a criterion signals the UN's and member states' commitment to addressing SGBV and may help trigger additional investigations into such crimes. Even when not including SGBV as a stand-alone criterion, sanctions committees should explicitly mention it in the list of potential violations of IHL and IHRL.

- **Prioritize utilizing existing SGBV-related criteria as appropriate with available evidence.** In many cases, perpetrators known for committing SGBV are not designated under such criteria, even when they exist. This sends a message that other crimes are considered more important than SGBV and misses an opportunity to signal the UN's commitment to preventing and responding to such crimes.
- **Provide additional resources for panels of experts.** Experts should be paid commensurate with their experience and in line with the salaries and benefits given to other UN staff members, particularly given the difficulty of their role. Member states should also recruit sufficient numbers of experts with requisite skill sets to investigate CRSV and other forms of SGBV and ensure that experts have additional resources for transportation, translation services, and other direct costs to fulfill their mandates.
- **Increase coherence between the parties listed in the annual reports on CRSV and the individuals and entities designated in sanctions regimes.** In particular, persistent perpetrators of CRSV should be strongly considered for designation in sanctions regimes. Each year, the office of the SRSG-SVC should provide a list to the sanctions committees of persistent perpetrators, and the committees should review those parties to consider them for designation. This could be facilitated via the establishment of a formal mechanism, as recommended by the secretary-general, so that the council can consistently monitor compliance by conflict parties and consider referring them to relevant sanctions committees.<sup>120</sup> In focusing on persistent perpetrators, the council should not neglect to consider sanctions against perpetrators that

have been listed for less than five years.

- **Organize an annual field visit for sanctions committees to the context in question, when feasible, and seek to engage with women-led organizations, frontline service providers, and survivors of SGBV.** The practice of field visits has been undertaken by other member-state bodies, including the Security Council, the Peacebuilding Commission, and the General Assembly's Special Committee on Peacekeeping Operations (C34). Such visits can contextualize the information committees receive, facilitate a common vision among member states, and help member states to better understand which sanctions are working effectively.
- **Create a standing capacity within the UN to engage with designated parties, with the aim of encouraging compliance and facilitating de-listing.** Because sanctions regimes are so punitive and it is very rare for individuals to be de-listed once designated, sanctions may disincentivize behavior change. Therefore, member states, in cooperation with the office of the SRSG-SVC and SCAD, should consider establishing clearer pathways for de-listing based on changes in behavior and compliance with international law. Standing capacity within SCAD would be required to monitor such processes and further engage with those designated.

#### For the UN Secretariat and panels of experts:

- **Establish a platform for regularly coordinating and sharing information between the office of the SRSG-SVC and panels of experts.** While panels of experts may refer to the annual reports of the secretary-general, the office of the SRSG-SVC could establish a platform to facilitate information sharing and better align the annual reports and sanctions designations.
- **Institute more structured handover processes between incoming and outgoing members of panels of experts.** Panels of experts should organize dedicated in-person or virtual meetings between the ingoing and outgoing members, as well as the leader of the

<sup>120</sup> See: UN Doc. S/2019/280.

panel, to sustain momentum, share information, and ensure continuity of strategy. Outgoing members should also provide written guidance or after-action reviews to preserve institutional memory. Such efforts require appropriate resourcing from member states and support from SCAD.

- **Provide more robust training on SGBV for panels of experts.** The Secretariat should ensure that all members of panels of experts receive sufficient training on investigating and documenting SGBV. This training should be based on a common standard for investigations

that uses a survivor-centered approach. It should also provide tools for the experts to maintain their mental health and well-being when listening to testimonies.

- **Strengthen CRSV expertise and capacity within SCAD.** The Secretariat should ensure that SCAD has staff who are aware of and sensitive to the requirements of investigating and reporting on CRSV. This could better enable experts to fulfill their mandates and may also allow SCAD to support additional engagement between panels and member states.

## Annex: UN Sanctions Regimes and SGBV Designation Criteria

Sanctions regime	Explicit criteria on SGBV (as a stand-alone paragraph or under IHL/IHRL violations)	Implicit criteria on SGBV (within IHL/IHRL designation criteria)
al-Shabaab	<p><b>S/RES/2444 (2018), para. 50</b> 50. Recalls its decisions in resolution 1844 (2008) which imposed targeted sanctions and resolutions 2002 (2011) and 2093 (2013) which expanded the listing criteria, notes one of the listing criteria under resolution 1844 (2008) is engaging in or providing support for <b>acts that threaten the peace, security or stability</b> of Somalia, and decides that such acts may also include but are not limited to <b>planning, directing or committing acts involving sexual and gender-based violence</b></p> <p><b>S/RES/2093 (2013), para. 43(e)</b> 43. Decides that the measures in paragraphs 1, 3, and 7 of resolution 1844 (2008) shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee: .... (e) As being responsible for <b>violations of applicable international law</b> in Somalia involving the targeting of civilians including children and women in situations of armed conflict, including killing and maiming, <b>sexual and gender-based violence</b>, attacks on schools and hospitals and abduction and forced displacement</p> <p><b>S/RES/2002 (2011), para. 1(e)</b> 1. Decides that the measures in paragraphs 1, 3, and 7 of resolution 1844 (2008) shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee: .... (e) as being responsible for <b>violations of applicable international law</b> in Somalia involving the targeting of civilians including children and women in situations of armed conflict, including killing and maiming, <b>sexual and gender-based violence</b>, attacks on schools and hospitals and abduction and forced displacement</p>	No

Sanctions regime	Explicit criteria on SGBV (as a stand-alone paragraph or under IHL/IHRL violations)	Implicit criteria on SGBV (within IHL/IHRL designation criteria)
CAR	<p><b>S/RES/2399 (2018), para. 21(c)</b> 21. Further decides in this regard that the measures contained in paragraphs 9 and 16 shall also apply to the individuals and entities designated by the Committee as: .... (c) <b>Involved in planning, directing or committing acts involving sexual and gender-based violence in the CAR</b></p> <p><b>S/RES/2262 (2016), para. 13(b)</b> 13. Further decides in this regard that the measures contained in paragraphs 5 and 8 shall also apply to the individuals and entities designated by the Committee as: .... (b) Involved in planning, directing, or committing acts that violate <b>international human rights law or international humanitarian law</b>, as applicable, or that constitute human rights abuses or violations, in the CAR, including acts involving <b>sexual violence</b>, targeting of civilians, ethnic- or religious-based attacks, attacks on schools and hospitals, and abduction and forced displacement</p> <p><b>S/RES/2196 (2015), para 12(b)</b> 12. Further decides in this regard that the measures contained in paragraphs 4 and 7 shall also apply to the individuals and entities designated by the Committee as: ..... (b) involved in planning, directing, or committing acts that violate <b>international human rights law or international humanitarian law</b>, as applicable, or that constitute human rights abuses or violations, in the CAR, including acts involving <b>sexual violence</b>, targeting of civilians, ethnic- or religious-based attacks, attacks on schools and hospitals, and abduction and forced displacement</p>	<p><b>S/RES/2399 (2018), para. 21(b)</b> 21. Further decides in this regard that the measures contained in paragraphs 9 and 16 shall also apply to the individuals and entities designated by the Committee as: .... (b) Involved in planning, directing, or committing acts in the CAR that violate <b>international human rights law or international humanitarian law</b>, as applicable, or that constitute human rights abuses or violations, including those involving targeting of civilians, ethnic- or religious-based attacks, attacks on civilian objects, including administrative centers, courthouses, schools and hospitals, and abduction and forced displacement</p>
DRC	<p><b>S/RES/2293 (2016), para. 7(e)</b> 7. Decides that the measures referred to in paragraph 5 above shall apply to individuals and entities as designated by the Committee for engaging in or providing support for acts that undermine the peace, stability or security of the DRC, and decides that such acts include: .... (e) planning, directing, or committing acts in the DRC that constitute <b>human rights violations or abuses or violations of international humanitarian law</b>, as applicable, including those acts involving the targeting of civilians, including</p>	No

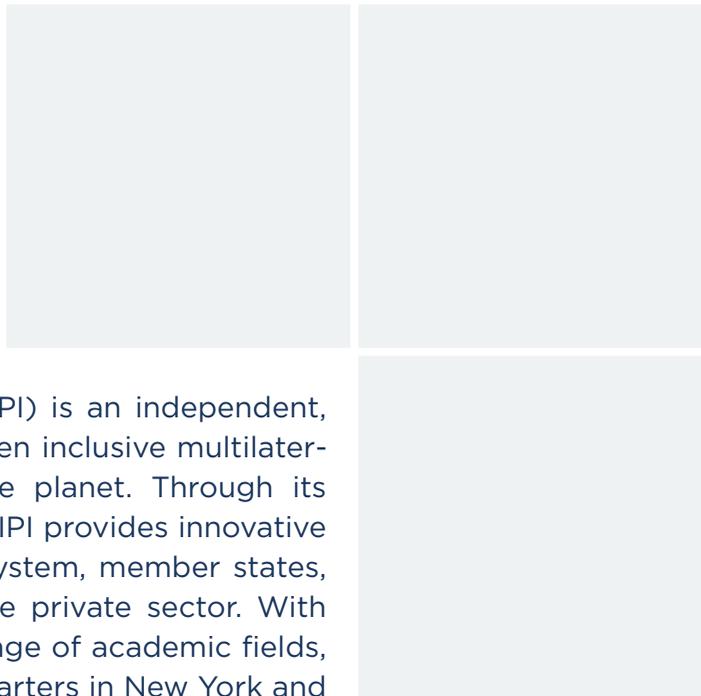
Sanctions regime	Explicit criteria on SGBV (as a stand-alone paragraph or under IHL/IHRL violations)	Implicit criteria on SGBV (within IHL/IHRL designation criteria)
DRC	<p>killing and maiming, <b>rape and other sexual violence</b>, abduction, forced displacement, and attacks on schools and hospitals</p> <p><b>S/RES/2078 (2012), para. 4(e)</b>  . Decides that the measures referred to in paragraph 3 above shall apply to the following individuals, and, as appropriate, entities, as designated by the Committee: .... (e) Individuals or entities operating in the Democratic Republic of the Congo and committing <b>serious violations</b> involving the targeting of children or women in situations of armed conflict, including killing and maiming, <b>sexual violence</b>, abduction, and forced displacement</p> <p><b>S/RES/1857 (2008), para. 4(e)</b>  4. Decides that the measures referred to in paragraph 3 above shall apply to the following individuals and, as appropriate, entities, as designated by the Committee: .... (e) Individuals operating in the Democratic Republic of the Congo and committing <b>serious violations of international law</b> involving the targeting of children or women in situations of armed conflict, including killing and maiming, <b>sexual violence</b>, abduction and forced displacement</p>	
Haiti	<p><b>S/RES/2653 (2022), para. 16(a)(f)</b>  16. Decides that such actions as described in paragraph 15 above include, but are not limited to: ..... a. Engaging in, directly or indirectly, or supporting criminal activities and violence involving armed groups and criminal networks that <b>promote violence</b>, including forcible recruitment of children by such groups and networks, kidnappings, trafficking in persons and the smuggling of migrants, and homicides and sexual and <b>gender-based violence</b></p> <p><b>f. Planning, directing or committing acts involving sexual and gender-based violence, including rape and sexual slavery, in Haiti</b></p>	<p><b>S/RES/2653 (2022), para. 16(e)</b>  16. Decides that such actions as described in paragraph 15 above include, but are not limited to: ..... e. Planning, directing, or committing acts that violate <b>international human rights law or acts that constitute human rights abuses</b>, including those involving extrajudicial killing, including of women and children, and the commission of acts of violence, abduction, enforced disappearances, or kidnappings for ransom in Haiti</p>

Sanctions regime	Explicit criteria on SGBV (as a stand-alone paragraph or under IHL/IHRL violations)	Implicit criteria on SGBV (within IHL/IHRL designation criteria)
Libya	<p><b>S/RES/2441 (2018), para. 11</b>  11. Reaffirms that the travel ban and asset freeze measures specified in paragraphs 15, 16, 17, 19, 20 and 21 of resolution 1970 (2011), as modified by paragraphs 14, 15 and 16 of resolution 2009 (2011) paragraph 11 of resolution 2213 (2015) and paragraph 11 of resolution 2362 (2017), apply to individuals and entities designated under that resolution and under resolution 1973 (2011) and by the Committee established pursuant to paragraph 24 of resolution 1970 (2011), and reaffirms that these measures also apply to individuals and entities determined by the Committee to be engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition, and reaffirms that, in addition to the acts listed in paragraph 11 (a)-(f) of resolution 2213 (2015), such acts may also include but are not limited to planning, directing, sponsoring, or participating in attacks against United Nations personnel, including members of the Panel of Experts established by paragraph 24 of resolution 1973 (2011) and modified by resolutions 2040 (2012), 2146 (2014), 2174 (2014), 2213 (2015) and this resolution (the Panel) and decides that such acts may also include but are not limited to <b>planning, directing or committing acts involving sexual and gender-based violence</b></p>	<p><b>S/RES/1970 (2011), para. 22(a)</b>  22. Decides that the measures contained in paragraphs 15 and 17 shall apply to the individuals and entities designated by the Committee, pursuant to paragraph 24 (b) and (c), respectively; ..... (a) Involved in or complicit in ordering, controlling, or otherwise directing, the commission of serious <b>human rights abuses</b> against persons in the Libyan Arab Jamahiriya, including by being involved in or complicit in planning, commanding, ordering or conducting attacks, in violation of international law, including aerial bombardments, on civilian populations and facilities</p> <p><b>S/RES/2174 (2014), para. 4(a)</b>  4. Reaffirms that the measures specified in paragraphs 15, 16, 17, 19, 20 and 21 of resolution 1970 (2011), as modified by paragraphs 14, 15 and 16 of resolution 2009 (2011), apply to individuals and entities designated under that resolution and under resolution 1973 (2011) and by Committee established pursuant to paragraph 24 of resolution 1970 (2011), decides that they shall also apply to individuals and entities determined by the Committee to be engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition, and decides that such acts may include but are not limited to: ..... (a) planning, directing, or committing, acts that violate applicable <b>international human rights law or international humanitarian law, or acts that constitute human rights abuses</b>, in Libya</p>

Sanctions regime	Explicit criteria on SGBV (as a stand-alone paragraph or under IHL/IHRL violations)	Implicit criteria on SGBV (within IHL/IHRL designation criteria)
Libya		<p><b>S/RES/2213 (2015), para. 11(a)</b>  11. Reaffirms that the travel ban and asset freeze measures specified in paragraphs 15, 16, 17, 19, 20 and 21 of resolution 1970 (2011), as modified by paragraphs 14, 15 and 16 of resolution 2009 (2011), apply to individuals and entities S/RES/2213 (2015) 4/7 15-04996 designated under that resolution and under resolution 1973 (2011) and by the Committee established pursuant to paragraph 24 of resolution 1970 (2011), and reaffirms that these measures also apply to individuals and entities determined by the Committee to be engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition, and decides that such acts may include but are not limited to: ..... (a) planning, directing, or committing, acts that violate applicable <b>international human rights law or international humanitarian law, or acts that constitute human rights abuses</b>, in Libya</p>
Sudan	No	<p><b>S/RES/1591 (2005), para. 3(c)</b>  (c) that those individuals, as designated by the Committee established by subparagraph (a) above, based on the information provided by Member States, the Secretary-General, the High Commissioner for Human Rights or the Panel of Experts established under subparagraph (b) of this paragraph above, and other relevant sources, who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of <b>international humanitarian or human rights law or other atrocities</b>, violate the measures implemented by Member States in accordance with paragraphs 7 and 8 of resolution 1556 (2004) and</p>

Sanctions regime	Explicit criteria on SGBV (as a stand-alone paragraph or under IHL/IHRL violations)	Implicit criteria on SGBV (within IHL/IHRL designation criteria)
		<p>paragraph 7 of this resolution as implemented by a state, or are responsible for offensive military overflights described in paragraph 6 of this resolution, shall be subject to the measures identified in subparagraphs (d) and (e) below</p>
South Sudan	<p><b>S/RES/2521 (2020), para. 15(d)(e)</b>  15. Underscores that such actions or policies as described in paragraph 14 above may include, but are not limited to: .... (d) The targeting of civilians, including women and children, through the planning, directing, or commission of acts of violence (including killing, maiming, torture, or <b>rape</b>), abduction, enforced disappearance, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or through other conduct that would constitute a serious abuse of <b>human rights, a violation of international human rights law or a violation of international humanitarian law</b></p> <p><b>(e) Planning, directing, or committing acts involving sexual and gender-based violence in South Sudan</b></p> <p><b>S/RES/2428 (2018), para. 14(e)</b>  14. Underscores that such actions or policies as described in paragraph 13 above may include, but are not limited to: .... <b>(e) Planning, directing, or committing acts involving sexual and gender-based violence in South Sudan</b></p> <p><b>S/RES/2206 (2015), para. 7(d)</b>  7. Underscores that such actions or policies as described in paragraph 6 above may include, but are not limited to: .... (d) The targeting of civilians, including women and children, through the commission of <b>acts of violence</b> (including killing, maiming, torture, or <b>rape or other sexual violence</b>), abduction, enforced disappearance, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or through conduct that would <b>constitute a serious abuse or violation of human rights or a violation of international humanitarian law</b></p>	<p><b>S/RES/2521 (2020), para. 15(c)</b>  15. Underscores that such actions or policies as described in paragraph 14 above may include, but are not limited to: .... (c) Planning, directing, or committing acts that violate applicable <b>international human rights law or international humanitarian law, or acts that constitute human rights abuses</b>, in South Sudan;</p> <p><b>S/RES/2428 (2018), para. 14(c)(d)</b>  14. Underscores that such actions or policies as described in paragraph 13 above may include, but are not limited to: .... (c) Planning, directing, or committing acts that violate applicable <b>international human rights law or international humanitarian law, or acts that constitute human rights abuses</b>, in South Sudan;</p> <p>(d) The targeting of civilians, including women and children, through the planning, directing, or commission of acts of violence (including killing, maiming, or torture), abduction, enforced disappearance, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or through <b>conduct that would constitute a serious abuse or violation of human rights or a violation of international humanitarian law</b></p> <p><b>S/RES/2206 (2015), para. 7(c) 7.</b>  Underscores that such actions or policies as described in paragraph 6</p>

Sanctions regime	Explicit criteria on SGBV (as a stand-alone paragraph or under IHL/IHRL violations)	Implicit criteria on SGBV (within IHL/IHRL designation criteria)
		above may include, but are not limited to: .... (c) Planning, directing, or committing acts that violate applicable <b>international human rights law or international humanitarian law, or acts that constitute human rights abuses</b> , in South Sudan
Yemen	S/RES/2511 (2020), para. 6 6. Affirms that <b>sexual violence in armed conflict</b> , or the recruitment or use of children in armed conflict in violation of international law, could constitute an act, as specified in paragraph 18 (c) of resolution 2140 (2014), and therefore a sanctionable act of engaging in or providing support for acts that <b>threaten the peace, security or stability of Yemen</b> , as described in paragraph 17 of that resolution	S/RES/2140 (2014), para 18(c) 18. Underscores that such acts as described in paragraph 17 above may include, but are not limited to: .... (c) Planning, directing, or committing acts that violate applicable <b>international human rights law or international humanitarian law, or acts that constitute human rights abuses</b> , in Yemen
Guinea-Bissau	No	No
DPRK	No	No
1636 Regime: Lebanon	No	No
1988 Regime: Taliban (Afghanistan)	No	No
1518 Regime: Iraq and Kuwait	No	No
1267, 1989, and 2253 Regime: Islamic State in Iraq and the Levant (Da'esh), al-Qaida	No	No



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