



Issue: Preventing sexual violence in conflict zones

Forum: Commission on the Status of Women

Position: President of CSW

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Introduction

Violence against women, especially rape, has added its own brand to recent wars. From conflicts in Bosnia and Herzegovina to Rwanda, girls and women have been singled out for rape, imprisonment, torture and execution. Rape, identified by psychologists as the most intrusive of traumatic events, has been documented in many armed conflicts including those in Bangladesh, Cambodia, Cyprus, Haiti, Liberia, Somalia, Syria and Uganda. It is a very simple issue, but with a complex solution, as the perpetrators are rarely brought to justice.

Definition of Key Terms

Sexual violence

Illegal sexual contact that usually involves force upon a person without consent or is inflicted upon a person who is incapable of giving consent (as because of age or physical or mental incapacity) or who places the assailant (such as a doctor) in a position of trust or authority

Rape

Rape is a nonconsensual sexual intercourse, which is defined by the World Health Organization (WHO) as a “physically forced or otherwise coerced penetration – even if slight – of the vulva or anus, using a penis, other body parts or an object, [while] sexual violence can include other forms of assault involving a sexual organ, including coerced contact between the mouth and penis, vulva or anus”

Prevention of sexual violence

It refers to “efforts intended to stop the perpetration of unhealthy, harmful, dangerous, and illegal behavior and acts, as well as victimization and revictimization by others”.

Forced prostitution

Refers to prostitution or sexual slavery that takes place as a result of coercion by a third party. This is not consensual, and is therefore an infringement on personal human rights

Conflict zone

Refers to zones within an ongoing armed conflict area.

Sexual slavery

Similar to forced prostitution, this is sexual coercion by a third party without the consent of the person, only in this case the right of ownership of the person is given to another party.

Universal Declaration of Human Rights

A document that was adopted by the United Nations General Assembly at its third session on 10 December 1948; it ensures that everyone and anyone is protected and has access to unalienable, universal and inseparable rights from and for their person. Within this issue, many of these rights are infringed upon.

General Overview

Systematic rape is very often used as a weapon of war in 'ethnic cleansing'. More than 300,000 Muslim girls and women have been raped in Bosnia according to a European Community fact-finding team. Teenage girls have been a particular target in these cases according to The State of the World's Children 1996 report. The report also says that impregnated girls have been forced to go through with the pregnancy, and carry 'the enemy's' child. In some raids in Rwanda during the Rwandan Genocide of 1994, virtually every adolescent girl who survived an attack by the militia was subsequently raped. Many of those who became pregnant were banished by their families and communities afterwards. Some decided to clandestinely abort their babies, others committed suicide instead. Such sexual violation of women affect a community on the long term inside in a

way that few weapons can. The damage left by rape can be devastating because of the strong communal reaction to the violation and pain stamped on entire families. Regardless of human rights abuses (not that all cases mentioned in this report have taken place after the publication of the Declaration of Human Rights in 1948), the harm inflicted in such cases on a woman by a rapist is an attack on her family and culture, as in many societies women are viewed as representatives of a community's spiritual values. Many religious communities are shattered by mass rape, as in religions such as Christianity and Islam, a woman's purity is critical to a union and starting a family. In addition to rape, girls and women are also subject to forced prostitution and trafficking during times of war, sometimes with the knowledge of governments and military authorities, including the UN Peacekeepers. The trend continues in today's conflicts, as in refugee camps around the world, women are repeatedly raped or forced into prostitution, which is the case with the Rohingya in Myanmar: women and girls are enslaved by the buddhist rebels and forced into become sex slaves at home, or are forced by men in the camps once arrived in countries such as Bangladesh.

The negative effect that sexual violence creates on the affected families and on society is enormous. Often the victims are alienated and left alone without any counseling. Especially in conflict zones, most victims are unable to receive any help, leaving them completely alone. Because of fear and lack of trust towards the government in conflict zones, barely any cases are reported: in some cases, such as the Congolese wars, government-related services such as police and military services have similarly raped and sexually exploited women in the past. The fact that incidents are not recorded makes it impossible for a government to confirm the accuracy of statistics and stories (keeping in mind that governments might not be eager to acknowledge atrocities in the first place due to the taboos of a country regarding the violence against women), and hence the lack of data makes it impossible to tackle the issue with agility.

Major Parties Involved

UN Women-

the UN Women branch is very active on the issue of sexual violence, including sexual violence in conflict areas. One of their current projects, is providing medical and mental help to women and girls who have suffered from sexual violence. They also provide a hotline for women and men to use to alarm them of a potential rape situation happening in Papua New Guinea, but many cases go unrecorded due to the fear of public persecution,

African Union-

Past reports state that most of the sexual violence in conflict zones can be located in states such as Uganda, Sierra Leone, Algeria, Southern Sudan, Papua New Guinea and most notably Rwanda, where at least 250,000, perhaps as many as 500,000 women were raped during the 1994 genocide.

(previous) Conflict zones Yemen and Syria

The UN Women branch has discovered cases of sexual violence and forced actions onto women in both conflict zones. These states are at the core concentration of the issue, with women being sold into slavery and forced into prostitution in unregulated nations, and it is in these that action should be taken by the CSW.

Rwanda and Congo

Dating back from the genocides, thousands of women have been left misfigured, unable to be impregnated and to give birth properly due to physical and mental scars because of their rape. The government has failed to bring attention towards the issue, as it is considered a taboo across the country.

Serbia

Thousands of muslim girls were raped during the civil conflict in the 90's; the government has since then tried to provide support for the girls and women affected. However this is difficult due to the religious taboo about the issue in the community.

Timeline of Key Events

1948	Universal Declaration of Human Rights is written and put into place.
1955-1975	During the Vietnam War, villages are raided, and pillaged. To survive, army women and girls turn to prostitution for the American troops.
1960- 1965	First Congo War; one of the first post-WW2 conflicts with public rape and sexual assault cases brought to justice.
7 April – 15 July 1994	Rwanda Genocide: hundreds and thousands of women and girls are raped and abducted in village raids.
1992-1995	Ethnic cleansing in the Bosnian War, where 30 000 muslim girls and women are raped
2000	Security Council resolution 1325 on women in conflict is passed unanimously
19th June 2008 2009	Security Council resolution 1820 is passed, on the rape and abduction of women in areas of conflict, followed by resolution 1888 the next year
2011- present	Because of the Syrian Civil War, millions of Syrians get displaced. In refugee camp, rape and sexual harassment is common
2010	Security Council resolution 1960 is unanimously passed, making sexual violence in areas of conflict a threat to national security.
2015- present	The Yemeni Civil War causes thousands of civilian casualties and food shortages. Because of the chaos, women abduction and forced child marriage is abundant.
9 October 2016 – January 2017	Part of the Rohingya persecution in Myanmar the United Nations finds evidence of wide-scale human rights violations, including gang rapes, arson and infanticides, which the Burmese government dismisses as "exaggerations"

Previous attempts to resolve the issue

Recently a group within the United Nations has been created, the United Nations Action against Sexual Violence in Conflict network, which consists of 13 sub-divisions and is chaired by the Special Representative, is aimed at strengthening sexual violence prevention and response through a coordinated, coherent and comprehensive approach. The UN Security Council also passed resolution 2106 (2013), in which the Council requested the Secretary-General to report annually on the implementation of resolutions 1820 (2008) and to recommend strategic actions against conflict violence against women. Other previous resolutions that have passed on the topic being discussed are 1888 (2009) and 1960 (2010). The UN Security Council 1325 was passed in 2000. It is highly recommended to have a look at them.

Possible Solutions

For peacebuilding and reconciliation to take place, justice must be provided for sexual violence survivors. Otherwise, the trauma, disease, perceived dishonour, and desire for vengeance will grow within communities, continuing a cycle of violence and suffering. Unless those who have suffered sexual violence and the children born of rape are reintegrated into their societies and economies, they will remain susceptible to exploitation and recruitment for violent causes.

In some cases, women and girls released from abduction have been banned by their communities, and left with no option but to rejoin the group that they had fled. Some women and girls who were banned following their release from violent extremist groups have fallen victim to sex trafficking, both internally and across borders. To guard against these risks, safe houses and economic livelihood programmes are required for individuals to be released from circumstances such as captivity, abduction, forced marriage, forced prostitution and sexual slavery. In the 2016 report written by the UN secretary- General on

the issue being discussed, he sets a list of goals, if not demands we believe will help solve the issue (see Appendix 1). Moreover, in order to tackle the long term consequences which rape creates, we need to provide better and comprehensive aid and care (such as psychological and health care), primarily for the victims of the crime, as well as for their families, including the children born as the result of rape. Furthermore, the UN needs to ensure that the national military and police of the respected country is in accordance with the international law. To increase the monitoring and documentation of safe and ethical collection of data and evidence concerning acts of sexual violence that are committed in conflict zones, we need to eliminate the fear of public humiliation which victims carry and provide justice. In the process of peacemaking, peacekeeping and peacebuilding we need to ensure that sexual violence prevention and response efforts are prioritized. Since sexual violence is one of the most serious forms of violation or abuse of an individual's human right, governments need to do everything in their power, such as working together with NGO's, sharing their knowledge and or experience, mobilizing resources and committing our global political will, to reduce sexual violence in conflict zones.

I URGE THE SECURITY COUNCIL:

- (a) To ensure that efforts to prevent violent extremism and counter terrorism reinforce efforts to prevent sexual violence in conflict, including through the work of relevant sanctions committees, such as the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015), noting that any person or entity who transfers funds to Islamic State in Iraq and the Levant (ISIL) directly or indirectly in connection with sexual violence or exploitation would be eligible for listing;
- (b) To continue to include sexual violence as part of the designation criteria for sanctions, to ensure that dedicated gender and conflict-related sexual violence expertise informs the work of sanctions committees and monitoring entities and to invite my Special Representative to share information with sanctions committees, as appropriate;
- (c) To continue to address the nexus between trafficking in persons and conflict-related sexual violence, including by terrorist groups, further to resolution 2331 (2016);
- (d) To support engagement with State and non-State parties to conflict for specific commitments and prevention plans on conflict-related sexual violence, in line with resolutions 1960 (2010), 2106 (2013) and 2331 (2016), and to systematically monitor their compliance;
- (e) To employ all means at its disposal to influence State and non-State parties to conflict to comply with international law, including by referring matters to the International Criminal Court. Referrals should apply to individuals who commit, command or condone (by failing to prevent or punish) sexual violence;
- (f) To give due consideration to the risk factors and early-warning signs of sexual violence in its monitoring of conflict situations, especially in relation to periods of rising violent extremism, political instability, elections, civil strife and mass population movements;
- (g) To use its periodic field visits to focus attention on conflict-related sexual violence concerns, soliciting the views of affected communities and survivors' associations;
- (h) To ensure the accelerated deployment of women's protection advisers in order to facilitate implementation of successive resolutions on sexual violence in conflict, including the new monitoring requirements set out in resolution 2331 (2016), and to support the inclusion of such posts in regular budgets.

I ENCOURAGE MEMBER STATES AND REGIONAL ORGANIZATIONS:

- (a) To revise national legal and policy frameworks to ensure that survivors of sexual violence committed by armed and/or terrorist groups are recognized as legitimate victims of conflict and/or terrorism, in order to benefit from reparations and redress;
- (b) To put in place legislative and institutional arrangements to comprehensively address conflict-related sexual violence and prevent its recurrence, including health care, psychosocial support, socioeconomic reintegration and livelihood assistance; shelters; legal aid; victim and witness protection laws and programmes; effective prosecution of sexual violence crimes; safeguards to prevent individuals accused of violations from being recruited, retained or promoted within the security forces (vetting); the exclusion of such crimes from general amnesties and statutes of limitations; education that fosters gender equality; and programmes to ensure that women, including those who become pregnant as a result of rape, have the information, support and services that they need, including measures for the safe termination of unwanted pregnancies. In these efforts, particular attention should be paid to ethnic or religious minorities, women in rural or remote areas, those living with disabilities, male survivors, women and children associated with armed groups, women and children released from situations of abduction, forced marriage, sexual slavery and trafficking by armed groups, and lesbian, gay, bisexual, transgender and intersex persons, noting that different forms of sexual violence may require specialized responses;
- (c) To improve conviction rates for crimes of sexual violence by integrating legal support options with medical and psychosocial care and extending the reach of these services to remote and conflict-affected areas;
- (d) To give due consideration to recognizing conflict-related sexual violence as a form of persecution that may serve as grounds for asylum or refugee status;
- (e) To ensure that all refugee-receiving countries adopt measures to mitigate the risk of sexual violence, to make services available to survivors and to provide them with the option to document their cases for future accountability processes;
- (f) To give consideration to clarifying the legal status of undocumented refugee children, including children conceived as a result of rape, and the right of mothers to confer their nationality upon their children, in line with the *Convention on the Elimination of All Forms of Discrimination against Women*, to avoid possible statelessness;

Appendix/Appendices

Appendix 1: screenshot of the solutions proposed by the UN Secretary-General

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