



## **Annex B: Evidence of growing acknowledgement by the United Nations and countries that international humanitarian law requires abortion access for girls and women raped in armed conflict**

- I. Excerpts from United Nations Security Council Resolutions on women, peace and security requiring Member States to provide abortion services to war rape victims
- II. Excerpts from Reports by the United Nations Secretary-General on women, peace and security requiring Member States to provide abortion services
- III. Actions by other states to ensure access safe abortions services for girls and women raped in war under international humanitarian law

## I. Excerpts from United Nations Security Council Resolutions on women, peace and security requiring Member States to provide abortion services to war rape victims

U.N. Security Council Resolution 2122 of 18 October 2013 (UN Doc. S/RES/2122 (2013))

United Nations

S/RES/2122 (2013)



**Security Council**

Distr.: General  
18 October 2013

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### **Resolution 2122 (2013)**

Adopted by the Security Council at its 7044th meeting, on  
18 October 2013

*Recognizing* the importance of Member States and United Nations entities seeking to ensure humanitarian aid and funding includes provision for the full range of medical, legal, psychosocial and livelihood services to women affected by armed conflict and post-conflict situations, and *noting* the need for access to the full range of sexual and reproductive health services, including regarding pregnancies resulting from rape, without discrimination,

United Nations

S/RES/2106 (2013)



**Security Council**

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**Resolution 2106 (2013)**

**Adopted by the Security Council at its 6984th meeting, on  
24 June 2013**

19. *Recognizing* the importance of providing timely assistance to survivors of sexual violence, urges United Nations entities and donors to provide non-discriminatory and comprehensive health services, including sexual and reproductive health, psychosocial, legal, and livelihood support and other multi-sectoral services for survivors of sexual violence, taking into account the specific needs of persons with disabilities; *calls for* support to national institutions

## II. Excerpts from Reports by the United Nations Secretary-General on women, peace and security requiring Member States to provide abortion services

U.N. Secretary-General's Report on women, peace and security of 4 September 2013 (UN Doc S/2013/525)

United Nations

S/2013/525



**Security Council**

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### **Report of the Secretary-General on women and peace and security**

(a) Ensure that humanitarian aid and funding provides for the full range of medical, legal, psychosocial and livelihood services to victims of rape, including access to services for safe termination of pregnancies resulting from rape, without discrimination and in accordance with international human rights and humanitarian law;



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General Assembly  
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Prevention of armed conflict

Security Council  
Sixty-eighth year

### **Sexual violence in conflict**

#### **Report of the Secretary-General**

required for response initiatives. There is also an accountability gap when it comes to children born as a result of rape, as punishment against or redress by the perpetrator rarely includes reparations for the women who were victimized or the children who were born as a result of rape. Girls and women lack access to services that would allow them to safely terminate a pregnancy and are often forced to either carry out unwanted pregnancies resulting from rape or undergo dangerous abortions. Therefore, access to safe emergency contraception and services for the termination of pregnancies resulting from rape should be an integral component of any multisectoral response.

### III. Actions by other states to ensure access safe abortions services for girls and women raped in war under international humanitarian law

Statement by Mr. Gérard Araud, Permanent Representative of France to the United Nations at the Security Council debate on sexual violence in conflict, April 25, 2014, S/PV.7160

“Before concluding, I would like to add one point that remains important for France. In peacetime, but even more so during war, access to sexual and reproductive health services is indispensable. We know that women and girls exposed to sexual violence run the risk of premature and unwanted pregnancies. The risk of maternal mortality in such circumstances rises tenfold. The refusal to provide abortion services represents a violation of one of the principles of international humanitarian law, which covers non-discrimination with respect to the provision of medical services to victims. Such discrimination, which adds a terrible injustice to women who have been the victims of sexual violence, must be brought to an end.”

Department for International Development, “Safe and unsafe abortion – The UK’s policy on safe and unsafe abortion in developing countries,” June 2014



## Safe and unsafe abortion

### The UK’s policy position on safe and unsafe abortion in developing countries

The UN Security Council Resolution 2122<sup>26</sup> notes the need for access to comprehensive sexual and reproductive health services for women affected by armed conflict and post conflict situations. It is the UK’s view that in situations of armed conflict or occupation where denial of abortion threatens the woman’s or girl’s life or causes unbearable suffering, international humanitarian law principles may justify offering a safe abortion rather than perpetuating what amounts to inhumane treatment in the form of an act of cruel treatment or torture. Clearly this will depend on the woman’s choice, her condition and the safety and security of the humanitarian staff, as well as other contextual factors.

Written parliamentary questions and answers from Frans Timmermans, Minister of Foreign Affairs and Liliaane Ploumen, Minister of Foreign Trade and Development Aid regarding the questions from Member of Parliament Sjoerdsma about safe abortion for raped women in war zones (March 8, 2013). Note: This is an unofficial translation, The Original document from the Ministerie van Buitenlandse Zaken in Dutch available at: <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2013/04/08/beantwoording-kamervragen-over-veilige-abortus-voor-verkrachte-vrouwen-in-oorlogsgebieden.html>

**Question 1:** Do you believe that women and girls, who have been raped in war zones, are entitled to medical assistance as stated in the Geneva Convention and its protocols? Do you believe that this also covers the right to safe abortion?

Answer: All victims of war, including rape victims, must receive the best care as soon as possible as is also stated in International humanitarian law. This law however does not specifically address the right to safe abortion, but abortion can be seen as a necessary medical procedure in some instances.

**Question 2:** Do you agree with the UK that these human right principles should take priority over possible restrictive abortion laws in a war zone?

Answer: We agree with the UK that it is a humanitarian law duty (original text states war law) to provide medical care, including abortion of victims of rape, if and when there is a medical necessity for this regardless of national laws in countries.

**Question 3:** Are you prepared to take a leading role by declaring that raped women and girls in war zones have the right to safe abortions? Are you also prepared to make this declaration part of the National Action Plan on 1325? Next to that, are you willing to move the EU to follow by your example?

Answer: It is our opinion that raped women and girls in war zones have the right to any and all necessary medical care of great quality, this includes safe abortion. We will continue to be active and consequent in carrying out our stance within the EU and UN and every other relevant platforms. The Dutch National Action Plan on 1325 puts its strategic focus on political participation and leadership of women in conflict areas for its collaboration with the (to date) 44 signatories.