



Noref Report

“Nothing about us without us” Sexual violence in conflict - how to end impunity?

A qualitative mapping study to identify good practices
in the international response to sexual violence in conflict

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Executive summary

Sexual violence, mostly targeting women and girls, is a widespread and systematic feature of many wars and conflicts both in history and across the contemporary world. It is a phenomenon that destroys lives and communities, and leaves a terrible legacy for survivors and their families. But the challenge of addressing this pervasive reality is made all the more difficult when impunity is the rule and not the exception.

This report examines the issues around impunity for sexual crimes in war and conflict, maps the organisations and initiatives that are working for justice in the area, explores the instruments and capacities available in making progress against impunity, and makes recommendations to the Norwegian authorities as to what they might do to improve their contribution.

What can be done to reduce impunity? There is an international consensus to combat sexual violence in conflict which is based on various instruments and declarations, including United Nations resolutions on women, peace and security, and the founding Rome Statute of the International Criminal Court. But these lack effective reporting mechanisms through which they can be enforced. So although the means to prevent and halt sexual violence in conflict exist, there are questions over how to ensure the accountability of governments, states, local actors and the international community itself to the human-rights norms that would ensure this.

International cooperation and best practice

To be effective, the struggle against impunity must address the responsibility of all relevant actors, and involve substantive collaboration between all stakeholders. The cooperation of the UN, governments, researchers, NGOs, peace missions, humanitarian aid organisations, the security sector and

especially women’s groups and networks (including survivors of sexual violence) is essential if lasting results are to be made possible.

The development of best practice in this field can take many forms, including:

- the adoption at country-level of National Action Plans (NAPs), focussing on Security Council resolution 1325 – as only 19 countries to date have produced a plan
- increased funding for initiatives to combat sexual violence
- deeper coordination between countries and stakeholders in a holistic approach
- stronger monitoring and reporting mechanisms to pursue accountability at all levels; reinforcing legal and judicial systems nationally and internationally, and
- seeking justice for survivors by enacting and enforcing legislation that can help bring the perpetrators of sexualised violence to account wherever they are based.

However, the reality is that few countries have made the prevention or punishment of rape a priority, and bringing justice to rape survivors has proven to be difficult even in countries where gender equality is formally recognized and effective laws are in place.

Accountability and reporting mechanisms

National courts have the responsibility to prosecute sexual violence and provide justice for survivors, even in times of armed conflict. But in the aftermath of conflict, the inclusion of sexual violence as part of transitional justice processes and the establishment of rule of law are challenged by different factors. Given the unwillingness or incapacity of many national governments to provide justice to survivors of sexual

violence, the international community has the responsibility of taking these cases to the International Criminal Court or of enforcing the principle of universal jurisdiction. To achieve global accountability, these instruments need to be strengthened by exploring cross-country judicial and civil-society cooperation, in tandem with capacitating efforts to investigate crimes: ending impunity involves building the capacity to analyze and monitor.

At present, the only reporting mechanism on the violation of women's rights within the UN system are the reports submitted every four years to the CEDAW committee by states that have ratified the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). Some actors in the field argue for a strengthened focus on resolutions 1325 and 1820 as part of this reporting mechanism. Others have suggested that the Human Rights Council could be the place to hold countries accountable.

Raising awareness and involving civil society

Norwegian civil society has introduced the idea of an international civil-society awareness-raising campaign on sexual violence, to generate international awareness and consensus on the need to end impunity, and pursue accountability at all levels. Furthermore, states' responsibility according to the Rome Statute and the principles of

universal jurisdiction should be integrated to achieve a more comprehensive approach to the different instruments.

Norway is considered a principal actor and contributor to the implementation of Security Council resolution 1325 and the subsequent women, peace and security resolutions, and it supports a number of bilateral and multilateral initiatives. Norway could take a stronger lead by increasing cooperation with other states that have adapted National Action Plans (NAPs), including the Nordic countries, EU countries and the US, as well as emerging powers such as China and India. Cooperation should include the strengthened involvement of civil society actors, and especially women's groups and survivors of sexual violence.

Seeking lasting results, Norway could explore the possibility of greater engagement in countries in which Norway is already involved (such as Burma, Liberia and Colombia), with a view to conducting a thorough assessment of the specific context – an assessment which, in all cases, should be a prerequisite for any involvement by international actors.

In assessing the work being done and the challenges facing actors working to end sexual violence in conflict, not least women's organisations and survivors' groups, this report seeks to provide resources and suggestions for advancing efforts to achieve justice and accountability.

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Acronyms

AU The African Union

CEDAW The Convention on the Elimination of all forms of Discrimination Against Women

CSO Civil Society Organisations

DCAF The Geneva Centre for the Democratic Control of Armed Forces

DRC The Democratic Republic of the Congo

EU European Union

GAPS UK Gender Action for Peace and Security, United Kingdom

GBV Gender Based Violence

GNWPB Global Network of Women Peace builders

IASC Inter-Agency Standing Committee

ICC International Criminal Court

ICTR International Tribunal on Rwanda

ICTY International Tribunal on Yugoslavia

Isis-WICCE Isis-Women's International Cross-Cultural Exchange

IWTC International Women's Tribune Centre

MfA Norwegian Ministry of Foreign Affairs

Monusco United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo

NAP National Action Plan

NGO Non-governmental Organisation

OTP Office of the Prosecutor

SADC Southern African Development Community

SDGEA The Solemn Declaration on Gender Equality in Africa

UNSG United Nations Secretary-General

UNDP United Nations Development Program

Unifem United Nations Development Fund for Women

UN-Instraw The United Nations International Research and Training Institute for the Advancement of Women

UNMIL United Nations Mission in Liberia

UNSCR United Nations Security Council Resolution

UNSC United Nations Security Council

Introduction

“We can talk and talk, but nobody listens. What does it take to get the attention of the international community?”

The question asked by a Congolese woman in the film *Women’s War*¹ serves as a reminder of the challenges attached to the international response to sexual violence as part of conflict. The film portrays the meeting between women from Bosnia and DR Congo, for mutual exchange of knowledge and experience on how to deal with the issue of sexual violence in conflict. The massive abuses against women and children in the Democratic Republic of the Congo (DRC) may have made headlines around the world, leading to a number of initiatives by international actors. But women still feel that they are forgotten, and still ask: *“what did we, the women of Congo, do to deserve this?”*.

They are not alone in posing this question. Many conflicts across the world are accompanied by the widespread and systematic use of sexual violence as a weapon of war and conflict, which continues in many cases after the guns have fallen silent. As long as impunity is the rule and not the exception, addressing the issue of sexual violence in conflict is made even harder.

In many cases impunity has been translated into the use of rape as a cheap and effective means of terrorising target populations to help actors achieve political ends. In post-conflict situations, perpetrators also include members of the community, ex-combatants and family members who take advantage of the impunity and an embedded culture of violence. The traumas inflicted by sexual crimes – among them unwanted pregnancies, sexually transmitted diseases (including HIV and Aids) and physical and psychological scars – can have devastating and long-lasting effects on women and their communities. These crimes can also have a direct impact on the ability of women to participate in public life, including in resolving conflicts and rebuilding war-torn communities, particularly in situations where sexual violence becomes normalised in the aftermath of conflict.

The Rome Statute of the International Criminal Court (ICC), which has been ratified by 111 countries, recognises sexual violence in conflict as a crime against humanity under international law and liable to prosecution; and sexual violence has further been defined as a threat to international peace and security in United Nations Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women, peace and security (which are binding to all member-states). These instruments are the basis of the belief that there is somehow an international consensus to combat sexual violence in conflict. As such, the international community has at its disposal the means both to prevent and to put a stop to sexual violence in conflict. It is important to emphasise that to be effective, such a strategy must invariably be linked to women’s participation as a precondition for sustainable peace and development.

“The success of our efforts will not be measured by the resolutions we pass, the reports we issue, the publicity we generate, or even the money we spend. It will come in protecting the lives of women on the ground, empowering them play their rightful and vital role in peace processes and post-conflict governments and economies, preventing armed thugs from abusing them in conditions of displacement, holding government security forces and warlords alike accountable for abuses, preventing traffickers from turning women and girls into commodities, building strong civil society networks for women, and ending the stigma of victimization that confronts women leaders.”

Donald Steinberg, Deputy President for Policy at International Crisis Group

The numerous studies, reports and recommendations provided by many actors in the field further imply that the question of how to end impunity is already answered, but that the successful enforcement of international law and standards is still dependent on political will and leadership at all levels.

This study takes as its point of departure the fact that sexual violence in conflict, mostly targeting women and girls, is complex, with every conflict having its unique features.

In any country-specific situation there are variations in the extent and different forms of sexual violence, the intent behind it and the impact of it, as well as in the identity of the perpetrators (official security

¹ *Women’s War* is produced by Giant Film Production in cooperation with the Swedish Foundation Kvinna till Kvinna, <http://www.kvinnatillkvinna.se/en/womens-war-a-documentary-about-sexual-violence-in-conflicts>, accessed 8 November 2010.

forces, paramilitary groups, non-state armed groups, humanitarian and peacekeeping personnel or civilians).

In this regard, the struggle against impunity must address the responsibility of all actors involved. The negotiated collaboration between these actors is extremely important, but in practice has also proved difficult to achieve due to the different roles involved. To be able to prosecute perpetrators and support survivors in a certain country or at the international level, an assessment of the specific situation is a crucial requirement. This assessment in turn should be the foundation of a comprehensive approach whose programmes incorporate all existing requirements, actors (including national institutions), NGOs (especially those consisting of and/or representing survivors of sexual violence, and women's group networks) and needs in the relevant national context – rather than to assume that a single concept fits all cases. To reach this goal and to better understand the context in which sexual violence takes place, qualitative research is needed.

This study, accordingly, is based on personal interviews with experts in the field, presentations and discussions from different workshops at the UN Commission on the Status of Women (CSW) 2010, as well as various studies and reports. In acknowledging the complexity of the issue as well as the broad range of initiatives at a country-specific or international level, it is necessary to mention that the paper by no means addresses *all* the different initiatives, aspects or opinions (legal, institutional or political) relating to sexual violence in conflict and impunity for such crimes. The limits of this study mean that it would be impossible to cover all the different dimensions of sexual violence in a broad sense (including male victims and the issue of perpetrators), as well as all the different stakeholders involved.

What this study does attempt to do is to highlight some examples of good practice by different stakeholders (such as national and international NGOs, national governments, the security sector and the UN), and to further explore what are seen as gaps between international standards (on one side) and existing initiatives and efforts (on the other). This focus will in turn be the basis of some recommendations to the Norwegian Ministry of Foreign Affairs (MFA) as to how Norway can further strengthen and coordinate its

effort to implement and enforce existing political and legal instruments, hold those responsible for sexual violence accountable, and thus achieve lasting results in ending impunity.

The definition of sexual violence employed in this paper is based on that used by the Inter-Agency Standing Committee (IASC): namely, as “*any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic a person's sexuality, using coercion, threats of harm or physical force, by any person regardless of relationship to the victim, in any setting, including but not limited to home and work*”.

Ending impunity

1. The political framework

A global responsibility

It is known that sexual violence has been part of many conflicts throughout history, though it has only recently been brought to the international arena via the pioneering example of the UN Declaration on Violence against Women (1993) and the Beijing Declaration and Platform for Action (1995). These international instruments, designed to protect and promote women's rights, highlighted the issue of women in conflict as a response to the experiences of women in conflict in former Yugoslavia and Rwanda, and the stories they submitted to the International Tribunals on Yugoslavia (ICTY) and Rwanda (ICTR) established by the UN Security Council in 1993 and 1994.

The mandate of these tribunals was limited in time and place, yet they did recognize sexual violence in conflict as a criminal act and a severe violation of human rights. Even more importantly, they showed the way to a permanent international criminal court – the ICC – which seeks to bring perpetrators to justice in cases where states do not have the capacity or willingness to respond to sexual violence at a national level.

In 2000, the adoption of UNSCR 1325 on women, peace and security, binding on all member-states, was the first time the UN Security Council acknowledged the impacts of conflict, particularly sexual violence, on women and girls, as well as the importance of women's participation in decision-making, conflict-resolution and peacebuilding. In 2008, a time of renewed focus on

sexual violence in conflict – due in part to significant international media coverage of the situation of women in the DRC – UNSCR 1820 was adopted. It “*calls on Member States to comply with their obligations to prosecute the perpetrators of sexual violence, to ensure that all victims of sexual violence have equal protection under the law and equal access to justice, and to end impunity for sexual violence...*”.

The latter resolution states that acts of sexual violence committed before and after a war are now part of peace and security issues that could be brought before the UNSC, and it further allows the Security Council to intervene in situations where the extent or level of sexual violence requires such intervention

In the making of Resolution 1820, an expressed concern was that it might weaken Resolution 1325 (itself a milestone for women’s rights to equal participation) by focusing only on women as victims and not acknowledging that sexual violence is closely linked with women’s access to participation. These concerns were addressed in the final draft of Resolution 1820, which contains references to: “*...the persistent obstacles and challenges to women’s participation and full involvement in the prevention and resolution of conflicts as a result of violence, intimidation and discrimination, which erode women’s capacity and legitimacy to participate in post-conflict public life, and acknowledging the negative impact this has on durable peace, security and reconciliation, including post-conflict peace building.*”

In 2009, UNSCR 1888 and 1888 were also adopted, and led in turn to three recent developments within the UN:

- The establishment of a team of independent experts with a mandate to advise on ways to better protect women in conflict situations; the group – co-chaired by former Irish President and UN High Commissioner for Human Rights, Mary Robinson, and executive director of Femmes Africa Solidarité, Bineta Diop – will be tasked with assessing the impact of resolution 1325 on women in the context of armed conflict over the past decade.
- The appointment of Margot Wallström of Sweden as the Special Representative on Sexual Violence in Conflict with a mandate to end impunity, strengthen political commitment and leadership and harmonise and amplify the response of the international community

- The presentation of the UN Secretary General’s report on global indicators to the Security Council, which includes indicators for sexual violence measuring results regarding prevention, protection and access to justice on a national level.

“The Security of a nation depends on the security of the women”

Margot Wallström,
UN Special Representative on Sexual Violence in Conflict

The role of the UN during and after conflict involves attempting to protect the rights of women and girls through peacekeeping missions, supporting victims through service provision, and backing policies that encourage the participation of women. The UN also has a critical role to play in strengthening state institutions in countries affected by conflict – notably the security, justice, health and education sectors – and in building the capacity of civil-society organisations. The UN Action Against Sexual Violence in Conflict unites the work of twelve² UN entities behind the goals of ending sexual violence in conflict via holistic response; a concerted effort by the UN system to improve coordination and accountability; amplifying programming and advocacy; and supporting national efforts to prevent sexual violence and respond effectively to the needs of survivors.

National Action Plans as a strategic approach

One way in which nation-states can incorporate the UN resolutions on women, peace and security into policy and thereby pursue accountability at all levels (including the UN and other stakeholders), would be through the development of National Action Plans (NAPs) for the implementation of UNSCR 1325 and the resolutions that followed.

² DPA-UN Department of Political Affairs, DPKO-UN Department of Peacekeeping Operations, OCHA – UN Office for the Coordination of Humanitarian Affairs, OHCHR – UN Office of the High Commissioner of Human Rights, PBSO – UN Peacebuilding Support Office, UNAIDS – Joint UN programme on HIV/AIDS, UNDP – UN Development Programme, UNFPA – UN Population Fund, UNHCR – UN High Commissioner for Refugees, UNICEF – UN Children’s Fund, UNIFEM – UN Development Fund for Women, WFP – UN World Food Programme, WHO – UN World Health Organisation.

As of October 2010 only twenty member-states have created NAPs³. They include post-conflict countries such as Liberia, and most recently Rwanda and Sierra Leone, as well as countries with ongoing regional conflicts such as Uganda and the Philippines. Some countries, launching their plans after 2008, have added UNSCR 1820 to the plan. Several countries are said to be in the process of formulating or launching NAPs⁴.

In addition to these country-based plans there are regional efforts such as the “*Comprehensive Approach for the Implementation of UN Security Council resolutions 1325 and 1820*”. This guides the work of the European Union in this area, while the union is in addition intent on articulating an action plan for gender equality and women’s empowerment which will complement the country-specific action plans adopted by nine EU member-states. The Spanish presidency of the EU in January-June 2010 made issues of women’s protection and empowerment one of its top priorities.

It should also be noted that the European Council is in the process of drafting a new European Convention on Violence Against Women, in relation to which the European Women’s Lobby (to name but one example) has argued for strengthened language on the issue of sexual violence in conflict.

The African Union (AU) states its commitment to the full and effective implementation of the UNSCR on women, peace and security through the *Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa*. The AU makes the implementation of these rights a priority at both the African Union Commission and member-states level. The AU also monitors implementation by the member-states through the annual reporting on the Solemn Declaration on Gender Equality in Africa (SDGEA).

3 Austria, Belgium, Chile, Cote D’Ivoire, Denmark, Democratic Republic of Congo, Finland, Iceland, Liberia, Norway, Portugal, Sierra Leone, Spain, Sweden, Switzerland, the Netherlands, the Philippines, Rwanda, Uganda and United Kingdom. See “Resolution 1325, a powerful tool for women’s organizing, mobilization and action”, <http://www.gnwp.org/resolution-1325-a-powerful-tool-for-women%E2%80%99s-organizing-mobilization-and-action>, accessed 8 November 2010.

4 Argentina (has an action plan for the defence sector), Australia, Bosnia-Herzegovina, Burundi, the Democratic Republic of the Congo, El Salvador, France, Ireland, Nepal, New Zealand, Pakistan, Rwanda, Serbia, South Africa, Timor Leste. www.gnwp.org

Although a specific regional approach to UNSCR has not been developed in Latin America, the region does have a number of legal and policy initiatives on women, peace and security issues, including the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention Belem Do Para). The United States as yet does not have an NAP on the UNSCRs, but it has on several occasions highlighted the issue of sexual violence and reaffirmed the centrality of this issue to the achievement of US foreign-policy objectives globally. Domestically, the US is also engaged in discussions around the International Violence Against Women Act, a new legislative proposal for a comprehensive set of measures to empower and fund US and UN agencies to meet the challenges posed by sexual violence.

Cooperation between different stakeholders

It has been noticed that the NAPs published to date are quite variegated: few have clear indicators and timelines, and there are many differences in the capacities, infrastructures, and human and financial resources of the countries that have introduced them, as well as in the individual priorities of governments. Even so, NAPs are considered to be an increasingly important way to link civil society (including women affected by conflict) and government in building a common agenda that can guide a nation’s efforts to create sustainable peace.

Some of the NAPs have been elaborated mostly by civil-society actors, others partly by CSOs (though others still exclude these sectors). As an example of civil-society involvement, in the Netherlands there has been close cooperation between the Dutch NGO working group on 1325 and the government in developing and reviewing the NAP, described as a monitoring process where all parties are involved. One result of this partnership was an increased budget for the implementation of the plan.

In Uganda too, civil society was invited to be part of the process, though at a late stage. As a response, civil society brought a group together to discuss the government’s proposals, exert influence and convey the message that this work involves *everyone* – not just UN agencies and governments. In some cases, different UN agencies have been involved in the making of National Action Plans, for example Liberia; there, UN-Instraw established an inter-agency team

supporting the country's ministry of gender and development to lead the process of developing a Liberian National Action Plan. UN-Instraw also worked with the Somali diaspora population in Italy to support the full and sustainable implementation of Resolution 1325 in Somalia.

A joint effort and commitment by government and civil society is especially critical in situations where state capacity is limited. The essential task of holding governments accountable depends on a strong civil society, but the situation of civil society differs from country to country and between regions. In this regard, a strong network of women's organisations (nationally and internationally) can be regarded as a prerequisite for ending impunity. An example of such networking is the Global Network of Women Peace Builders (GNWPB), a coalition of women's groups and other civil-society organisations from Africa, Asia and the Pacific, Europe and Latin America. This initiative is directly involved in advocacy and action for the full implementation of UNSCR 1325 and 1820, including the supporting resolutions 1888 and 1889, at the local, national, regional and international level.

Funding still scarce

Most NAPs do not specify the budget they will dedicate for the development and implementation of the respective plan; Nordic countries in particular do not make their budget lines public. Yet without a sufficient allocation of resources, any plan runs the risk of remaining an empty promise. True, countries such as the Netherlands, Norway, the United Kingdom and (more recently) Spain act as core donors for 1325 activities around the globe; yet funding for sexual violence is not designated specifically.

The coordination of funds and the need for national budgets remain important, as the implementation of the UNSCRs is a government responsibility. The example of Sierra Leone confirms that the degree of internal resources that are generated is a signal of the commitment of the government. In this regard, the NAPs must have status at senior levels of government, for otherwise they will not receive the funding or high-level commitment adequate for implementation or accountability.

The funding available for initiatives to combat sexual violence and to end impunity – especially those affecting survivors of sexual violence and women's organisations – is still insufficient compared to the scale of the problem. The UN Special Rapporteur on Violence Against Women also expresses the concern that initiatives and programmes involving or initiated by men on the issue of gender-based violence, welcome as they are, are tapping into the already limited funds available for women's organisations working on this issue. This indicates that funds available for a holistic approach addressing sexual and gender-based violence need to be increased.

The complexity of international funding mechanisms is further seen as inhibiting the ability of women's groups and survivors of sexual violence to access available funds. This has a negative impact on local NGOs, which are sometimes already struggling with institutional issues, questions of sustainability, and the search for effective management of resources; all this makes it difficult for them to be more effective implementers in building capacity to deal with sexual violence⁵

Within this context, it could be useful to examine further the possibility of additional funding mechanisms, such as the Urgent Action Fund for Women –Africa (which provides rapid-response grants and resources to enable women to effectively engage in situations of conflict), and to take advantage of opportunities and identify gaps where strategic interventions to advance women's human rights could be made. Another example is the grants provided by the Open Society Institute to support women lawyers fighting impunity over sexual violence and other violence against women and girls in the DR Congo, and for reparations and justice for women survivors of sexual violence in Guatemala.

In addition, reliable funding and capacity is needed to address the root causes of sexual violence and to prevent it from becoming “normalised” in the

5 “Where is the money for women's rights?”, Association for Women's Rights in Development (AWID), <http://www.awid.org/eng/About-AWID/AWID-Initiatives/Where-is-the-Money-for-Women-s-Rights>, accessed 8 November 2010; “Costing and financing implementation of United Nations SCR 1325”, Cordaid and GNWP, <http://www.gnwp.org/what-we-do/policy-advocacy/costing-and-financing-implementation-of-united-nations-security-council-resolution-1325>, 2010, accessed 8 November 2010.

aftermath of conflict. A definite trend is that funding tends to decrease when a country transitions from conflict to post-conflict (as in the case of Liberia)⁶. A recent study by Oxfam UK from the DRC reports an increase in the number of civilian-perpetrators over the DRC's years of war, reflecting the fact that the crime of rape has come to seem more acceptable. This underlines the importance of creating sustainability through a long-term commitment, as dealing with this issue offers no "quick fix".

An ongoing study by the UNDP on financing gender equality in post-conflict recovery and reconstructions examines the extent to which gender issues were addressed in post-conflict reconstruction plans, with case studies from Kosovo, Sierra Leone, Sudan and Timor Leste. The aim of the research is to make specific recommendations for policy and structural-reform strategies that are responsive to women's needs, and to explore entry-points for women's participation in post-conflict recovery.

The tasks of bringing justice to survivors of sexual violence, and to further empower them, require the creation of adequate support systems in both international and national contexts; these should follow the whole process from forwarding a complaint to the closing of the court case and thereafter. For example, experiences from the ICTY and ICTR, as well as the Special Court for Sierra Leone, indicate that special attention is needed both to ensure prosecutions and to protect the physical and psychological wellbeing of survivors, their reparation, and their rehabilitation. Here, the Trust Fund for Victims was established (alongside the Rome Statue) as a support mechanism for survivors, but it is still dependent on adequate funding from international donors.

Changing attitudes – enhancing knowledge and competence

An important question is how to change the attitudes of the general public towards sexual violence in a situation where lack of knowledge is still a major

concern. A major concern within any NAP should be the need to raise awareness and increase public sensitivity to the vulnerabilities of women and girls to sexual violence.

A public discussion of violence, particularly with men and boys, can help to foster the recognition that sexual violence is a violation of the rights of women and girls. In this matter, it is important to include the media and different communications strategies in the dialogue.

Some examples of good practice are the tools used by Doctors Without Borders (MSF) – among them theatre, radio announcements, and billboard advertisements – to communicate issues of sexual violence and to encourage victims to seek help. In this respect the International Women's Tribune Centre (IWTC) has initiated radio drama series highlighting the UNSCR 1325 as a legal instrument in addressing sexual and gender-based violence and other issues confronting women in conflict areas such as northern Uganda.

Another institution, the Dart Centre, is designed to increase journalists' ability to report on the impact of sexual violence on individuals, communities and nations, both on the frontlines in war-affected countries and in policy debates in donor capitals. The centre provides guidelines on how to interview victims sensitively; facing awareness about the impact of trauma; the social repercussions of rape; and finding solutions to reporting challenges (logistics, gathering data, journalists' safety, protecting anonymity, cultural and gender sensitivities, minimising stigmatisation, and physical threats to survivors).

These kinds of initiatives can lead to a broader commitment to ensure that accountability for sexual violence against women receives priority attention, and impunity is ended.

The question of involving men, and of how to challenge more men to become involved, is being discussed by various actors. There are several examples of good practice here. The Women's Peacemakers Programme has initiated a "training of trainees" involving men from countries in conflict. The training focuses on gender-sensitive active non-violence, the theory of masculinities and its relation to violence, and participatory and gender-sensitive facilitation.

⁶ "Agencies are pulling out of the country", statement by Patricia Kamara, assistant minister of gender and development, Liberia, at the Commission on the Status of Women, New York, February 2010; "UN makes renewed effort to fight rape in Liberia", Heritage, 8 June 2010, http://www.heritageliberia.com/index.php?option=com_content&view=article&id=631:un-makes-renewed-effort-to-fight-rape-in-liberia&catid=1:people-a-places, accessed 8 November 2010.

Gender training as part of the security-sector's work is also important. The experience of the UN peace mission in the DRC (Monusco) underlines the fact that regular and systematic training and awareness-raising, and the expansion of a network of trainers, are the most effective preventive measure for all categories and levels of personnel, but especially senior managers and commanders. The Swedish armed forces have

introduced a women, peace and security programme within their military academy, and are currently running a pilot Gender Coach Programme for senior officials which aims to enhance their knowledge in gender equality. The reason for choosing to work with the top management is that the latter has both the power and ability to influence structures and behaviour within organisations.

Global responsibility: suggested actions for Norway

- Advocate, in partnership with other member-states, for the adoption of NAPs by all member-states, to include:
 - a participatory and transparent process – that needs to be part of a holistic approach – which should embrace different aspects and stakeholders, especially civil society organisations (including women affected by conflict),
 - budget lines and develop systems for monitoring and accurately assessing NAP implementation with lines of accountability, including the development of indicators with relevant periodic report to the legislature
 - strong governmental status, and to integrate the principles of the UNSCRs on women, peace and security into domestic law and legal systems and other relevant national policies.
- Make budget lines public in the Norwegian NAP to enhance transparency and accountability
- Explore a closer partnership with different member-states to coordinate and increase funds and initiatives on a country-specific level, and hereunder pay special attention to additional funding mechanisms and to the recommendations by the UNDP upcoming report that focus on the need for funding according to women's needs and long-term commitments to create sustainability
- Support innovative initiatives by the media and other communication actors for increased awareness and changes in attitudes on the issue of sexual violence as a violation of international instruments and human rights.

2. The legal framework

Strengthening national ability

Sexual violence in and after conflict is a manifestation and a continuation of what goes on in any given country on an everyday basis, based on patterns of gender inequality which cut across geopolitical, economical and social boundaries. Even though it would be difficult to compare the systematic and violent abuses that take place during conflict to the abuses women experience in a peaceful society, it is nonetheless important to note that rape survivors' testimonies express the same mechanisms of stigma and shame which hold the survivor responsible and the perpetrator invisible.

In addition, procedures for prosecuting crimes of sexual violence – on both a national and international level – often discriminate against the survivors of sexual violence, exposing them to further humiliation and re-victimisation. Patricia Viseur Sellers, former legal advisor for gender-related crimes and Acting Senior Trial at the ICTY, argues that this has much to do with the fact that the different definitions of rape provided lack an overall legal hierarchy which provides guidance about the primacy of one definition over another.

She argues that a number of human-rights concerns are created as a result of inconsistent definitions of rape, and asks an important question: what impact do the various definitions of rape have on survivors' human right of equal access to justice, especially when proof must be offered that the victim did not consent and that the perpetrator was aware of the victim's lack of consent?

The newly published book *Rethinking rape law: international and comparative perspectives*⁷ engages with developments in this area that span national, regional and international frameworks. It argues that

⁷ Clare McGynn and Vanessa E. Munro, eds, *Rethinking rape law: international and comparative perspectives*, Routledge-Cavendish, April 2010.

only when there is full understanding of a range of differences can the international community evaluate current practices with a view to improving them and creating a better future for victims of sexual crimes. These differences are between the law of rape in times of war and in times of peace, between common law and continental jurisdictions, and between societies in transition and societies long inured to feminist activism.

It is said that nothing will move in any particular country without political will and commitment to the cause. The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW, 1979) stipulates that foremost among national governments' overall priority should be the effort to bring perpetrators of sexual and gender-based violence in their territories to account. 186 countries have so far ratified CEDAW, and thereby committed themselves to undertake a series of measures to end discrimination against women in all forms; but the reality is that few countries in the world have made it a priority to prevent or punish rape, and even in countries where formal laws are in place it has proved difficult to bring justice to rape survivors.

In light of these issues, Binaifer Nowrojee of the Harvard Law School and the Coalition for Women's Human Rights has highlighted some key components of a model of best practice for investigating and prosecuting sexual violence on a national and international level:⁸

- political will on the part of the prosecutor to prosecute crimes of sexual violence
- designing a prosecution strategy for sexual violence at the outset
- training for all staff to develop skills in sexual violence investigations and jurisprudence
- having a dedicated team of sexual assault investigators and prosecutors
- care for the well-being, safety and dignity of victims of sexual violence, including the provision of information, support and protection services and witness preparation

- an enabling courtroom environment, where rape victims are treated with sensitivity, respect, and care when they come forward to testify.

The primary purpose of the Case Matrix Network (CMN) is to strengthen national abilities and competences after conflict. The CMN argues that the cost-efficiency and quality of justice for atrocities are improved by empowering the national professionals involved, and highlights the importance of further developing the capacity of civil-society organisations to document professionally serious human-rights violations that may amount to core international crimes.

Isis-WICCE Uganda provides data and information on human-rights violations against women in situations of armed conflict, by documenting women's experiences as a tool for advocacy, social justice and women's empowerment, with the goal of ensuring respect for human rights and sustainable peace. Since 1993, the group has hosted the International Exchange Programme Institutes to address violence against women in situations of armed conflict, as well as peacebuilding and conflict-transformation.

The exchange-programme institute involves a diverse range of women leaders and women human-rights activists from different parts of the world who use the space to learn from one another, share information, exchange ideas, acquire cross-cultural strategies, and develop solidarity actions in order to address a variety of women's issues from a human-rights perspective. To date, the violation of women's human rights in fifteen countries in Africa and twelve outside Africa have been documented⁹.

The UNDP's Global Rule of Law Programme, introduced in eighteen different countries, is reported to have had some impact on the rate of prosecutions for sexual violence; the main example is that of Darfur. The Rule of Law Programme works to develop the capacity of local/national rule of law institutions to shoulder their responsibilities under international law and UNSCR 1325. The programme aims to work at all levels: by training internally-displaced persons (IDPs) as

8 A model presented in: Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict - Global Overview and Implications for the Security Sector*, DCAF, 2007, <http://www.dcaf.ch/Publications/Publication-Detail?lng=en&id=43991>, accessed 8 November 2010.

9 Burundi, Cameroon, Democratic Republic of Congo, Kenya, Liberia, Nigeria, Rwanda, Sierra Leone, Somalia, Somaliland, South Africa, Sudan, Tanzania, Togo, Uganda, Albania, Azerbaijan, Bangladesh, Cambodia, Colombia, El Salvador, India, Mexico, Pakistan, Philippines, Sri-Lanka, Yugoslavia. See: Isis-Women International Cross Cultural Exchange (Isis-WICCE), <http://www.isis.or.ug/documentation>, accessed 8 November 2010.

paralegals to offer legal aid within refugee camps, and by training lawyers, prosecutors, police and judges on how to deal with cases of sexual violence (from reporting mechanisms to juridical proceedings). The progress made by the UNDP was recognised by the Bureau for Crisis Prevention and Recovery (BCPR) review team in 2009, which concluded that the Global Rule of Law Programme had broken new ground.

The UNDP regards it as important to build confidence within national governments and to work with civil society in order to create sustainability. The Open Society Institute's International women's program – using its long relationship with different civil-society organisations, especially women's groups in countries such as Liberia, Sierra Leone, DRC, Zimbabwe, Sudan and Northern Uganda¹⁰ — is exploring cooperation with UNDP on a country-based level to reinforce strong links with civil-society actors

Some observers have recommended the use of traditional justice systems as a fast method of delivering justice and ensuring that offenders are punished; though others are more critical on the grounds that traditional justice systems do not apply to international law. The experience of Sierra Leone suggests that the use of a combination of justice mechanisms to deal with the issue of sexual violence – such as the Special Court for Sierra Leone, the truth and reconciliation process (TRC), and some traditional-justice mechanisms – can be relatively successful in addressing crimes of sexual violence.

In Liberia, the Carter Center is an actor that has improved access to justice by working with the Liberian ministry of justice to support the development of a stable and effective rule of law throughout the country; the main route is by helping to develop strategies for harmonising traditional practices with national laws, as an important step to the application of a holistic approach within a particular cultural context. The Center has led a collaborative effort to design a training manual for prosecutors, and is assisting in developing standard operating procedures. In addition, the Carter Center helps provide training for judges, prosecutors and public defenders to strengthen the formal legal system. It should be mentioned, however, that the UNDP identifies a risk

that the already over-burdened Liberian government will be unable to mobilise the requisite financial resources to maintain the established foundations and pay the trained staff.

In addition, the special court (Court E) which was set up in Liberia to handle sexual-violence cases has so far overseen very few such cases, mainly because it is situated in a public place and thus it is easy to identify victims. The new rape law has very severe punitive measures for the crime, and this harsh sentencing (ranging mostly from ten years up to the death penalty) is seen to have produced a backlash, in that these penalties have led to women not reporting rape or being threatened by families and communities.

Another huge problem in the system in Liberia is that there are no accommodation facilities for women awaiting trial. Medica Mondiale, a German NGO working in the country, states that Liberia's Truth and Reconciliation Report could be important in addressing impunity, but has as yet not been accepted due to various controversies. The idea of an international tribunal for women to deal with crimes against women committed during the war in Liberia has further been suggested.

Strengthening national ability: suggested actions for Norway

- Establish and further explore stronger partnerships with member states for the advocacy of a strengthened and coordinated cooperation between different stakeholders such as member states, the UN, CSOs, the media and especially women's groups and survivors of sexual violence
- Explore and support further research on the lack of consistent definitions of rape, and the impact of the various definitions of rape on survivors
- Highlight and support the importance of including documentation by civil-society actors in seeking justice for sexual violence
- Further explore and support existing and new initiatives to strengthen national ability and competence, involving different stakeholders and a model of best practice for investigating and prosecuting sexual violence, in a country-specific situation where Norway already is involved, such as Liberia.

¹⁰ The Open Society Institutes (OSI) International Women's Program uses grantmaking and programmes to promote and protect the rights of women and girls around the globe, particularly in places where good governance and respect for the rule of law have been weakened or destroyed by conflict. <http://www.soros.org/initiatives/women>

Seeking international liability

The creation of international tribunals has been an important strategy for the international women's movement in bringing attention to the issue of violations of women's human rights. The first tribunal on violence against women in Brussels in 1976 was a milestone towards greater international attention and progress on the issue of violence against women. In times of conflict there are other examples such as *the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery*, organised to highlight the demands for justice of the former "comfort women" of the second world war, and the failure of the Japanese government and the international community to address the crimes committed against them.

Women in Guatemala have also organised comparable special courts: the *Court of Conscience* in Guatemala in 1988 and the *Court of Conscience against sexual violence towards women during the internal armed conflict in Guatemala* in 2010. In Colombia, women have held regional women's tribunals in preparation for a national *Colombian Women's Court Against Forgetting and for Re-existence* intended to be a permanent court.

Some of these tribunals, with their compelling testimony by women victims/survivors of armed conflict, helped pave the way for international tribunals like the ICTY and ICTR to prosecute gender-based crimes as international crimes¹¹ at the International Criminal Court (ICC).

At present, the ICC is seen as the most significant international institution for addressing sexual violence as a war crime. But without its own police force, it has been argued that the ICC has limited power to make arrests; and, as an independent body, it has no formal agreement with the UN to assist in its investigations.¹² Although the ICC is making some effort to investigate and charge gender-based crimes, the strategy underpinning the charges is still neither developed nor robust enough to sustain the charges, even at the early stages of the judicial process.

The court is struggling with both consistency and sufficient institutional competence to prosecute gender-based crimes.

There are several organisations involved in the work to strengthen the ICC's ability to prosecute cases of sexual violence. In 2006, the Women's Initiatives for Gender Justice was the first NGO to file before the International Criminal Court; to date, it is the only women's rights organisation to have been granted *amicus curiae* status.

The WIGJ produces documentation on gender-based crimes in conflict and promotes victims' participation before the ICC. Currently it has country-based programmes in the four ICC situation countries: Uganda, the Democratic Republic of the Congo, Sudan and the Central African Republic. It is also involved in political and legal advocacy for accountability and the prosecution of gender-based crimes; capacity and movement-building initiatives with women in armed conflicts; conflict resolution and the integration of gender issues within the negotiations; implementation of peace agreements (Uganda, DRC, Darfur); and training of activists, lawyers and judges on the Rome Statute and international jurisprudence regarding gender-based crimes.

Since 2005, the organisation has produced an annual Gender Report Card on the International Criminal Court, which analyses the work of the ICC in three sections:

- Structures and institutional development
- Substantive jurisdiction and procedure
- Substantive work of the ICC and ASP.

The report card also provides summaries of the most important judicial decisions; the investigations, charges and prosecutions brought by the Office of the Prosecutor (OTP); and the work of the many sections of the registry towards an accessible and administratively efficient court.

Despite its global mandate, the ICC has been criticised for concentrating its efforts in African countries (at present Uganda, the DRC, Sudan, and the Central African Republic) – partly because of its ability only to prosecute crimes committed on or after the date

11 Megan Bastick, et al, *Sexual Violence in Armed Conflict*, DCAF, 2007.

12 Ashley Dallman, "Prosecuting conflict-related sexual violence at the International Criminal Court", SIPRI Insights on Peace and Security, May 2009, <http://books.sipri.org/files/insight/SIPRIInsight0901.pdf>, accessed 22 October 2010.

of the adoption of the Rome Statute. For example, military regimes in Burma have committed massive abuses (including systematic sexual violence) against the population of Burma, yet no ICC investigations into these abuses currently exist.

Burma is not a party to the ICC, and no mandate has been granted by the UN Security Council to investigate the situation; legally, the ICC has no responsibility to investigate. The International Tribunal on Crimes against Women of Burma – organised by the Nobel Women’s Initiative and the Women’s League of Burma – recently called for a stronger international commitment to the case of Burma, emphasising the responsibility of the international community to act when the UN is unable or unwilling to do so. The Nobel Women’s Initiative has also called for signatories to the Rome Statute to strengthen their financial and political support to the ICC.

Seeking international liability: suggested actions for Norway

- Strengthen political and financial support to the ICC as part of cooperative initiatives with other member-states
- Strengthen support to survivors of sexual violence in countries before the ICC as well as countries not mandated by the UNSC, such as Burma.

No safe haven for perpetrators

In accordance with the ICC, the principle of universal jurisdiction which enables states to prosecute cases of human-rights violations can be an important factor in achieving justice when national states are unable or unwilling to do so. Universal jurisdiction can effectively contribute to the accountability of perpetrators of sexual violence, provide justice for victims, shed light on human-rights abuses and states of impunity, contribute to policy changes and more generally to ending the culture of impunity. By using universal jurisdiction, governments will ensure that their countries cannot be used as safe havens by perpetrators of sexual violence.

Amnesty International is one of the organisations that have long campaigned for all governments to empower their national courts to take on this important

role of providing for universal jurisdiction. The organisation documents the fact that more than 125 states have universal jurisdiction over at least one of six crimes (genocide, crimes against humanity, war crimes, torture, extra-judicial executions and enforced disappearances); and more than fifteen¹³ countries have exercised universal jurisdiction in investigations or prosecutions of international crimes. At the same time, there is no collected documentation about the degree to which allegations of sexual violence were a part of these investigation and prosecutions. Some countries (such as the Netherlands, Belgium, Sweden, Norway, Denmark and Canada) have established specialised war-crimes units within their police and/or prosecution authorities.

However, the concept of universal jurisdiction is still very new, restricted in scope, and fragile – as illustrated by the United Kingdom government’s intention to change the law on universal jurisdiction by ending the ability to bring private prosecutions within the country for international crimes, and by the Spanish government’s amendment limiting the capacity of Spanish courts to exercise universal jurisdiction. Universal jurisdiction cases are seen as being very complex, due to their international and political nature as well as the scale of the crimes involved; this results in evidence and information being spread over several countries. By the same principle, a single case can change the course of justice within one country; thus, seeking advice from others with experience and planning carefully for a long time engagement are important steps that should be taken.

The International Federation for Human Rights argues that there is a need for closer cooperation among local and international NGOs and lawyers in the state where the abuses have taken place and the state where the case will be prosecuted. The experience accumulated by many NGOs can be an important

13 Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Netherlands, Norway, Senegal, Spain, the United Kingdom and the United States of America and others, such as Mexico, have extradited persons to countries for prosecution based on universal jurisdiction. See “Universal Jurisdiction: the duty of states to enact and enforce legislation. Chapter 14: Overcoming obstacles to implementing universal jurisdiction”, Amnesty International, 2001, <http://www.amnesty.org/en/library/info/IOR53/017/2001/en>; and also “Universal Jurisdiction”, Fact sheet two, 2007-2008, Amnesty International USA, http://www.amnestyusa.org/international_justice/pdf/UniversalJurisdictionfactsheet.pdf, accessed 8 November 2010.

source of information at the outset of a complaint; this includes support to survivors of sexual violence, and collecting evidence for the case file.

There are however different practices between countries as to how NGOs and/or victims can file applications for arrests, or (as in Norway) just submit a complaint; this can make it difficult to challenge a prosecutor's decision not to investigate.

The organisation Aids-Free World has recently documented several cases in Zimbabwe where members and supporters of President Robert Mugabe's party committed widespread and systematic rape in 2008 to terrorise the political opposition. The group's report offers a good example of how to approach sexual violence in a holistic manner: by first documenting the violations, then naming the perpetrators, analysing the domestic rape law and its limitations, before seeking reactions and accountability (which in this case means universal jurisdiction to be used by South Africa and the Southern African Development Community [SADC]). The report argues that in order to succeed, the material support of survivors is required in order to secure their testimonies, prevent re-victimisation, and ensure justice for them.

No safe haven for perpetrators: suggested actions for Norway

- Build capacity to analyse and monitor incidents of sexual violence as part of universal jurisdiction, in partnership with countries that have established specialised war-crime units to strengthen the international response, as well as advocating for more countries to pursue principles of universal jurisdiction
- Explore a stronger partnership domestically between the ministry of foreign affairs and the ministry of police and justice; include international and national NGOs as part of investigations; and further explore the possible role of NGOs and victims in filing an application for arrest within Norwegian jurisdiction.

3. New initiatives

Monitoring implementation through lessons learned

The ten-year anniversary of UNSCR 1325 in autumn 2010 is an appropriate time to highlight the lack of accountability and the need for more systematic, consistent and comprehensive implementation.

Gender Action on Peace and Security (GAPS-UK) is one organisation that has identified essential steps to be taken by the international community if the goals of the UNSCRs – in terms of preventing sexual violence and ending impunity for the perpetrators – are to be achieved:

- Recognise basic services as a key entry-point for action against rape
- A survivor-centered approach to data collection and tackling impunity
- Enhancing coordination and accountability within the UN system
- Prevention: addressing the root causes of violence and promoting women's empowerment.

An initiative by *Realizing Rights: the Ethical Globalization Initiative* and *The Institute for Inclusive Security* has proposed strategies for increasing the development and implementation of NAPs and to encourage international cooperation on NAPs¹⁴. The cooperation should secure accountability at all levels including member-states, the UN, and military peace operations; and develop systems for monitoring and accurately assessing NAP implementation with lines of accountability, including the development of indicators with relevant periodic reports to the legislature. The value of holding private-sector actors accountable to UNSCR 1325 and 1820 standards is also clear.

The Dutch NGO working group on 1325 also suggests the need for further collaboration, or twinning, between UN member-states; it argues that this would allow for mutual learning, ownership, donor coherence and all-round improved effectiveness of efforts in the partner

14 "Increasing momentum for UNSCR 1325 National Action Plans", 24 April 2009, http://www.realizingrights.org/?option=com_content&task=view&id=407, accessed 8 November 2010.

country. Several initiatives are also being undertaken by different NGO networks and researchers in order to further monitor implementation by the UN and the member-states; they underline the need to see the issue of sexual violence in the broader context of women, peace and security.

The NGO Working Group for Women, Peace and Security (NGOWG) produces Monthly Action Points (MAPs) that provide analysis and recommendations for the Security Council on how each Security Council president can provide leadership on women in conflict, and how the Security Council as a whole can systematically meet its obligations on the issue.

GAPS-UK is developing a UNSCR 1325 monitoring matrix for Afghanistan, the DRC, Nepal, Northern Ireland and Sri Lanka. The matrix has been designed using gender indicators developed from UNSCR1325 and the UK's National Action Plan on women, peace and security. The information to emerge from these countries will be used to produce shadow updates to monitor the UK's implementation of its National Action Plan on women peace and security.

The Global Community of Women Peacebuilders (GCWP)'s monitoring of 1325 and 1820 implementation at a national level is intended to establish a regular network of exchange between activists in different countries – in order to enable a flow of information, experience, and strategies.

The MIT Centre for International Studies US is currently undertaking a study on Sri Lanka, Israel-Palestine, Uganda and Liberia. This is mapping out the various interventions made by national and international actors, as well as local NGOs, in order to determine what efforts worked and why – and how they can be adapted or replicated elsewhere.

Monitoring implementation: suggested actions for Norway

- Explore and adapt the concept of twinning/partnerships on the development of NAPs to strengthen national implementation of UNSCRs on women, peace and security to secure accountability at all levels, including the responsibility of private-sector actors
- Establish stronger cooperation with partners in the global south to follow up on a stronger monitoring mechanism both nationally and internationally
- Encourage and support Norwegian initiatives to develop monitoring matrices to update the Norwegian implementation of UNSCR 1325 and work to combat sexual violence, especially in specific countries in which Norway is involved.

Pursuing mechanisms for accountability

Since the only reporting mechanism on women's rights within the UN system is the CEDAW committee, various national and international women's rights organisations¹⁵ have engaged the CEDAW Committee in a process of dialogue in the hope of creating a General Comment regarding the advancement of women's human rights in conflict-affected areas. This study finds that this should include the responsibility of all states and their commitment to pursue the issue at the international and national legal level (such as the ICC, and the use of universal jurisdiction).

Some would argue that the Human Rights Council, (which is based in Geneva), should prioritise and take into account the issue of sexual violence and state accountability, especially in the reporting by states of human-rights issues to the council. This could give the issue a broader context – within the human rights agenda – for the “naming and shaming” of countries. Others, however, argue that since the issue of sexual violence in conflict is a threat to international security, it should remain within the area of security and therefore be reported in New York – where the United Nations Security Council is permanently based.

¹⁵ Women's International League for Peace and Freedom; International Women's Tribune Centre; International Women's Rights Action Watch Asia Pacific (IWRAP); Movement of Indigenous Women, Tz'ununija, in Guatemala.

The gaps in the UN Security Council's approach to rape and sexual violence is considered most adequately bridged by the establishment of a permanent subsidiary body or other mechanisms linked directly to the council. This subsidiary body should have a mandate to report on and monitor instances of sexual and gender-based violence in situations under the council's mandate.

There is the proposal of a working group on sexual violence, which Austria is reported eager to advance – in relation to UNSCR 1612 and the working group on children and armed conflict – as a monitoring and reporting mechanism for the Security Council.

Other initiatives include the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children, proposed by the Great Lakes Advocacy Group (GLAG)¹⁶ in 2007. The protocol seeks to fill the legal void that prevails in most of the legal systems in the countries of the region as a response to the systemic rape of women and children in the Great Lakes region.

The Women's Initiative for Gender Justice is in the process of developing a three-year global agenda to advance gender justice and women's rights, focusing on the use of accountability mechanisms, and in particular through use of the ICC and regional human-rights courts as complementary flag-bearers for domestic prosecutions.

One of the recommendations in the Unifem report *Women, War and Peace* was an international truth and reconciliation commission on violence against women in armed conflict, as a step towards ending impunity and closing the historical gap that has left these crimes unrecorded and unaddressed. The report further argued that this commission should be convened by civil society with support from the international community. This proposal could be seen in regard to an initiative promoted by the Norwegian network, Forum Norway 1325: namely, an international civil-society campaign on sexual violence and how to end impunity, in order to create a stronger international awareness and consensus to pursue accountability at all levels.

16 Comprised of CARE Burundi, CARE DRC, CARE Rwanda and CARE Uganda. Protocol on the Prevention and Suppression of Sexual Violence against Women and Children, [http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/381B8D820A51C229C12572FB002C0C5B/\\$file/Final%20protocol.Sexual%20Violence%20-%20En.pdf](http://www.internal-displacement.org/8025708F004BE3B1/%28httpInfoFiles%29/381B8D820A51C229C12572FB002C0C5B/$file/Final%20protocol.Sexual%20Violence%20-%20En.pdf), accessed 8 November 2010.

Pursuing mechanisms for accountability: suggested actions for Norway

- Further explore and follow up on the different initiatives in cooperation with other member-states, as well as NGOs and other stakeholders, to adopt a strong reporting and accountability mechanism
- Support the initiative of an international civil-society campaign on sexual violence for the enforcement of international instruments to end impunity.

4. What can Norway do?

Norway is known in the international arenas one of the core donors for 1325 activities around the globe, including multilateral and bilateral support; it was also one of the first member-states to adopt an NAP (2006). The NAP states that Norway will combat impunity for international crimes such as rape and other forms of gender-based violence; and that “responsibility to protect” requires special efforts to combat gender-based and sexual violence.

The problem is that the NAP doesn't offer any indicators to measure results on the different initiatives supported by Norway, nor any budget lines. In turn this makes it difficult to have sufficient reporting mechanism for gathering information on who's doing what and where, and establishing coordination and cooperation between the different actors, nationally and internationally.

Norway, a major donor to different UN initiatives, and it is often noted that these initiatives can lack coordination and cooperation; that they make assessments that are inadequate in terms of a comprehensive approach; and that there is a need to look for approaches that hold the UN accountable. In some countries where different UN entities are present, they are challenged to play a bigger role in advocating to end impunity by involving organisations that work close to the ground and monitoring closely with them at the grassroots level; for example in Liberia, where UN agencies and the United Nations Mission in Liberia (UNMIL) have coordinated their efforts on sexual violence by working in close collaboration with

the government and with the GBV Taskforce (formed by the Liberian government), NGOs, and community-based organisations.

One of the recommendations by GAPS - UK to the British government is to *lead a rigorous process of peer review amongst UN agencies, and ensure that recommendations arising from agency evaluations are implemented for a stronger accountability*. This could be further explored in partnership with the UK, to create measures of accountability within the UN system. A peer-review between countries with NAPs is another idea to consider.

In alliance or partnership with other member-states, Norway could advocate for accountability at all levels. This could include the UN and private-sector responsibility, as well as strengthened international cooperation related to universal jurisdiction (such as an international crime unit specialising on this issue).

Norway is already in dialogue with the US on a possible partnership to strengthen their commitment to ending sexual violence in conflict, though it should be noted that the US has been criticised for not ratifying any of the international instruments such as CEDAW and the Rome Statute of the ICC. The International Crisis Group has argued that the US in partnership with the EU, as the world's most powerful political and economic blocs, have a special capacity and responsibility to catalyse existing efforts on sexual violence.

Norway should therefore also advance partnerships with the EU and other European countries (such as the Netherlands, Austria, Belgium and the UK) which have a proven record of especial concern with the issue. As an example; the UK was one of the countries in the lead pushing for Resolution 1820, and Austria has proposed to establish a working group on sexual violence (echoing the working group on children in armed conflict).

It could further be useful to look for a stronger Nordic collaboration, as all the Nordic countries have developed NAPs and have engaged in the issue of sexual violence. As an example, the Danish government is funding a special court to deal with cases of sexual violence in Liberia. There is also the precedent of

Nordic cooperation on security and foreign policy¹⁷, which could be extended to include women, peace and security; together, the Nordic countries could have a stronger input on the issue of sexual violence and how to end impunity.

But Norway should also look into building partnership with countries and networks in the global south, as well as the emerging states (such as China, India, Turkey); consider the idea of twinning with a specific country to maximise cross-learning among states; ensure that the priorities of conflict-affected women are reflected in the plan; and rebalance the relationship between donor and recipient countries into a more equitable one that recognises the wealth of experience that exists in each place. Rwanda and Sierra Leone could be interesting countries to explore a stronger partnership with, as well as the Philippines (with the Norwegian involvement in the ongoing conflict in Mindanao in mind).

An important guide for exploring a possible partnership would be (on the one hand) common interest and involvement within a specific country, and (on the other) building on existing efforts for a stronger output; the examples of Liberia and Burma are existing cases. It has been suggested that international actors, such as Norway, could set up an international tribunal in Liberia; such a tribunal could identify and try the major war criminals responsible for the crimes against women which have devastated the country's social fabric and made recovery very difficult.

Norway's commitment to end impunity would also be strengthened through stronger cooperation on a national level, guided by a holistic approach, perhaps within one specific country of concern such as Liberia, the DRC, Burma or Colombia. To have an overview of the different actors involved enables the exchanging of information and knowledge, and further coordination in the different efforts for a comprehensive strategy.

The recommendations for suggested actions (highlighted above) in the fight against impunity have been compiled below:

17 Thorvald Stoltenberg, "Nordic cooperation on security and foreign policy", report presented to the Nordic ministers of foreign affairs, February 2009, http://www.mfa.is/media/Frettatilkynning/Nordic_report.pdf, accessed 22 October 2010.

Ending impunity: suggested actions for Norway

A global responsibility

- Advocate, in partnership with other member-states, for the adaptation of NAPs by all member-states, to include
 - a participatory and transparent process – that needs to be part of a holistic approach – which should embrace different aspects and stakeholders, especially civil society organisations (including women affected by conflict),
 - budget lines and establish systems for monitoring and accurately assessing NAP implementation with lines of accountability, including the development of indicators with relevant periodic report to the legislature
 - strong governmental status, and to integrate the principles of the UNSCRs on women, peace and security into domestic law and legal systems and other relevant national policies
- Make budget lines in the Norwegian NAP public, transparent and accountable
- Explore a closer partnership with different member-states to coordinate and increase funds and initiatives on a country-specific level, and hereunder pay special attention to additional funding mechanisms and to the recommendations in the UNDP upcoming report that focus on the need for funding according to women's needs and long-term commitments to create sustainability
- Support innovative initiatives by the media and other communication actors for increased awareness and changes in attitudes on the issue of sexual violence as a violation of international instruments and human rights

Strengthening national ability

- Establish and further explore stronger partnerships with member-states for the advocacy of a strengthened and coordinated cooperation between different stakeholders such as member-states, the UN, CSOs, the media and especially women's groups and survivors of sexual violence
- Explore and support further research on the lack of consistent definitions of rape, and the impact the various definitions of rape have on survivors
- Highlight and support the importance of including documentation by civil-society actors in seeking justice for sexual violence
- Further explore and support existing and new initiatives to strengthen national ability and competence, involving different stakeholders and a model of best practice for investigating and prosecuting sexual violence, in a country-specific situation where Norway already is involved, such as Liberia

Seeking international liability

- Strengthened political and financial support to the ICC as part of cooperative initiatives with other member-states
- Strengthened support to survivors of sexual violence in countries which have cases before the ICC as well as countries not mandated by the UNSC such as Burma

No safe haven for perpetrators

- Build capacity to analyse and monitor incidents of sexual violence as part of universal jurisdiction, in partnership with countries that have established specialised war-crime units to strengthen the international response, as well as advocating for more countries to pursue principles of universal jurisdiction
- Explore a stronger partnership domestically between the ministry of foreign affairs and the ministry of police and justice; include international and national NGOs as part of investigations; and further explore the role of NGOs and victims' chances of filing an application for arrest within Norwegian jurisdiction

Monitoring implementation through lessons learned

- Explore and adapt the concept of twinning/ partnerships in the development of NAPs to strengthen national implementation of UNSCRs on women, peace and security and to secure accountability at all levels, including the responsibility of private-sector actors
- Establish stronger cooperation with partners in the global south to follow up on a stronger monitoring mechanism both nationally and internationally
- Encourage and support Norwegian initiatives to develop monitoring matrices to update the Norwegian implementation of UNSCR 1325 and work to combat sexual violence, especially in specific countries in which Norway is involved.

Pursuing mechanisms for accountability

- Further explore and follow up on the different initiatives, in cooperation with other member states as well as NGOs and other stakeholders, to adapt a strong reporting and accountability mechanism
- Support the initiative of an international civil-society campaign on sexual violence for the enforcement of international instruments to end impunity.

Appendix 1 - Mapping of resources, initiatives and reports

UNITED NATIONS	RECENT PUBLICATIONS	WORKING AREAS
United Nations International Research and Training Institute for the Advancement of Women UN Instraw http://www.un-instraw.org/	<i>Gender Training For Peacekeepers: Preliminary overview of United Nations peace support operations</i> – 2007 <i>Gender & Security Sector Reform Toolkit-2007</i> (in cooperation with DCAF – The Geneva Centre for the Democratic Control of Armed Forces)	To promote gender equality and women's full and equal participation in the realms of peacekeeping, peace processes, post-conflict reconstruction and the reform of security institutions. In line with UN-Instraw's institutional objectives, the programme promotes applied research, facilitates knowledge management, and supports capacity-building in order to promote an inclusive peace and human security for women and men, girls and boys, around the world.
United Nations Development Fund for Women Unifem http://www.unifem.org http://www.unifem.org/gender_issues/women_war_peace/ http://www.womenwarandpeace.org/	<i>Baseline Survey on Sexual and Gender Based Violence in Rwanda</i> – 2008 <i>Women Building Peace and Preventing Sexual Violence in Conflict-Affected Contexts: A Review of Community-Based Approaches</i> – 2007 <i>Policy Briefing Paper: Gender Sensitive Police Reform in Post Conflict Societies</i> – 2007 <i>CEDAW and Security Council Resolution 1325: A Quick Guide</i> - 2006	Unifem supports measures to end impunity for sexual and gender-based violence in conflict and to address a wider range of post-conflict gender justice, including truth-telling and reconciliation, as well as institutional reforms to ensure that police and other security services respond to women's safety needs. Unifem's work on good governance in post-conflict contexts addresses long-term issues of building public-sector accountability to women, emphasising the need for women to take active roles in political and economic leadership and public administration.
United Nations Population Fund UNFPA www.unfpa.org	<i>International Symposium on Sexual Violence in Conflict and Beyond</i> - 2006 <i>Fact sheet: Sexual Violence</i> <i>Addressing Sexual Violence in Humanitarian Settings</i>	UNFPA supports countries in using population data for policies and programmes to reduce poverty and to ensure that every pregnancy is wanted, every birth is safe, every young person is free of HIV/AIDS, and every girl and woman is treated with dignity and respect.
United Nations Development Programme UNDP www.undp.org	<i>UNDP's Global Rule of Law Programme - Annual Report 2009</i> <i>Strengthening the Rule of Law in Conflict/ Post-Conflict Situations: Global Programme 2008-2011</i>	UNDP works with police, judges, prosecutors, elected and appointed civil authorities, and civil-society organisations to ensure the safety of the state and its people by providing technical assistance in the areas of: political dialogue on justice and security topics; capacity building for accountable, transparent and human rights-based institutions; police reform; and human rights and rule of law training.
UN Department of Peacekeeping operations - DPKO www.un.org/en/peacekeeping/dpko.shtml	<i>Guidelines for Integrating Gender Perspectives into the work of UN Police in Peacekeeping Missions</i> - 2008 <i>Gender Equality in UN Peacekeeping Operations</i> - 2006	DPKO is collaborating with troop and police contributing countries to identify good practices in enhancing the operational impact of peacekeeping operations through the deployment of more female military and police personnel to peacekeeping missions. As part of this collaboration, DPKO are conducting a survey to gather baseline information.
UN Action www.stoprapenow.org	Advocacy resources – with updates on recent articles, reports and developments on the issue of sexual violence in conflict	UN Action Against Sexual Violence in Conflict (UN Action) unites the work of 13 UN entities with the goal of ending sexual violence in conflict. It is a concerted effort by the UN system to improve coordination and accountability, amplify programming and advocacy, and support national efforts to prevent sexual violence and respond effectively to the needs of survivors.

International/ national organizations		
<p>Doctors Without Borders /Médecins Sans Frontières (MSF) www.doctorswithoutborders.org</p>	<p><i>Shattered Lives, Immediate medical care vital for sexual violence victims</i> - 2009</p>	<p>Strives to treat victims of sexual violence in all of its programs worldwide, operating in more than 120 projects, including both medical and mental-health care. Talking to people door-to-door, using theatre, radio announcements, and billboard advertisements are among the tools that MSF uses to communicate about sexual violence and encourage victims to seek help.</p>
<p>International Red Cross Committee (ICRC) Women and War Unit http://www.icrc.org/eng/women</p>	<p><i>Addressing the needs of women affected by armed conflict: an ICRC guidance document</i> – 2004</p> <p><i>Women Facing War</i>- 2001</p>	<p>Works to make sure that the authorities and armed groups are aware of their obligations under international humanitarian law. When violations of IHL are committed, including crimes of sexual violence, the ICRC reports these to the authorities concerned.</p> <p>ICRC also supports network of counselling centres, training their volunteers in counselling victims and in making appropriate referrals, and encourages communities to accept and support the victims of sexual violence, organising discussions with community leaders, local authorities, village elders, traditional birth attendants and healers.</p>
<p>The International Rescue Committee (IRC) The Gender Based Violence Technical Unit http://www.theirc.org/our-work/gender-based-violence-programs</p>		<p>The IRC has offices in London, Brussels, New York and Washington DC, and works in over forty countries; the IRC</p> <ul style="list-style-type: none"> • provides life-saving healthcare and humanitarian relief, and counsel and care for survivors of sexual violence; • educates men, women and children in ways to prevent sexual violence; • takes action when women’s rights are violated or endangered; and • gives women skills and opportunities to support their families and lead their communities.
<p>Open Society Institute The International Women’s Program http://www.soros.org/initiatives/women</p>	<p><i>International Women’s program Brochure</i> - 2009</p>	<p>The programme uses grantmaking and programmes to promote and protect the rights of women and girls around the globe, particularly in places where good governance and respect for the rule of law have been weakened or destroyed by conflict. The programme aims to strengthen institutions that are responsive to and inclusive of women and to create conditions that allow women to control their own political, economic, and social development.</p> <p>Activities focus around three primary objectives:</p> <ul style="list-style-type: none"> • reducing discrimination and violence against women, • strengthening women’s access to justice, and • increasing women’s role as decision-makers and leaders. <p>The programme works in the following countries: Liberia, Sierra Leone, DRC, Zimbabwe, Sudan, Northern Uganda, Burma, Colombia, Palestine, Iraq</p>
<p>Oxfam International and Oxfam UK www.oxfam.org.uk</p>	<p><i>“Now, The World Is Without Me” – an investigation of sexual violence in Eastern Democratic Republic of Congo</i> – 2010</p> <p><i>Sexual violence in Colombia</i></p> <p><i>Instrument of war</i> - 2009</p> <p><i>For a Safer Tomorrow</i> – 2008</p> <p><i>Monitoring the Implementation of Women’s Human- Rights Instruments</i></p> <p>The case of the Africa Gender Monitor - 2008</p>	<p>Oxfam is an international confederation of 14 like-minded organisations working together and with partners and allies around the world to bring about lasting change.</p>

<p>Human Rights Watch Women's Rights Division http://www.hrw.org/women/</p>	<p><i>Making Kampala count</i> Advancing the Global Fight against Impunity at the ICC Review Conference - 2010</p> <p><i>Bloody Monday</i></p> <p>The September 28 Massacre and Rapes by Security Forces in Guinea – 2009</p> <p><i>Soldiers Who Rape, Commanders Who Condone</i></p> <p>Sexual Violence and Military Reform in the Democratic Republic of Congo – 2009</p> <p>“My Heart Is Cut” Sexual Violence by Rebels and Pro-Government Forces in Côte d’Ivoire – 2007</p> <p><i>A Question of Security</i></p> <p>Violence against Palestinian Women and Girls – 2007</p> <p><i>Uprooted and Forgotten</i> Impunity and Human Rights Abuses in Northern Uganda - 2005</p>	<p>The Women’s Rights Division of Human Rights Watch fights against the dehumanisation and marginalisation of women.</p>
<p>Amnesty International www.amnesty.org</p>	<p><i>Report 2010: Global justice gap condemns millions to abuse</i> - May 2010</p> <p><i>International Criminal Court: Updated checklist for effective implementation</i> – May 2010</p> <p><i>Case closed – Rape and Human Rights in the Nordic Countries</i>, 2010</p> <p>“Whose justice? ”: <i>The women of Bosnia and Herzegovina are still waiting</i> – September 2009</p>	<p>Amnesty International is a worldwide movement of people who campaign for internationally recognized human rights for all.</p>
<p>Gender Action for Peace and Security (GAPS) – UK www.gaps-uk.org</p>	<p><i>Ending violence against women: Fulfilling UN commitments on Resolutions 1820 and 1888</i> – IRC and Care UK, members of GAPS 2009</p> <p><i>Global Monitoring Checklist on Women, Peace and Security</i>, 2009</p> <p><i>Involving Men in the Implementation of Resolution 1325</i>- 2007</p>	<p>Gender Action for Peace and Security is an expert working group of peace and development NGOs, academics and grassroots peacebuilders.</p> <p>It coordinates the Associate Parliamentary Group on women, peace and security to facilitate an ongoing parliamentary forum and generate parliamentary questions on gender and security.</p>
<p>The Kvinna till Kvinna Foundation www.kvinnatillkvinna.se</p>	<p><i>Insiste, Persiste, Resiste, Existe</i> - The report brings us the voices of women human-rights defenders from all over the world.</p> <p><i>Good and bad examples</i> - is done within the Gender-force project to show how to practically work in missions in conflict and catastrophe- affected areas. <i>Good and bad examples</i> contains a series of interviews with military, police and rescue services personnel who describe their work to implement UNSCR 1325 in different missions in conflict areas.</p> <p><i>Making Progress in the Peace Process - 20 recommendations</i> How to Include Women and Sexual and Gender-Based Violence in Peace Negotiations and Agreements. Kvinna till Kvinna highlights 20 recommendations on how to implement UN Security Council Resolutions 1325 and 1820.</p>	<p>The foundation supports women organising in conflict regions and collaborates with women’s organisations that play an active part in peace and rebuilding processes.</p>

<p>International Alert www.international-alert.org</p>	<p><i>Integrating women's priorities into peacebuilding processes: Experiences of monitoring and advocacy in Burundi and Sierra Leone- 2008</i></p> <p><i>Improving EU Responses to Gender and Peacebuilding: Priority Action Areas for the European Commission – 2008</i></p> <p><i>Women's political participation in countries emerging from conflict in the Great Lakes Region of Africa: Report of the Consultation Workshop – 2008</i></p> <p><i>Gender Justice and Accountability in Peace Support Operations: Closing the Gaps - 2005</i></p>	<p>An independent peacebuilding organisation that works to lay the foundations for lasting peace and security in communities affected by violent conflict. Working in over twenty countries and territories around the world, both directly with people affected by violent conflict as well as at government, EU and UN levels to shape both policy and practice in building sustainable peace.</p>
<p>Medica Mondiale www.medicamondiale.org</p>		<p>A German-based non-governmental organisation standing up for women and girls in war and crisis zones throughout the world. Medica Mondiale supports women and girls having experienced sexualised violence, regardless of political, ethnic or religious affiliation. Together with women from around the world, Medica Mondiale is committed to helping women to lead a dignified and self-determined life.</p>
<p>Isis-WICCE www.isis.or.ug</p>	<p><i>Redefining Peace and Development</i></p> <p><i>Women's Recommendations for the Peace, Recovery and Development Plan for North and North Eastern Uganda (PRDP), 2009</i></p>	<p>For the past thirteen years Isis-WICCE has provided data and information on women's human rights violations in situations of armed conflict. During this period Isis-WICCE and the institute's participants have also recorded a new protest against the deliberate targeting and attacking of women human-rights defenders, who for a long time have been at the forefront in defending the rights of vulnerable women and girls and denouncing violence against women, as well as engaging states and non-state actors to stop the abuses. Women human-rights defenders have also responded to the needs of survivors of these abuses through advocacy and mobilisation of resources.</p>
<p>The Women's Peacemakers Program The International Fellowship of Reconciliation www.ifor.org/WPP</p>		<p>IFOR's Women Peacemakers Programme (WPP) began in 1997 and works to support and strengthen women's peacemaking initiatives. This is accomplished through an annual international training for nonviolence trainers, gender and nonviolence trainings, campaigns such as the annual May 24 International Women's Day for Peace and Disarmament, and through the documentation of women's peace initiatives.</p>
<p>The Global Network of Women Peacebuilders www.gnwp.org</p>	<p><i>Costing and Financing Implementation of United Nations Security Council Resolution 1325; a study commissioned by Cordaid and GNWP 2010</i></p> <p><i>In-country and Global Monitoring of United Nations Security Council Resolution 1325, 2010</i></p>	<p>The Global Network of Women Peacebuilders is a coalition of women's groups and other civil-society organisations from Africa, Asia and the Pacific, West Asia, Europe and Latin America that are directly involved in advocacy and action for the full implementation of UNSCR 1325 and 1820 including the supporting resolutions 1888 and 1889 at the local, national, regional and international levels. The network consolidates and strengthens efforts in bridging the gap between policy discussions at the international level and action for policy implementation on the ground. It is a platform that enables members to share information, experiences and strategies in ways that enhance both their individual and collective outreach and impact.</p>

<p>The Women's Initiative for Gender Justice www.iccwomen.org</p>	<p><i>The Gender Report Cards</i> - analyses the work of the ICC in three sections:</p> <ol style="list-style-type: none"> 1. Structures and Institutional Development 2. Substantive Jurisdiction and Procedures 3. Substantive Work of the ICC and ASP 	<p>The Women's Initiatives for Gender Justice is an international women's human-rights organisation advocating for gender-inclusive justice and working towards an effective and independent International Criminal Court (ICC). Currently the Women's Initiatives for Gender Justice has country-based programmes in the four ICC situation countries: Uganda, the Democratic Republic of the Congo, Sudan and the Central African Republic.</p> <p>The strategic programme areas for the Women's Initiatives include:</p> <ul style="list-style-type: none"> • Political and legal advocacy for accountability and prosecution of gender-based crimes • Capacity- and movement-building initiatives with women in armed conflicts • Conflict resolution and integration of gender issues within the negotiations and implementation of peace agreements (Uganda, DRC, Darfur) • Documentation of gender-based crimes in armed conflicts • Victims' participation before the ICC • Training of activists, lawyers and judges on the Rome Statute and international jurisprudence regarding gender-based crimes • Advocacy for reparations for women victims/survivors of armed conflicts.
<p>The Coalition for Women's Human Rights in Conflict Situations www.womensrightscoalition.org</p>	<p><i>"Your Justice is Too Slow" Will the ICTR Fail Rwanda's Rape Victims?</i>, by Binaifer Nowrojee 2006</p> <p><i>The Right to Survive: Sexual Violence, Women and HIV/AIDS</i> by Françoise Nduwimana, 2004</p> <p><i>We Can Do Better Investigating and Prosecuting International Crimes of Sexual Violence</i> by Binaifer Nowrojee, 2004</p> <p><i>Analysis of Trends in Sexual Violence Prosecutions in the Indictments by the ICTR, from Nov 1995 to November 2002.</i></p>	<p>The mandate of the Coalition for Women's Human Rights in Conflict Situations is to ensure that crimes committed against women in conflict situations are adequately examined and prosecuted.</p> <p>The main focus of the Coalition's work is to promote the adequate prosecution of perpetrators of crimes of gender violence in transitional justice systems working in Africa, in order to create precedents that recognise violence against women in conflict situations and help find ways to obtain justice and reparation for women survivors of sexual violence.</p>
<p>The Nobel Women's Initiative www.nobelwomensinitiative.org</p>	<p><i>The International Tribunal on Crimes Against Women of Burma</i>, 2010</p> <p><i>Women Redefining Democracy for Peace and, Justice and Equality</i>, 2009</p>	<p>The Nobel Women's Initiative was established in 2006 by Nobel Peace Laureates Jody Williams, Shirin Ebadi, Wangari Maathai, Rigoberta Menchú Tum, Betty Williams and Mairead Corrigan Maguire.</p> <p>The Mission of the Nobel Women's Initiative is to work together as women Nobel Peace Prize Laureates and to use the visibility and prestige of the Nobel prize to promote, spotlight, and amplify the work of women's rights activists, researchers, and organisations worldwide addressing the root causes of violence, in a way that strengthens and expands the global movement to advance nonviolence, peace, justice and equality.</p>

<p>The Institute for Inclusive Security http://www.huntalternatives.org/pages/7_the_initiative_for_inclusive_security.cfm</p>	<p><i>Gender Symposia During Donor Conferences: A Model to Guarantee Women Leaders A Voice in Setting Priorities for Reconstruction</i>, 2010</p> <p><i>Improving Liberia's Transitional Justice Process by Engaging Women</i>, 2010</p> <p><i>Inclusive Security: A Curriculum for Women Waging Peace</i>, 2009</p>	<p>Inclusive Security researches and documents women's contributions to peacebuilding. Interviews with policymakers, civil society leaders, and donors identify best practices for including women and reveal untold stories of women leading peace efforts.</p>
<p>AIDs-Free World www.aids-freeworld.org</p>	<p><i>"Electing to Rape: Sexual Terror in Mugabe's Zimbabwe"</i>, 2009</p>	<p><i>AIDS-Free World</i> is an international advocacy organisation committed to <i>speaking up</i> with and for people affected by AIDS, and <i>speaking out</i> for more urgent and more effective global action in response to the crisis.</p>
<p>Urgent Action Fund for Women – Africa www.urgentactionfund-africa.or.ke</p>	<p><i>Restoring Hope Addressing The Intersection Between Gender Based Violence And Hiv & Aids In Conflict And Post Conflict Situations In Africa</i>, 2010</p>	<p>Urgent Action Fund-Africa, is a human-rights and feminist Pan-African non-profit organisation, established in 2001 in Nairobi, Kenya. UAF Africa invests in the transformation of the world in which women live, enabling them to have full and equal enjoyment of their human rights. The Fund is committed to enhancing women's leadership to bring about justice, equity and to contribute to the creation of a society free of disruptive conflicts.</p>
<p>Women's International League for Peace and Freedom (WILPF) www.peacewomen.org</p>	<p><i>A resource on updated news and information on women, peace and security.</i></p>	<p>The Peace Women is a project of Women's International League for Peace and Freedom. The project promotes the role of women in preventing conflict, and the equal and full participation of women in all efforts to create and maintain international peace and security.</p> <p>PeaceWomen facilitates monitoring of the UN system, information sharing and the enabling of meaningful dialogue for positive impact on women's lives in conflict and post-conflict environments.</p>

Appendix 2 – Bibliography

Sexual Violence in Conflict: Data and Data Collection Methodologies WHO, Geneva, 2008,

<http://www.stoprapenow.org/uploads/advocacyresources/1282164411.pdf>, accessed 8 November 2010

AIDS-Free World, *Electing to Rape: Sexual Terror in Mugabe's Zimbabwe*, 2009, <http://allafrica.com/view/resource/main/main/id/00011983.html>, accessed 22 October 2010

Amnesty International, “Case closed, Rape and Human Rights in the Nordic Countries”, 2010, <http://www.amnesty.org/en/library/asset/ACT77/001/2010/en/5ba7f635-f2c3-4b50-86ea-e6c3428cf179/act770012010eng.pdf>, accessed 22 October 2010

Sanam Naraghi Anderlini, “Monitoring the Implementation of SCR 1325/1820/1888/1889: The Role of Civil Society”, presentation at FOKUS, UN-INSTRAW, and Norwegian MFA conference, 11 November 2009, http://www.fokuskvinner.no/PageFiles/2990/SanamAnderlini_Presentation_1325.pdf, accessed 8 November 2010

Center for International Human Rights, John Jay College of Criminal Justice, City University of New York, “Report on UNSC Mechanisms and Actions for the Implementation of UNSCR 1820”, March 2009, <http://www.stoprapenow.org/uploads/advocacyresources/1282164357.pdf>, accessed 22 October 2010

CIDA-GESP – Population Council, “An Assessment of Sexual and Gender Based Violence in Wajir District, North Eastern Kenya”, 2009, http://www.popcouncil.org/pdfs/2009RH_WajirSGBV.pdf, accessed 22 October 2010

Nicola Dahrendorf, “Addressing Sexual Exploitation and Abuse in MONUC: Lessons Learned Study”, 2006, <http://www.peacekeepingbestpractices.unlb.org/pbps/Pages/PUBLIC/ViewDocument.aspx?docid=752>, accessed 22 October 2010.

Ashley Dallman, “Prosecuting conflict related sexual violence at the International Criminal Court, SIPRI Insight,” 2009, <http://books.sipri.org/files/insight/SIPRIInsight0901.pdf>, accessed 22 October 2010.

DCAF, Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict - Global Overview and Implications for the Security Sector*, 2007, <http://www.dcaf.ch/Publications/Publication-Detail?lng=en&id=43991>, accessed 8 November 2010.

DCAF, UN-Instraw, background paper for virtual dDiscussion on “Gender Training and Capacity-Building for Security Sector Personnel”, 2008, <http://www.un-instraw.org/data/media/documents/files/GPS/Background%20paper%20-%20SSR%20Gender%20Training%20Discussion-1.pdf>, accessed 8 November 2010

FIDH, “A step by step approach to the use of universal (criminal) jurisdiction in western European States”, 2009, <http://www.fidh.org/IMG/pdf/ComUniv522a2009.pdf>

GAPS-UK (CARE/IRC), “Ending violence against women: Fulfilling UN commitments on Resolutions 1820 and 1888, 2009”, <http://www.gaps-uk.org/docs/CARE%20IRC%20brief%20on%20UK%201888-1820%20implementation.pdf>, accessed 22 October 2010

Global Network of Women Peacebuilders (GNWP) and Cordaid, “Costing and financing implementation of United Nations SCR 1325”, 2010, <http://www.gnwp.org/what-we-do/policy-advocacy/costing-and-financing-implementation-of-united-nations-security-council-resolution-1325>, accessed 8 November 2010

Human Rights Watch, *Genocide, War Crimes and Crimes Against Humanity: A Topical Digest of the Case Law of the International Criminal Tribunal for the Former Yugoslavia*, 2006, <http://www.hrw.org/node/11277>, accessed 22 October 2010

Elisabeth Rehn and Ellen Johnson Sirleaf, *The Independent Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-Building*, 2002, [http://www.reliefweb.int/rw/lib.nsf/db900sid/LGEL-5FMCM2/\\$file/unicef-WomenWarPeace.pdf?openelement](http://www.reliefweb.int/rw/lib.nsf/db900sid/LGEL-5FMCM2/$file/unicef-WomenWarPeace.pdf?openelement), accessed 22 October 2010

Realizing rights: the ethical globalization initiative, “Increasing momentum for UNSCR 1325 National Action Plans”, New York, 24 April 2009, <http://www.realizingrights.org/?option=content&task=view&id=407>, accessed 22 October 2010

International Women’s Tribune Centre (IWTC), *United Nations Security Council Resolution 1820: A Preliminary Assessment of the Challenges and Opportunities*, 2009. www.iwtc.org/1820blog/1820_paper.pdf, accessed 8 November 2010

Clare McGlynn and Vanessa E. Munro, eds, *Rethinking Rape Law: International and Comparative Perspectives*, Routledge-Cavendish, April 2010

Oxfam, *Now, the world is without me*, 2009, <http://www.oxfamamerica.org/files/HHI-Oxfam%20DRC%20GBV%20report.pdf>, accessed 22 October 2010

Niels Nagelhus Schia and Benjamin de Carvalho, “Nobody Gets Justice Here!” Addressing Sexual and Gender-based Violence and the Rule of Law in Liberia”, NUPI, 2009, <http://english.nupi.no/Publications/Working-Papers/2009/Nobody-Gets-Justice-Here!-Addressing-Sexual-and-Gender-based-Violence-and-the-Rule-of-Law-in-Liberia>, accessed 22 October 2010.

Patricia Viseur Sellers, “The Prosecution of Sexual Violence in conflict: The Importance of Humans Rights as Means of Interpretation”, 2009, http://www2.ohchr.org/english/issues/women/docs/Paper_Prosecution_of_Sexual_Violence.pdf. accessed 22 P October 2010.

Randi Solhjell, “Sexualized violence in war and conflict: a qualitative mapping study of Norwegian capacities, potential and challenges”, Noref, 2010, <http://www.peacebuilding.no/eng/Publications/Noref-Reports2/Sexualised-violence-in-conflict-Norwegian-capacities-and-challenges>, accessed 8 November 2010

Donald Steinberg “Beyond Words and Resolutions: An EU-US Agenda to Combat Sexual Violence in Conflict”, <http://www.crisisgroup.org/en/publication-type/commentary/beyond-words-and-resolutions-an-eu-us-agenda-to-combat-sexual-violence-in-conflict.aspx>, accessed 22 October 2010

UNDP, *Global Program on strengthening the rule of law in conflict and post-conflict situations*, Annual report 2009, http://www.undp.org/cpr/documents/jssr/rol_report_2009.pdf, accessed 22 October 2010.

UNFPA, *International Symposium on Sexual Violence in Conflict and Beyond*, Brussels 2006, http://www.unfpa.org/emergencies/symposium06/docs/final_report.pdf, accessed 22 October 2010.

UN Secretary General, *In-Depth Study on All Forms of Violence Against Women*, 2006, <http://www.un.org/womenwatch/daw/vaw/SGstudyvaw.htm>, accessed 22 October 2010.

Heikelina Verrriijn, “The ICC Trust Fund for Victims: beyond the realm”, Radio Netherlands Archive, <http://static.rnw.nl/migratie/www.rnw.nl/internationaljustice/specials/commentary/090204-ICC-TFV-redirected>, accessed 22 October 2010.

Women’s Initiative for Gender Justice, *Sexual Violence and International Criminal Law: an Analysis of the Ad Hoc Tribunal’s Jurisprudence & the International Criminal Court’s Elements of Crimes*, 2005, http://www.iccwomen.org/publications/resources/docs/Overview_Sexual_Violence_and_International_Criminal_Law.pdf, accessed 22 October 2010.