

Security Council Open Debate on Sexual Violence in Conflict
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Statement by H.E. Mrs. Margot Wallström, UN Special Representative of the Secretary General on Sexual Violence in Conflict

Madam President, Distinguished Members of the Security Council,

I am grateful for the opportunity to address the Council on this important occasion. Although it is my fourth briefing as UN Special Representative on Sexual Violence in Conflict, today's meeting is, in many ways, a first. It is not merely a reiteration or renewal of commitments. Rather, it is a decisive step towards a comprehensive monitoring and accountability architecture, aimed to shatter the vicious cycle of impunity for wartime sexual violence.

Allow me to start by expressing my appreciation for the leadership of the United States, all Council members for their support of today's resolution, and the more than 60 Member States that have cosponsored this landmark text and are participating in today's debate. I would also like to particularly thank the Secretary-General for his strong personal engagement on this issue.

My remarks this afternoon will outline what the Secretary-General's report and resulting resolution mean for the UN system in general, and my mandate in particular.

When I accepted this mandate, I consulted an array of UN, governmental and non-governmental experts on one critical question: What should be our measure of success?

Over the past decade, successive Council resolutions have recognized that international peace and security is indivisible from women's peace and security. And yet, I began my mandate in the knowledge that today, as throughout history, wartime sexual violence is never adequately recognized, reported or remedied. Rape persists in contexts of conflict and unrest across the globe, because without the credible threat of consequences, there is no deterrent. The impact on the ground in other areas of Council practice, such as the protection of children in armed conflict, and the work of Sanctions Committees, is real and proven. Thus, our measure of success must be the implementation of a system whereby timely and reliable information on sexual violence flows from the country to the global level, where it provides a basis for accountability and action.

Under the long shadow cast by the mass rapes in Walikale, the UN can do no less than bring all of its accountability tools to bear. This must apply equally whether the victim is an 8 year-old girl, or an 80-year old grandmother.

Today, we are poised to make that system a reality.

The report currently before the Council outlines such a system, structured around four pillars. Firstly, monitoring, analysis and reporting arrangements in relevant countries; secondly, a mandate to list parties to conflicts on the Council's agenda that are credibly suspected of committing patterns of sexual violence; thirdly, to use this list as a platform for engaging those parties in a structured dialogue to obtain protection commitments; and finally, tracking measures to prevent and punish sexual violence that can result in either delisting or, in the case of persistent violators, referral to Sanctions Committees.

In ten years of the Women, Peace and Security agenda, there has never been an accountability system that directly engages armed groups in protection and prevention. This is despite the fact that sexual violence – which devastates the lives and livelihoods of countless women – has been recognized as a grave breach of international humanitarian law since the early 1990s. The new structure will help to ensure that mass rape is never again met with mass impunity. Instead of serving as a cheap and silent tactic of war, sexual violence will be a liability for armed groups. It will expose their superiors to increased international scrutiny and pressure,

seal off the corridors of power and close all exits to those who commit, command or condone such acts. This will reinforce the line between a commander, and a criminal.

A reliable monitoring and accountability system must be built on a common conceptual foundation. To this end, the Secretary-General's report defines – for the first time – the concept of “conflict-related sexual violence”. This frame of reference will shed light not only on the profile of the perpetrators, but the factors that facilitate or restrain perpetration. It is, after all, impossible to prevent what we do not fully understand.

When my Office reviewed the data being collected from the field, it became evident that sexual violence as a tactic or consequence of war was not appropriately captured under existing categories. For instance, the rubric of “violence against women” does not reflect cases against men and boys; the label “harmful traditional practices” mischaracterizes sexual violence as cultural or traditional; and the term “gender-based violence” does not reflect that gender discrimination is not the only rationale for sexual violence as a method of ethnic “cleansing”, or a tactic of terror. As a number of field colleagues have noted, the issue warrants specific consideration. It is also significant that this report appears under the General Assembly agenda item, “Prevention of conflict”. This is an appropriate – albeit untraditional – lens, as rape increases the spiral of violence, prolongs conflict and exacerbates its impact on civilians. This approach helps to refute the myth that sexual violence is opportunistic or inevitable, by illustrating causal links with security factors and actors. It also counters the stereotype that women are inherently vulnerable, by highlighting how they are – intentionally, or through lax command and control structures – placed at risk.

Because sexual violence has traditionally been viewed as the random acts of a few renegades or part of the “spoils of war”, it has been ignored in peacetalks, reparations schemes, and funding frameworks for recovery. Sexual violence is absent even from peace agreements that followed wars where it was a major feature of the fighting, such as Bosnia, Sierra Leone and Liberia. It has rarely been included in ceasefire agreements, which only call for an end to acts considered as part of the conflict. Historically, sexual violence by soldiers was prosecuted with a view to restoring military discipline, rather than upholding women's rights. The perspective of the victim, and the question of reparations, barely featured. In all of these respects, the new analytical framework will have an impact. Though we may never have all the answers, we can ask more focused questions.

Indeed, after resolution 1820, the question is no longer whether sexual violence is a peace and security matter, but when. The Secretary-General's report provides a number of examples. They include sexual violence linked with forced displacement; to control coveted territory and lucrative natural resources; by spoilers to destabilize a peace process; in the context of elections; to extract information during detention or disarmament; and sexual violence that has become normalized in communities that have seen it go unpunished during years of war; as well as in countries that have integrated known abusers into national forces. Such violence cannot be separated from the broader security challenges confronting the Council.

This understanding is borne out by what I have seen in the field and heard from the survivors. The words of one woman I met, negate the traditional hierarchy of wartime horrors that has trivialized rape relative to murder and torture. She said: “They have taken my life without killing me”. When I was in Bosnia and Herzegovina last month, I was reminded that this hierarchy is also a logic on which the perpetrators often rely. For instance, at the start of the well-known Foca trial before the ICTY, the three men charged with sexual slavery could barely understand why they were being tried for what was “only” rape, stating by way of defense: “But, I could have killed them.” The estimated 50,000 rapes that occurred during the conflict in Bosnia have resulted in just 12 convictions in national courts. The process has been painfully slow. Women describe being treated in the courtroom as just another exhibit from which evidence can be extracted, saying “It is better to be a criminal than a victim in this system”. Most women who endured unspeakable brutality now endure the indignity of seeing their former assailant in the street, the bank, or supermarket, flaunting their impunity. I met with women who, 15 years after the peace agreement, still shake, sigh and weep; one described how the soldiers led her to the entrance of a rape camp, which she remembers as “the door to hell”.

Rape victims are the only casualties of war a nation dishonors, rather than honors. Their warwounds represent not sacrifice, but shame. When I was in the DRC, I learnt that not a single victim or community has received reparations for sexual violence, not even the approximately 2000 survivors who have managed to obtain a

judgment in their favor. In Liberia, despite 14 years of civil war in which rape was rampant, and despite the reintegration of ex-combatants into society with no psychological counseling, the explanation I heard most frequently for why rape remains the No. 1 reported crime was “the way women dress”. The idea that women are deserving of this violence, or used to it, or that it is their culture, makes a mockery of the notion of universal human rights. Women across the Kivus did not tell me: “if only it were not for our culture”; they said: “if only it were not for the war”.

Our current understanding of conflict-related sexual violence is a credit to the Bosnian women who broke the silence about rape as a crime of war; it is a credit to the women of the Congo who continue to work and build networks even in the face of terror; and to the human rights defenders on the frontlines. But our monitoring and reporting must become more systematic, timely and complete. Ultimately, sexual violence is not just a tragedy we must redress – but a threat we must prevent. My Office, in partnership with UN Women and others, will develop an early warning matrix of risk factors to draw attention to the “red flags” that may signal a spike in sexual violence. Women Protection Advisers will have an important role to play in the new monitoring system.

Looking forward, significant challenges and opportunities remain in implementing the mandate I have been given by this Council. From the outset, I have made ending impunity my top priority and remain convinced that, in many ways, prosecution is prevention. I recently attended the opening of the Bemba trial at the ICC – the first international investigation in which alleged rapes far outnumber alleged killings. This sends a powerful signal that no military or political leader is above the law, and no woman is below it. Beyond prosecution, there is a need for recognition and reparation. The aim is to bring the perpetrators to justice, but also to bring justice to the victims.

My Office will continue to support the capacity of governments affected by armed conflict to address sexual violence. Specifically, the Team of Experts on the Rule of Law will help governments to enhance accountability. I am delighted to have the newly-appointed Team Leader with me today in this chamber. I also add my voice to that of the Council in encouraging Troop Contributing Countries to invite the “mobile support team on sexual violence” to present training scenarios to their troops prior to deployment. While the resolution adopted by the Council today is a welcome development, like any “New Year’s resolution” what matters most is the resolve to uphold it everyday of the year. To that end, I urge the Council to give sexual violence continuous consideration.

Madam President,

Long after the guns fall silent, the consequences of rape remain. For women and girls who walk to marketplaces, water-points or schools on roads still controlled by armed groups, and return home to communities teeming with ex-combatants, the war is not over. Sexual violence has been called a “war within a war”, but often it continues as a “war within the peace”. War lives on in the children born of rape and orphaned by violence, who line the roads in gangs, begging for money and food, aspiring to be soldiers. By attacking shared values, sexual violence destroys not only people, but their sense of being a people. We cannot bring justice to every victim throughout the history of war. But what we are here to do today, and from this moment on, is to ensure that conflict-related sexual violence no longer goes unreported, unaddressed or unpunished.

That will be our collective measure of success.

Thank you, Madam President.