

Statement to the Committee on the Elimination of Discrimination against Women in reference to the General Discussion on the Protection of Women in Conflict and Post-Conflict Situations.

The below signed NGO signatories to this missive make this statement to the Committee on the Elimination of Discrimination against Women in reference to the General Discussion on the Protection of Women in Conflict and Post-Conflict Situations which is to take place on 18 July 2011.

It is appropriate that the General Discussion referenced above should be on the Committee's agenda. The discussion, as we see it, is two-fold, protecting women in conflict zones during conflict and after conflict ceases as well as ensuring that women are participants in conflict resolution at decision-making levels. Going back to the Beijing Platform for Action, women, internationally, have called for a cessation of the use of rape and murder of women as weapons of war. We can cite many instances over the almost 21 years since the adoption of UN Security Council Resolution 1325, the first formal resolution that requires groups in conflict to respect women's rights and to respect their right to take part in peace processes, when warring factions have deliberately refused to accept the terms of Resolution 1325. In 2008, the Security Council passed Resolution 1820 which reaffirmed its commitment to eliminate all forms of violence against women. Resolution 1820 included an end to impunity. The International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda were first to convict individuals for using rape as an instrument of genocide and a form of torture and recognized rape as a crime against humanity. There have been other international laws such as that from the Special Court for Sierra Leone, and the 1998 Rome Statute of the International Criminal Court which prohibits "rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and other forms of sexual violence." It also takes gender into account in the definition of the crimes against humanity.

In September 2009, the UN Security Council unanimously adopted Resolution 1888 which directs peacekeeping missions to protect women and girls from sexual violence in conflict areas. The Security Council added that "it would consider the preponderance of sexual violence when imposing sanctions or when renewing sanctions in areas of armed conflict" (Res/1888(2009)).

In December 2010, the Security Council unanimously adopted Resolution 1960(2010) which creates tools to combat impunity and delineates specific steps necessary for prevention and protection from sexual violence in conflict. The list of perpetrators which is mandated in the resolution is designed to bring justice to victims and an acknowledgment that sexual violence is a severe violation of human rights as well as international law. It is important to note that in its preamble to the Resolution, the Security Council mentions its deep concern "over the slow progress on the issue of sexual violence in situations of armed conflict in particular against women and children, and noting, as documented in the Secretary-General's report, that sexual violence occurs in armed conflicts throughout the world." It went on to repeat its deep concern

that such acts continue to occur and “in some situations have become systematic and widespread, reaching appalling levels of brutality” S/Res/1960(2010).

In 2010, the Committee, in its General Recommendation 27, highlighted the need for State parties to pay special attention to the violence suffered by older women, the impact of armed conflicts on their lives and the contribution that older women can make to the peaceful settlement of conflicts as well as to the reconstruction processes (CEDAW/C/2010/47/GC.1, par. 38).

We understand that the Committee on the Elimination of Discrimination against Women is fully aware of the facts as stated above, but a reiteration helps us to put the problem into perspective, namely that over the past 20 plus years, little, if any, progress has been made to stop these heinous crimes against women and children. We have all read the terrible accounts of thousands of cases of rape in the UN peacekeeping-occupied North Kivu province of the Democratic Republic of Congo. These attacks on women were, reportedly, planned. At the time of the report, Special Representative of the Secretary-General on Sexual Violence in Conflict, Margot Wallstrom said, “Rape is not a side effect but is actually a new frontline. Widespread and systematic sexual violence is both a crime against the victim and a crime against humanity. And sexual violence is the only crime against humanity that is routinely dismissed as being random or inevitable” (Lieberman, 27 August 2010).

We believe that all leaders, whether they are political or military, must face the fact that situations such as have occurred in conflict areas are unacceptable. We urge all political and military leaders, NGOs and civil society organizations to condemn these acts of war which are focused on the most vulnerable of society, acts which leave them scarred for life and facing the stigma with which many of their communities view them.

We make specific recommendations to be added to the discussion:

- All states must assure that the mandates of the Security Council are addressed and their actions must bring about results, not merely promises.
- All states, as well as the United Nations, must consider preventing sexual violence as a leading priority.
- All states should be reminded that sexual violence is a crime against humanity and a violation of the rights of women of all ages as well as children. They should not hesitate to bring perpetrators to justice. Impunity is not acceptable.
- The United Nations Security Council should mandate that peacekeeping missions respond to and prevent sexual violence.
- All states should join in sanctioning those states that allow the systematic violence against women of all ages and children in conflict and post-conflict areas.

In addressing the second part of the discussion, seeking protection and justice for women in post-conflict situations, we take note that the blueprint of any post-conflict reconstruction and reconciliation must include the full participation of women of all ages. It must also include

women's rights so that they have full access to justice. The prosecution of sexual violence is an important component in the post-conflict reconstruction. If in the post-conflict time women's rights are not respected, then a lasting peace is ephemeral. Procedures to ensure that attention is paid to women's rights and equality issues in peace processes should be the highest priority. The absence of women from the formal procedures in peace negotiations will result in inadequate attention being paid to the protection and promotion of women's rights, especially economic, social and civil rights.

It has been noted by many experts that post-conflict situations can provide opportunities to build a more complete, inclusive configuration that will move forward political participation of women of all ages. Countries such as Rwanda have taken giant steps in order to increase the number of women in legislatures and have included revisions to their constitutional and legal frameworks so that provisions considered discriminatory have been eliminated.

Of course, in post-conflict planning, women's security is crucial. Women must be able to trust those who will ensure their security as well as the security of all citizens. Training of police, whether military or civilian, must include the protection, rights and specific needs of women.

In closing, we must return to the Beijing Platform for Action which says,

- "Governments must take action to promote equal participation of women and equal opportunities for women to participate in all forums and peace activities at all levels, particularly at the decision-making level...
- Integrate a gender perspective in the resolution of armed or other conflicts and foreign occupation and aim for gender balance when nominating or promoting candidates for judicial and other positions in all relevant international bodies...
- Ensure that these bodies are able to address gender issues properly by providing appropriate training to prosecutors, judges and other officials in handling cases involving rape...in situations of armed conflict, indecent assault and other forms of violence against women in armed conflicts, including terrorism, and integrate a gender perspective into their work."

We offer these recommendations in the hope that they will spark discussion and help to bring these topics to the forefront in your deliberations. Women have been pawns of war since time immemorial, but it is time for these heinous acts to come to an end and for those who perpetrate them to be brought to justice.

Bahá'í International Community
The Federation of Associations of Former International Civil Servants (FAFICS)
The Medical Women's International Association
Zonta International