

Keynote Address: Women's Foreign Policy Group

SEXUAL VIOLENCE AGAINST WOMEN AND GIRLS IN CRISIS: FROM ADVOCACY TO ACTION

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AGAINST SEXUAL VIOLENCE IN CONFLICT

The first-recorded international war crimes trial – for “conduct unbecoming a knight” – took place in 1474. The charge included rape, and the penalty was death. Yet it was just last month – over 600 years later – that the United Nations Security Council explicitly recognized war-time rape as a security issue that warrants a security response.

Thus we are meeting at a historically optimistic moment. A moment when mass rape has, at last, graduated from a humanitarian issue to a foreign policy priority. To paraphrase Dr Martin Luther King Jr: “*the arc of history is long, but it bends towards justice*”. And that’s what I would like to outline today: how the international community in general – and women in particular – have *helped bend history*. How we have navigated the long arc from advocacy to action, and where it leads us *now*. Because *now more than ever* – with women increasingly the targets of war – it is essential to take stock of the milestones and roadblocks we’ve faced, and to chart a course for the future.

Through advice, policy and resource-mobilization, this is an audience able to make that roadmap real. So I extend my thanks to the organizers for this opportunity to speak not just on behalf of UNDP but as Chair of the inter-agency initiative, UN Action Against Sexual Violence in Conflict, or Stop Rape Now. I thank them for facilitating *discussion* on a subject that has been called *history’s greatest silence*.

In the words of Sarah, a rape survivor from Sierra Leone: “*That man had the gun and he had the power. I just wanted to survive*”. The words may be simple, but they speak volumes about the reality of war for women. In communities awash with weapons, many submit to whatever it takes to stay alive.

In Sierra Leone, between 50,000 – 64,000 internally displaced women suffered sexual assault at the hands of combatants. Twenty thousand to 50,000 women were raped during the war in Bosnia and Herzegovina in the early 1990s. Right now, in South Kivu, Democratic Republic of the Congo, an average of 40 women are raped every day. As others before me have said of such numbers and such crimes, *behind all those zeroes are too many ones*: one daughter, one mother, one sister, one unborn child – each unique and irreplaceable.

Yet sexual violence statistics are not only abstract, they are notoriously unreliable – representing the extreme tip of the iceberg. Rape victims caught up in conflict or crisis are among the world’s least visible, least accessible people, in some of the most austere,

remote regions. Rape is a preferred method of torture precisely because victims won't talk about it. As many of you will have read and heard, known victims are stigmatized: wives are rejected by husbands; girls are rendered "unmarriageable". Worse still, survivors risk being accused of adultery, "illegal pregnancy", or of tainting family "honor". Reporting is often seen as futile. For instance, of some 14,200 rape cases registered in South Kivu, Democratic Republic of Congo, between 2005 and 2007, just 2% of perpetrators were ever called to account.

In fact, rape is one of the only crimes for which a community's response is often to stigmatize the victim, rather than the perpetrator. This misplaced blame and shame is compounded by a historical absence of accountability. Certainly, I'm not saying that justice can give a woman her health back; a mother her daughter back; or a girl her childhood back. But visibly prosecuting sexual violence tells them – and any potential perpetrator – that *women's lives matter*.

We have only recently begun to recognize that there is method in this madness. Perpetrators know that rape has ripple-effects for families, communities and nations that make peace less possible. These effects include forcing populations to flee – abandoning everything they have worked for their entire lives – and undercutting community cohesion, including as an economic unit. Militarized rape devastates *lives and livelihoods*, often exacerbating the "feminization of poverty". As Julienne Lusenge, an activist from Eastern DRC, told the Security Council in the lead-up to last month's debate: "*Sexual violence holds entire communities hostage: women cannot access water-point and children cannot get safely to school*". Victims have little hope of seeing their rapist brought to justice, yet constant fear seeing him in streets, fields and marketplaces. For these women, justice delayed is more than justice denied – *it is terror continued*. Even when longed-for *peace*, brings little *peace of mind*.

As one seasoned peacekeeper said recently, it is "*now more dangerous to be a woman than a soldier in modern conflicts*". Let's reflect on that for a moment. It has become more dangerous to be a woman collecting firewood, than to be on the front lines as a fighter. This turns the law of armed conflict on its head; it makes a mockery of civilian protection. The UN has said it, the International Committee of the Red Cross has said it, and every nation on earth has signed up to it in the *Geneva Conventions*: civilians and their property must be protected, even in the midst of war. Nowhere is the need to preserve the civilian/combatant distinction more apparent than in the plight of women – increasingly engulfed in a progressively widening scope of violence.

But what do we mean by sexual violence as a "tactic of war"? This is not *rape out of control*, it is *rape under orders*. It is rape, sexual slavery, forced prostitution, or forced impregnation, as a *means of achieving political and military ends*.

Sexual violence has become a *tactic of choice* for armed groups – cheaper, more destructive and easier to get away with other methods of warfare – *until now*. On June 19th, the Security Council unanimously adopted Resolution 1820, raising the political, military and economic cost of this crime. This resounding recognition, that durable peace

can never be built on women's silent suffering, is both a milestone in itself and a reinforcement of its path-breaking predecessor: Security Council Resolution 1325.

There are four concrete reasons Resolution 1820 represents a major advance.

First, it links sexual violence as a tactic of war with the international peace and security agenda, ending – once and for all – the debate over whether this is a matter for the Council to address. In the words of US Secretary of State, Condoleezza Rice, who chaired the session: “*sexual violence profoundly affects not only the health and safety of women, but the economic and social stability of their nations*”.

This discredits the “public/private divide” that has served to keep rape under the radar of international, regional and national security institutions. Often called “a war within the war”, rape occurs in private spaces rarely patrolled by police or peacekeepers, often in the dead of night, when security actors are scarce. As recently as last October's debate on Women, Peace and Security, some Council members portrayed sexual violence as an unfortunate byproduct of war that did not fall within their purview. Significantly, they can never make that argument again.

And this matters because we know that practical, tactical gaps have policy roots. Strategic responses have been elusive because the phenomenon has been sidelined as a “women's issue”, a “gender issue” or as “random, isolated acts”, “collateral damage”, humanitarian tragedy”. In calling upon belligerents, commanders and uniformed peacekeepers to step-up prevention and response, the resolution broadens the constituency for women's protection. It is no longer a matter left to a lone Gender Adviser, the Ministry of Women's Affairs or women's NGOs. And why should it be? Like any other illicit method of warfare, mass rape engages the responsibility of operational actors: force commanders, the Ministry of Defense, planners and tacticians.

Resolution 1820 outlines concrete actions including not only training, but also military disciplinary measures – and indeed, soldiers consistently say: “*one act of military discipline is worth ten human rights trainings*.” Other actions include upholding command responsibility for failure to prevent and punish rape; and vetting past perpetrators from armed and security forces. By defining sexual violence as a security matter – as the Security Council has done with issues such as climate change and AIDS – the resolution fills a doctrinal gap and gives peacekeepers the principled support they need. Mandate authorizations and renewals for peacekeeping missions should now systematically empower them to respond with the same alacrity as they would to any other atrocity.

Secondly, the new resolution **brings the policy framework squarely into alignment with international law**, reaffirming the status of sexual violence as a war crime, crime against humanity and constituent act of genocide, depending on the elements of the offence.

This shows that mass rape is no more “inevitable” than mass murder. Though disastrous for nations, it is *not* a natural disaster. Though a vector of deadly disease, it is *not* an epidemic. Sexual violence is a *crime* attracting individual and superior responsibility. Under Resolution 1820, it can be sanctioned as such. The Security Council has affirmed its intention to consider sexual violence when establishing or renewing State-specific sanctions regimes.

When the issue of sexual violence arose at Nuremberg after the Second World War, the Prosecutor said simply: “*the Tribunal will forgive me if I avoid citing the atrocious details*”. With these words, women’s suffering was silenced, obscured and stricken from the historical record. In today’s war-zones, mass rape remains “atrocious”, but can no longer be dismissed as a “detail”. Today, international criminal law, reflected in the *Rome Statute of the International Criminal Court* and the jurisprudence of the *ad hoc* war crimes tribunals, is a vehicle for putting names to history’s most complex horrors; it lifts the “fog of war” to make women’s faces visible; increasing the scope of consequences any perpetrator to consider.

Thirdly, it affirms the importance of women’s participation in all processes related to ending sexual violence, including through structured access to peace talks. In this respect it once again bolsters Resolution 1325. Whereas this earlier resolution broadly addresses the impact of war on women and their contribution to conflict resolution and sustainable peace, the new resolution focuses on sexual violence specifically. Women’s groups around the globe lobbied hard for both, and these two resolutions must be seen as *mutually-reinforcing*.

Sexual violence prevention is inseparable from the empowerment of women. This is equally true in situations of natural disaster. When society crumbles, as in the wake of the 2004 Indian Ocean tsunami or the recent cyclone in Myanmar, those *least* empowered suffer *most*. But the word “woman” is not synonymous with “victim”. For the UN, an integral element of what it means to “build back better” is building women’s confidence, competence and credibility to participate in public life. Resolution 1820 makes clear that women must be at the forefront of all efforts taken on their behalf. Peace agreements represent “windows of opportunity” for inclusive reforms. But, as one woman activist from Burundi told the UN Peacebuilding Commission in March: “*we don’t need a window through which to view a better future; we need a door through which to enter it*”.

Finally, the resolution requests the Secretary-General to provide a comprehensive report on implementation and to devise a **lasting solution for improving the flow of information on sexual violence to the Council**. This is tremendously important. Improving the quality of data, reporting and trend analysis ends the self-perpetuating myth that sexual violence in conflict didn’t happen, because it didn’t feature in anyone’s reports. Better data on prevalence, patterns and the profile of perpetrators will be able to inform better responses at country level.

So, what now?

Any resolution is only as good as its follow-up. Indeed, women's NGOs are already asking – quietly and not so quietly – *will the United Nations walk its talk?* In a letter to the Council dated 12th June, a coalition of 71 Congolese women's groups signaled the significance of this development: “...while we applaud your recent condemnation of the sexual violence we suffer, and your actions in that regard, we remind you, Mr. Secretary-General that we have suffered for decades without any notable action on your part. You must ensure that this situation will never repeat itself in the Congo or elsewhere.”

For **States**, the new policy paradigm should spur them to treat sexual violence prevention and response as an *obligation*, not an *aspiration*. The Resolution calls on governments to strengthen judicial and health-care systems to provide sustainable assistance to survivors.

For **countries committing troops and police to peacekeeping missions**, they must ensure that all personnel sent to UN peacekeeping missions are trained on the categorical prohibition of sexual violence, as well as on the UN's “zero tolerance” policy on sexual exploitation and abuse by its own personnel. Moreover, forces generated should include women to ensure closer liaison with the host community and to capitalize on their comparative advantage in sexual violence response.

From the second their boots touch the ground, **peacekeepers** can set the tone for how a community views and treats women. Consulting with them, fostering and reinforcing their role in peace and security, treating them with respect, can have an enduring impact. We have seen that even under-equipped, under-resourced and under-fire, peacekeepers have endeavored to protect women and girls. And we have learned over and over again what a difference that makes.

In terms of **justice institutions**, the Security Council debate heard in *statement* after *statement*, from *State* after *State*, that impunity fuels the vicious cycle of sexual violence. Twenty seven States expressly referenced the International Criminal Court as a vehicle for deterring would-be perpetrators. The new resolution says that sexual violence cannot be, I repeat, *cannot be* included in amnesty provisions – meaning we cannot forgive war crimes against women. There is a clear obligation to either *prosecute* alleged offenders or *extradite* them for trial. Failure to address sexual violence, in a manner consistent with the protection of victims and witnesses, erodes efforts to resurrect the rule of law in countries emerging from conflict.

For its part, **UN Action Against Sexual Violence in Conflict** is mentioned in the resolution as playing a role in ongoing coordination of efforts across the UN system to create awareness about sexual violence in armed and post-conflict situations, and ultimately to end it. UN Action, of which I am immensely proud to be Chair, will help coordinate, streamline and up-scale system-wide efforts, including monitoring the work of the Security Council. Strong, specific mandates are required for a robust response. Military peacekeepers have made it clear: they cannot operate in an environment of ambiguity. In this regard, we would look to last December's mandate renewal for the UN

Mission in the Democratic Republic of Congo – which for the first time explicitly calling for sexual violence reporting and response – as a precedent. UN Action, in partnership with UNIFEM and the Department of Peacekeeping Operations, will advance efforts to catalogue good peacekeeping practices that work to protect women, to help meet the resolution’s call for guidelines.

Thus, we are meeting at an opportune moment.

The United Nations has a newly-articulated responsibility and roadmap for action. It must put the full force of its moral and operational power behind ending this violence, prosecuting the perpetrators and assisting those who survive.

We can each find ways, in our respective spheres of influence, to capitalize on the current momentum as a message of hope to women the world-over. For instance, we can be vigilant about harnessing the media to keep sexual violence on the agenda, including in relation to so-called “forgotten conflicts and crises”. We can be vigilant about reminding elected officials to match the commitments they have made with resolve and resources. We can demand that people running for office in this country to speak and be educated about it.

Rape has been an atrocity of war since time immemorial – yet there is no memorial to the Unknown Raped Woman. She is just becoming visible. I began by reflecting on history and it is high-time to consign sexual violence – the barbarism of “looting, raping, pillage and plunder” – to the annals of history, where it belongs. Together we can and must help bend the “arc of history” toward the goal of durable gender *justice* for Sara and for the millions like her across the developing world.

Thank you.