

Forum: Human Rights Council

Question of: Protecting Civilians from Sexual and Military Violence in
Combat Zones



Submitted by: Spain

Co-submitted by: Austria, Bahamas, China, Croatia, Czech Republic, Denmark, Egypt, Hungary, Iceland, India, Italy, Mexico, Nigeria, Rwanda, Somalia, Senegal, Ukraine, United Kingdom, Uruguay, Center for Civilians in Conflict and Human Rights Watch

- 1 The Human Rights Council,
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- 3 *Reaffirming* the purposes and principles of the Charter and the Universal Declaration of Human Rights and the Geneva Convention,
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- 6 *Underlining* the fact that mutual understanding, dialogue, cooperation, transparency are important elements in all activities for the promotion and protection of human rights,
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- 9 *Expressing deep concern* at the full range of threats and human rights violations and abuses experienced by women and girls in armed conflict,
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- 12 *Recalling* the need for civilian and military leaders to demonstrate commitment and political will to prevent sexual violence and enforce accountability, and that inaction and impunity for sexual violence crimes in conflict and post-conflict situation can send a message that the incidence of such crimes is tolerated,
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- 17 *Further recalling* the important contribution of civil society, including women leaders and women's organizations, to conflict prevention, resolution, and peacebuilding, including preventing and responding to sexual violence in conflict, affirming the importance of their sustained engagement and meaningful participation in all peace processes,
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- 22 *Deeply concerned* of the ongoing political, security, economic and humanitarian challenges in Yemen, including the ongoing violence, and threats arising from the illicit transfer, destabilizing accumulation and misuse of weapons,
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- 26 *Recalling* its call for all parties in Yemen to adhere to resolving their differences through dialogue and consultation, reject acts of violence to achieve political goals, and refrain from provocation,
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- 30 *Further recalling* all General Assembly resolutions on measures to eliminate international terrorism and Security Council resolutions on threats to international peace and security caused by terrorist acts,
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- 34 *Affirming* that member states must ensure that any measure taken to combat terrorism complies with all their obligations under international law and must adopt such measures in accordance with international law,
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- 38 *Reaffirming* its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,
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40 *Expressing grave concern* at the indiscriminate use of force by the Syrian authorities against
41 civilians, which has caused immense human suffering and fomented the spread of extremism
42 and which demonstrates the continuing failure of the Syrian authorities to protect the popula-
43 tion and implement the relevant resolutions and decisions of United Nations bodies,
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45 *Reaffirming* its condemnation in the strongest possible terms of the use of chemical weapons
46 by anyone under any circumstances, and expressing its strong conviction that those individ-
47 uals responsible for the use of chemical weapons must be held accountable,
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49 1. **Strongly condemns**:

- 50 a. the systematic, widespread and gross violations and abuses of international
51 human rights law committed in the Syrian Arab Republic,
52 b. the indiscriminate and disproportionate attacks in civilian areas and against
53 civilian infrastructure, in particular:
54 i. attacks on medical facilities,
55 ii. schools;

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57 2. **Demands** that all parties comply with their obligations under international humanitari-
58 an law;

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60 3. **Urges** all Member States, especially the members of the International Syria Support
61 Group (ISSG), to create conditions for continued negotiations for a political solution to
62 the Syrian conflict, by:

- 63 a. working towards the nationwide ceasefire, to enable full, immediate and safe
64 humanitarian access,
65 b. supporting the Convention on the elimination of all form of discrimination
66 against women,

67 as only a durable and inclusive political solution to the conflict can bring an end to
68 abuses of international human rights law and violations of international humanitarian
69 law;
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71 4. **Condemns** in the strongest terms the gross and systematic abuse of the human
72 rights of civilians, especially women and children by all terrorist groups and armed
73 groups, in particular:

- 74 a. the killing of women and girls,
75 b. sexual and gender-based violence, including the enslavement and sexual ex-
76 ploitation,
77 c. abuse of women and girls,
78 d. the forced recruitment of child soldiers,
79 e. use and abduction of children;

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81 5. **Strongly condemns** any use of chemical weapons;

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83 6. **Emphasizes** that the development, production, acquisition, retention, transfer or use
84 of chemical weapons anywhere:

- 85 a. is unacceptable,
86 b. constitutes one of the most serious crimes under international law,
87 c. is a violation of the Convention on the Prohibition of the:
88 i. development,
89 ii. production,
90 iii. stockpiling,
91 iv. and use of Chemical Weapons and on their destruction;

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7. **Expresses** its strong conviction that all states must work closely together with the Security Council to ensure that individuals responsible for the:
 - a. development,
 - b. production,
 - c. acquisition,
 - d. stockpiling,
 - e. retention,
 - f. transfer,
 - g. use,of chemical weapons are held accountable;
 8. **Urges** all parties to avoid using explosive weapons which have a wide impact area in populated places, due to the high risk of indiscriminate civilian death and injury and the danger to infrastructure, such as:
 - a. health care,
 - b. water,
 - c. electricity;
 9. **Recommends** the Security Council to work with NGOs such as but not limited to the OPCW in order to place limits to the use of heavy arms;
 10. **Strongly urges** all parties involved in armed conflicts to immediately take appropriate measures to protect civilians, especially women and children, from all forms of sexual violence, including measures such as, but not limited to:
 - a. enforcing appropriate military disciplinary measures,
 - b. upholding the principle of command responsibility by:
 - i. training troops on the categorical prohibition of all forms of sexual violence against civilians,
 - ii. vetting candidates for national armies and security forces to ensure the exclusion of those associated with serious violations of international humanitarian and human rights law, including sexual violence;
 11. **Urges** all parties involved in conflicts to ensure that:
 - a. all reports of sexual violence committed by civilians or by military personnel are thoroughly investigated,
 - b. the alleged perpetrators brought to justice,
 - c. civilian superiors and military commanders, in accordance with international humanitarian law, use their authority and powers to prevent sexual violence, including by combating impunity;
 12. **Encourages** member states, in particular those in combat zones, to increase access to:
 - a. health care,
 - b. psychosocial support,
 - c. legal assistance for victims of sexual violence,with the support of the international community;
 13. **Expresses** its intention to make better usage of periodical field visits to conflict areas, through:
 - a. the organization of interactive meetings with the local women,
 - b. women's organizations in the field,

- 144 about the concerns and needs of women in areas of armed conflict;
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146 14. **Encourages** leaders at the national and local level, including traditional leaders
147 where they exist and religious leaders, to play a more active role in sensitizing com-
148 munities on sexual violence to avoid marginalization and stigmatization of victims, to:
149 a. assist with their social reintegration,
150 b. combat a culture of impunity for these crimes;
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152 15. **Proposes**:
153 a. that issues of sexual violence get included in all United Nations sponsored
154 peace negotiation agendas,
155 b. the European nations to sign the council of Europe Convention on Preventing
156 and Combatting Violence against Women;
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158 16. **Encourages** member states to:
159 a. deploy greater numbers of female military and police personnel to United Na-
160 tions peacekeeping operations,
161 b. provide all military and police personnel with adequate training to carry out
162 their responsibilities;
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164 17. **Calls upon** all member states, the United Nations and other appropriate international,
165 regional and sub-regional organizations to implement the United Nations Global
166 Counter-Terrorism Strategy, in all its aspects at the:
167 a. international,
168 b. regional,
169 c. sub-regional,
170 d. national,
171 levels without delay, also by mobilizing resources and expertise;
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173 18. **Calls upon** all member states to refrain from:
174 a. financing,
175 b. encouraging,
176 c. providing training,
177 for or otherwise supporting terrorist activities;
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179 19. **Further calls upon** all member states to support international efforts to prevent ter-
180 rorists from acquiring weapons of mass destruction;
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182 20. **Urges** the international community to devote parts of the resources made available
183 by the implementation of disarmament and arms limitation agreements to economic
184 and social development;
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186 21. **Expresses its appreciation** for the continued efforts by the Office for the Coordina-
187 tion of Humanitarian Affairs to build partnerships with:
188 a. regional organizations,
189 b. non-traditional donors,
190 c. the private sector;
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192 22. **Encourages** member states and the United Nations system to continue to strengthen
193 partnerships on:
194 a. global,
195 b. regional,

- 196 c. national,
197 d. local,
198 levels to support national efforts in order to effectively cooperate to provide humani-
199 tarian assistance to those in need and ensure that their collaborative efforts adhere to
200 the principles of humanity and independence;
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- 202 23. **Urges** all member states to strengthen its international commitments to humanitarian
203 aid while fighting terrorism, as well as recognising the key role humanitarian organisa-
204 tions can play in areas where terrorist groups are active and other combat areas;
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- 206 24. **Calls upon** member states to increase the security of civilians in combat zones by:
207 a. ensuring that the justice system is being upheld in times of war,
208 b. creating a network of women who have been left without their male communi-
209 ty members because of conflict and providing them with resources to help en-
210 sure the protection of themselves and others;
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- 212 25. **Suggests** the founding of the United Nations Protective Organization against Sexual
213 and Mental Abuse (UNPOSMA) as a sub-organization of the United Nations Human
214 Rights Council with their headquarters being in Geneva, Switzerland to ensure:
215 a. close cooperation between UNPOSMA and HRC,
216 b. safe environment for our employees,
217 c. close proximity to affected areas;
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- 219 26. **Calls** upon the UN to do background checks on Blue Helmets with a leading function
220 sent to conflict areas to ensure they will help cause instead of increasing the problem;
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- 222 27. **Urges** all donor countries to increase humanitarian assistance to the host communi-
223 ties of refugees;
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- 225 28. **Proposes** the official definition for “war victim” as the following: any person who has
226 been sexually or physically harmed by the consequences of an internationally unlaw-
227 ful act or a person who has to live with permanent psychological or physical damage
228 caused by violence in a war zone;
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- 230 29. **Calls** upon the UN Security Council to demand member states to stop:
231 a. using heavy weapons as stated in clause 8,
232 b. not taking serious actions against terror groups located in the country;
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- 234 30. **Encourages** all member states to stay actively seized of the matter.