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Transcript

Global Solutions to Sexual Violence in Conflict

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Haja Zainab Hawa Bangura:

Excellencies, ladies and gentlemen: thank you for inviting me here today, and a special thank you to Chatham House and its director Robin Niblett for organizing this. I also want to specifically thank the United Kingdom government and Foreign Secretary William Hague for their support – political, financial, and moral – in this fight. Launched by Secretary Hague in May last year, the United Kingdom Preventing Sexual Violence Initiative seeks to work with G8 partners, not the least during the UK's G8 presidency, to promote the need for justice and accountability and to highlight the plight and rights of victims and survivors. Being able to talk about conflict-related sexual violence here today, at the world's top think-tank, is a testament to how far this issue has come in a short period of time. I am very pleased to be here to engage in a discussion with you about this issue and what can be done to move the women, peace and security agenda forward.

Conflict-related sexual violence is certainly not a new phenomenon. For too long, however, it has been considered 'unspeakable', and an ignored crime. Whereas the history books have been silent about the horrific reality of rape in war, women and girls have been painfully aware of the war that has been waged not just on battlefields but on their bodies. And the consequences of rape and other forms of sexual violence often linger long after the conflict has ended. Mental and physical illness is common. Survivors of rape often face pregnancy, sexually transmitted diseases including HIV/AIDS, as well as other crippling repercussions. Depression, anxiety disorders, flashbacks, difficulties in re-establishing intimate relationships, and fear are among the common long-term psychological impacts of this crime. A rape survivor from Bosnia captured the long-lasting consequences best when she said, 'They have taken my life without killing me.'

The [UN] Security Council recognized the disproportionate effect of armed conflict on women, and in response adopted a series of groundbreaking resolutions, among them Security Council Resolution 1325, and the follow-up resolutions 1820, 1888 and 1960. Security Council Resolution 1325 provides the foundation for my work as the special representative of the secretary-general on sexual violence in conflict. The resolution, passed in the year 2000, calls on states to increase the representation of women in decision-making positions at all levels, end impunity for conflict-related sexual violence, and mainstream the gender perspective in all peace negotiations and peace-building efforts. The resolution also urges all parties to conflict to take special measures to protect women and girls from gender-based violence, particularly rape and sexual violence, in conflict.

Resolution 1820 was the first Security Council resolution to recognize conflict-related sexual violence as a tactic of war and a matter of international peace and security that requires peacekeeping, justice and security services. Resolution 1888 built upon the preceding resolutions by creating my position to provide international leadership and advocacy on the issue, and requiring the sanctions committee of the Security Council to add criteria pertaining to rape and other acts of sexual violence to their deliberations. Lastly, Resolution 1960 calls for the establishment of monitoring, analysis and reporting mechanisms to enhance our knowledge of this crime as well as the naming and shaming of countries where sexual violence in conflict is taking place.

These Security Council resolutions have provided the international legal framework for us to begin tearing away at the root causes of sexual violence in conflict, and send a clear message to governments that they have the primary moral and legal responsibility to protect their citizens and prevent this crime. But they also put perpetrators on notice, that gone are the days when attacking women in conflict was considered an unpreventable and unfortunate by-product of war. Now the word is out: if you commit this crime, we will investigate you, we will prosecute you and we will punish you. There will be no hiding place, and we will use all the tools at our disposal to find you and put a stop to your deeds – including through the application of travel bans, asset freezes and other sanctions. We are also trying to develop smarter sanctions for those who do not travel and do not have international assets.

With the resolutions now at our disposal, Security Council members have acknowledged the important role women play in society and how difficult it is to build a durable post-conflict peace if their rights have been violated. The resolutions recognize that around the world women are the fabric that holds families and communities together. For example, in Africa, where I come from and which accounts for nearly 70 per cent of today's conflicts, women make up over half of the continent's population, but they represent more than 80 per cent of the informal sector, and produce more than 70 per cent of the continent's food. They have supported their families in times of war and have helped rebuild their countries in the aftermath of conflict. Attacks against women have not only ruined lives; they have devastated economies, undermined faith in governments and stifled stability on the continent.

Although sexual violence disproportionately affects women and girls, it is important to remember that it is not only a women's issue; also men and boys are victims of this crime. And the shame and stigma surrounding rape and other forms of sexual violence done to men and boys is as common as when

perpetrated against women and girls. My office has received reports from Libya, Syria and Mali, typically to extract intelligence and often taking place in prisons and detention centres.

I assumed my role as the special representative of the secretary-general on sexual violence in conflict in September 2012, and one of my key responsibilities is to act as an advocate for this issue worldwide and to raise awareness about the devastating impacts of this violent crime. Mainstreaming women's rights in the work of all national, regional and international institutions is an important step on the road to eradicating sexual violence in conflict – because if women are seen as second-class citizens in peacetime, their rights will not be respected when there is unrest. If they are viewed as unimportant before war breaks out, they will be treated as expendable during conflict.

In order to eradicate conflict-related sexual violence my office has developed a six-point agenda that includes:

1. Ending impunity for perpetrators and seeking justice for victims;
2. Protecting and empowering civilians who face sexual violence in conflict, in particular women and girls who are targeted disproportionately by this crime;
3. Mobilizing political leadership to address this issue;
4. Strengthening coordination and ensuring a more coherent response from the United Nations system;
5. Increasing recognition of rape as a tactic of war; and, finally
6. Emphasizing and ensuring national ownership, leadership and responsibility in the fight to put an end to this scourge.

The passage of Resolution 1325, and the subsequent resolutions that reinforce it, signalled a sea change in how the international community treats sexual violence in conflict. We now have the global legal framework in place to tackle this age-old problem, but that is not enough. Any piece of legislation – national or international – is only as good as its implementation. And a normative framework accomplishes nothing if states do not have the technical capacity and political will to implement the resolutions. The United Nations and the international community can condemn this crime in the Security Council, but it means little if it makes no difference for the individuals on the ground.

My office therefore also works through a team of experts on the rule of law to build the technical capacity of police, prosecutors and judiciaries in countries we work with, so that at the national level they can investigate, prosecute and adjudicate these crimes and bring justice to victims. We also provide training for peacekeepers and national security personnel to enhance the skills needed for the prevention of sexual violence and the protection of civilian populations from this rights abuse.

It is ultimately the legal and moral responsibility of governments to end impunity for this crime, and not all cases can be tried through special tribunals such as the International Criminal Tribunal for Rwanda or the International Criminal Tribunal for the former Yugoslavia. We therefore have to enhance capacity at the national level so that states not only can carry out this function, but also ensure future redress to survivors in a sustainable manner. For example, looking at Bosnia, there were an estimated 50,000 cases of sexual violence, including women being held in rape camps as sex slaves. Yet, nearly 20 years after the end of the war, there have only been a few dozen trials at the national and international levels. So states, assisted by the UN and the international community, can take ownership of this issue and lead from the front.

Ending impunity is a key pillar of the fight against sexual violence in conflict because prosecution is also prevention. All too often it is the victim who is punished for this crime. It is the survivors who deal with the burden of shame, with the health and emotional repercussions, and with being ostracized by their families and friends from their communities. But we believe that the shame and the stigma should be that of the perpetrators, not the victim.

Hand in hand with ending impunity for perpetrators is demolishing barriers to justice for victims. In some countries women are forced to pay the equivalent of \$100 for a medical certificate to certify they have been raped. In other countries, for example, a victim is required to pay for the food and incarceration costs of her attacker while they are in jail awaiting trial. Many states lack witness protection systems, and sexual violence survivors are terrified to testify in open court against offenders for fear of reprisals against them or their families. Sometimes there are fees and court costs that must be borne by the accuser and a lack of resources prevents them from pursuing a case. Rapists cannot enjoy amnesty because their victims are too poor to press charges or too afraid to testify. Sexual violence survivors should not be victimized repeatedly by judicial systems that are out of their reach on circumstances beyond their control.

Ending impunity and prosecuting this crime is of the utmost importance, but we must also look at other preventative measures. What can we do to stop these horrible attacks before they ever take place? My office and our partner agencies in the UN Action against Sexual Violence in Conflict network have implemented a number of concrete initiatives to stop this crime before it starts. For example, we have developed early warning indicators that police, national security forces and peacekeepers can use to alert them to potential sexual violence attacks. We have also undertaken training of national security personnel and peacekeepers in recognizing and preventing conflict-related sexual violence, as well as having deployed women protection advisers in United Nations peacekeeping missions to strengthen efforts at preventing and responding to sexual violence in conflict. As mentioned earlier, we also work to strengthen the capacity of national police and the judiciary to investigate and prosecute these crimes. In this respect, I am very happy to have the support of the United Nations team of experts on the rule of law – and the equivalent United Kingdom team of experts, who are working with the countries concerned.

These activities can go some way in helping to avert disaster, but we must also effect a change in the hearts and minds of people. Every sector of society must be aware of this issue and committed to changing it – from legislators and religious leaders, to teachers and doctors, journalists and police officers. This is not only a UN problem but also a problem for member states, and one that has to be tackled at the country level. Governments must make efforts to raise awareness about this issue within their respective countries, because solutions cannot be imposed from the outside. In effect, post-conflict countries must make ‘mental disarmament’ a key component of their demobilization, disarmament and reintegration processes. As soon as soldiers and ex-combatants put down their arms they must also let go of their old ways of thinking; for example, the assumption that rape is part of the spoils of war or that it is acceptable to use the bodies of civilians as battlegrounds. This message must be heard, loud and clear, from the highest levels of government to the foot soldiers in the field, who commit most of the atrocities.

Often times, as a condition of peace accords, ex-combatants are re-integrated into national armies and police forces. We must not be seen to send wartime perpetrators of sexual violence back into society without prosecuting them, because it conveys the message that this offence is acceptable behaviour. Instead, it is the government’s duty to hold people who

commit this crime accountable, and to change the mindset of ex-combatants who saw this crime condoned in the context of war.

More importantly, women must have a seat at the table during any peace process, and they must have a voice in all measures taken to combat sexual violence. Women's security cannot be separated from the overall security of a country; therefore women must be involved at every level of political and public life, helping to craft solutions to this problem as envisioned by Resolution 1325.

The best practices and policy recommendations I would make here today include strengthening national justice systems and legal frameworks to end impunity, increasing access to justice for victims as part of the process of reparation and redress, and raising awareness about this issue so that you change the attitudes, perceptions and behaviours that are at the root of this problem. If you do not value women in peacetime, you will not value them in war. If women are seen as second-class citizens when there is no conflict, their rights will not be respected when there is unrest.

The road ahead of us is long and it will not be easy, but those things worth fighting for are rarely easy to attain. I firmly believe that sexual violence is not unfortunate collateral damage, but a crime that can be stamped out through education, empowerment, equality, justice, and security. We now have the tools at our disposal; what we need is to harness the will to make the end of sexual violence in conflict a reality.

Excellencies, ladies and gentlemen, in closing I would like to ask you for your unrelenting help to break what has traditionally been called 'history's greatest silence', to speak up against this crime, to support women who are working to build peace and security and to promote the rights of women so that it is universally accepted that women's rights are human rights. With your continued support, we can make sexual violence in conflict a thing of the past, and I am looking forward to the day when the only place it will be discussed is in the history books.

Thank you.