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Sexual Violence in Conflict

Report of Session 2015–16

Sexual Violence in Conflict: A War Crime

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Select Committee on Sexual Violence in Conflict

The Select Committee on Sexual Violence in Conflict was appointed by the House of Lords on 11 June 2015 “to consider the UK’s policy and practice of preventing sexual violence in conflict”.

Membership

The Members of the Select Committee on Sexual Violence in Conflict were:

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<u>Bishop of Derby</u>	<u>Baroness Nicholson of Winterbourne</u> (Chairman)
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Declaration of interests

See Appendix 1.

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Q in footnotes refers to a question in oral evidence.

SUMMARY

“In no other area is our collective failure to ensure effective protection for civilians more apparent ... than in terms of the masses of women and girls, but also boys and men, whose lives are destroyed each year by sexual violence perpetrated in conflict.”—UN Secretary-General, Ban Ki-moon, 2007

“Sexual violence in conflict represents a great moral issue of our time. This crime, in its utter destruction of the individual and the pervasive way in which it undermines the prospects for peace and development, casts a long shadow over our collective humanity.”—Madame Zainab Hawa Bangura, Special Representative of the UN Secretary-General for Sexual Violence in Conflict, 2014

For far too long sexual violence has been regarded as just one of those things that occurs when there is conflict. It is not; it is a war crime, which must not, under any circumstances, be overlooked or condoned. Like genocide, slavery, torture and piracy, it must be eradicated. The long-term aim of the UK Government, indeed of the whole international community, should be to rid the world of this scourge.

Sexual violence in conflict ruins lives, destroys families, breaks up communities and prevents societies from achieving sustainable peace. Anyone who doubts the appalling nature of these crimes need only read the stories told to us by survivors. These people spoke of the injuries they had suffered and the deaths they had witnessed. They told us about the stigma that still shrouds sexual violence in conflict, and the damage inflicted on individuals and subsequent generations. However, they also said that action by the Government can support survivors and help vanquish stigma, and they shared with us their hope that the world would hear their stories and act to prevent further abuses.

The UK Government was totally correct in making the prevention of sexual violence in conflict an important policy priority, and should be applauded for doing so. It did this through the Preventing Sexual Violence Initiative (PSVI), launched by Lord Hague of Richmond and Ms Angelina Jolie Pitt in 2012, which set out to end impunity for sexual violence in conflict and hold perpetrators accountable. The PSVI recognised that prevention hinges on women’s full participation and highlighted that men and boys are also victims of these crimes. It helped to shine a spotlight on sexual violence in conflict and prompted states to commit to take action through the General Assembly endorsed Declaration of Commitment to End Sexual Violence in Conflict and the 2014 Global Summit to End Sexual Violence in Conflict. These are solid foundations, but there remains much more to be done.

The Government has said that it remains committed to the PSVI. It must demonstrate this commitment and set out the strategic goals and operational plan for the Initiative—without this, momentum will be lost. The role of the Prime Minister’s Special Representative on Sexual Violence in Conflict has been shown to be an important one, and requires support from the highest level. Furthermore, the PSVI must remain adequately resourced; efforts and activities by all parts of the British Government must be strengthened and properly coordinated.

Today, sexual violence in conflict is being committed in at least 19 countries. It is crucial that the PSVI does not narrow its ambitions to just addressing the situation in the Middle East. Preventing sexual violence in conflict requires long-term commitment and resources to bring about the necessary attitudinal and behavioural change. The Government cannot do this alone but must work with likeminded states, international bodies, non-governmental organisations (NGOs) and local groups. In its prevention and response activity, it should seek to work with other inter-governmental organisations, such as the Commonwealth and the EU, and bodies with expertise such as the British Council. It must ensure that sustainable funding is accessible to NGOs and local organisations, and that the values of the PSVI and the Women, Peace and Security (WPS) Agenda imbue all military training with which the UK is involved. It must lobby for the international monitoring of the implementation of the G8 Declaration on Preventing Sexual Violence in Conflict and the General Assembly endorsed Declaration.

Those that commit sexual violence in conflict must be left in no doubt that they cannot evade justice. To achieve this, national justice systems, including domestic legislation, must be strengthened and international law implemented far more effectively than has yet been the case. The Government can assist by expanding the remit of the UK Team of Experts, developing the International Protocol on the Investigation and Documentation of Sexual Violence in Conflict and by working to galvanise political will. We received a great deal of evidence on sexual violence being committed in the conflicts in Iraq and Syria and we urge the Government to ensure that all those who have perpetrated these crimes are brought to justice. In relation to Iraq, the UK should use its influence to encourage the government of Iraq to become a party to the Rome Statute, or alternatively, agree to a 'hybrid tribunal' to consider the crimes of sexual violence perpetrated on its territory. The Government should also make clear that, in its view, there is *prima facie* evidence that crimes such as sexual violence, torture and genocide have also been committed in Syria and that those who committed them must be brought to justice.

Sadly, those who are sent to protect the vulnerable have, on occasions, committed sexual violence and exploitation (SEA), very often without redress. We believe a new tribunal is required to ensure accountability for SEA by all peacekeepers. We ask the Government to ensure the incoming UN Secretary-General gives a high priority to leading the campaign against sexual violence in conflict in all its forms.

If women are excluded from conflict prevention, peace negotiations and decision and policy making positions in post-conflict societies, a sustainable peace is less likely and the probability of further conflict and sexual violence increases. The Government should promote the WPS Agenda in all relevant international fora. It must seek to ensure the equal and meaningful inclusion of women in all peace negotiations—including the ongoing discussions on Syria—and provide funding and support to enable women's groups to achieve meaningful participation.

Survivors of sexual violence in conflict are not a homogenous group and the PSVI should be mindful of this. In particular, it should tailor responses to the specific needs of women, men and children. There is limited research into the causes of sexual violence in conflict, and little evaluation of prevention strategies and the support offered to survivors. The Government should seek to address these evidence gaps. Finally, it is important that the Government demonstrates

good practice in its domestic and foreign policy. With this in mind, we urge the Government to ratify and implement the Council of Europe's Convention on Preventing and Combating Violence Against Women and Domestic Violence (the 'Istanbul Convention') at the earliest opportunity and to expedite the changes to the asylum screening process.

For too long sexual violence in conflict has gone unacknowledged and unpunished. Only recently has this begun to change, but there remains much to be done before we can mitigate its effects and look to its eradication. Unless the UK and others act, sexual violence in conflict will only increase. The Government must redouble its efforts to prevent sexual violence in conflict. Only then will we begin to address this war crime and answer the hopes of the survivors we met and of all those damaged by these horrendous crimes.

The victims of these crimes deserve no less.

"We were held in a tiny room with a small window. They told us we were their sex slaves. They raped girls as young as six, as well as adults."—A 16 year-old victim of sexual violence in conflict, 2015

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

Chapter 2: Policy and legal framework

1. Sexual violence either in, or as a result of, conflict is a war crime and can also be a crime against humanity. We believe that recent efforts to prioritise preventing sexual violence in conflict were necessary and important. Sexual violence in conflict is a human rights violation and is contrary to international law. It jeopardises international peace and security, accentuates gender discrimination and prevents post-conflict societies achieving sustainable peace. The fight to eradicate sexual violence in conflict—as with the historical and modern day campaigns to eliminate piracy, slavery, genocide and torture—requires sustained political, legal and societal action. (Paragraph 24)
2. We commend the Government for initiating the Preventing Sexual Violence Initiative (PSVI). The PSVI has helped to raise awareness of sexual violence in conflict and has generated momentum. But the hard fact is that sexual violence in conflict is as prevalent, if not more prevalent, as it has ever been. If the international community is to bring about the reduction and eventual elimination of this war crime and human rights abuse, it is essential that the Government continues its work in this area. We believe that the PSVI should continue to focus on a range of countries. *The Government should make clear the criteria for selecting (and deselecting) target countries for the PSVI, and should regularly report to Parliament on its application of those criteria.* (Paragraph 33)
3. *The UK's policy goals in this area must be ambitious, transparent and deliverable, and the strategic goals for the PSVI clearly articulated. A strategic plan and a five-year road map to support their delivery should be published. Doing this would demonstrate the Government's ongoing commitment and ensure that resources are targeted most effectively.* (Paragraph 35)
4. *We believe that the PSVI should be enhanced and enduring. To ensure this the Government should:*
 - (a) *Embed the PSVI in the relevant parts of the Foreign and Commonwealth Office (FCO);*
 - (b) *Formally recognise the value of the PSVI to the work of the Department for International Development (DfID), the Ministry of Defence (MoD), the Home Office and other departments; and*
 - (c) *Employ the same or similar team of experts who helped establish the PSVI to produce the strategic plan and five-year road map.* (Paragraph 36)
5. *We expect to see the Government's objectives for the PSVI reflected in the Single Departmental Plans.* (Paragraph 37)
6. To implement its strategic plan for the PSVI the Government must put all international fora to good use. We remain unclear as to the Government's near-term objectives in this regard and how it will use forthcoming events such as the May 2016 World Humanitarian Summit (WHS) in Istanbul and the 2016 NATO Summit Conference to advance them. (Paragraph 38)
7. We agree with the Government that the prevention of sexual violence in conflict requires cross-departmental action, sustained engagement and the long-term commitment of resources. In addition, we believe that progress

should be monitored and that given the cross-cutting nature of the PSVI, select committees of both Houses of Parliament will have a role to play. (Paragraph 39)

8. *The Government should prepare an annual report on its progress against achieving the objectives set out in the strategic plan for the PSVI. This report should be submitted to Parliament. (Paragraph 40)*
9. *We recommend that the Government should put to good use the power and potential of the private sector to tackle issues of gender-based violence (GBV), which we believe would enhance corporate social responsibility in the commercial world. (Paragraph 41)*
10. *We urge the MoD to publish its military policies on Women, Peace and Security (WPS) and on the PSVI at the earliest opportunity. We call on the Government to set out the timeline for their publication and incorporation into military doctrine. (Paragraph 43)*
11. *It is crucial that states' commitments on preventing sexual violence in conflict are implemented and seen to be implemented. We believe that international monitoring is needed to highlight those states that are failing to abide by the commitments they have made. Such transparency will raise the public and political profile of the issue and could act as a prompt to governments to act. (Paragraph 53)*
12. *The informal monitoring currently undertaken by the FCO is useful in assessing progress on implementing the PSVI, but it is not sufficient for the monitoring of international commitments. The Government should make full use of the Monitoring, Analysis and Reporting Arrangements (MARA) established under United Nations (UN) Security Council Resolution (UNSCR) 1960 to record and publicise states' progress on measures to prevent sexual violence in conflict. We also recommend that the Government seek to ensure regular reporting of action taken against sexual violence in conflict within the UN Human Rights Council Universal Periodic Review process. (Paragraph 54)*
13. *It is critical that preventing sexual violence in conflict remains at the forefront of the international political agenda. To achieve this, the Government should:*
 - (a) *Work with other countries to bring about a global conference on preventing sexual violence in conflict, to be hosted by a different state every four years;*
 - (b) *Ensure sexual and gender-based violence (SGBV) is a standing item on the agenda of the Commission on the Status of Women; and*
 - (c) *Encourage the Committee on the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) to include the consideration of the human rights of women in conflict situations in its monitoring process, in accordance with CEDAW General Recommendation No. 30. (Paragraph 55)*
14. *It is encouraging that the most recent UNSCR, Resolution 2242, integrates the WPS Agenda across all country-specific situations being addressed by the UN Security Council. We hope this will be a first step and we urge the Government to ensure that WPS is mainstreamed and preventing sexual violence in conflict considerations are always included in the Security Council's thematic and country mandates. (Paragraph 63)*

15. It will be important for the High-Level Review of UNSCR 1325 to be followed up by full monitoring and reporting on its implementation. (Paragraph 64)
16. We believe that the Council of Europe's Convention on Preventing and Combating Violence Against Women and Domestic Violence (the 'Istanbul Convention') is a valuable instrument, which is fully in line with the Government's policy priorities of preventing sexual violence in conflict and preventing violence against women and girls (VAWG) more widely. *The Government should therefore ratify the Istanbul Convention at the earliest opportunity.* (Paragraph 68)
17. We examined the case for further international law to achieve a new, worldwide legal instrument specifically outlawing sexual violence in conflict. We concluded that existing provisions are adequate for this purpose and that priority should be given to applying them more effectively. (Paragraph 85)
18. *As and when there is a review of the Convention on the Prevention and Punishment of the Crime of Genocide (the 'Genocide Convention'), the intention to destroy a group, in whole or part, on the grounds of gender, gender identity and sexual orientation should be incorporated within the Convention.* (Paragraph 86)
19. We welcome the first successful prosecution at the International Criminal Court (ICC) for sexual violence in conflict. We hope that, henceforth, great emphasis will be given by the ICC to the command responsibility aspects of sexual violence in conflict. It is critical that those in political and military command whose troops commit these crimes know that they will not escape justice. We hope that the Office of the Prosecutor's 'Policy Paper on Sexual and Gender-Based Crimes' and the development of prosecution strategies will address this. (Paragraph 87)
20. *We recommend that the Government should increase its voluntary contributions to the work of the Office of the Prosecutor of the ICC so as to strengthen its capacity to conduct investigations into crimes of sexual violence in conflict.* (Paragraph 88)

Chapter 3: Prevention

21. The PSVI places great emphasis on ending impunity for sexual violence in conflict and holding the perpetrators accountable. These are important objectives and, when undertaken alongside other programmes, could have a preventative effect. The evidence we received suggested the Government funds a range of prevention activities. However, in the absence of a strategy and road map, it is difficult to assess how these activities fit together and where gaps in provision (for example, sexual violence against children and men and boys) may exist. The strategic plan and road map we have called for should fill this gap, reduce the possibility of duplication and thus enhance effectiveness. (Paragraph 106)
22. There is a compelling case that programmes to effect behavioural and attitudinal change can assist in the prevention of sexual violence in conflict. This type of long-term programmatic work requires sustainable funding, which to date has been difficult for organisations to access. It is therefore encouraging that the Conflict, Stability and Security Fund (CSSF) will have the capacity to offer multiannual funding and we believe that the PSVI should be among its priorities. (Paragraph 107)
23. With the creation of the CSSF, spending decisions have moved from departments to the National Security Council. We urge the Government

to ensure that programmes to prevent sexual violence in conflict remain a funding priority. Funding should not be confined to security and justice (S&J) programming; rather, there should be an expansion in programmes targeting attitudinal and behavioural change, religious tolerance and education. To deliver these objectives the Government should cultivate existing partnerships and seek to develop new ones with educational institutions such as the British Council. (Paragraph 108)

24. *DfID has done admirable work to combat VAWG. In building on that work, the Government needs to ensure that ending sexual violence against men and boys is also a priority.* (Paragraph 109)
25. *We recommend that the Independent Commission for Aid Impact conducts a review of funding for the prevention of sexual violence in conflict to assess the effects of moving to the new funding mechanism on non-security and justice programming and for local non-governmental organisations (NGOs) and civil society.* (Paragraph 110)
26. Historically, sexual violence in conflict has been largely invisible. In recent years this has begun to change, although further research is urgently required both into the causes of sexual violence in conflict, its patterns and manifestations, and the means by which it might be prevented. (Paragraph 116)
27. While there is a moral imperative to holding perpetrators to account and enabling survivors to access justice, there is little empirical evidence as to the effectiveness of this, or other preventative measures. The focus that the PSVI places on ending impunity and increasing accountability needs to be evaluated in order to inform future prevention activity. We are mindful that programmes can take a number of years to begin to effect change. Nonetheless, it is crucial that the evaluation work begins, even if the final results are not reported for some time. (Paragraph 117)
28. We commend the Government for the investment it has made in research into VAWG and preventing sexual violence in conflict. Research into these areas will require long-term, sustainable funding. Given the PSVI's explicit and ground-breaking recognition of men and boys as victims, the Government must ensure that these groups are covered in research activities. (Paragraph 118)
29. *The PSVI places great emphasis on ending impunity and ensuring accountability. An evaluation of the preventative value of such policies and programmes should therefore be included as part of the research commissioned by the Government. In addition, given the dearth of statistics and research on male victims, this too should be addressed.* (Paragraph 119)
30. *We recommend developing a common system for monitoring and evaluating data about sexual violence in conflict which, once tested, can be shared with the Government's international partners.* (Paragraph 120)
31. *The Government should redouble its efforts to elicit and share good practice on measures to mitigate or prevent sexual violence in conflict. We recommend a close examination of the inter-departmental Agency Working Group set up in the US under Executive Order 13623, 'Preventing and Responding to Violence Against Women and Girls Globally'; consideration should be given to establishing a similar working group in the UK, with a view to sharing good practice internationally.* (Paragraph 121)

32. The current training provided to members of the UK Armed Forces on WPS and the PSVI needs strengthening. We therefore welcome the Government's commitment that all troops deployed to overseas missions will receive training on WPS and the PSVI by November 2016. This is a good start, but the Government needs to go further and ensure that new recruits across all the Services receive the appropriate training and that this training is regularly refreshed throughout the careers of military personnel. (Paragraph 129)
33. The training given to members of the UK Armed Forces should be regularly assessed, to consider in particular its quality, content and output. Training must include gender sensitivity, preventing sexual violence in conflict, human rights and equality. The training should be integrated into all programmes and not limited to individual sessions or modules. (Paragraph 130)
34. The MoD should be commended for the training it delivers to foreign military forces. This presents an opportunity to imbue the values of the PSVI and WPS into the training delivered to foreign military forces. It is important that the impact of this training is evaluated to enhance and target future efforts. (Paragraph 131)
35. The same principle applies to the newly created gender advisory positions, where it will be critical to the success of the role that it is at the appropriate level of seniority and that its impact and effectiveness are evaluated. (Paragraph 132)
36. As well as delivering training, the UK military should be active in gathering and disseminating experiences of other military forces of good practice in the prevention of sexual violence in conflict and WPS. For example, we believe the experience of the Australian military to be highly relevant to the work the MoD is currently undertaking. (Paragraph 133)
37. *Following the training needs analysis commissioned by the MoD, we expect to see adequate training on the PSVI and WPS for all new recruits. We recommend that details of the revised training provision should be made publicly available. This training must be refreshed at regular intervals throughout the careers of military personnel. Pre-deployment training and post-deployment review procedures should also be standardised.* (Paragraph 134)
38. *Training delivered in the UK to officers from overseas and to foreign military forces elsewhere should also include the PSVI and WPS. The Government should outline the timeline for the completion of the training review, publication and the roll-out of training programmes on the PSVI and WPS.* (Paragraph 135)
39. *Professional training courses, which include the PSVI and WPS, should be provided to police officers from overseas. The courses should include female as well as male officers, and include instruction on the gathering of evidence of sexual violence to be used in the prosecution of offenders. The Home Office should provide funding for these courses.* (Paragraph 136)
40. *The Government should put in place review processes to evaluate the impact and effectiveness of both the training delivered to foreign military forces and the newly introduced gender advisory positions.* (Paragraph 137)
41. *Given that the demand from foreign military forces for training currently exceeds capacity to provide it, we urge the Government to consider how provision might be increased, for example through increasing partnership work with other governments and regional organisations.* (Paragraph 138)

42. *The Government should ask NATO to increase its efforts to collect and disseminate good practice on WPS and preventing sexual violence. (Paragraph 139)*
43. The evidence we received focused heavily on the crimes committed by Daesh. The situation is challenging and complex. Preventing Daesh from perpetrating sexual violence in the areas they control ultimately requires their military defeat. We reiterate our support for the work of local organisations and human rights defenders (HRDs) and urge the Government to increase its support for them. We believe that the Government should pursue with the government of Iraq means by which prosecutions of war crimes including sexual violence in conflict can be brought before the ICC. (Paragraph 145)
44. *The Government should ensure that the UK's and Global Coalition Partner's communications strategies include materials to counter Daesh's use of rape, sexual violence and sexual slavery as instruments of terror. (Paragraph 146)*
45. HRDs perform vital work. The value they bring to local communities and civil society, as well as to the prevention of sexual violence in conflict, means that they are targeted and often face great personal risk. (Paragraph 160)
46. *We recommend that given the high regard in which HRDs are held in many conflict zones, the Government should work to increase legal protection, funding and security, pressing for the more effective implementation of the UN General Assembly Resolution on the Protection of Human Rights Defenders, along with the EU Guidelines on Human Rights Defenders. (Paragraph 161)*
47. The violation of rights and rise in VAWG can be a precursor to conflict. *The Government should integrate gender-sensitive and child protection measures into all appropriate policies, including bringing those issues into its early warning systems. There is a need for the Government, the UN and others, including regional organisations with responsibilities for peace and security, to strengthen their early warning systems and conflict prevention activities. (Paragraph 167)*

Chapter 4: Women's participation

48. The Government should promote the WPS Agenda—and the terms of the UNSCRs that comprise that Agenda—in all international fora relevant to peace, security and development. (Paragraph 188)
49. The failure so far to include women in conflict prevention, conflict resolution and reconstruction processes is a serious weakness and must end. It is crucial that UN moderators in peace negotiations are mindful of the UNSCRs on women's participation. If women are not involved directly in peace negotiations and in delivering the peace afterwards, such efforts will be far less likely to succeed. While we welcome the establishment of the Syrian Women's Advisory Board, its advisory role is only a very small step. *The Government should increase its efforts in regard to facilitating women's participation in peacebuilding. The Government should encourage mediators at peace negotiations to ensure gender diversity in their teams. We urge the Government to support the newly established Syrian Women's Advisory Board and push for its inclusion as an integral part of the ongoing peace negotiations. (Paragraph 189)*
50. *The Government should ring-fence some of the funding it committed at the Syrian Donors Conference in February 2016, to support women's participation and gender equality. The proportion ring-fenced should be in line with the UN target of 15% of funds spent on peacebuilding being dedicated to projects that address women's needs and gender equality. (Paragraph 190)*

51. *The Government should, when appropriate, put forward a candidate for election to the CEDAW Committee. (Paragraph 191)*
52. *The Government should seek to ensure that when it is a participant in talks on conflict resolution, prevention and peacebuilding that women are included on the same terms as men, and are not marginalised. The Government should look to support this inclusion, for example through increased funding, capacity building and the provision of security for women's organisations. A separate, appropriate representative on children's rights, such as the UN Secretary-General's Special Representative for Children in Armed Conflict, should also be present at such talks. (Paragraph 192)*

Chapter 5: Responding to victims and survivors

53. What happens to someone after they have been sexually attacked affects the rest of their life. The journey to recovery is complex and depends greatly on the individual victim and survivor's situation and needs. The immediate and long-term needs of victims and survivors of conflict-related sexual violence are life changing. We therefore urge that all aspects of survivors' needs must be addressed. (Paragraph 201)
54. Safe and hygienic hospital examination and treatment is essential after any form of sexual violence has taken place. (Paragraph 202)
55. *Since rape and all other forms of sexual violence fracture personalities as well as bodies, learning frameworks should be encouraged to help reconstruct the lives of victims. An educational environment gives purpose, structure and hope; hence our recommendation that all victims, adults as well as children, should be drawn into a positive and gender-sensitive educational process. (Paragraph 203)*
56. Justice for victims and survivors is a human right as well as a moral imperative. At present, too many people face barriers in seeking justice and women face additional obstacles due to their gender. These barriers prevent perpetrators—including those in positions of power and authority—from being held accountable and perpetuate the cycle of impunity. Accessing justice is, however, only one of a wide range of needs that must be addressed. For victims to make an informed decision as to whether to engage with the justice process, these other needs—such as medical and psychological care, and security (both physical and financial)—must also be addressed. (Paragraph 213)
57. Women and girls who are victims of war rape should have access to safe abortion services. We support the approach that has been adopted in this respect by the UK and the EU. We believe the current enforcement of the Helms Amendment by the US administration is contrary to international human rights law (IHRL) and undermines the protections of international humanitarian law (IHL). Where women who are victims of war rape have borne children as a result of that rape, we believe they should be able to access maternity services and receive continued financial and other support from their respective state. (Paragraph 217)
58. The ongoing conflict in Syria and Iraq makes it very difficult to respond to survivors of sexual violence in that conflict, although local organisations are doing their utmost, often in the absence of any other interventions. What needs to happen now is for a strategy to be prepared that aims to meet the needs of the men, women and children who have been subjected to this

abuse. This strategy needs to be put into effect at the earliest opportunity. The Government should press for this in international fora. (Paragraph 223)

59. *The PSVI must ensure that policy and programmatic work responds in particular to the needs and experience of child victims of sexual violence in conflict. As part of the strategic plan for the PSVI that we are recommending, children's best interests should be prioritised. The PSVI must ensure that it respects the provisions of the UN Convention on the Rights of the Child, of which the UK was a sponsor and founding signatory.* (Paragraph 227)
60. Victims of sexual violence in conflict, especially rape victims, include adult males as well as females and children. This has so far been inadequately acknowledged in post-conflict solutions. There is an acute need for the same kind of public advocacy and recognition, as well as tailored responses to the needs of men and boys. (Paragraph 228)
61. *On the situation in Syria, we recommend the Government pursues, in conjunction with the UN and the International Syrian Support Group, a plan to respond to those who have suffered sexual violence during the conflict. This strategy needs to deal with the repercussions of sexual violence against women, men and children. Its purpose should be threefold: to address the immediate medical and psychological needs of survivors; counter the stigma associated with such crimes; and mitigate against the long-term, cross-generational effects.* (Paragraph 229)
62. The stigma that follows sexual violence in conflict is one of the biggest challenges that victims and societies face. Stigma continues to damage victims and survivors of sexual violence and can form a barrier which prevents them from accessing the support they need to recover and reintegrate into society. (Paragraph 246)
63. Certain groups such as lesbian, gay, bisexual, transgender and intersex (LGBTI) persons are vulnerable to sexual violence in conflict and face additional stigma due to pre-existing negative social norms and attitudes. (Paragraph 247)
64. There are a variety of ways in which stigma can be addressed, ranging from educating families and communities, to encouraging the use of support groups. Where possible, survivors should be encouraged to communicate their stories to wider society to help raise awareness, while ensuring their security is not compromised. (Paragraph 248)
65. Addressing stigma is a long-term endeavour that requires ongoing support and commitment from the Government. However, the UK cannot tackle the issue of stigma alone. (Paragraph 249)
66. At present there is a paucity of evidence on the effectiveness of the support accessible by and provided to victims and survivors of sexual violence in conflict, including that which is provided by the Government. (Paragraph 253)
67. While recognising that the effects of sexual violence will differ for all individuals, there are particular gaps in knowledge surrounding specific groups and how they are differently affected by sexual violence, such as children, LGBTI persons, men, people with disabilities and ethnic minorities. More work is required to identify what the specific needs of different groups are and the best way to respond to them. (Paragraph 254)

68. *The Government should commission research into how effectively its policies and responses are meeting the needs of victims and survivors of sexual violence in conflict, as well as acting to counter stigma. This research should include evaluating how effectively policies and responses are meeting the needs of specific groups, such as men, children and LGBTI persons. (Paragraph 255)*
69. *We further recommend that the Government includes an independent evaluation of the support delivered to survivors by the PSVI and DfID in the annual report to Parliament that we have recommended. This should include significant input from local organisations, NGOs and activists. The evaluation should also consider the extent to which the support delivered to survivors is targeted at the needs of particular groups, such as men, children and LGBTI persons. (Paragraph 256)*
70. Victims and survivors of sexual violence in conflict are vulnerable to further harms, ranging from honour killings, to forced and child marriage, to survival sex and being trafficked. Stigma imposed on victims of sexual violence plays a fundamental role in exacerbating the further risks they face. Asylum seekers, refugees and internally displaced persons (IDPs) are especially vulnerable to experiencing further harms, as are specifically targeted groups, such as widows, or ethnic and religious minorities. (Paragraph 268)
71. We believe there is as yet insufficient research and evidence on how to mitigate these vulnerabilities. As we noted earlier, there is a lack of data on how to address stigma and the needs of specific groups. (Paragraph 269)
72. *The Government should give further attention to the particular circumstances of victims of conflict-related sexual violence among those claiming asylum in the UK. (Paragraph 270)*
73. *Unlike for refugees, the UN does not have responsibility for IDPs. We believe this to be a damaging distinction and that the Government should press for the UN to have responsibility for IDPs, as well as refugees. This could be achieved by extending the mandate of the UN High Commissioner for Refugees. At the very least, we believe that given the vulnerability of individuals in IDP camps to sexual violence, the Government should encourage the UN to revisit the need for it to take responsibility for those camps. (Paragraph 271)*
74. *We earlier recommended the need for international research on addressing the needs of victims and survivors. Such research should also examine what might be done to reintegrate victims and survivors of sexual violence—such as those who escape from violent non-state groups (VNSGs)—back into their communities. DfID’s ‘What Works to Prevent Violence Against Women and Girls’ research and innovation programme could be an effective way of filling this research gap. (Paragraph 272)*
75. We fully support the aims and objectives set out in the Call to Action on Protecting Women and Girls in Emergencies. It is encouraging to see that an operational framework, the US-developed Road Map for the Call to Action, has now also been published. The Road Map is a time-bound, measurable plan to deliver systematic change. (Paragraph 279)
76. *We recommend that the Road Map for the Call to Action be used by the Government as a model when formulating a forward-looking strategic plan for the PSVI as recommended earlier. (Paragraph 280)*
77. The WHS in Istanbul in May 2016 will provide an important opportunity for the international community to address sexual violence in conflict. We urge the Government to make full use of the Summit. We regret the

Government's failure to furnish the Committee with a comprehensive set of objectives for this important conference. (Paragraph 287)

78. While we believe that it is important to focus on addressing the specific needs of women and girls during emergencies and humanitarian crises, and acknowledge the dangers of 'gender blind' policies, the specific needs of male survivors of sexual violence must not be neglected. We do not think that supporting the needs of men and boys is detrimental to those of women and girls. (Paragraph 288)
79. We further believe that the Government has missed an opportunity to address targeted support that may be required for male and child survivors of sexual violence. The UK has been one of the first to champion awareness of the status of men and boys as victims. We are therefore surprised that the Government has not reflected this in its approach to the WHS. (Paragraph 289)
80. *In addition to campaigning for more states to adopt the Call to Action on Protecting Women and Girls in Emergencies at the WHS, the Government should ensure that the needs of men and boys who are victims of sexual violence in conflict are also addressed.* (Paragraph 290)
81. Local and grassroots organisations are well placed to assess the needs of victims and survivors of sexual violence in conflict. They may be in place before, during and after a conflict. Such organisations are also more attuned to the local context and have greater access than international organisations that might be present for a limited period only. They can also play a critical role when state agents are either unable or unwilling to provide the necessary support. (Paragraph 296)
82. *Since local and grassroots organisations are often the most effective in restoring the health and welfare of survivors of sexual violence in conflict, a review should be undertaken by the Government of the uses of emergency funding provided to local, regional and international NGOs in order to see what partnerships have proved most effective. New ways of working with local partners should be explored.* (Paragraph 297)
83. If the activities of local organisations are to yield positive results, they require increased long-term and quality funding. We therefore welcome the creation of a new funding mechanism, the Global Acceleration Instrument (GAI), which will channel funds to grassroots projects. We commend the Government for the initial \$1 million contribution it has made. As one of the three largest donors to the GAI, we also endorse the Government's objective of obtaining a place on the GAI's Steering Committee. As a member of this Committee, the Government would be well placed to shape the policies of the GAI, including supporting local organisations and HRDs. (Paragraph 298)
84. *The Government should continue to make financial contributions to the GAI and encourage other states to do likewise.* (Paragraph 299)
85. The UK's screening process for asylum seekers who claim to have been victims of sexual violence must be sensitive to their experiences. We are therefore pleased that the Home Office has reviewed its screening process for those claiming asylum. However, we are concerned that progress in implementing these changes is slow. (Paragraph 305)
86. *We recommend that the Government expedite the process of implementing changes to the asylum screening process. The Government should outline the timetable for*

this. If necessary, UK Visas and Immigration (UKVI) should be provided with the necessary funding and resources to assist with implementation. (Paragraph 306)

Chapter 6: Accountability and justice

87. Documentation and evidence gathering of conflict-related incidents of sexual violence serve many important purposes, including creating a historical record, advocacy and awareness raising and facilitating the criminal justice process itself. (Paragraph 319)
88. The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict makes an important contribution by setting out good practice for documenting crimes of sexual violence in conflict. Even if prosecutions take time (for example, with regard to crimes being committed in Iraq and Syria), the Protocol plays an important role in the gathering and collection of data and evidence that might be available for the judicial process in the future. (Paragraph 325)
89. Use of the Protocol would be improved with wider translation and dissemination, the inclusion of further guidance on male and child victims, and regular and ongoing training for those who use the document. (Paragraph 331)
90. We are mindful that the Protocol is relatively new, having existed for less than two years. The Government therefore needs to continue to gather evidence from those who use it and to evaluate its practical application and effectiveness. We endorse the Government's approach in viewing the Protocol as a 'living document'. (Paragraph 336)
91. *We urge the Government to ensure the review process for the Protocol remains ongoing and agile to reflect improvements promptly. The review process must continue to incorporate feedback from users, including local organisations, NGOs and activists. Furthermore, it must be adequately resourced and be subject to a peer review process to ensure usability and up-to-date good practice. (Paragraph 337)*
92. *The Protocol is a comprehensive and lengthy document. While we welcome the training materials and programmes the Government has already produced, we recommend that a short user manual be produced for operatives in the field. (Paragraph 338)*
93. The primary responsibility for dealing with crimes of sexual violence in conflict lies with the state in which the crime occurs. Strengthening the legislation and capacity of national justice systems is vital if states are going to be able to hold perpetrators of sexual violence in conflict accountable. States may have inadequate domestic legislation, political will to address this may be lacking or social attitudes may prevent reform. Even if the appropriate domestic legislation is enacted, implementation is a further challenge. We believe the UK has an important position in assisting other states build the capacity of their national law enforcement and judicial systems. (Paragraph 353)
94. *Peacekeeping and post-conflict work should incorporate a review of local legislation. For example, in countries where common law is practiced, the Bar Associations of both the UK and US could be asked to assist in this process. (Paragraph 354)*
95. We commend the Government for the programmes it already carries out overseas to build the capacity of national judicial systems. As with addressing

the gap in documentation, tackling the barriers that hinder accountability at the national level requires long-term commitment. We therefore hope that support for such programmes will continue. (Paragraph 360)

96. The work conducted by the Team of Experts (ToE) must be a long-term endeavour. We note with concern the current short-term nature of engagements, and believe that it would be beneficial if there were a degree of continued engagement and re-engagement of members to capture their knowledge and experiences. (Paragraph 366)
97. The knowledge and expertise of members recruited to the ToE could be used more effectively in the formulation of policy. (Paragraph 368)
98. We are concerned that the ToE has not received child safeguarding or protection training, including responding to sexual violence against men and boys. (Paragraph 370)
99. Current requests for support from the ToE outweigh its capacity. There should be greater use of the ToE model in other countries to provide a broader roster of available expertise. (Paragraph 372)
100. *We earlier recommended that the PSVI needs to establish a strategic plan and operational road map. The ToE needs to be incorporated into the delivery of this strategy. As we have mentioned elsewhere, the Government must heed its own assessment that mitigating and eliminating sexual violence in conflict is a long-term endeavour. The ToE therefore requires suitable funding and flexibility in deployments for re-engagements and longer-term support.* (Paragraph 373)
101. *We further recommend the following with regard to the ToE:*
 - (a) *That the Government should establish a formal process to make use of and disseminate the learning and experience generated by the members of the ToE;*
 - (b) *That the knowledge and expertise of members of the ToE should be used earlier in the development of deployment policy;*
 - (c) *That it should be mandatory that all members of the ToE complete pre-deployment child safeguarding and protection training, including responding to sexual violence against men and boys; and*
 - (d) *That the Government should work to expand the capacity of the ToE so that it can undertake more deployments and have greater flexibility as to the length and nature of these. We would like to see the UK partnering with other states (for example, states that are the 'friends of the PSVI') to expand the capacity of the ToE.* (Paragraph 374)
102. There are considerable legal and practical challenges in holding VNSGs to account. The body of knowledge of VNSGs is sparse and more urgent research is necessary; they are not a homogenous group, and should not be treated as such. (Paragraph 384)
103. We received limited evidence on practical methods to dissuade VNSGs from sexual violence in conflict and to hold them accountable. We were encouraged, however, by the work being conducted by the NGO Geneva Call. Their 'Deed of Commitment for the Prohibition of Sexual Violence in Situations of Armed Conflict and towards the Elimination of Gender Discrimination' allows signatory non-state actors—including VNSGs—to

undertake to respect international standards. Although there are limitations to this approach, such as its credibility and it not being legally binding, it has already yielded some positive results. Such an approach is also important given the obvious limitations associated with the Government's ability itself to engage directly with VNSGs. (Paragraph 394)

104. *Although this would not be practicable for all VNSGs, such as Daesh, the Government should extend further support to the work of Geneva Call. Where possible it could encourage other, similar initiatives.* (Paragraph 405)
105. *We recommend that the government of Iraq should be encouraged either to ratify the Rome Statute or to invite the ICC to prosecute cases of sexual violence committed within Iraq's jurisdiction. We believe that the UK should use its influence to achieve this.* (Paragraph 406)
106. *We accept that, ultimately, it is for courts, not governments, to determine responsibility for war crimes and crimes against humanity, including sexual violence in conflict, torture and genocide that have allegedly been committed in Syria and Iraq. However, we believe that, so long as access to international jurisdictions such as the ICC is blocked, the Government should make it clear that, in its view, there is prima facie evidence that such crimes have been committed and that those who committed them must, in one way or another, be brought to justice.* (Paragraph 407)
107. Evidence suggests that many parties to the conflict in Syria are committing acts of sexual violence. Although it is outside of our remit to offer any recommendations on a solution to the Syrian crisis, we urge that any resolution to the conflict should include provision for securing accountability for the prosecution of these crimes. (Paragraph 408)
108. *In respect of Syria (and elsewhere), the Government should resist any peace settlement that sanctions or approves the use of amnesties for sexual violence in conflict, and ensure that there is an accountability mechanism to bring to justice all those that have perpetrated sexual violence in Syria. Any peace process needs to include the participation of women.* (Paragraph 409)
109. Remedies, including financial compensation, for victims and survivors of sexual violence in conflict are an important element of justice and form part of the recovery process. Not only do they assist reintegration, they also provide recognition for the survivors against whom a crime has been committed. In some circumstances such remedies can encourage survivors to come forward to pursue criminal prosecutions. (Paragraph 419)
110. We commend the Government for the support it provided to help secure the landmark rulings for victims in Bosnia and Herzegovina. (Paragraph 420)
111. We hope that the Government will continue to support and contribute towards the ICC's Trust Fund for Victims. (Paragraph 421)

Chapter 7: Sexual violence by peacekeepers

112. UN and regional peacekeeping is an essential part of the international community's response to conflict. But the current approach to reforming the handling of crimes of sexual exploitation and abuse (SEA) perpetrated by the peacekeepers themselves is woefully inadequate. Attempts at reform have failed and allegations of SEA perpetrated by peacekeepers continue. While we are obviously supportive of the UN Secretary-General's latest reform attempts, we are concerned that these have lost momentum. For example,

the 2006 report by the Group of Experts remains a standing item on the UN General Assembly's Sixth (Legal) Committee, but no action has been taken. (Paragraph 435)

113. The current system for holding peacekeepers accountable is not working and lacks transparency. Peacekeepers are deployed to protect civilians and any act of SEA is a crime and must be challenged. (Paragraph 449)
114. We are also concerned that current accountability procedures for peacekeepers do not give enough priority to the needs and rights of victims of SEA. (Paragraph 450)
115. There are a series of preventative measures that could be adopted to reduce the risk of SEA by peacekeepers. While accountability is imperative, and can act as a deterrent, more weight must be given to actions aimed at preventing the crimes from occurring in the first place. Consideration should be given to making pre-deployment gender training mandatory and the inclusion of gender advisors for all peacekeeping missions. The composition of such missions should also include a larger proportion of women. (Paragraph 458)
116. We commend the Government for the efforts it has taken to address the issue of SEA in peacekeeping. In particular, we approve of its focus on training, both of the UK's and other states' troops, and ensuring accountability. However, we believe that the current approach to reform is still inadequate. (Paragraph 472)
117. *During the process of appointing a new UN Secretary-General in 2016, the Government should support candidates who make ensuring prosecutions and accountability for SEA by peacekeepers a high priority.* (Paragraph 473)
118. *We recommend that the Government should seek to have the 2006 report by the Group of Experts moved out of the General Assembly's Sixth (Legal) Committee and placed before the UN Security Council.* (Paragraph 474)
119. *We welcome the decisions taken by the UN Security Council in Resolution 2272, not least the authority for the Secretary-General to repatriate units where there is credible evidence of widespread or systemic sexual exploitation and to name the countries of alleged perpetrators. These could be important steps, so long as they are rigorously applied. However, we believe in addition that the establishment of an international tribunal "light" model as suggested in our evidence (see paragraph 446) to ensure accountability for SEA by all peacekeepers (both military and non-military personnel) is now necessary and that the Government should pursue this option.* (Paragraph 475)
120. *We would like to see the Government seeking:*
 - (a) *Greater transparency with regards to the collection of data and reporting of allegations of SEA committed by all peacekeepers mandated by the UN and regional organisations. We welcome the publication in February 2016 of the nationalities of the alleged perpetrators of offences committed in 2015. Further transparency should now follow, not least information on action arising as a result of allegations against peacekeepers;*
 - (b) *A 'naming and shaming' policy for states who fail to carry out appropriate disciplinary measures and report on allegations of SEA;*

- (c) *Mandatory pre-deployment gender training for all peacekeepers. This should include monitoring and evaluation. Assistance in providing such training for troop contributing countries (TCCs) should be offered by the UK and other states;*
 - (d) *Deployment of gender advisors with child protection knowledge on all peacekeeping missions. The UK could lead by example by seeking the inclusion of gender advisors in its deployments to South Sudan and Somalia;*
 - (e) *The restoration of the secondments of UK police personnel to UN police peacekeeping missions and ensure they are provided with gender training, with costs being met by central Government and not the police force directly;*
 - (f) *The encouragement of a higher proportion of women in the composition of peacekeeping and civilian policing forces; this should be reflected in UK deployments to South Sudan and Somalia;*
 - (g) *A review by the UN of its support for all rape victims and their families in conflict zones and ensure that this is effective and properly funded; and*
 - (h) *For the new standards for UN peacekeeping to be applied by regional bodies that carry out peacekeeping operations, such as the African Union (AU), and ensure measures are taken to give effect to them. (Paragraph 476)*
121. *The Government should use the opportunities presented by the forthcoming peacekeeping summit in London to share, discuss and promote the recommendations of this Committee's report. (Paragraph 477)*

Sexual Violence in Conflict: A War Crime

CHAPTER 1: INTRODUCTION

1. On 12 March 2015 the House of Lords agreed in principle to appoint an *ad hoc* committee on sexual violence in conflict.¹ The Committee was established on the recommendation of the Liaison Committee following a proposal by Baroness Helic.²
2. The Committee was appointed on 11 June 2015 with the remit “to consider the UK’s policy and practice of preventing sexual violence in conflict”.³

Legal and political background

3. Rape and other forms of sexual violence in armed conflict are contrary to international law, recognised according to circumstances as a war crime, a crime against humanity and even genocide.
4. War rape was outlawed by the Lieber Code in 1863.⁴ Rape and other forms of sexual violence in conflict are prohibited under the 1949 Geneva Conventions and the 1977 Additional Protocols.⁵ Today, these crimes are prohibited under international human rights law (IHRL),⁶ international humanitarian law (IHL) and are subject to prosecution under international criminal law (ICL).⁷
5. The Rome Statute of the International Criminal Court (ICC) describes sexual violence as “rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization and other forms of sexual violence of comparable gravity”.⁸ Such crimes are designated as war crimes and crimes against humanity.

1 HL Deb, 12 March 2015, [col 764](#)

2 Liaison Committee, [Review of select committee activity and proposals for new committee activity](#) (2nd Report, Session 2014–15, HL Paper 127)

3 HL Deb, 11 June 2015, [col 892](#)

4 International Committee of the Red Cross, *Instructions for the Government of Armies of the United States in the Field (Liber Code)*, 24 April 1863, Section II, Article 44: <https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=BICE1E21A4237EE6C12563CD00514C6C> [accessed 14 March 2016]

5 Geneva Conventions of 1949 and Additional Protocols of 1977: Rape is expressly prohibited in international and non-international armed conflict under the Geneva Conventions and the Additional Protocols. Other forms of serious sexual assault are also explicitly or implicitly prohibited. See Geneva Convention IV, Article 27 and Additional Protocol I, Article 76 (related to international armed conflict); and Geneva Convention Common Article 3 and Additional Protocol II, Article 4 (related to non-international armed conflict).

6 When committed by a state agent (such as the military forces of the state, prison officers or police), rape and sexual violence constitute torture or cruel and inhuman treatment and as such is prohibited under IHRL. The leading cases under European human rights law are: *Aydin v Turkey* (Application No. 23178/94), 25 September 1997 (state forces); and *M.C. v Bulgaria* (Application No. 39272/98), 4 December 2003 (non-state actor).

7 The system of international criminal law is implemented through international ad hoc tribunals, hybrid courts and the ICC, as well as national courts (military and civilian).

8 International Criminal Court, *Rome Statute of the International Criminal Court* (January 2002), Article 7, para 2: http://www.icc-cpi.int/nr/rdonlyres/ea9aef77-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf [accessed 14 March 2016]

6. The first conviction for rape as a crime against humanity in an international criminal tribunal was secured in 1998.⁹ Since then, there have been further convictions at the International Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). The first conviction at the ICC for sexual violence in conflict (including against men), was secured in March 2016, when former President and Commander-in-Chief of the Mouvement de libération du Congo (MLC), Jean-Pierre Bemba Gombo, was found guilty of war crimes and crimes against humanity.¹⁰ Commenting on the conviction, Ms Angelina Jolie Pitt, Special Envoy of the UN High Commissioner for Refugees, said: “My thoughts and my admiration go out to the survivors and witnesses who bravely testified in this case and contributed to this landmark conviction. I hope it will serve as a warning to perpetrators of rape everywhere.”¹¹
7. The United Nations (UN) Security Council has repeatedly condemned and called for an end to all forms of sexual violence against women and children in situations of armed conflict. Adopted in October 2000, UN Security Council Resolution (UNSCR) 1325 acknowledged that the disproportionate impact of armed conflict on women and girls required changes in the way the international community approached conflict prevention, conflict resolution, peacekeeping and peacebuilding.¹² UNSCR 1325 also emphasised states’ responsibility to end impunity and prosecute those responsible for such crimes. The Resolution established the Women, Peace and Security (WPS) Agenda, with subsequent resolutions extending the UN’s reach in this area (see Appendix 5 for a full list of the relevant UNSCRs).¹³
8. The UK Government made the prevention of sexual violence in conflict a policy priority when the then Foreign Secretary, Lord Hague of Richmond, and Ms Jolie Pitt launched the Preventing Sexual Violence Initiative (PSVI) in 2012.¹⁴ In conducting its inquiry the Committee has considered whether the prioritisation is appropriate, as well as the PSVI and wider Government programming on violence against women and girls (VAWG).

Causes, scale and effects

9. Sexual violence in conflict is not new. References to rape can be found in the earliest recorded histories and it continues to be used as a weapon of war

9 *Prosecutor v Akayesu*, ICTR-96-4-T, Judgement, 2 September 1998. This case was also the first judicial recognition that rape could constitute genocide.

10 *Prosecutor v Jean-Pierre Bemba Gombo*, ICC-01/05-01/08, Judgement, 21 March 2016: Jean-Pierre Bemba Gombo was convicted of three counts of war crimes (murder, rape and pillaging) and two crimes against humanity (murder and rape) committed by MLC soldiers in the Central African Republic in 2002–2003. In addition to being the first conviction at the ICC for sexual violence in conflict, Jean-Pierre Bemba Gombo was the first person to have been charged at the ICC with command responsibility under article 28 of the Rome Statute.

11 Foreign & Commonwealth Office, ‘Baroness Anelay and Angelina Jolie Pitt statement on ICC verdict’, 21 March 2016: <https://www.gov.uk/government/news/baroness-anelay-and-angelina-jolie-pitt-statement-on-icc-verdict> [accessed 23 March 2016]

12 UN Women, *Women and Peace and Security: Guidelines for National Implementation* (2015): <http://www.unwomen.org/~media/Headquarters/Media/Publications/en/02BPlanonWomenandPeaceandSecurity.pdf> [accessed 14 March 2016]

13 Respectively, UNSCRs: 1325, 31 October 2000; 1820, 19 June 2008; 1888, 30 September 2009; 1889, 5 October 2009; 1960, 16 December 2010; 2106, 24 June 2013; 2122, 18 October 2013; and 2242, 13 October 2015.

14 Foreign & Commonwealth Office, ‘Foreign Secretary launches new Government initiative to prevent sexual violence in conflict’, 29 May 2012: <https://www.gov.uk/government/speeches/foreign-secretary-launches-new-government-initiative-to-prevent-sexual-violence-in-conflict> [accessed 14 March 2016]

and terror with each new permutation of warfare.¹⁵ A range of explanations are advanced as to its causes. In some conflicts it is used as a strategy of war (to ethnically cleanse, displace, terrorise and humiliate populations); as a means of creating cohesion between combatants; as a reward; as a means to destroy social and cultural cohesion; for economic ends; and as a means of extracting information.¹⁶ The position of women in society is crucial, as the subjugation of women leads to an increase in gender-based violence (GBV), which is a predisposing condition for sexual violence in conflict.¹⁷

10. There has been a lack of systematic recording of the incidence of sexual violence in conflict. Although it is accepted that these crimes have been committed in the vast majority of conflicts, precise figures are lacking (see Appendix 9). For instance, UN agencies estimate that between 100,000 and 250,000 women, were raped during the genocide in Rwanda in 1994 and that between 20,000 to 50,000 women were raped during the 1992–1995 war in Bosnia.¹⁸ It is thought that the overwhelming majority of sexual violence in conflict is perpetrated against women and girls, although there are reports of sexual violence against men and boys in numerous conflicts. However, very little is known as to the numbers of men and boys who are victims of these crimes.¹⁹
11. Data is incomplete, but what can be said with certainty is that the problem is large and pervasive. We heard evidence on sexual violence committed by state forces and agents (for instance in prisons and other places of detention), violent non-state groups (VNSGs), civilians and peacekeepers. Acts of sexual violence in conflict are perpetrated by individuals and by groups,²⁰ as well as combatants and non-combatants.²¹ Those affected include (but are not limited to), civilians in conflict-affected areas, refugees, internally displaced persons (IDPs), prisoners and people living in post-conflict societies. Sexual violence remains prevalent during and after conflict.
12. The problem of sexual violence in conflict is a global one, as the map in Figure 1 illustrates (see Appendix 10 for the list of countries and sources). We received evidence of sexual violence committed in conflict-affected areas in Africa, Asia, Europe, the Middle East and South America. As Madame Zainab Hawa Bangura, Special Representative of the UN Secretary-General for Sexual Violence in Conflict, said: “No single continent, culture, region

15 Janie L. Leatherman, *Sexual Violence in Armed Conflict* (Cambridge: Polity Press, 2011), p 1. See also Susan Brownmiller, *Against our will: Men, Women and Rape* (New York: Ballantine Books, 1993)

16 Nobel Women's Initiative, *War on Women: Time for action to end sexual violence in conflict* (May 2011): <http://nobelwomensinitiative.org/wp-content/uploads/2013/09/war-on-women-web.pdf> [accessed 14 March 2016]

17 Janie L. Leatherman, *Sexual Violence in Armed Conflict* (Cambridge: Polity Press, 2011)

18 UN Women, *In Brief: Peace and Security* (2013): <http://www.unwomen.org/~media/headquarters/attachments/sections/library/publications/2013/12/un%20women%20briefthematicpsuswebrev3%20pdf.ashx> [accessed 14 March 2016]

19 Sandesh Sivakumaran, 'Sexual Violence Against Men in Armed Conflict', *The European Journal of International Law*, vol. 18 no. 2 (2007), pp 253–276: <http://ejil.org/pdfs/18/2/224.pdf> [accessed 14 March 2016]

20 Elisabeth J. Wood, 'Armed Groups and Sexual Violence: When Is Wartime Rape Rare?', *Politics and Society*, vol. 37 no. 1 (March 2009), pp 131–161: <http://pas.sagepub.com/content/37/1/131.abstract> [accessed 14 March 2016]

21 Human Security Report Project, *Sexual Violence, Education, and War: Beyond the Mainstream Narrative* (2012): <http://www.hsrgroup.org/docs/Publications/HSR2012/2012HumanSecurityReport-Overview.pdf>: [accessed 14 March 2016] “The mainstream narrative systematically neglects domestic sexual violence in war-affected countries, even though it is far more pervasive.”

or religion has a monopoly on this scourge”.²² The UN Secretary-General’s 2015 report on sexual violence in conflict covered 19 countries and included a cumulative list of 45 parties credibly suspected of committing or being responsible for patterns of rape or other forms of sexual violence.²³ In March 2016 the UN High Commissioner for Human Rights (OHCHR) accused the South Sudanese government of being responsible “for the gross and systematic human rights violations” in a conflict where rape had become “an acceptable practice by SPLA [Sudanese People’s Liberation Army] soldiers and affiliated armed militias”.²⁴ Today, we also see the “catastrophic” new trend of extremist groups using sexual violence as a tactic of terror, in countries such as Iraq, Mali, Nigeria, Somalia and Syria.²⁵

13. The manifestation of sexual violence varies between conflicts,²⁶ but what remains constant is the suffering inflicted on the victims—women, girls, men and boys, their families and communities. The brutality of the crime is staggering. For the individual the effects are profound. Sexual violence in conflict can result in severe physical and psychological trauma, HIV infection (which in many cases is fatal) and sometimes death.²⁷ Women and children are at particular risk of further harm through displacement, pregnancy, forced marriage or ‘honour killing’. These crimes remain shrouded in stigma. Survivors may be cast out by their families, they rarely receive justice and it is believed that most victims do not report attacks. Sexual violence in conflict destroys families and communities and lays those affected by it open to further harms.

Our approach

14. The Committee’s report examines UK Government policy and practice. We have not attempted a comprehensive academic or geographical exploration of the topic. We hope nevertheless that the breadth and range of witnesses that have generously provided evidence to the inquiry makes this a valuable assessment of the topic.

22 Remarks of the UN Secretary-General’s Special Representative on Sexual Violence in Conflict, Zainab Hawa Bangura, “Sexual Violence in Conflict: A Global Security Threat”, 2016 Hillary Rodham Clinton Award for Advancing Women in Peace & Security, Georgetown University, 22 February 2016

23 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]

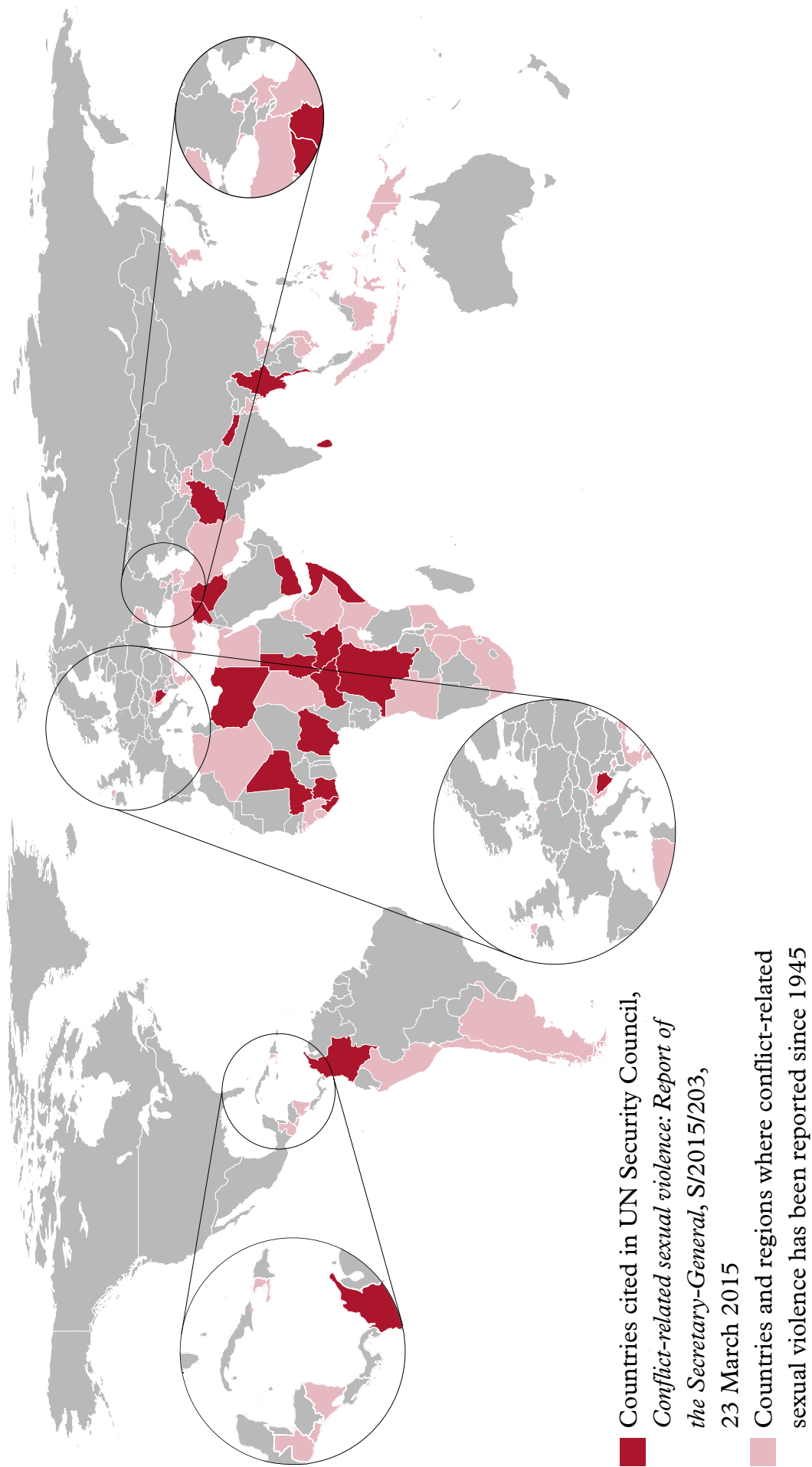
24 UN Human Rights Council, *Assessment mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability, reconciliation and capacity in South Sudan: detailed findings*, A/HRC/31/CRP6 (10 March 2016): http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/Documents/A-HRC-31-49_en.doc [accessed 16 March 2016]

25 UN, ‘Fight against Sexual Violence in Conflict Reaches “New Juncture”’, Security Council Told’ (15 April 2015): <http://www.un.org/press/en/2015/sc11862.doc.htm> [accessed 14 March 2016]

26 Elisabeth J. Wood, ‘Variation in Sexual Violence During War’, *Politics and Society*, vol. 34 no. 3, (September 2006), pp 307–341: <http://home.iscte-iul.pt/~apad/MSV/text%20violencia/sexo%20e%20guerra.pdf> [accessed 14 March 2016] “In some conflicts, sexual violence takes the form of slavery, whereby women are abducted to serve as servants and sexual partners of combatants for extended periods; in others, it takes the form of torture in detention. In some wars, women belonging to particular groups are targeted; in others, the violence is indiscriminate. In some wars, only women and girls are targeted; in others, men are as well. Some acts of wartime sexual violence are committed by individuals; many committed by groups. Some acts occur in private settings; others are public, in front of family or community members. In some conflicts, the pattern of sexual violence is symmetric with all parties to the war engaging in sexual violence to roughly the same extent; in other conflicts, it is very asymmetric.”

27 International Committee of the Red Cross, ‘Sexual violence in armed conflict: questions and answers’, 10 November 2013: <https://www.icrc.org/eng/resources/documents/faq/sexual-violence-questions-and-answers.htm> [accessed 14 March 2016]

Figure 1: Map of sexual violence in conflict-affected countries



15. The following principles underpin our analysis:
- (a) Sexual violence in conflict is a human rights abuse and contrary to international law;
 - (b) It is a war crime that is perpetrated against women, girls, men and boys;
 - (c) Ending sexual violence in conflict requires long-term engagement and partnerships with international organisations, governments, non-governmental organisations (NGOs) and civil society;
 - (d) It cannot be considered in isolation from women's perceived status in society and cultural attitudes towards women; and
 - (e) Increased and urgent effort is needed to outlaw sexual violence in conflict in all its forms, which, despite being contrary to international law, has yet to be subject to universal political and popular condemnation.

The Committee's inquiry

16. As this Committee was an *ad hoc* appointment, it ceased to exist on the production of this report. We were set a tight timetable to complete our report by 23 March 2016.
17. We issued our call for evidence (see Appendix 3) in July 2015 and took oral evidence from 41 witnesses during 21 sessions, held between September and December 2015. We received 66 pieces of written evidence. We are grateful for the written and oral evidence that was submitted to the inquiry. The witnesses who provided it are listed in Appendix 2. Our inquiry has been evidence-led and this report reflects the balance of the evidence we received.²⁸ All of this evidence is published online.²⁹
18. The membership of the Committee is listed in Appendix 1, together with their declared interests. Members of the Committee also met survivors of sexual violence in conflict (see Chapter 8). We are particularly grateful to the survivors who exhibited great courage and bravery in sharing their experiences with us. The Committee visited the Democratic Republic of Congo (DRC) and Rwanda in November 2015 (see Appendix 6). We extend our gratitude to the UK Ambassador to the DRC, Mr Graham Zebedee, and the UK High Commissioner to Rwanda, Mr William Gelling OBE, and their colleagues for facilitating this visit and to everyone who met the delegation. We are also grateful to Professor Christine Chinkin, our Specialist Adviser, for her assistance.
19. Within our remit of considering the UK's policy and practice of preventing sexual violence in conflict, this report focuses on:
- Policy and legal framework: UK Government policy; and the international legal framework (Chapter 2);
 - Prevention: the Preventing Sexual Violence Initiative; behavioural and attitudinal change; research and evaluation; military training and good

²⁸ In common with all House of Lords reports, our work is evidence-based, albeit untested in a court of law. With the plethora of other recent or current investigations into this issue, we have occasionally drawn on other, reliable sources as referenced.

²⁹ Evidence published online is available at: <http://www.parliament.uk/svc-committee>

practice; violent non-state groups; human rights defenders; and early warning systems (Chapter 3);

- Women's participation: the Women, Peace and Security Agenda; and peace processes (Chapter 4);
- Responding to victims and survivors: prioritising the needs of the victim and survivor; vulnerability to further harms; humanitarian crises; the role of local organisations; and UK domestic policies (Chapter 5);
- Accountability and justice: documentation and evidence gathering; truth and reconciliation commissions; capacity building for national judicial systems; violent non-state groups; and remedy and reparation (Chapter 6); and
- Sexual violence by peacekeepers: accountability; preventative measures; and the UK's approach (Chapter 7).

CHAPTER 2: POLICY AND LEGAL FRAMEWORK

UK Government policy

The Preventing Sexual Violence Initiative

20. In recent years the Government has made preventing sexual violence in conflict a policy priority.³⁰ The most high profile manifestation of this was the Preventing Sexual Violence Initiative (PSVI), launched by the then Foreign Secretary, Lord Hague of Richmond, in May 2012.³¹ From its inception, the PSVI sought to end impunity for perpetrators and raise the profile of sexual violence in conflict on the ‘global agenda’.³²
21. The PSVI defined sexual violence in conflict as a threat to conflict prevention and sustainable peace, as well as a human rights violation. As such, tackling the problem was “an essential part of a foreign policy that seeks peace and security in the world”.³³ All the evidence we received during the course of our inquiry agreed on the importance of tackling sexual violence in conflict.
22. On launching the PSVI, Lord Hague said: “It must be as prominent in foreign policy as it is in development policy, for the two cannot be separated. And it also cannot be separated from wider issues of women’s rights.”³⁴ The PSVI recognised sexual violence in conflict as being “indiscriminate, affecting men and boys as well as women and girls”.³⁵
23. Diplomatic initiatives conducted under the auspices of the PSVI resulted in the G8 Declaration on Preventing Sexual Violence in Conflict in April 2013,³⁶ and the United Nations (UN) General Assembly endorsed Declaration of Commitment to End Sexual Violence in Conflict in September 2013.³⁷ The Committee heard that, during his time as Foreign Secretary, Lord Hague would routinely raise the issue of sexual violence in conflict when meeting

30 The Conservative Party’s 2015 election manifesto said: “We will drive forward the Preventing Sexual Violence in Conflict Initiative.” See <https://www.conservatives.com/manifesto> [accessed 14 March 2016]

31 The PSVI was launched on 29 May 2012 by the then Foreign Secretary, Lord Hague of Richmond, together with the Special Envoy of the UN High Commissioner on Refugees, Ms Angelina Jolie Pitt. See Foreign & Commonwealth Office, ‘Foreign Secretary launches new Governmental initiative to prevent sexual violence in conflict’, 29 May 2012: <https://www.gov.uk/government/speeches/foreign-secretary-launches-new-government-initiative-to-prevent-sexual-violence-in-conflict> [accessed 14 March 2016]

32 Foreign & Commonwealth Office, ‘Preventing Sexual Violence in Conflict: Next steps’, 14 July 2012: <https://www.gov.uk/government/speeches/preventing-sexual-violence-in-conflict-next-steps>

33 Q 2 (Lord Hague of Richmond)

34 Foreign & Commonwealth Office, ‘Foreign Secretary launches new Governmental initiative to prevent sexual violence in conflict’, 29 May 2012: <https://www.gov.uk/government/speeches/foreign-secretary-launches-new-government-initiative-to-prevent-sexual-violence-in-conflict> [accessed 14 March 2016]

35 Foreign & Commonwealth Office, ‘Policy Paper: 2010 to 2015 government policy: sexual violence in conflict’, updated 8 May 2015: <https://www.gov.uk/government/publications/2010-to-2015-government-policy-sexual-violence-in-conflict/2010-to-2015-government-policy-sexual-violence-in-conflict> [accessed 14 March 2016]

36 The G8 Declaration states, inter alia, that “rape and other forms of serious sexual violence in armed conflict are war crimes and also constitute grave breaches of the Geneva Conventions and their first Protocol”. See Foreign & Commonwealth Office, *Declaration on Preventing Sexual Violence in Conflict* (April 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/185008/G8_PSVI_Declaration_-_FINAL.pdf [accessed 14 March 2016]

37 Foreign & Commonwealth Office, *Declaration of Commitment to End Sexual Violence in Conflict* (September 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/274724/A_DECLARATION_OF_COMMITMENT_TO_END_SEXUAL_VIOLENCE_IN_CONFLICT.pdf [accessed 14 March 2016]

foreign counterparts.³⁸ The Foreign and Commonwealth Office (FCO) said that the current Foreign Secretary “remains very supportive” of the PSVI.³⁹

24. **Sexual violence either in, or as a result of, conflict is a war crime and can also be a crime against humanity. We believe that recent efforts to prioritise preventing sexual violence in conflict were necessary and important. Sexual violence in conflict is a human rights violation and is contrary to international law. It jeopardises international peace and security, accentuates gender discrimination and prevents post-conflict societies achieving sustainable peace. The fight to eradicate sexual violence in conflict—as with the historical and modern day campaigns to eliminate piracy, slavery, genocide and torture—requires sustained political, legal and societal action.**
25. The Global Summit to End Sexual Violence in Conflict took place in London in June 2014.⁴⁰ In addition, UK embassies around the world hosted awareness-raising events.⁴¹ A number of countries made policy announcements at the Summit: for instance, the Federal Government of Somalia presented its National Action Plan (NAP) on Ending Sexual Violence in Conflict and the Democratic Republic of Congo (DRC) launched a National Strategy to Fight Sexual Violence.⁴²
26. The International Protocol on the Investigation and Documentation of Sexual Violence in Conflict was also launched at the Global Summit.⁴³ The Protocol is a best practice guide to documenting sexual violence as a crime under international law. This, and deployments of the UK Team of Experts (ToE), are key policy instruments of the PSVI. The Protocol and ToE are discussed in more detail in Chapter 6.
27. Womankind Worldwide suggested that the Government’s follow-up with those who had attended the Summit had “with some exceptions been inconsistent”. They called for the Government to re-engage with these experts and to increase funding for women’s rights organisations “to undertake national advocacy to ensure commitments made at the Summit are implemented”.⁴⁴
28. The PSVI is a tri-departmental initiative, led by the FCO, supported by the Ministry of Defence (MoD) and the Department for International

38 [Q 4](#) (Baroness Helic)

39 Supplementary written evidence from the FCO ([SVC0067](#))

40 HM Government, ‘Global Summit to End Sexual Violence in Conflict’: <https://www.gov.uk/government/topical-events/sexual-violence-in-conflict> [accessed 14 March 2016]

41 Written evidence from the FCO ([SVC0011](#))

42 Foreign & Commonwealth Office, *Summit Report: The Global Summit to End Sexual Violence in Conflict* (June 2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/390742/PSVI_post_summit_report_Online2.pdf [accessed 14 March 2016]

43 Foreign & Commonwealth Office, *International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Basic Standards of Best Practice on the Documentation of Sexual Violence as a Crime under International Law* (June 2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319054/PSVI_protocol_web.pdf [accessed 14 March 2016]

44 Written evidence from Womankind Worldwide ([SVC0008](#))

Development (DfID).⁴⁵ One submission questioned how effectively policies on preventing sexual violence in conflict were coordinated across government.⁴⁶

29. DfID told us that its approach to addressing violence against women and girls (VAWG) in emergencies and its long-term development programmes to address the root causes of such violence⁴⁷ were “complementary to the FCO’s responsibility for preventing sexual violence in conflict”.⁴⁸ DfID cited the gender goals of the *2030 Agenda for Sustainable Development* and the *Call to Action on Protecting Women and Girls in Emergencies* as examples of where it had placed the issue of VAWG on the international agenda.⁴⁹ The UK and Sweden co-launched the Call to Action in 2013 (see Chapter 5, paragraphs 276–280).⁵⁰ In 2015 a Road Map for the Call to Action for the period 2016–20 was published by the US to “ensure that pledges are translated into concrete and targeted actions on the ground”.⁵¹ Womankind Worldwide suggested the Call to Action, with its communiqué⁵² and commitment to an operational framework to implement, report and monitor, could serve as a model for the PSVI.⁵³
30. There was concern that human rights were no longer a top priority for the FCO,⁵⁴ and whether a lowering of priority might have an impact on the PSVI, as well as human rights more broadly.⁵⁵ It was suggested that, if the

45 In 2014, the Government launched its Strategic Framework on Women, Peace and Security together with its third NAP on WPS. The NAP stated this “would pull together its work under one heading, bringing together the Foreign Secretary’s Preventing Sexual Violence Initiative, DfID’s Strategic Vision for Girls and Women, including broader work on violence against women and girls, the Call to Action on protecting women in emergencies, as well as our work at the UN Security Council and at the Commission for the Status of Women”. See Foreign & Commonwealth Office, *United Kingdom National Action Plan on Women, Peace and Security 2014–17* (2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319870/FCO643_NAP_Printing_final3.pdf [accessed 14 March 2016]

46 Written evidence submission from the International Rescue Committee UK (SVC0035)

47 Eliminating violence against women and girls (VAWG) is one of four pillars of action in DfID’s *Strategic Vision for Girls and Women*. See Department for International Development, *A new strategic vision for girls and women: stopping poverty before it starts* (2011): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/67582/strategic-vision-girls-women.pdf [accessed 14 March 2016]

48 Written evidence from DfID (SVC0019)

49 In written evidence DfID (SVC0019) described its work as “pushing hidden, sensitive and neglected issues into the spotlight, including Female Genital Mutilation (FGM), sexual violence and intimate partner violence in all contexts, including in humanitarian emergencies and conflict-affected settings”.

50 Department for International Development, ‘Greening: girls and women must be kept safe in emergencies’, 13 November 2013: <https://www.gov.uk/government/news/greening-girls-and-women-must-be-kept-safe-in-emergencies> [accessed 14 March 2016]

51 US Department of State, *Call to Action on Protection from Gender-based Violence in Emergencies: Road Map 2016–2020* (September 2015): <http://www.state.gov/j/prm/policyissues/issues/c68699.htm> [accessed 14 March 2016]

52 Keep Her Safe—Protecting girls and women in emergencies, *Communiqué* (13 November 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256872/Final_Communique_v_11_Nov_4.pdf [accessed 14 March 2016]

53 Written evidence from Womankind Worldwide (SVC0008)

54 Appearing before the House of Commons Foreign Affairs Committee in September 2015, Sir Simon McDonald, Permanent Under-Secretary of the FCO, said: “I say that although it [human rights] is one of the things we follow, it is not one of our top priorities. In a more constrained environment, the need to concentrate on Europe, Eastern Europe and Russia, and the Middle East has supplanted it to an extent, but in the work I am describing human rights is an integral element. Although, as a Department, it may not have the profile it had in the past, it is still an integral part of our work”. See Foreign Affairs Committee, *The FCO and the 2015 Spending Review* (First Report, Session 2015–16, HC 467), transcript of oral evidence session on 15 September 2015, Q 10. On 8 January 2016, the Foreign Affairs Committee announced it would be conducting an inquiry into the FCO’s administration and funding of its human rights work overseas.

55 Written evidence submission from Human Rights Watch (SVC0049)

UK was perceived to be downgrading the importance of human rights, other states would be likely to follow suit.⁵⁶ In 2013, in its paper *Good Business*, the Government set out how implementing the UN Guiding Principles on Business and Human Rights could be beneficial to businesses and the countries in which they operated.⁵⁷ Appearing before the Committee, Sir Simon McDonald, Permanent Under-Secretary of the FCO, said that the “prosperity [agenda] has more resource[s] than human rights, but human rights are a priority of the FCO”.⁵⁸

31. The PSVI identifies ‘priority countries’ where effort is to be focused. The FCO Human Rights and Democracy Programme (2015) identifies 10 such countries—Bosnia and Herzegovina, Burma, Colombia, the DRC, Iraq, Kosovo, Nepal, Somalia, South Sudan and Syria.⁵⁹ The National Security Strategy and Strategic Defence Review 2015 describes the PSVI as “focusing on Iraq and Syria”.⁶⁰ The UK’s current NAP on Women, Peace and Security (WPS) identifies a slightly different grouping of priority countries—Afghanistan, Burma, the DRC, Libya, Somalia and Syria.⁶¹ For more detail on NAPs see Chapter 4.
32. At the High-Level Review of UN Security Council Resolution (UNSCR) 1325 in October 2015, Baroness Verma, Parliamentary Under-Secretary of State for International Development, set out eight Government commitments designed to advance the WPS Agenda. Lady Verma said that “over the next five years, the UK will drive forward the Preventing Sexual Violence in Conflict Initiative”.⁶² In the National Security Strategy and Strategic Defence and Security Review 2015, which was published the following month, the Government said that for the PSVI it:

“... will expand its reach and implementation, focusing on Iraq and Syria. Working with the UN, AU [African Union] and other multilateral bodies as well as supportive governments around the world, we will do even more to tackle impunity for sexual violence crimes, secure widespread implementation of the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict, and encourage greater international support for survivors”.⁶³

56 Q 98 (Dr Chaloka Beyani)

57 Foreign & Commonwealth Office, *Good Business: Implementing the UN Guiding Principles on Business and Human Rights*, Cm 8695, September 2013: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/236901/BHR_Action_Plan_-_final_online_version_1.pdf [accessed 14 March 2016]

58 Q 139 (Sir Simon McDonald)

59 Foreign & Commonwealth Office, *Human Rights and Democracy Programme—Strategy, Financial Year 2015–16*: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/375556/HRDP_1516_PROGRAMME_STRATEGY.pdf [accessed 14 March 2016]

60 HM Government, *National Security Strategy and Strategic Defence and Security Review 2015*, Cm 9161, November 2015: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/478933/52309_Cm_9161_NSS_SD_Review_web_only.pdf [accessed 14 March 2016]

61 Foreign & Commonwealth Office, *United Kingdom National Action Plan on Women, Peace and Security 2014–17* (2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319870/FCO643_NAP_Printing_final3.pdf [accessed 14 March 2016]

62 Foreign & Commonwealth Office and Department for International Development and Ministry of Defence, ‘The UK firmly believes that the 15th anniversary must represent the start of a new era on Women, Peace and Security’, 13 October 2015: <https://www.gov.uk/government/speeches/the-uk-firmly-believes-that-the-15th-anniversary-must-represent-the-start-of-a-new-era-on-women-peace-and-security> [accessed 14 March 2016]

63 HM Government, *National Security Strategy and Strategic Defence and Security Review 2015*, Cm 9161, November 2015, para 5.115: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/478933/52309_Cm_9161_NSS_SD_Review_web_only.pdf [accessed 14 March 2016]

33. **We commend the Government for initiating the Preventing Sexual Violence Initiative (PSVI). The PSVI has helped to raise awareness of sexual violence in conflict and has generated momentum. But the hard fact is that sexual violence in conflict is as prevalent, if not more prevalent, as it has ever been. If the international community is to bring about the reduction and eventual elimination of this war crime and human rights abuse, it is essential that the Government continues its work in this area. We believe that the PSVI should continue to focus on a range of countries. *The Government should make clear the criteria for selecting (and deselecting) target countries for the PSVI, and should regularly report to Parliament on its application of those criteria.***
34. However, it was suggested that the PSVI had run out of momentum. Human Rights Watch said: “In the period since the [2015] election, there appears to have been some loss of momentum and the government has yet to fully articulate its priorities and vision in this area.”⁶⁴ In answer to the question of whether a five-year plan currently existed, Baroness Anelay of St Johns, Minister of State at the FCO and the Prime Minister’s Special Representative on Preventing Sexual Violence in Conflict, told us that she was “now working on how we [the Government] can set out what next year’s work could be”.⁶⁵
35. ***The UK’s policy goals in this area must be ambitious, transparent and deliverable, and the strategic goals for the PSVI clearly articulated. A strategic plan and a five-year road map to support their delivery should be published. Doing this would demonstrate the Government’s ongoing commitment and ensure that resources are targeted most effectively.***
36. ***We believe that the PSVI should be enhanced and enduring. To ensure this the Government should:***
- (a) ***Embed the PSVI in the relevant parts of the Foreign and Commonwealth Office (FCO);***
 - (b) ***Formally recognise the value of the PSVI to the work of the Department for International Development (DfID), the Ministry of Defence (MoD), the Home Office and other departments; and***
 - (c) ***Employ the same or similar team of experts who helped establish the PSVI to produce the strategic plan and five-year road map.***
37. Single Departmental Plans describe the Government’s objectives for Parliament and how departments are fulfilling their commitments.⁶⁶ ***We expect to see the Government’s objectives for the PSVI reflected in the Single Departmental Plans.***
38. **To implement its strategic plan for the PSVI the Government must put all international fora to good use. We remain unclear as to the Government’s near-term objectives in this regard and how it will use forthcoming events such as the May 2016 World Humanitarian**

64 Written evidence from Human Rights Watch ([SVC0049](#))

65 [Q 168](#) (Baroness Anelay of St Johns)

66 Cabinet Office, ‘Single departmental plans for 2015 to 2020’, 19 February 2016: <https://www.gov.uk/government/collections/single-departmental-plans-for-2015-to-2020> [accessed 24 March 2016]

Summit (WHS) in Istanbul and the 2016 NATO Summit Conference to advance them.

39. **We agree with the Government that the prevention of sexual violence in conflict requires cross-departmental action, sustained engagement and the long-term commitment of resources. In addition, we believe that progress should be monitored and that given the cross-cutting nature of the PSVI, select committees of both Houses of Parliament will have a role to play.**
40. *The Government should prepare an annual report on its progress against achieving the objectives set out in the strategic plan for the PSVI. This report should be submitted to Parliament.*
41. *We recommend that the Government should put to good use the power and potential of the private sector to tackle issues of gender-based violence (GBV), which we believe would enhance corporate social responsibility in the commercial world.*
42. The MoD said that the PSVI was a departmental priority.⁶⁷ We heard that work was underway to incorporate the PSVI and WPS into military policy and doctrine, but that this was at a “relatively early stage”.⁶⁸
43. **We urge the MoD to publish its military policies on Women, Peace and Security (WPS) and on the PSVI at the earliest opportunity. We call on the Government to set out the timeline for their publication and incorporation into military doctrine.**
44. It was widely agreed that the PSVI had raised the profile of sexual violence in conflict on the international policy agenda.⁶⁹ As such, the UK’s role in this area was welcomed.⁷⁰ Dr Chaloka Beyani, UN Special Rapporteur on the Human Rights of Internally Displaced Persons, said the PSVI:

“... has helped to shed light on the issue internationally and globally, and the UK has done more than any other country. I think there is applause everywhere I go for the nature of this Initiative. The conference that was held in London helped a great deal to publicise and bring to the consciousness of many what the problem is—a problem that people usually ignore”.⁷¹
45. A number of witnesses thought that although the PSVI had raised awareness and changed international political discourse,⁷² there had been little tangible effect on the ground.⁷³ Ms Paula Donovan, Co-Director of AIDS-Free World, praised the attention that the PSVI had generated, but questioned its impact: “I personally have not yet seen any changes put into effect, and I think it will take a tremendous amount of follow-up and concerted attention.”⁷⁴

67 Written evidence from the MoD ([SVC0053](#))

68 [Q 148](#) (Lieutenant-General Gordon Messenger)

69 See for example [Q 37](#) (Madame Zainab Hawa Bangura), [Q 45](#) (Ms Madeleine Rees and Ms Pramila Patten) and written evidence from War Child UK ([SVC0032](#))

70 [Q 40](#) (Ms Chitra Nagarajan) and [Q 45](#) (Ms Madeleine Rees)

71 [Q 97](#) (Dr Chaloka Beyani)

72 [Q 108](#) (Professor Doris Schopper). See also written evidence from Dr Jill Steans ([SVC0060](#))

73 Written evidence from World Vision UK ([SVC0006](#)), War Child UK ([SVC0032](#)), Human Rights Watch ([SVC0049](#)) and Survivors Speak OUT ([SVC0052](#))

74 [Q 60](#) (Ms Paula Donovan). See also [Q 97](#) (Dr Chaloka Beyani), [Q 108](#) (Ms Josephine Wambui), written evidence from World Vision UK ([SVC0006](#)), War Child UK ([SVC0032](#)) and Human Rights Watch ([SVC0049](#))

46. It was suggested that the commitments made by states in the G8 and General Assembly declarations, as well as at the 2014 Global Summit, were not being implemented.⁷⁵ At present, there is no formal monitoring mechanism, although the FCO said that its embassies informally monitored states' progress.⁷⁶
47. It was noted that the commitments made by states in the declarations and at the Global Summit were not legally binding, but nevertheless that some formal reporting or monitoring system was required to establish whether states were fulfilling the commitments they had made. A range of possible models were put forward. Dr Noëlle Quénivet said that the reporting system under the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)⁷⁷ could be used, in accordance with the CEDAW Committee's⁷⁸ General Recommendation No. 30⁷⁹ on women in conflict prevention, conflict and post-conflict.⁸⁰ Alternatively (or in addition), the "Monitoring, Analysis and Reporting Arrangements (MARA) established under UN SCR 1960 which at the moment does not seem to have much visibility ... could become central to this new mechanism".⁸¹ The International Rescue Committee UK suggested that the FCO adopt a more formal monitoring role and report progress against the commitments made at the Global Summit within the UK's NAP on WPS.⁸² Another approach would be to establish a UN Working Group on sexual violence in conflict to track and monitor the implementation of commitments.⁸³
48. Rather than a reporting system, some organisations advocated in-country monitoring by non-governmental organisations (NGOs).⁸⁴ The 'PSVI Champions'⁸⁵ were also suggested as a means to coordinate monitoring of the G8 Declaration.⁸⁶
49. The Commonwealth was seen as another means by which to hold states accountable to the commitments they had made, as it could "use diplomatic means to ensure compliance".⁸⁷
50. For those states found not to be delivering against commitments, International Alert advocated a greater use of conditionality in aid disbursements:

"... there needs to be greater conditionality in the financial commitment of donors to States, with clear consequences if they are found to be in

75 Written evidence from War Child UK (SVC0032) and Human Rights Watch (SVC0049)

76 Written evidence from the FCO (SVC0011)

77 UN Women, 'Convention on the Elimination of All Forms of Discrimination against Women': <http://www.un.org/womenwatch/daw/cedaw/> [accessed 14 March 2016]

78 The Convention is a UN treaty, states' progress of which is overseen by the expert Committee.

79 Committee on the Elimination of Discrimination against Women, *General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations* (18 October 2013): http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_33_7767_E.pdf [accessed 14 March 2016]

80 Written evidence from Dr Noëlle Quénivet (SVC0012)

81 *Ibid.*

82 Written evidence from the International Rescue Committee UK (SVC0035)

83 Written evidence from Dr Noëlle Quénivet (SVC0012)

84 Written evidence from Widows for Peace through Democracy (SVC0003) and Soroptimist International of Great Britain and Ireland (SVC0007)

85 The PSVI Champions are understood to be the governments of: Australia; Canada; Croatia; Denmark; Germany; Guatemala; Indonesia; Italy; Japan; Jordan; Liberia; Malawi; Mexico; Republic of Korea; Senegal; United Arab Emirates; the UK; and the US.

86 Written evidence from War Child UK (SVC0032)

87 Written evidence from Widows for Peace through Democracy (SVC0003)

violation of those commitments. For example, Nigeria signed-up [to ending sexual violence in conflict] at the same time as the girls were abducted from Chibok, but too little was done to rescue them or prevent further abductions”.⁸⁸

51. The UK’s conditionality policy is based around four Partnership Principles (PPs).⁸⁹ In its written submission DfID said that evidence and experience had “consistently shown” that aid conditionality was effective “where donor and partner government objectives and interests are aligned”. If governments are not committed to the PPs, DfID said it did not use conditions “to try to impose these principles”, but would seek alternative partners other than the government.⁹⁰
52. The Government favoured continuing with the informal monitoring arrangements.⁹¹ Commenting on the G8 Declaration, Lady Anelay said that the Government preferred to use “soft diplomacy”, as the agreement was voluntary and therefore “a bureaucratic system ... would not quite fit the way in which the project and the drive were born”.⁹²
53. **It is crucial that states’ commitments on preventing sexual violence in conflict are implemented and seen to be implemented. We believe that international monitoring is needed to highlight those states that are failing to abide by the commitments they have made. Such transparency will raise the public and political profile of the issue and could act as a prompt to governments to act.**
54. **The informal monitoring currently undertaken by the FCO is useful in assessing progress on implementing the PSVI, but it is not sufficient for the monitoring of international commitments. *The Government should make full use of the Monitoring, Analysis and Reporting Arrangements (MARA) established under United Nations (UN) Security Council Resolution (UNSCR) 1960 to record and publicise states’ progress on measures to prevent sexual violence in conflict. We also recommend that the Government seek to ensure regular reporting of action taken against sexual violence in conflict within the UN Human Rights Council Universal Periodic Review process.***
55. ***It is critical that preventing sexual violence in conflict remains at the forefront of the international political agenda. To achieve this, the Government should:***
 - (a) ***Work with other countries to bring about a global conference on preventing sexual violence in conflict, to be hosted by a different state every four years;***
 - (b) ***Ensure sexual and gender-based violence (SGBV) is a standing item on the agenda of the Commission on the Status of Women; and***

88 Written evidence from International Alert ([SVC0017](#))

89 The four PPs are: (i) a commitment to reducing poverty; (ii) a commitment to respecting human rights and other international obligations; (iii) a commitment to strengthening financial management and accountability, and reducing the risk of funds being misused through weak administration or corruption; and (iv) a commitment to strengthening domestic accountability.

90 Supplementary written evidence from DfID ([SVC0056](#))

91 [Q 124](#) (Mr Paul Williams)

92 [Q 162](#) (Baroness Anelay of St Johns)

- (c) ***Encourage the Committee on the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) to include the consideration of the human rights of women in conflict situations in its monitoring process, in accordance with CEDAW General Recommendation No. 30.***

The Women, Peace and Security Agenda

56. UNSCR 1325 on WPS was adopted in 2000. It was the first UNSCR to link women's experiences of conflict to the international peace and security agenda. It focused on the disproportionate impact of conflict on women and girls, and called for their engagement in conflict prevention, resolution and peacebuilding; accountability for perpetration of offences of sexual violence; and compliance with international humanitarian and international human rights law.⁹³
57. Subsequent UNSCRs extended the UN's reach in this area: adding consideration of sexual violence to sanctions decisions; the creation of the Special Representative of the Secretary-General on Sexual Violence in Conflict; mandating the inclusion of further gender expertise and equality provisions in peacekeeping missions; and elaborating mechanisms to monitor the WPS Agenda's implementation.⁹⁴ In October 2015 a High-Level Review took place to assess progress at global, regional and national levels in implementing UNSCR 1325.⁹⁵
58. The UK is a lead state at the UN Security Council on WPS and sponsored Resolution 2106 in June 2013.⁹⁶ Lord Hague told us that "we can develop what we do at the UN. We took the initiative in recent years ... I hope the UK and other countries will continue to lead at the Security Council on this".⁹⁷ It was suggested that the UK should "demonstrate strengthened leadership and accountability", for example by encouraging Member States to ratify the Arms Trade Treaty,⁹⁸ which requires the exporting state party to take into account the risk of conventional arms being used to commit or facilitate gender-based violence (GBV).⁹⁹
59. Attention was drawn to the UK's political capital. This was derived from the UK's position on the UN Security Council, being a major humanitarian donor, the originator of the PSVI and of the Call to Action, and as a state with an NAP on WPS.¹⁰⁰ There was a diverse range of suggestions as to how the UK could leverage this political capital to advance the WPS Agenda

93 The WPS agenda comprises 'four pillars': prevention (of violence and the derogation of rights); protection (from violence); participation (in peacebuilding and post-conflict reconstruction); and relief and recovery.

94 Respectively, UNSCRs: 1325, 31 October 2000; 1820, 19 June 2008; 1888, 30 September 2009; 1889, 5 October 2009; 1960, 16 December 2010; 2106, 24 June 2013; 2122, 18 October 2013; and 2242, 13 October 2015.

95 UN Women, 'Global Study on UNSC resolution 1325': <http://wps.unwomen.org/en/high-level-review> [accessed 14 March 2016]

96 UN Security Council, *Resolution 2106* (24 June 2013): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2106.pdf [accessed 14 March 2016]

97 Q 8 (Lord Hague of Richmond)

98 UN, *The Arms Trade Treaty*: <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf> [accessed 14 March 2016]

99 Written evidence from Gender Action for Peace and Security (SVC0043)

100 Written evidence from the International Rescue Committee UK (SVC0035)

and the global policy agenda on preventing sexual violence in conflict. Ms Widney Brown, Director of Programs at Physicians for Human Rights, said:

“As a permanent member of the Security Council, the UK can bring a powerful role in insisting that any case that is seized by the council really implements Resolution 1325 to document and inquire into what is happening to women as victims in conflict, including sexual violence, but also to include them in all the processes of resolving conflict.”¹⁰¹

60. Global Justice Center called on the Government to ensure that the Security Council mainstreamed gender considerations and the prevention of sexual violence in conflict in its decision making. This included other relevant thematic mandates such as the protection of civilians or children in armed conflict.¹⁰² Human Rights Watch said the Government should ensure that in addition to routinely considering women’s rights in conflict in its decision making, the Security Council should “more regularly and consistently” report on progress against its commitments in this area.¹⁰³
61. Global Justice Center told the Committee that the Government should also ensure that the Security Council uses all measures to prevent and punish acts of sexual violence in conflict. Measures advocated against those parties committing sexual violence in conflict included “the use of sanctions, the establishment of ad hoc tribunals and compensation funds for victims, referrals to the ICC and concrete punitive measures for parties listed in the ‘naming and shaming annex’ of the UN SG [Secretary-General’s] annual report”.¹⁰⁴
62. The issue of implementation was again raised and the Government was called on to ensure that the recommendations of the High-Level Review of UNSCR 1325 were implemented and reported on publicly.¹⁰⁵
63. **It is encouraging that the most recent UNSCR, Resolution 2242, integrates the WPS Agenda across all country-specific situations being addressed by the UN Security Council. We hope this will be a first step and we urge the Government to ensure that WPS is mainstreamed and preventing sexual violence in conflict considerations are always included in the Security Council’s thematic and country mandates.**
64. **It will be important for the High-Level Review of UNSCR 1325 to be followed up by full monitoring and reporting on its implementation.**

The ‘Istanbul Convention’

65. A large number of submissions said that the UK Government should ratify and implement the *Council of Europe’s Convention on Preventing and Combating Violence Against Women and Domestic Violence* (the ‘Istanbul Convention’).¹⁰⁶

101 [Q 16](#) (Ms Widney Brown)

102 Written evidence from Global Justice Center ([SVC0044](#))

103 Written evidence from Human Rights Watch ([SVC0049](#))

104 Written evidence from Global Justice Center ([SVC0044](#))

105 Written evidence from International Alert ([SVC0017](#))

106 Written evidence from Widows for Peace through Democracy ([SVC0003](#)), World Vision UK ([SVC0006](#)), Soroptimist International of Great Britain and Ireland ([SVC0007](#)), Women for Women International UK ([SVC0018](#)), International Truth and Justice Project—Sri Lanka ([SVC0024](#)), Tearfund ([SVC0031](#)), War Child UK ([SVC0032](#)) and Human Rights Watch ([SVC0049](#))

66. The FCO said that the UK already complied with most of the provisions of the Convention:

“... some of the most robust protections in the world against violence towards women and already complies with the vast majority of the articles in the Istanbul Convention, including those related to protecting women and girls. The Government takes its international commitments very seriously and will only commit to ratification when absolutely satisfied of its compliance with all articles”.¹⁰⁷

67. However, Women for Women International UK said ratification was important for the UK’s credibility as an international leader on the issue of combatting sexual violence in conflict:

“... the UK Government is long overdue for ratifying it. The Convention requires states to put in place a comprehensive package of measures to address VAWG experienced by all women, including those seeking asylum and refuge in the UK and also supporting a stronger, global protection tool for VAWG survivors. Ratifying the Convention would strengthen the UK’s leadership on women’s rights and preventing SVC [sexual violence in conflict] as well as encourage other states (including non-EU states) to accede to the Convention”.¹⁰⁸

68. **We believe that the Council of Europe’s Convention on Preventing and Combating Violence Against Women and Domestic Violence (the ‘Istanbul Convention’) is a valuable instrument, which is fully in line with the Government’s policy priorities of preventing sexual violence in conflict and preventing violence against women and girls (VAWG) more widely. The Government should therefore ratify the Istanbul Convention at the earliest opportunity.**

International legal framework

69. International humanitarian law (IHL) prohibits sexual violence in conflict. Rape is expressly prohibited in international and non-international armed conflict under the Geneva Conventions and the Additional Protocols.¹⁰⁹ Other forms of serious sexual violence are also explicitly or implicitly prohibited. The UK took the lead in ensuring that rape is understood to be a grave breach of the Geneva Conventions in the G8 Declaration.¹¹⁰
70. These obligations under IHL are applicable to states because they have the primary duty to respect and to ensure respect for the Geneva Conventions (Common Article I).¹¹¹ The situation in regard to violent non-state groups (VNSGs) is more complex. In armed conflict within one state, Common Article 3 and Additional Protocol 2 are applicable to all parties to the conflict. Otherwise, unless expressly adopted by them, VNSGs are not legally bound

107 Written evidence from the FCO ([SVC0011](#))

108 Written evidence from Women for Women International UK ([SVC0018](#))

109 Geneva Conventions of 1949 and Additional Protocols of 1977.

110 Foreign & Commonwealth Office, *Declaration on Preventing Sexual Violence in Conflict* (11 April 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/185008/G8_PSVI_Declaration_-_FINAL.pdf [accessed 14 March 2016]. As sexual violence in conflict can be understood to be a grave breach of the Geneva Conventions, it gives rise (in the case of international armed conflicts) to universal jurisdiction. Universal jurisdiction is the legal principle allowing or requiring a state to bring criminal proceedings in respect of certain crimes irrespective of the location of the crime and the nationality of the perpetrator or the victim.

111 States should be ensuring that VNSGs respect Common Article I—as impracticable as this may be.

by the Geneva Conventions and Additional Protocols, although the UN Security Council calls on them to comply.¹¹²

71. When committed by a state agent (such as the military forces of the state, prison officers or police), rape and sexual violence constitute torture or cruel and inhuman treatment and as such are prohibited under international human rights law (IHRL).¹¹³ When committed by a VNSG (such as a militia or rebel forces or any other non-state actor) it is a violation of domestic criminal law and the obligation on the state is to exercise due diligence to prevent, protect against, prosecute and punish VAWG. Failure to do so constitutes a violation of human rights for which the state is responsible.
72. Rape and sexual violence in conflict can be prosecuted under international criminal law (ICL). The Rome Statute of the International Criminal Court (ICC) lists “rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity”, as crimes against humanity and serious violations of the laws and customs applicable in international armed and non-international armed conflict. In addition, gender-based persecution is a crime against humanity.¹¹⁴ These crimes therefore fall within the jurisdiction of the ICC and the UK through its incorporation of the Rome Statute.¹¹⁵
73. The primary duty to prevent and prosecute sexual violence in conflict falls on the state in which the crime occurs. Domestic prosecutions can, however, require reforms to a state’s legal system, which in turn requires political will. Even where the relevant legislation is in place, the breakdown of national criminal justice systems during conflict makes securing prosecutions extremely difficult.
74. Where this obligation is not met at the national level, grave breaches give rise to universal jurisdiction under the Geneva Conventions. In practice universal jurisdiction is rarely applied. The UN Security Council is competent to intervene where there is a threat to the peace.¹¹⁶ Measures available to the Security Council include (but are not limited to) referral to the ICC (in accordance with the Rome Statute, Article 13 (b)), or the creation of ad hoc or hybrid tribunals.¹¹⁷

112 The NGO Geneva Call is working to get non-state actors—including VNSGs—to accept the Geneva Conventions. Geneva Call is discussed in further detail in Chapter 6 (see paras 392-393).

113 The leading cases under European Human Rights Law are: *Aydin v Turkey* (Application No. 23178/94), 25 September 1997 (state forces); and *M.C. v Bulgaria* (Application No. 39272/98), 4 December 2003 (non-state actor).

114 International Criminal Court, *Rome Statute of the International Criminal Court* (2002): http://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf [accessed 14 March 2016]

115 International Criminal Courts Act 2001: <http://www.legislation.gov.uk/ukpga/2001/17/contents> [accessed 14 March 2016]

116 Charter of the UN, Chapter VII, Article 39: “The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.”

117 The following have all adjudicated on the elements of rape and sexual violence: International Court Tribunal for the former Yugoslavia (ICTY); International Criminal Tribunal for Rwanda (ICTR); Special Court for Sierra Leone (SCSL); Extraordinary Chambers in the Courts of Cambodia (ECCC); and the Special Panel for Serious Crimes (East Timor (Timor-Leste)).

Application of international law

75. The first conviction for rape as a crime against humanity—and most notably, the first judicial recognition that rape could constitute genocide—was the *Akayesu* judgement at the International Criminal Tribunal for Rwanda (ICTR) in 1998.¹¹⁸ The first conviction for rape was handed down at the ICC in March 2016.¹¹⁹ Giving evidence to the Committee in September 2015, Ms Brown said: “[I]t is disappointing that, despite this acknowledgement of sexual violence being used in conflict as a weapon of war, the number of prosecutions and strong investigations still lags behind other crimes that are investigated by the International Criminal Court.”¹²⁰
76. A number of reasons were put forward for this. Mrs Fatou Bensouda, Chief Prosecutor of the ICC, set out the challenges of investigation and prosecution: “The ICC’s intervention is complementary; it is not a court of first instance but a court of last resort.” For the ICC to intervene it must have jurisdiction and the crimes must be transposed into national legislation.¹²¹ It was noted that many countries had not ratified the Rome Statute of the ICC.¹²² There are currently 123 state parties, although not all have incorporated the provisions into domestic law.¹²³
77. Crimes of sexual violence can be challenging to investigate. Mrs Bensouda linked these challenges to the fact that the first responders to this crime would be at a national level. She told us that a “lack of legislation, capacity, ability to investigate and prosecute at the national level also affects us at the international level”.¹²⁴ Lord Hague said he hoped that the International Protocol could address such capacity issues: “The work of the ICC on this is to be encouraged, as is prosecution throughout the world. Those prosecutions go up and down from year to year, but I hope that as the Protocol is used more widely, they will go more steadily upwards.”¹²⁵
78. We were told that national justice was crucial, not just for supporting international prosecutions, but because the primary duty to prevent and prosecute sexual violence in conflict fell on the state in which the crime occurred. The ICC had complementary jurisdiction only when the national state was ‘unable or unwilling’ to exercise jurisdiction. In addition to being a court of last resort, the ICC had a capacity building function; to assist with the development of national justice systems.¹²⁶ The ICC also undertook outreach work to explain its function to local communities. However, budget for outreach programmes was limited, which constrained the amount of work that could be undertaken.¹²⁷
79. It was suggested that there needed to be a change in prosecution strategies and that the charge of ‘command responsibility’ should be brought more frequently. This charging strategy would allow military and political leaders to be held accountable if how they conducted a conflict or maintained

118 *Prosecutor v Akayesu*, ICTR-96-4-T, Judgement, 2 September 1998

119 *Prosecutor v Jean-Pierre Bemba Gombo*, ICC-01/05-01/08, Judgement, 21 March 2016

120 [Q 12](#) (Ms Widney Brown). See also [Q 113](#) (Ms Niamh Hayes)

121 [QQ 126-127](#) (Mrs Fatou Bensouda)

122 [Q 84](#) (Madame Bineta Diop)

123 [Q 111](#) (Ms Niamh Hayes)

124 [Q 127](#) (Mrs Fatou Bensouda)

125 [Q 5](#) (Lord Hague of Richmond)

126 [Q 130](#) (Mrs Fatou Bensouda)

127 [Q 131](#) (Mrs Fatou Bensouda). See also [Q 132](#) (Professor Patricia Sellers) on the impact of budget constraints at the ICC.

discipline within their forces was likely to lead to acts of sexual violence in conflict being committed. The *Bemba* judgement referred to earlier in this report is the first conviction for rape at the ICC, and also the first conviction of a military commander for the crimes committed by soldiers under his command.¹²⁸ Professor Patricia Sellers, Special Adviser at the ICC, said:

“We now know that when we go after the highest, the most responsible, politicians and military and we are not using a command responsibility theory but just a joint liability theory, we miss the sexual violence ... When one understands how sexual violence often happens in armed conflict, it is usually the natural foreseeable consequence of prerequisite crimes. It is not necessarily something that has been ordered to happen. I see that as a gap.”¹²⁹

80. The FCO said that the *Chui*¹³⁰ and *Katanga*¹³¹ verdicts “indicated the ICC needs to increase the general quality of its investigations”. However, the FCO thought that the Office of the Prosecutor’s policy paper and strategic plan¹³² “should improve the Office of the Prosecutor’s approach to sexual violence crimes”.¹³³
81. We heard differing views as to whether further international law was required. There was some support for a treaty or convention on sexual violence in conflict. Dr Kirsten Campbell, Principal Investigator of the Gender of Justice: Prosecution of Sexual Violence in Armed Conflict research project at Goldsmiths, University of London, advocated a new convention on the prohibition, prevention and punishment of conflict-related sexual violence.¹³⁴ In Dr Campbell’s view: “Effective international criminal accountability requires a dual strategy that firstly develops a new legal framework, and secondly provides framework principles that integrate criminal and civil justice in peace agreements and national prosecutions”.¹³⁵
82. However, a number of witnesses highlighted the lack of implementation of existing commitments. Not all state parties have incorporated the provisions of the Rome Statue into national legal frameworks,¹³⁶ and those that had were not necessarily implementing the provisions.¹³⁷
83. It was suggested that the provisions of the *Convention on the Prevention and Punishment of the Crime of Genocide* (the ‘Genocide Convention’) might be expanded. Professor Sellers told the Committee there were gaps in the Convention:

“You cannot be persecuted based upon your gender, your gender identity, your sexual orientation, although we know that in situations of war

128 *Prosecutor v Jean-Pierre Bemba Gombo*, ICC-01/05-01/08, Judgement, 21 March 2016

129 [Q 133](#) (Professor Patricia Sellers)

130 *Prosecutor v. Mathieu Ngudjolo Chui*, ICC-01/04-02/12-4, 18 December 2012

131 *Prosecutor v. Germain Katanga*, ICC-01/04-01/07, 7 March 2014

132 In 2013, the Office of the Prosecutor of the ICC published a new strategic plan for investigation and in December 2014 published the ICC Policy Paper on Sexual and Gender-Based Crimes. See International Criminal Court, *Policy Paper on Sexual and Gender-Based Crimes* (June 2014): <https://www.icc-cpi.int/iccdocs/otp/OTP-Policy-Paper-on-Sexual-and-Gender-Based-Crimes--June-2014.pdf> [accessed 14 March 2016]

133 Written evidence from the FCO ([SVC0011](#))

134 [Q 134](#) (Dr Kirsten Campbell)

135 Supplementary written evidence from Dr Kirsten Campbell ([SVC0069](#))

136 Written evidence from the Institute of Development Studies ([SVC0045](#))

137 [Q 111](#) (Ms Niamh Hayes)

those populations are targeted for persecution; that comes straight from the Holocaust and the pink triangles. Yet there is no specific protection for that under crimes against humanity, whether it is the Rome Statute or customary law. Nor can one commit a genocide based upon gender, sexual orientation or gender identity.”¹³⁸

84. However, the political effort and relative priority of amending the Genocide Convention was questioned.¹³⁹
85. **We examined the case for further international law to achieve a new, worldwide legal instrument specifically outlawing sexual violence in conflict. We concluded that existing provisions are adequate for this purpose and that priority should be given to applying them more effectively.**
86. *As and when there is a review of the Convention on the Prevention and Punishment of the Crime of Genocide (the ‘Genocide Convention’), the intention to destroy a group, in whole or part, on the grounds of gender, gender identity and sexual orientation should be incorporated within the Convention.*
87. **We welcome the first successful prosecution at the International Criminal Court (ICC) for sexual violence in conflict. We hope that, henceforth, great emphasis will be given by the ICC to the command responsibility aspects of sexual violence in conflict. It is critical that those in political and military command whose troops commit these crimes know that they will not escape justice. We hope that the Office of the Prosecutor’s ‘Policy Paper on Sexual and Gender-Based Crimes’ and the development of prosecution strategies will address this.**
88. *We recommend that the Government should increase its voluntary contributions to the work of the Office of the Prosecutor of the ICC so as to strengthen its capacity to conduct investigations into crimes of sexual violence in conflict.*

138 [Q 133](#) (Professor Patricia Sellers)

139 [Q 133](#) (Ms Elizabeth Wilmshurst)

CHAPTER 3: PREVENTION

89. This Chapter will consider challenges around prevention and possible preventative measures, including: the Preventing Sexual Violence Initiative (PSVI); behavioural and attitudinal change; research and evaluation; military training and good practice; violent non-state groups (VNSGs); human rights defenders (HRDs); and early warning systems. The Government's work on promoting legislative reform and the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict is covered in Chapter 6. Preventative measures as applied to crimes perpetrated by peacekeepers is covered in Chapter 7.

The Preventing Sexual Violence Initiative

90. Since its inception the PSVI has drawn an explicit link between increasing accountability, ending impunity and prevention. Ms Angelina Jolie Pitt spoke about how a political campaign to end impunity could deter and prevent sexual violence in conflict:

“The political will to mount and see through successful prosecutions is what will make the biggest difference: when there is finally case after case, from the UN blue helmets to the military to men in the ICC [International Criminal Court], as rapists around the world start to be held accountable for their crimes. The more the world knows about this the more we make a point of doing that. That is going to be the difference.”¹⁴⁰

91. The Foreign and Commonwealth Office (FCO) said that there was a range of causal factors for sexual violence in conflict and therefore “it is reasonable to assume that a similarly broad range of measures is necessary to prevent these acts from occurring”.¹⁴¹ It went on to set out the aspects of prevention that it was currently working on:

“... to improve military behaviour and compliance with International Humanitarian Law; Challenging harmful social attitudes; Promoting legislative reform so that perpetrators are held to account; and Building the documentary and evidence base for future prosecutions through work to implement the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict”.¹⁴²

92. Ms Madeline Rees, Secretary-General of the Women's International League for Peace and Freedom, said: “[O]ne element of prevention is accountability, which is one of the main thrusts of the PSVI: that is, ensuring command responsibility and serious sentencing that follows from that in order to try to get militaries to control their troops”.¹⁴³
93. Dr Jill Steans, Senior Lecturer in International Relations Theory at the University of Birmingham, described the PSVI and the Protocol as “a milestone on the way to securing more effective deterrence [sic]”. Dr Steans said there were advantages to the UK's legalistic approach as it “made the task of prevention more manageable and also makes it easier to define benchmarks for success”. However, whilst legal instruments could change

140 Q 4 (Ms Angelina Jolie Pitt)

141 Written evidence from the FCO (SVC0011)

142 *Ibid.*

143 Q 45 (Ms Madeleine Rees)

attitudes towards sexual violence in conflict, for prevention to be effective they would have to be combined with initiatives that targeted “cultural norms and socialisation”.¹⁴⁴

Behavioural and attitudinal change

94. We were told by many witnesses that behavioural and attitudinal change were crucial. World Vision UK said that “the ultimate solution to preventing sexual violence is to make it unacceptable in communities”.¹⁴⁵
95. Many witnesses directly attributed sexual violence to gender inequalities and it was therefore suggested that the Government should prioritise addressing violence against women and girls (VAWG).¹⁴⁶ Professor Lisa Davis, Human Rights Advocacy Director at MADRE and Clinical Professor of Law at the City University of New York School of Law, said that the PSVI should address the systemic causes of sexual violence in conflict “including pre-existing threats in law and social norms”.¹⁴⁷ Professor Doris Schopper, Director of the Center for Education and Research in Humanitarian Action, echoed this point. She said: “[Y]ou have to change society. You have to change gender roles, perceptions around violence and sexual violence et cetera”.¹⁴⁸
96. A number of witnesses spoke about the prevalence of gender-based violence (GBV). Sexual violence in conflict did not exist in isolation but was seen as part of a continuum of violence. The International Rescue Committee said: “[T]he UK Government must not forget that tackling SVC [sexual violence in conflict] in an isolated way will not be effective. GBV is a systemic problem that requires systemic solutions”.¹⁴⁹
97. The Department for International Development (DfID) said that it had made:

“... significant long-term investments in violence against women and girls programmes in a range of conflict-affected settings [and was] looking to lock in longer term support in more programmes, for example, through the ... departmental planning process currently underway”.¹⁵⁰
98. Some witnesses advocated a “gender transformative approach”, which engaged men as well as women and went beyond behavioural and attitudinal change.¹⁵¹ To effect a significant change in attitudes and behaviours, engaging men was crucial. Examples of such work were provided in the submissions from Promundo US and CARE International UK.¹⁵²

144 Written evidence from Dr Jill Steans (SVC0060)

145 Written evidence from World Vision UK (SVC0006)

146 Written evidence from Womankind Worldwide (SVC0008) and Gender Development Network (SVC0034)

147 Q 16 (Professor Lisa Davis)

148 Q 108 (Professor Doris Schopper)

149 Supplementary written evidence from the International Rescue Committee (SVC0063). See also written evidence from Medica Mondiale (SVC0058)

150 Written evidence from DfID (SVC0019)

151 Written evidence from Womankind Worldwide (SVC0008) and Saferworld (SVC0009)

152 Written evidence from CARE International UK (SVC0029) and Promundo US (SVC0041): Promundo US provided details of the gender transformative group trauma therapy that it had delivered in the North and South Kivu Provinces of the DRC. CARE International UK adapted Promundo’s Project H curriculum for its work in the Balkans to engage 13–19 year old males and enable them to acquire “the skills to develop healthy relationships based on gender equality and to address all forms of violence in their everyday life”.

99. Gender transformative strategies and attitudinal and behavioural change were seen as most effective outside the acute stages of conflict or crises.¹⁵³ Speaking about emergencies, Dr Chaloka Beyani said that “preparedness—having gender-sensitive approaches and policies in protection in the emergency phase, in humanitarian early recovery, and the development response” were vital, but generally lacking in most countries.¹⁵⁴
100. The International Rescue Committee said that sexual and gender-based violence (SGBV) increased during all emergencies “whether it is conflict, man-made or a natural disaster”. However, GBV prevention and response activities were insufficient, inadequately funded and those working in emergency situations poorly trained to deal with GBV. It suggested that: training on GBV risk reduction be mandatory; that UK contributions to common funding pools be contingent upon allocations to GBV programmes; and that the Government require the agencies it funds to adopt and operationalise GBV minimum standards.¹⁵⁵
101. The international community also needed to look beyond sexual violence in emergencies and tackle other forms of sexual violence associated with conflict. CARE International UK said: “The conflict in Syria has brought the issue of child and forced marriage into focus, both because of the link with the conflict dynamics and the scale of the problem among refugee populations.”¹⁵⁶
102. Dr Beyani said that enhanced physical protection for women was crucial, both when they were fleeing conflict and on arrival at camps for internally displaced persons (IDPs). Dr Beyani went on to say that secure flight was important as “people do not simply run any old how”; patterns of flight are known to security forces, but also to smugglers and traffickers.¹⁵⁷
103. Many submissions emphasised the time required to effect attitudinal and social change.¹⁵⁸ DfID noted that programmes needed to reach a “tipping point” in intensity and duration to bring about sustainable, long-term change.¹⁵⁹ This point was echoed by Baroness Anelay of St Johns who said the PSVI “demands long-term commitment, and changing attitudes happen over generations—there is no quick fix; it is simply not possible”.¹⁶⁰
104. It was important to tailor programmes to the local environment and society. Local organisations were said to be integral to this, but required much greater support. Professor Schopper said: “The big gap for me is mechanisms to support and fund small organisations at the local level in countries where this takes place.”¹⁶¹ Scaling-up interventions was also said to be challenging, and instead “a nuanced, gendered power and conflict analysis is required at the local level to guide interventions”.¹⁶²

153 Written evidence from the International Rescue Committee UK ([SVC0035](#))

154 [Q 91](#) (Dr Chaloka Beyani)

155 Supplementary written evidence from the International Rescue Committee ([SVC0063](#))

156 Written evidence from CARE International UK ([SVC0029](#))

157 [Q 91](#) (Dr Chaloka Beyani)

158 [Q 108](#) (Professor Doris Schopper), [Q 167](#) (Baroness Anelay of St Johns) and written evidence from the Overseas Development Institute ([SVC0038](#))

159 Written evidence from DfID ([SVC0019](#))

160 [Q 167](#) (Baroness Anelay of St Johns)

161 [Q 108](#) (Professor Doris Schopper). See also [Q 108](#) (Ms Josephine Wambui)

162 Written evidence from International Alert ([SVC0017](#))

105. A number of submissions highlighted the need for non-governmental organisations (NGOs) and local organisations to be able to access long-term funding and the challenges around this.¹⁶³ The Overseas Development Network said that “given the non-linear nature of social norm change processes ... it is vital to invest in programming funding that is long-term”. It cited a study that estimated funding should span “at least 10 years”.¹⁶⁴ Witnesses reported difficulty in accessing funding beyond 12 months. The Gender and Development Network said: “PSVI funding is only available for one year. By the time projects gain traction and implementation begins to yield results the project ends.”¹⁶⁵ Sir Simon agreed that annual funding had been “an obstacle”. He said the Conflict, Stability and Security Fund (CSSF) would have “mechanisms for multiannual funding”, and expected that “projects in this Parliament will be multiannual and address the problem”.¹⁶⁶
106. **The PSVI places great emphasis on ending impunity for sexual violence in conflict and holding the perpetrators accountable. These are important objectives and, when undertaken alongside other programmes, could have a preventative effect. The evidence we received suggested the Government funds a range of prevention activities. However, in the absence of a strategy and road map, it is difficult to assess how these activities fit together and where gaps in provision (for example, sexual violence against children and men and boys) may exist. The strategic plan and road map we have called for should fill this gap, reduce the possibility of duplication and thus enhance effectiveness.**
107. **There is a compelling case that programmes to effect behavioural and attitudinal change can assist in the prevention of sexual violence in conflict. This type of long-term programmatic work requires sustainable funding, which to date has been difficult for organisations to access. It is therefore encouraging that the Conflict, Stability and Security Fund (CSSF) will have the capacity to offer multiannual funding and we believe that the PSVI should be among its priorities.**
108. **With the creation of the CSSF, spending decisions have moved from departments to the National Security Council. We urge the Government to ensure that programmes to prevent sexual violence in conflict remain a funding priority. Funding should not be confined to security and justice (S&J) programming; rather, there should be an expansion in programmes targeting attitudinal and behavioural change, religious tolerance and education. To deliver these objectives the Government should cultivate existing partnerships and seek to develop new ones with educational institutions such as the British Council.**
109. *DfID has done admirable work to combat VAWG. In building on that work, the Government needs to ensure that ending sexual violence against men and boys is also a priority.*
110. *We recommend that the Independent Commission for Aid Impact conducts a review of funding for the prevention of sexual violence*

163 Written evidence from World Vision UK ([SVC0006](#)) and Amnesty International UK ([SVC0048](#))

164 Written evidence from the Overseas Development Institute ([SVC0038](#))

165 Written evidence from the Gender and Development Network ([SVC0034](#))

166 [Q 141](#) (Sir Simon McDonald). See also [Q 167](#) (Baroness Anelay of St Johns)

in conflict to assess the effects of moving to the new funding mechanism on non-security and justice programming and for local non-governmental organisations (NGOs) and civil society.

Research and evaluation

111. Many witnesses noted the paucity of evidence relating to sexual violence in conflict.¹⁶⁷ There is some research into its causes, but research into preventative measures or situations where sexual violence in conflict had not been committed is still limited.¹⁶⁸ Even less is known about the scale of sexual violence perpetrated against men and boys and its effects.¹⁶⁹
112. War Child UK said that “more evidence is crucial”. It advocated the establishment of “a joint global fund for research on preventing sexual violence that accounts for all genders and all ages”.¹⁷⁰ We heard that the problem would not be addressed simply by providing more data. Instead, data needed to be more robust and reliable. To this end, the UK could support better data collection and analysis by funding “longer-term research programmes”.¹⁷¹ Professor Schopper recommended “putting in place very stringent monitoring and evaluation of the problems” so as to “better learn from what we are doing about how to tackle this in the future”.¹⁷²
113. The long-term commitment required to change cultural norms meant “it is too early to measure the full impact of the FCO’s interventions to date”. However, the FCO did say that initial feedback from its partners and from survivors indicated that “raising these issues has begun a significant process of challenging a number of the assumptions which perpetuate sexual violence in conflict”.¹⁷³
114. DfID agreed that monitoring and evaluation was challenging, “particularly the measurement of beneficiaries of VAWG programmes”.¹⁷⁴ In response to this, DfID had commissioned internal guidance that would “outline a targeted methodology for collecting better data and beneficiary numbers in VAWG programming, and to increase the number, quality and depth of our VAWG programme evaluations”.¹⁷⁵
115. DfID said that its *What Works to Prevent Violence Against Women and Girls* research and innovation programme (worth £25 million over five years) would “produce and disseminate evidence on what interventions work to prevent VAWG—filling a critical evidence gap”. One component of the programme (worth £5 million) would focus on addressing VAWG in conflict and humanitarian emergencies and aimed to “deliver new understanding of trends, and the most effective means of preventing and responding to

167 [Q 108](#) (Professor Doris Schopper), written evidence from the FCO ([SVC0011](#)) and War Child UK ([SVC0032](#))

168 Written evidence from the FCO ([SVC0011](#))

169 Written evidence from the Refugee Law Project ([SVC0037](#))

170 Written evidence from War Child UK ([SVC0032](#))

171 Written evidence from Goldsmiths, University of London and Women’s International League for Peace and Freedom ([SVC0015](#))

172 [Q 108](#) (Professor Doris Schopper)

173 Written evidence from the FCO ([SVC0011](#))

174 Written evidence from DfID ([SVC0019](#)). See also the written evidence from Mr David Hammond ([SVC0001](#)) who cautioned: “The focus on empirical statistics and percentage-based Measures of Effect (MOE) should be taken with a degree of healthy scepticism; for the influencing of long-term attitudes and the changing of perceptions towards preventing unlawful acts can often be unquantifiable.”

175 Written evidence from DfID ([SVC0019](#))

VAWG”.¹⁷⁶ The Government has also contributed £1 million of funding to support the establishment of the Centre on Women, Peace and Security at the London School of Economics and Political Science.¹⁷⁷ The Centre will focus on “the empowerment of women and ending sexual violence in conflict”.¹⁷⁸

116. **Historically, sexual violence in conflict has been largely invisible. In recent years this has begun to change, although further research is urgently required both into the causes of sexual violence in conflict, its patterns and manifestations, and the means by which it might be prevented.**
117. **While there is a moral imperative to holding perpetrators to account and enabling survivors to access justice, there is little empirical evidence as to the effectiveness of this, or other preventative measures. The focus that the PSVI places on ending impunity and increasing accountability needs to be evaluated in order to inform future prevention activity. We are mindful that programmes can take a number of years to begin to effect change. Nonetheless, it is crucial that the evaluation work begins, even if the final results are not reported for some time.**
118. **We commend the Government for the investment it has made in research into VAWG and preventing sexual violence in conflict. Research into these areas will require long-term, sustainable funding. Given the PSVI’s explicit and ground-breaking recognition of men and boys as victims, the Government must ensure that these groups are covered in research activities.**
119. *The PSVI places great emphasis on ending impunity and ensuring accountability. An evaluation of the preventative value of such policies and programmes should therefore be included as part of the research commissioned by the Government. In addition, given the dearth of statistics and research on male victims, this too should be addressed.*
120. *We recommend developing a common system for monitoring and evaluating data about sexual violence in conflict which, once tested, can be shared with the Government’s international partners.*
121. *The Government should redouble its efforts to elicit and share good practice on measures to mitigate or prevent sexual violence in conflict. We recommend a close examination of the inter-departmental Agency Working Group set up in the US under Executive Order 13623, ‘Preventing and Responding to Violence Against Women and Girls Globally’; consideration should be given to establishing a similar working group in the UK, with a view to sharing good practice internationally.*

176 Written evidence from DfID (SVC0019)

177 Foreign & Commonwealth Office, Ministry of Defence and HM Treasury, ‘Moves to end sexual violence in conflict areas’, 10 February 2015: <https://www.gov.uk/government/news/moves-to-end-sexual-violence-in-conflict-areas> [accessed 14 March 2016]

178 Foreign & Commonwealth Office, Department for International Development, Ministry of Defence and Office of the Leader of the House of Commons, ‘William Hague launches new Women, Peace and Security Centre at LSE’, 10 February 2015: <https://www.gov.uk/government/news/william-hague-launches-new-women-peace-and-security-centre-at-lse> [accessed 14 March 2016]

Military training and good practice

122. We were told about the importance of militaries addressing sexual violence in conflict and the relationship between respect for human rights and operational effectiveness. Major (ret.) Philip Lancaster said: “[F]rom the point of view of most of the western armies ... it has become increasingly obvious to us all that any gross violation of human rights undoes the operational effectiveness of those who commit it”.¹⁷⁹
123. A link was made between gender representation and the operational effectiveness of military forces.¹⁸⁰ Lieutenant-General (ret.) David Morrison spoke about his experience of tackling gender discrimination in the Australian army and the implications for operational effectiveness:

“If you are going to work within conflicted societies, you need to have an understanding of their culture, but you also need to be able to have access to as much of that conflicted society as you can. Of course, an overwhelmingly male force, as is the case with the British Army and the Australian Army, will struggle in environments such as East Timor, but particularly in Islamic countries such as Iraq and Afghanistan, if they do not have the means by which they can interact with that conflicted society, and with 51% of that conflicted society: the women.”¹⁸¹
124. The MoD provided information on the current training it provided. New recruits received one hour of ‘diversity and inclusion’ training, supplemented every two years by ‘advanced diversity’ training.¹⁸² The relevance and effectiveness of this level of provision was questioned.¹⁸³ World Vision UK said there was “no transparency regarding the training and its content, including whether the specific vulnerability of children is included.”¹⁸⁴
125. In October 2015 the Government committed to ensuring that “all future relevant military doctrine is gender-sensitive”, and that by November 2016 “all UK troops deployed on overseas missions will receive training on Women, Peace and Security and Preventing Sexual Violence”.¹⁸⁵ Speaking to the Committee, Lieutenant-General Gordon Messenger, Deputy Chief of Staff (Military Strategy and Operations) and MoD Champion for Women, Peace and Security and PSVI,¹⁸⁶ said that a training needs analysis had now been commissioned by the MoD, which would consider the training needs of new recruits and those about to deploy to theatre.¹⁸⁷

179 Q 32 (Major-General (ret.) Philip Lancaster)

180 Q 19 (Lieutenant-General (ret.) David Morrison) and Q 32 (Lieutenant Colonel Alcuin Johnson)

181 Q 19 (Lieutenant-General (ret.) David Morrison)

182 Written evidence from the MoD (SVC0053)

183 Written evidence from World Vision UK (SVC0006) and Gender Action for Peace and Security (SVC0043)

184 Written evidence from World Vision UK (SVC0006)

185 Foreign & Commonwealth Office, Department for International Development and Ministry of Defence, ‘The UK firmly believes that the 15th anniversary must represent the start of a new era on Women, Peace and Security’, 13 October 2015: <https://www.gov.uk/government/speeches/the-uk-firmly-believes-that-the-15th-anniversary-must-represent-the-start-of-a-new-era-on-women-peace-and-security> [accessed 14 March 2016]

186 In January 2016, it was announced that General Messenger was to be promoted to General and appointed Vice Chief of the Defence Staff in spring 2016.

187 Q 149 (Lieutenant-General Gordon Messenger) and further supplementary written evidence from the MoD (SVC0071)

126. The MoD recently introduced the position of Gender Advisor and Gender Field Advisor. To date, six individuals have been trained for the roles,¹⁸⁸ which are designed to enable a Commander to ensure that gender considerations are integrated into operations. The MoD said that it was committed to increasing the number of trained gender advisors available for deployment.¹⁸⁹ It was suggested by one organisation that the number and prominence of these positions should be increased.¹⁹⁰ However, Major Lancaster voiced concern that “by creating gender advisers and a gender advisory structure, there is a danger of taking responsibility for gender violence out of the chain of command—displacing it from where it needs to be”.¹⁹¹
127. The MoD said that it provided “significant training and support to the Armed Forces of overseas countries, either through UK based institutions or overseas training establishments”.¹⁹² In regard to the UK’s capacity to provide such training, the MoD said that whilst “it is true that demands for our resources have been higher than in the past ... we have been able to make good progress in this area”.¹⁹³ Training is provided both to national armies and UN peacekeepers (see Chapter 7) and is delivered unilaterally and multilaterally. Mr David Hammond, Head International Humanitarian Law trainer for the EU Training Mission Mali at the FCO, said: “The effectiveness of UK-led training, monitoring and support should not be underestimated. As members of multinational missions ... UK troops alongside other European States stand out in terms of their lasting effect and influence”.¹⁹⁴
128. At present there is no post-training evaluation process.¹⁹⁵ Whilst recognising that it might be challenging, General Messenger told the Committee that evaluation was important:
- “I think we have to ... In many cases, that will be working with the international organisation that the troops we are training will be working under. We have trained a number of Malian soldiers for the EU mission in their country. You know that we have done a lot of training of United Nations peacekeepers, often specifically in this area. It is in our interests to work with those international organisations to identify the effect that the training has had. I confess that that will not be easy. Measures of effectiveness in that area are sometimes difficult to quantify and be objective on, but it is essential that we try.”¹⁹⁶
129. **The current training provided to members of the UK Armed Forces on WPS and the PSVI needs strengthening. We therefore welcome the Government’s commitment that all troops deployed to overseas missions will receive training on WPS and the PSVI by November**

188 Supplementary written evidence from the MoD ([SVC0055](#))

189 Further supplementary written evidence from the MoD ([SVC0071](#))

190 Written evidence from Gender Action for Peace and Security ([SVC0043](#))

191 [Q 29](#) (Major-General (ret.) Philip Lancaster)

192 Written evidence from the MoD ([SVC0053](#))

193 Further supplementary written evidence from the MoD ([SVC0071](#))

194 Written evidence from Mr David Hammond ([SVC0001](#))

195 In its written evidence the MoD ([SVC0053](#)) said: “There is no one measure of effectiveness for all these courses, but all British military training courses contain an element of evaluation by participants and scrutiny from military training experts. There is continuous internal monitoring and improvement of training provided by the Department by the MOD’s training experts. The training by the UK Armed Forces has a global reputation par excellence.”

196 [Q 149](#) (Lieutenant-General Gordon Messenger)

2016. This is a good start, but the Government needs to go further and ensure that new recruits across all the Services receive the appropriate training and that this training is regularly refreshed throughout the careers of military personnel.

130. The training given to members of the UK Armed Forces should be regularly assessed, to consider in particular its quality, content and output. Training must include gender sensitivity, preventing sexual violence in conflict, human rights and equality. The training should be integrated into all programmes and not limited to individual sessions or modules.
131. The MoD should be commended for the training it delivers to foreign military forces. This presents an opportunity to imbue the values of the PSVI and WPS into the training delivered to foreign military forces. It is important that the impact of this training is evaluated to enhance and target future efforts.
132. The same principle applies to the newly created gender advisory positions, where it will be critical to the success of the role that it is at the appropriate level of seniority and that its impact and effectiveness are evaluated.
133. As well as delivering training, the UK military should be active in gathering and disseminating experiences of other military forces of good practice in the prevention of sexual violence in conflict and WPS. For example, we believe the experience of the Australian military to be highly relevant to the work the MoD is currently undertaking.
134. *Following the training needs analysis commissioned by the MoD, we expect to see adequate training on the PSVI and WPS for all new recruits. We recommend that details of the revised training provision should be made publicly available. This training must be refreshed at regular intervals throughout the careers of military personnel. Pre-deployment training and post-deployment review procedures should also be standardised.*
135. *Training delivered in the UK to officers from overseas and to foreign military forces elsewhere should also include the PSVI and WPS. The Government should outline the timeline for the completion of the training review, publication and the roll-out of training programmes on the PSVI and WPS.*
136. *Professional training courses, which include the PSVI and WPS, should be provided to police officers from overseas. The courses should include female as well as male officers, and include instruction on the gathering of evidence of sexual violence to be used in the prosecution of offenders. The Home Office should provide funding for these courses.*
137. *The Government should put in place review processes to evaluate the impact and effectiveness of both the training delivered to foreign military forces and the newly introduced gender advisory positions.*
138. *Given that the demand from foreign military forces for training currently exceeds capacity to provide it, we urge the Government*

to consider how provision might be increased, for example through increasing partnership work with other governments and regional organisations.

139. *The Government should ask NATO to increase its efforts to collect and disseminate good practice on WPS and preventing sexual violence.*

Violent non-state groups

140. A number of witnesses thought that preventing VNSGs from committing sexual violence in conflict was particularly challenging. Madame Zainab Hawa Bangura said:

“Since the UN was created, it has developed mechanisms and tools to engage State actors—military, police and intelligence. We know who they are, we know where they work and we work very well with them, so it is much easier for us to determine when they commit sexual violence and engage them. Unfortunately, we do not seem to have a policy on non-State actors.”¹⁹⁷

141. Lord Hague of Richmond said that countering Daesh¹⁹⁸ was “a key part of a strategy for preventing sexual violence going forward. We should make it a very important strand of our work to counter ISIL. Rape and sexual violence is its actual policy”.¹⁹⁹
142. Groups such as Daesh and Boko Haram have inculcated sexual violence within their doctrines.²⁰⁰ Mr Dan Chugg, Head of the Government’s Daesh Task Force (formerly known as the ISIL Task Force) and Head of the Iraq Department at the FCO, said the UK’s Daesh communications strategy²⁰¹ aimed to dispel Daesh propaganda about rape being fighters’ Islamic duty or securing a place in heaven.²⁰² In Iraq, the Government’s strategy to counter both sexual violence and Daesh was to “help the Iraqi government to put a political process in place that reduces sectarianism, creates stability, and looks after the security of the citizens of that country”.²⁰³ The UK was also working “in collaboration with Global Coalition partners”, including as “co-lead of the Strategic Communications Working Group.”²⁰⁴
143. The importance of local organisations in countering the actions of extremist groups and VNSGs was highlighted by a number of witnesses. Professor Lisa Davis said that states were often unable or unwilling to protect communities from armed groups, in which case it is “local organisations that often become

197 [Q 37](#) (Madame Zainab Hawa Bangura)

198 To be consistent with the nomenclature used by the UK Government, this report uses the term “Daesh” instead of “ISIL”. Daesh is the Arabic word short for “Dawlat al-Islamiyah f’al-Iraq wa al-Sham”, and ISIL is short for “Islamic State in Iraq and the Levant”. Use in our evidence interchanged between “ISIL”, “ISIS”, “IS” and “Daesh”.

199 [Q 8](#) (Lord Hague of Richmond)

200 [Q 40](#) (Ms Chitra Naragaran)

201 Supplementary written evidence from DfID and the FCO ([SVC0062](#)): “The cross-Whitehall communications strategy aims to isolate Daesh and undermine the appeal of its extremist ideology by countering messaging and bringing to bear voices of persuasion from across the region to contest Daesh’s narrative. The communications strategy supports HMG policy and operations, including FCO’s diplomatic efforts, DfID’s aid delivery, MoD’s military interventions and the Home Office’s approach to tackling extremism.”

202 [Q 12](#) (Mr Dan Chugg)

203 [Q 11](#) (Mr Dan Chugg)

204 Supplementary written evidence from DfID and the FCO ([SVC0062](#))

the front line of defence and can gain access to areas that the international community does not have access to”.²⁰⁵

144. However, the extent to which Daesh’s use of sexual violence could be prevented whilst they were still militarily active was questioned. General Morrison said:

“I am not sure what you can do about rebel and militia forces. The actions of ISIS take us back to the barbarity of the 7th century. I take a straight military view here. If you cannot convince them, you need to remove them from the equation, and however you do that is obviously done within the parameters set by democratically elected Governments and the rules of law in the international community.”²⁰⁶

145. **The evidence we received focused heavily on the crimes committed by Daesh. The situation is challenging and complex. Preventing Daesh from perpetrating sexual violence in the areas they control ultimately requires their military defeat. We reiterate our support for the work of local organisations and human rights defenders (HRDs) and urge the Government to increase its support for them. We believe that the Government should pursue with the government of Iraq means by which prosecutions of war crimes including sexual violence in conflict can be brought before the ICC.**
146. *The Government should ensure that the UK’s and Global Coalition Partner’s communications strategies include materials to counter Daesh’s use of rape, sexual violence and sexual slavery as instruments of terror.*

Human rights defenders

147. The term ‘human rights defender’ (HRD) encompasses a large number of different people performing many different activities.²⁰⁷ It can include for example, those who challenge restrictive positions for women and gender stereotypes, as well as those offering support to victims and survivors (especially abortion services). Many HRDs work to prevent sexual violence in conflict, mitigate its effects and respond to survivors. Mr David Mepham, UK Director of Human Rights Watch, said:

“There are courageous women, and courageous men, in many places around the world tackling this appalling abuse, sexual violence and rape and championing the rights of women. We should have an expansive definition of human rights defender rather than narrowing it down to just activists or journalists.”²⁰⁸

205 [Q 12](#) (Professor Lisa Davis). See also supplementary written evidence from the International Rescue Committee ([SVC0063](#))

206 [Q 24](#) (Lieutenant-General (ret.) David Morrison). See also [Q 38](#) (Madame Zainab Hawa Bangura)

207 The European Union Guidelines on Human Rights Defenders define HRDs as: “those individuals, groups and organs of society that promote and protect universally recognised human rights and fundamental freedoms. Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realisation of economic, social and cultural rights. Human rights defenders also promote and protect the rights of members of groups such as indigenous communities. The definition does not include those individuals or groups who commit or propagate violence”. See EU External Action Service, *Ensuring protection—European Union Guidelines on Human Rights Defenders*: http://eeas.europa.eu/human_rights/guidelines/defenders/docs/16332-re02_08_en.pdf [accessed 14 March 2016]

208 [Q 64](#) (Mr David Mepham)

148. HRDs are frequently targeted because of their work.²⁰⁹ A number of witnesses spoke about the work of HRDs and the risks they faced in the course of documenting, treating and preventing sexual violence in conflict.²¹⁰ It was agreed that HRDs required protection and support, although this was often lacking. Speaking about an incident that occurred in Baghdad the previous week, Ms Yanar Mohammed, President of the Organization of Women's Freedom in Iraq, said that during an intervention to protect a woman "the tribes came at us with their machine guns and wanted to kill us, human rights defenders. There was not much that the security personnel were prepared to protect us with".²¹¹
149. Human Rights Watch said it had documented physical attacks, death threats, threatening phone calls, harassment and assault, rape and threats to the children of activists.²¹² The risks facing HRDs were highlighted by ABColombia:
- "Since the beginning of the Peace Talks in Colombia the killing of human rights defenders has increased year on year, with the exception of 2014 which saw a slight decrease. In the first 6 months of 2015, on average, one human rights defender has been assassinated every five days, and two per day have been attacked."²¹³
150. Witnesses highlighted the unique function that HRDs can carry out. Speaking about the Government's work in Syria, Mr Michael Howells, Member of the Government's Daesh Task Force and Head of the Near East Department at the FCO, said: "[B]ecause we do not have a government partner, we work primarily through NGOs as our delivery and implementing organisations, international and UK as well as Syrian civil society, many of which are working in very difficult and insecure circumstances".²¹⁴ The Government considered its work with HRDs and civil society to be a partnership: "These people ... have expertise, personnel and access to areas in which government cannot operate, and indeed where it would not be right for the British Government, for example, to have an explicit role."²¹⁵
151. Speaking about the difference between local and international NGOs, Mr Mepham said that "local defenders are often much more attuned to the local context; they speak the language and understand the history".²¹⁶ Ms Lauren Wolfe, Director of the Women Under Siege Project, said that not enough attention was paid "to the grass-roots organisations that work locally, speak the language and understand the issues better".²¹⁷ This point was echoed by Ms Mohammed. Her organisation had found that the larger international NGOs "have not been very responsive to our very difficult work of saving

209 Written evidence from Dr Ingrid Elliot ([SVC0026](#)), ABColombia ([SVC0033](#)), Amnesty International UK ([SVC0048](#)) and Human Rights Watch ([SVC0049](#))

210 [Q 14](#) (Ms Widney Brown). See also [Q 74](#) (Ms Yanar Mohammed), [Q 64](#) (Ms Lauren Wolfe) and written evidence from Dr Ingrid Elliot ([SVC0026](#))

211 [Q 74](#) (Ms Yanar Mohammed)

212 Written evidence from Human Rights Watch ([SVC0049](#))

213 Written evidence from ABColombia ([SVC0033](#)). See also the submission from Dr Ingrid Elliott ([SVC0026](#)), Amnesty International UK ([SVC0048](#)) and Human Rights Watch ([SVC0049](#))

214 [Q 11](#) (Mr Michael Howells)

215 [Q 14](#) (Mr Michael Howells)

216 [Q 66](#) (Mr David Mepham)

217 [Q 66](#) (Ms Lauren Wolfe)

women from violence ... The bigger ones that are connected directly to the UN or UN Women were not responsive to our needs on the ground”.²¹⁸

152. The FCO noted the focus given to HRDs in recent international instruments on sexual violence in conflict, such as the G8 Declaration and the UN General Assembly Resolution on the Protection of Human Rights Defenders.^{219,220}
153. Ms Wolfe said that the G8 Declaration had “not changed anything so far”. The UN General Assembly Resolution was a potentially more useful tool, as it required members to produce action plans. However, she said that these action plans had not been widely implemented.²²¹ International Alert called on the Government to urge states to adopt laws protecting HRDs.²²²
154. The EU Guidelines on Human Rights Defenders were cited as an important step.²²³ ABColombia said that the Colombian State Protection Scheme and the EU Guidelines had saved lives.²²⁴ By contrast, we were told that despite the existence of the EU Guidelines on Human Rights Defenders when the Taliban seized the Afghan city of Kunduz in 2014, HRDs were specifically targeted and were forced to flee under their own auspices.²²⁵
155. There were calls for much greater protection for HRDs.²²⁶ Womankind Worldwide said that “donor governments should consistently monitor and respond to security threats faced by WHRD’s [women human rights defenders]”.²²⁷ Security and protection should be built into programmes and funding measures, in line with the EU Guidelines on Human Rights Defenders.²²⁸
156. There was a call from Mr Hammond for the Government to:

“... develop a dedicated cadre within the Stabilisation Unit’s Security and Justice section, of Human Rights defenders who have direct logistical, legal and consular support when working in such challenging environments. This would be based upon their role in evidence collection in support of HMG [Her Majesty’s Government] policies and practices, as well as informing HMG ... ministers of the ground-truth”.²²⁹
157. However, International Alert warned: “International actors need however to be cognisant of the degree to which overly brash interventions can not only end up harming the cause but also place survivors, defenders and other

218 Q 75 (Ms Yanar Mohammed)

219 International Federation for Human Rights, ‘United Nations General Assembly adopts resolution on the protection of human rights defenders by increased majority’, 18 December 2015: <https://www.fidh.org/en/issues/human-rights-defenders/united-nations-general-assembly-adopts-resolution-on-the-protection> [accessed 14 March 2016]

220 Written evidence from the FCO (SVC0011)

221 Q 65 (Ms Lauren Wolfe)

222 Written evidence from International Alert (SVC0017)

223 EU External Action Service, *Ensuring protection—European Union Guidelines on Human Rights Defenders*: http://eeas.europa.eu/human_rights/guidelines/defenders/docs/16332-re02_08_en.pdf [accessed 14 March 2016]

224 Written evidence from Womankind Worldwide (SVC0008)

225 Q 65 (Mr David Mephram) and supplementary written evidence from Womankind Worldwide (SVC0064)

226 Written evidence from Medica Mondiale (SVC0058)

227 Written evidence from Womankind Worldwide (SVC0008)

228 *Ibid.*

229 Written evidence from Mr David Hammond (SVC0001)

local actors into situations of great danger if the support is not handled in a sensitive manner.”²³⁰

158. In situations of intense danger the HRD will need to leave or be removed from the situation. Mr Mephram noted that “there are times when those people need to be taken out of their country and, frankly, given a visa to come to the United Kingdom to be safe”.²³¹ If this cannot be done, international attention can afford a level of protection. Ms Wolfe gave the example of Ms Julienne Lusenge in the Democratic Republic of Congo (DRC), who runs an organisation that works with survivors of sexual violence, called SOFEPADI: “She has received many threats because of her work, but she was given the French Legion of Honour medal and, since then, has become an international figure and therefore more untouchable.”²³²

159. Funding was cited as a further issue. The absence of funds put HRDs at heightened risk. Ms Wolfe said that very little funding was given for security and protection and that even when it was given, it was given on a “project-by-project basis”. She said there was very little operational support, which meant that “when human rights defenders go out to do their work, they are taking shortcuts and are not able to do things in the safest possible way”.²³³ Funding also affected the capacity of HRDs. Madame Bineta Diop, the African Union’s Special Envoy for Women, Peace and Security, said:

“[T]here is the issue of resources and capacity-building for women’s groups ... Wherever I work the women say, ‘We don’t have money’. We need to empower the women’s groups that are monitoring what happens on the ground and who can provide alternative solutions. Right now, no money is to be found anywhere”.²³⁴

160. **HRDs perform vital work. The value they bring to local communities and civil society, as well as to the prevention of sexual violence in conflict, means that they are targeted and often face great personal risk.**

161. *We recommend that given the high regard in which HRDs are held in many conflict zones, the Government should work to increase legal protection, funding and security, pressing for the more effective implementation of the UN General Assembly Resolution on the Protection of Human Rights Defenders, along with the EU Guidelines on Human Rights Defenders.*

Early warning systems

162. The UK’s early warning systems comprise an annual assessment of the risks of instability (‘Countries at Risk of Instability Report’), together with a short-term rising risks early warning system.²³⁵ The prevalence of SGBV in conflict led the International Rescue Committee UK to suggest that the Government should assume that the crimes were being committed regardless of whether an early warning had been received.²³⁶

230 Written evidence from International Alert ([SVC0017](#))

231 [Q 67](#) (Mr David Mephram)

232 [Q 67](#) (Ms Lauren Wolfe)

233 *Ibid.*

234 [Q 88](#) (Madame Bineta Diop)

235 Written evidence from the FCO ([SVC0011](#))

236 Written evidence from the International Rescue Committee UK ([SVC0035](#))

163. International Alert said that the majority of interventions focused on existing conflicts and that “much more could be done to prevent conflicts in the first place”.²³⁷ The FCO said that the UK’s early warning system was upgraded in 2011, following the launch of the Building Stability Overseas Strategy (BSOS), in order “to help prepare for and prevent conflict.”²³⁸
164. However, commitments in the BSOS and in the UK National Action Plan (NAP) on Women, Peace and Security (WPS) were questioned by Saferworld: “While the UK has articulated a progressive vision of ‘stability’ in the BSOS and how to achieve this by preventing conflict ‘upstream’, there remains a lack of clarity around what an ‘upstream’ approach means and how it should be put into practice.”²³⁹
165. We heard that there was a clear link between the rise of sexual violence and the violation of rights (particularly against women and girls), and the outbreak of conflict.²⁴⁰ Local organisations and HRDs would be well placed to provide this information, not least as they tend to be *in situ* before, during and after outbreaks of sexual violence, and sometimes when the situation has meant the withdrawal of larger NGOs.
166. Madame Bangura spoke about the situation in South Sudan. Mechanisms had been created to give early warning of outbreaks of sexual violence, however there was a question as to what would follow such a warning given that the parties to the conflict “have no respect for all those rules”.²⁴¹
167. **The violation of rights and rise in VAWG can be a precursor to conflict. The Government should integrate gender-sensitive and child protection measures into all appropriate policies, including bringing those issues into its early warning systems. There is a need for the Government, the UN and others, including regional organisations with responsibilities for peace and security, to strengthen their early warning systems and conflict prevention activities.**

237 Written evidence from International Alert ([SVC0017](#))

238 Written evidence from the FCO ([SVC0011](#))

239 Written evidence from Saferworld ([SVC0009](#))

240 Written evidence from World Vision UK ([SVC0006](#)) and Saferworld ([SVC0009](#))

241 [Q 34](#) (Madame Zainab Hawa Bangura)

CHAPTER 4: WOMEN'S PARTICIPATION

168. That women's participation in society, the economy and politics should be full and equal seems self-evident.²⁴² Gender equality is, and should be, an end in itself. We agree with Baroness Anelay of St Johns who said: "[W]omen should have equal rights, because they are an equal part of humanity".²⁴³
169. Highly unequal participation is symptomatic of the inequalities that fuel violence against women and girls (VAWG), including sexual violence in conflict. The exclusion of women from decision and policy making has profound consequences for societies. The absence of women from peace processes means those processes are less likely to endure, imperilling post-conflict societies and jeopardising international peace and security.²⁴⁴ Lady Anelay told us that "if women are not part of peace negotiations and delivering the peace afterwards, it will not be sustainable".²⁴⁵
170. It was noted that there were considerable challenges to women's full and equal participation in conflict prevention, resolution and peacebuilding. Many witnesses spoke about inequality and the multiple and intersecting forms of discrimination such as "age, background ... poverty [and] lack of education"²⁴⁶ that women often face.²⁴⁷ Indigenous women, widows, children and members of religious minorities were identified as being particularly vulnerable to discrimination.²⁴⁸
171. Inequality and discrimination impedes participation and exposes women to further harms. Madame Zainab Hawa Bangura said: "What I have seen—whether it is in Colombia, the DRC [Democratic Republic of Congo] or Somalia—is that the lower the status of a woman, the less education and the less economic opportunity she has, the greater the chances are for her to be sexually abused."²⁴⁹
172. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) is an international human rights treaty adopted by the United Nations (UN) General Assembly in 1979. Articles 6 and 7 require state parties to take appropriate measures with respect to equal participation in national and international bodies. The UK became a party to CEDAW in 1986. In its submission the Foreign and Commonwealth Office (FCO) set out the steps the Government had taken "to ensure full compliance" with

242 Office of the High Commissioner for Human Rights, *Universal Declaration of Human Rights* (1948), Articles 21 and 22: http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf [accessed 14 March 2016]

243 [Q 161](#) (Baroness Anelay of St Johns)

244 [Q 44](#) (Ms Madeleine Rees)

245 [Q 163](#) (Baroness Anelay of St Johns)

246 Written evidence from Gender Action and Development Network ([SVC0034](#))

247 See for example written evidence from Track Impunity Always (TRIAL) ([SVC0002](#)), Gender Action and Development Network ([SVC0034](#)) and Human Rights Watch ([SVC0049](#))

248 Written evidence from Widows for Peace through Democracy ([SVC0003](#)), Open Doors UK & Ireland ([SVC0020](#)) and ABColombia ([SVC0033](#))

249 [Q 35](#) (Madame Zainab Hawa Bangura)

CEDAW.²⁵⁰ However, Widows for Peace through Democracy said that the Government's actions were insufficient: "[T]he UK has not, in 40 years ... nominated a UK woman to sit on the Committee, and we no longer have, as required by our obligations under the Beijing PFA [Platform for Action], an institutional mechanism for UK Women".²⁵¹

The Women, Peace and Security Agenda

173. Women's participation forms one of the four pillars of the Women, Peace and Security (WPS) Agenda, the others being, 'protection', 'prevention' and 'relief and recovery'. The WPS Agenda was launched in 2000 with the adoption of UN Security Council Resolution (UNSCR) 1325. Together with subsequent resolutions, UNSCR 1325 stresses the importance of women's equal and full participation as active agents in the prevention and resolution of conflicts, peacebuilding and peacekeeping.²⁵²
174. Although there has been some progress since its adoption, UNSCR 1325 is far from being implemented. In its submission, the FCO set out the impediments to the implementation of the WPS Agenda as "a lack of political will, resource constraints and enduring social attitudes to the role of women which impede their economic, political and social participation".²⁵³
175. There has also been criticism, as highlighted by Dr Jill Steans, that the later UNSCRs on WPS had "narrowed the scope" of the WPS Agenda.²⁵⁴ This had "reduced the transformative potential of the WPS agenda in empowering women as agents of change in the fight against gender-based and sexual violence", instead focusing on the security and justice elements of the agenda, thereby enforcing the perception of women as victims.²⁵⁵
176. Fifteen years after its adoption, the UN Secretary-General convened a High-Level Review of UNSCR 1325 in October 2015 to assess progress and identify the gaps in implementation. The Review was marked by a Global Study on the implementation of UNSCR 1325,²⁵⁶ a UN General Assembly debate and the Security Council agreeing the eighth WPS Resolution, UNSCR 2242.²⁵⁷

250 Written evidence from the FCO (SVC0011): "The CEDAW Committee last examined the UK on its compliance in July 2013 ... Since then, Ministers for Women and Equalities have written to relevant Ministerial colleagues to allocate clear departmental responsibilities for the delivery of their recommendations ... The Government Equalities Office (GEO) established an official level cross-government group to ensure full compliance with CEDAW ... GEO also works to ensure compliance with CEDAW recommendations by the devolved administrations and with those Overseas Territories that have expressed an interest in having CEDAW extended to them ... The UK has also, for the first time, commissioned a comprehensive evaluation of the NAP. The results of this evaluation will be available later this year and will be used to inform our future work on WPS."

251 Written evidence from Widows through Peace for Democracy (SVC0003)

252 UN Security Council, *Resolution 1325* (31 October 2000): <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20SRES1325%20.pdf> [accessed 14 March 2016]

253 Written evidence from the FCO (SVC0011)

254 In particular UNSCRs 1820 and 1888 have been criticised as denoting women as victims.

255 Written evidence from Dr Jill Steans (SVC0060)

256 UN Women, *Preventing Conflict, Transforming Justice and Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325* (14 October 2015): <http://wps.unwomen.org/~media/files/un%20women/wps/highlights/unw-global-study-1325-2015.pdf> [accessed 14 March 2016]

257 UN Security Council, *Resolution 2242* (13 October 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2242.pdf [accessed 14 March 2016]

177. A number of witnesses called on the Government to use the UK's position as a Permanent Member of the UN Security Council to ensure WPS was mainstreamed across Security Council decision making and that the recommendations of the High-Level Review of UNSCR 1325 were implemented and reported on (see Chapter 2, paragraph 62).
178. UN Member States are encouraged to develop National Action Plans (NAPs) to support the implementation of UNSCR 1325.²⁵⁸ To date, approximately 43 countries have published NAPs. The UK's current NAP spans the period 2014–17. The NAP Implementation Plan details the work to involve women in peacebuilding efforts in the UK's six priority countries of Afghanistan, Burma, the DRC, Libya, Somalia and Syria.²⁵⁹ The UK has supported Afghanistan in the development of its NAP and accompanying implementation plan. Due to the political situation, it was not possible to work with the government of Libya on its NAP, but the Department for International Development (DfID) said it was supporting “projects to promote women's rights and their participation in the Libyan constitution drafting process and the national dialogue and reconstruction process”.²⁶⁰ As part of the Government's commitments on WPS announced by Baroness Verma on 13 October 2015, the UK pledged to continue “technical and other support to help other governments develop, implement and measure the impact of their own Action Plans on 1325. We will help Iraq and Afghanistan implement their Action Plans”.²⁶¹

Peace processes

179. Many witnesses commented on the Government's engagement with the participation agenda. Ms Madeleine Rees said: “The UK has been quite a champion”.²⁶² By contrast, Dr Jacqueline Troy Lavers said that in Iraq, Afghanistan and Libya—countries where the UK had recently militarily intervened—women's participation had been significantly lower than the 30% recommended by the Beijing PFA²⁶³ in order to achieve significant participation.²⁶⁴ A number of witnesses expressed disappointment at the absence of women from the talks on Syria that were held in Vienna in November 2015.²⁶⁵ In February 2016, after we had concluded taking evidence, a Syrian Women's Advisory Board was established to advise the

258 UN Security Council, *Statement by the President of the Security Council* (28 October 2004): http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PRST/2004/40 [accessed 14 March 2016]

259 Written evidence from the FCO (SVC0011)

260 Further supplementary written evidence from DfID (SVC0061)

261 Foreign & Commonwealth Office, Department for International Development and Ministry of Defence, ‘The UK firmly believes that the 15th anniversary must represent the start of a new era on Women, Peace and Security’, 13 October 2015: <https://www.gov.uk/government/speeches/the-uk-firmly-believes-that-the-15th-anniversary-must-represent-the-start-of-a-new-era-on-women-peace-and-security> [accessed 14 March 2016]

262 Q 44 (Ms Madeleine Rees)

263 UN Women, ‘Fourth World Conference on Women’: <http://www.un.org/womenwatch/daw/beijing/platform/> [accessed 14 March 2016]

264 Written evidence from Dr Jacqueline Troy Lavers (SVC0013)

265 Talks on a process to end the conflict in Syria took place in Vienna, Austria in November 2015. Seventeen countries (‘the International Syrian Support Group’) and three international organisations participated in the talks. The Syrian government and opposition did not attend. Indirect negotiations between the Syrian government and some Syrian opposition groups opened in Geneva on 1 February 2016 and were suspended two days later. See ‘UN mediator suspends intra-Syrian talks for three weeks’, UN (3 February 2016): <http://www.un.org/apps/news/story.asp?NewsID=53159#.VrszF8pWKDY> [accessed 14 March 2016]

UN Special Envoy to Syria, Mr Staffan de Mistura.²⁶⁶ In the same month the UK Government co-hosted a conference on the Syria crisis (the ‘Syrian Donors Conference’).²⁶⁷

180. Witnesses put forward a range of measures to increase women’s participation in peace processes. Ms Rees called on the Government to use its position in the UN Security Council to ensure that the UN Department of Political Affairs adhered to the resolutions and obligations in regards to equality, and included women in peace processes, rather than reverting to “the men with the guns”.²⁶⁸
181. The Government could facilitate women’s participation through increased funding, capacity building and the provision of security for women’s organisations.²⁶⁹ Ms Pramila Patten, a member of CEDAW, highlighted the differences in provision for women members of civil society and armed factions in the conflict:

“[I]t has been the NGOs [non-governmental organisations] who have been responsible for bringing the women ... to the processes, which means there is very little security provision. They always have to beg, steal and borrow money in order to get here, whereas the negotiators and the parties are put in secure locations, they are flown, they are looked after and they are given status. It is unrealistic to expect women to have to expose themselves to that degree in a way that the factions do not have to. We need to elevate their status so they are taken seriously”.²⁷⁰
182. Extending technical assistance “on conflict resolution processes to countries emerging from conflicts” was also cited as a means to promote women’s participation. Ms Patten said: “We know that the immediate aftermath of conflict can provide a strategic opportunity for state parties to adopt legislative and policy measures to eliminate discrimination against women in the political and public life of their country.”²⁷¹
183. The UK and other states were urged to include women in negotiation activities as delegates, including at senior levels.²⁷² The practice of using observer status rather than including women as active participants was criticised: “Women should not be on the side lines observing; they should be an integral part of negotiation and decision-making on the future of their country.”²⁷³

266 UN Women, ‘Statement by UN Women Executive Director Phumzile Mlambo-Ngcuka on the establishment of the Syrian Women’s Advisory Board to contribute to the peace talks’, 3 February 2016: <http://www.unwomen.org/en/news/stories/2016/2/ed-statement-on-syrian-womens-advisory-board> [accessed 14 March 2016]

267 Supporting Syria and the Region, *London 2016*: <https://www.supportingsyria2016.com/> [accessed 14 March 2016]

268 Q 44 (Ms Madeleine Rees)

269 Written evidence from International Alert (SVC0017)

270 Q 44 (Ms Madeleine Rees)

271 Q 44 (Ms Pramila Patten)

272 *Ibid.*

273 *Ibid.*

184. One of the commitments on WPS announced by Lady Verma at the High-Level Review of UNSCR 1325 focused on women's participation in peace processes:

“[I]n arranging all future UK-hosted peace-building events, we will identify women involved in the conflict and shine a torch on them to make sure their voices are heard. We will promote the active participation of women in such discussions through political and/or financial support. We will also provide support, including lobbying at the highest levels, to ensure women's voices are represented in wider peace processes, negotiations, and state-building—and we will provide support at local levels to build the capacity of women to participate effectively.”²⁷⁴

185. A number of submissions suggested that the Government should make the UK's engagement with peace processes and reconstruction efforts contingent on women's participation in them.²⁷⁵
186. We heard from Ms Lindy Cameron, Director of Middle East, Humanitarian and Conflict at DfID, that the Government aimed to “shine a torch on peace processes to ensure that we are always thinking about how to involve women in peace processes and how to improve their involvement”.²⁷⁶ The lack of women's representation would not prevent negotiations commencing: “I would not want to stop or slow down a process, but that has to be something that we understand as necessary for the success of a long-term process. Peace will not be reinforced unless women are at the table and helping to reinforce the deal.”²⁷⁷
187. Lady Anelay said that the Government favoured supporting women to enable them to participate in political processes, rather than boycotting peace processes due to an absence of women. In Syria and Iraq the Government was working to strengthen women's and human rights organisations and would, where possible, replicate the work undertaken in Afghanistan “where we [the UK] have encouraged women to gain a political voice”.²⁷⁸ Lady Anelay went on to say that if the UK absented itself this would be detrimental to the peace process, although she stressed that she did not want to encourage anybody to think that it is right to go ahead in peace processes without a female voice, “because if they do, they risk instability—I do not want to risk being absent from the table, because then we cannot tell those uncomfortable truths that sometimes those whom we work with need to hear”.²⁷⁹
188. **The Government should promote the WPS Agenda—and the terms of the UNSCRs that comprise that Agenda—in all international fora relevant to peace, security and development.**
189. **The failure so far to include women in conflict prevention, conflict resolution and reconstruction processes is a serious weakness and**

274 Foreign & Commonwealth Office, Department for International Development and Ministry of Defence, ‘The UK firmly believes that the 15th anniversary must represent the start of a new era on Women, Peace and Security’, 13 October 2015: <https://www.gov.uk/government/speeches/the-uk-firmly-believes-that-the-15th-anniversary-must-represent-the-start-of-a-new-era-on-women-peace-and-security> [accessed 14 March 2016]

275 Written evidence from Dr Jacqueline Troy Lavers (SVC0013), International alert (SVC0017) and Global Justice Center (SVC0044)

276 Q 155 (Ms Lindy Cameron)

277 *Ibid.*

278 Q 164 (Baroness Anelay of St Johns)

279 *Ibid.*

must end. It is crucial that UN moderators in peace negotiations are mindful of the UNSCRs on women's participation. If women are not involved directly in peace negotiations and in delivering the peace afterwards, such efforts will be far less likely to succeed. While we welcome the establishment of the Syrian Women's Advisory Board, its advisory role is only a very small step. *The Government should increase its efforts in regard to facilitating women's participation in peacebuilding. The Government should encourage mediators at peace negotiations to ensure gender diversity in their teams. We urge the Government to support the newly established Syrian Women's Advisory Board and push for its inclusion as an integral part of the ongoing peace negotiations.*

190. *The Government should ring-fence some of the funding it committed at the Syrian Donors Conference in February 2016, to support women's participation and gender equality. The proportion ring-fenced should be in line with the UN target of 15% of funds spent on peacebuilding being dedicated to projects that address women's needs and gender equality.*
191. *The Government should, when appropriate, put forward a candidate for election to the CEDAW Committee.*
192. *The Government should seek to ensure that when it is a participant in talks on conflict resolution, prevention and peacebuilding that women are included on the same terms as men, and are not marginalised. The Government should look to support this inclusion, for example through increased funding, capacity building and the provision of security for women's organisations. A separate, appropriate representative on children's rights, such as the UN Secretary-General's Special Representative for Children in Armed Conflict, should also be present at such talks.*

CHAPTER 5: RESPONDING TO VICTIMS AND SURVIVORS

193. The need to respond to victims and survivors of sexual violence in conflict was raised consistently by witnesses. We met privately with three Yazidi women who had escaped from Daesh captivity in Iraq and Ms Polline Akello, a former child soldier from Uganda and survivor of sexual violence in conflict (summaries of these meetings can be found in Chapter 8). In addition to receiving written evidence from organisations that worked with victims and survivors, we also spoke with local groups and non-governmental organisations (NGOs) in the Democratic Republic of Congo (DRC) (see Appendix 6 for a summary of the visit to the DRC and Rwanda). This Chapter considers: prioritising the needs of the victim and survivor; vulnerability to further harms; humanitarian crises; the role of local organisations; and UK domestic policies.

Prioritising the needs of the victim and survivor

194. The different manifestations of sexual violence inflicted on individuals and communities were highlighted in Chapter 1 (see paragraph 13). Speaking of the atrocities currently occurring in Iraq, AMAR International Charitable Foundation said: "... Daesh still hold at least 3,500 young women and girls as sex slaves. They were kidnapped, raped, beaten and sold like cattle. Their tales are, without exception, terrifying".²⁸⁰

A comprehensive and survivor-focused approach

195. There was consensus that the needs of victims and survivors are multi-dimensional. A wide range of needs were identified and ranged from the immediate (such as medical care), to the longer-term (such as psycho-social support) (see Box 1 for examples). Broadly speaking, these included access to: medical health care; psycho-social support; security; economic and livelihood support; education; and justice. The need to access justice is covered more extensively in paragraphs 204–213 below.

Box 1: The needs of survivors

Medical health care: "Clinical services are an essential—yet frequently overlooked—component of a comprehensive response to addressing sexual violence in conflict. Critical medical services include the treatment of injuries, emergency contraception, prevention and treatment of STIs [sexually transmitted infections] including HIV, and access to safe abortion."²⁸¹

Maternal health: Women who become pregnant as a result of rape will require access to maternal health services. However, in conflict-affected areas these services are generally lacking. According to the World Health Organisation "the breakdown of health systems can cause a dramatic rise in deaths due to complications that would be easily treatable under stable conditions". Accordingly, maternal mortality-rates in conflict-affected countries are among the highest.²⁸²

280 Written evidence from AMAR International Charitable Foundation (SVC0068)

281 Written evidence from Marie Stopes International (SVC0040). See also written evidence from the Gender and Development Network (SVC0034) and the International Rescue Committee UK (SVC0035)

282 World Health Organisation, *Trends in Maternal Mortality: 1990 to 2015* (2015): http://apps.who.int/iris/bitstream/10665/194254/1/9789241565141_eng.pdf?ua=1 [accessed 14 March 2016]

Psycho-social support: “Identifying the psycho-social needs of survivors is clearly essential. It is time critical. Its function is to provide immediate relief and on-going support. It helps governments determine what is needed, where and when and how best to deliver it. It helps build the foundations from which reconciliation between conflicted societies can begin in that it helps ameliorate ongoing ‘hate’ drivers.”²⁸³

Security: “SVC [sexual violence in conflict] victims often fear for their security, especially in an instable post-conflict context where state structures are not in place.”²⁸⁴

Economic and livelihood support: “... livelihood support is important. We find that once you equip a survivor with skills, they can provide for their family and take back some of the power that they feel they have lost. That is very important. It is not the only thing, but it is part of the healing process.”²⁸⁵

Education: Ms Polline Akello, a former child soldier, told us that when she returned from the bush the only support she was given was a mattress and a blanket. She said that education was the best kind of support as it provides the “building blocks” of life.²⁸⁶

Justice: “... the provision of high-quality, free legal aid to victims of sexual violence is extremely important in order for them to exercise their rights to an effective remedy and access to justice.”²⁸⁷

196. It was widely agreed that an approach which encompassed all aspects of survivors’ needs was crucial to the recovery process for both individuals and wider society.²⁸⁸ REDRESS said:

“The consequences of SVC on victims, their families and communities are wide-ranging. SVC affects victims’ physical and psychological well-being and also impacts on their economic status and their standing in society. As a result, victims have multiple needs, ranging from the need for medical treatment and counselling to vocational training and/or income-generating measures.”

283 Supplementary written evidence from His Honour Judge Jonathan Carroll (SVC0046). See also Q 91 (Dr Chaloka Beyani), Q 43 (Ms Madeleine Rees), written evidence from Soroptimist International of Great Britain and Ireland (SVC0007), Dr Emillie Medeiros (SVC0042) and AMAR International Charitable Foundation (SVC0068)

284 Written evidence from REDRESS (SVC0022). See also Q 102 (Ms Josephine Wambui): “The one thing I have seen is that survivors want to be safe—to feel safe again. They still want to be part of the community, even after this atrocious act has affected them.”

285 Q 107 (Ms Josephine Wambui). See also Q 143 (Sir Simon McDonald): “... it is provably the case that where women are economically active, where they are integrated into the economy of a country, it does better”.

286 Chapter 8 (Meetings with survivors). See also written evidence from War Child UK (SVC0032): “Diplomatic efforts through ambassadors should include messaging around education programming within national curricula and informal contexts in conflict affected and fragile states that address positive gender norms. In addition, increased attention and funding for education in emergencies that can transmit life-saving information as well as build positive gender relations and conflict resolution skills.”

287 Written evidence from Track Impunity Always (TRIAL) (SVC0002)

288 Q 45 (Ms Madeleine Rees and Ms Pramila Patten), written evidence from Womankind Worldwide (SVC0008), Saferworld (SVC0009), Dr Jacqueline Troy Lavers (SVC0013), International Alert (SVC0017), Women for Women International UK (SVC0018), DfID (SVC0019), Tearfund (SVC0031), Gender and Development Network (SVC0034), The International Rescue Committee UK (SVC0035), Dr Michael Korzinski (SVC0039), Dr Emillie Medeiros (SVC0042), Gender Action for Peace and Security (SVC0043), Survivors Speak OUT (SVC0052), Medica Mondiale (SVC0058) and Dr Jill Steans (SVC0060)

197. Dr Emilie Medeiros, a clinical psychologist, agreed, saying that addressing these issues was vital to “sustainable peace and security”. She said issues such as justice, reconciliation, and reintegration would be difficult to achieve “if sexual violence abuses are not addressed”.²⁸⁹
198. In the DRC (see Appendix 6), the Committee visited Heal Africa, a hospital and peacebuilding organisation offering support to victims of conflict in eastern DRC. Beyond the traditional function of health centres, Heal Africa ran many programmes to address the causes and longer-term social impacts of conflict. It adopted an integrated approach, including both emergency response teams and programmes for helping communities recover from conflicts. Its programmes included: medical and surgical, and psycho-social care; basic economic support; legal assistance; and micro-credit and training in income-generating activities for communities. Similar to the approach adopted by Heal Africa, World Vision UK said that the needs of survivors should “not be seen in siloes”, but rather, addressed comprehensively.²⁹⁰
199. There was also consensus on the importance of responses being ‘survivor focused’ and based on the rights of survivors. This approach acknowledged that victims and survivors were not a homogenous group.²⁹¹ Women for Women International UK said: “Whilst there are some commonalities, contexts differ and survivors are individuals.”²⁹²
200. Survivors Speak OUT said: “A survivor-centred approach will best reflect the needs of those the PSVI [Preventing Sexual Violence Initiative] is trying to help, as survivors are the only ones who truly know what is best for them.”²⁹³ Support for a survivor focused approach is consistent with our view on the importance of respecting the individual human rights set out in the 1948 Universal Declaration of Human Rights and subsequent treaties.²⁹⁴
201. **What happens to someone after they have been sexually attacked affects the rest of their life. The journey to recovery is complex and depends greatly on the individual victim and survivor’s situation and needs. The immediate and long-term needs of victims and survivors of conflict-related sexual violence are life changing. We therefore urge that all aspects of survivors’ needs must be addressed.**
202. **Safe and hygienic hospital examination and treatment is essential after any form of sexual violence has taken place.**
203. *Since rape and all other forms of sexual violence fracture personalities as well as bodies, learning frameworks should be encouraged to help reconstruct the lives of victims. An educational environment gives purpose, structure and hope; hence our recommendation that all victims, adults as well as children, should be drawn into a positive and gender-sensitive educational process.*

289 Written evidence from Dr Emillie Medeiros (SVC0042)

290 Written evidence from World Vision UK (SVC0032)

291 Written evidence from World Vision UK (SVC0006), the Gender and Development Network (SVC0034) and Gender Action for Peace and Security (SVC0043)

292 Written evidence from Women for Women International UK (SVC0018)

293 Written evidence from Survivors Speak OUT (SVC0052). See also written evidence from DfID (SVC0019) and the International Rescue Committee UK (SVC0038)

294 Office of the High Commissioner for Human Rights, *Universal Declaration of Human Rights* (1948): http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf [accessed 14 March 2016]

204. The PSVI prioritised accountability and ending impunity for perpetrators. Access to justice was often cited as an important requirement for the recovery process. The broader issue of ensuring accountability and justice, including reparations for survivors, is covered more fully in the next Chapter.
205. We heard that providing proper access to justice for victims and survivors was an important step in ending impunity and increasing accountability.²⁹⁵ Amnesty International UK said that the “denial of access to justice continues to silence victims and survivors”.²⁹⁶ We were told that victims and survivors often experienced a number of barriers in accessing justice. This was especially the case for women. Ms Pramila Patten said that barriers experienced by women existed after a conflict as well as before one.²⁹⁷ Dr Chris Dolan, Director of the Refugee Law Project in Uganda, highlighted barriers that faced men and boys. For example, he said that around 70 countries did not recognise male victims.²⁹⁸ Chapter 6 goes into further detail on the barriers facing men (see paragraph 351).
206. The Department for International Development (DfID) described barriers to justice in terms of ‘supply’ and ‘demand’. Supply-side barriers included: a lack of political will from political leaders and senior security and justice (S&J) officials; biased or limited legal, policy and reparation frameworks; the perpetration of such crimes by S&J personnel; and in conflict settings in particular, the possible absence of formal S&J institutions, whether through limited physical or financial accessibility, capacity, resources and equipment, as well as endemic corruption.²⁹⁹ Demand-side barriers experienced by women included social norms which condoned or tolerated sexual violence against women, emphasised male dominance and family honour, and supported impunity. Furthermore, there was a lack of awareness of women’s rights, relevant laws and the S&J services available to them, as well as how to navigate these services.³⁰⁰
207. We also heard about the legal, social, economic and cultural barriers faced by women during our visit to the DRC (see Appendix 6). For example, when we met Mr Alexis Thambwe Mwamba, DRC Minister of Justice, he highlighted the particular difficulties women faced in rural areas because of entrenched social norms. Instead of the women bringing cases themselves, most cases were brought to court by NGOs. He suggested that the reason for women rarely bringing the cases themselves was in part because they had to pay to bring a case.
208. Recognising the increased difficulties faced by women, in July 2015 the Convention on the Elimination of all Forms of Discrimination Against Women’s (CEDAW) Committee adopted General Recommendation No. 33

295 Written evidence from DfID ([SVC0019](#)) and further supplementary written evidence from DfID ([SVC0066](#))

296 Written evidence from Amnesty International UK ([SVC0048](#))

297 [Q 46](#) (Ms Pramila Patten)

298 [Q 105](#) (Dr Chris Dolan). See also written evidence from the Refugee Law Project ([SVC0037](#))

299 Written evidence from DfID ([SVC0019](#))

300 *Ibid.*

on women's access to justice.³⁰¹ In its recommendation, CEDAW observed that there were "a number of obstacles and restrictions" that impeded women from realising the right of access to justice. It stressed that these obstacles constituted "persistent violations" of women's human rights.³⁰²

209. However, several witnesses qualified the prominence of justice in responding to the needs of victims and survivors. The Gender and Development Network said that accountability was "but one part of a holistic, survivor-centred" approach.³⁰³ When asked what the most important needs of survivors were, Dr Dolan said: "[T]here is a quite clear sequence of need". He started with medical care, followed by psychological support.³⁰⁴ Professor Doris Schopper went further, and said that if medical care was not available for victims "you should not make interventions in a community".³⁰⁵ Although Dr Dolan was talking primarily about male victims, we believe this sequencing applies to all victims and survivors, regardless of gender. Survivors will not be able to engage fully with the justice process if their immediate medical and psychological needs have not been addressed.
210. REDRESS noted that victims and survivors often had a strong interest in engaging in the prosecution of alleged perpetrators or seeking reparations.³⁰⁶ However, it said that certain pre-conditions were necessary "to enable them to participate meaningfully". Referencing interviews it had conducted with victims in Uganda, Kenya and the DRC, it found that many had received limited education, lived in remote areas away from court and were in financially precarious situations. Judicial processes are often complex and resource intensive. REDRESS said that to overcome these hurdles, victims and survivors who wanted to engage needed all-encompassing support "before, during and after".³⁰⁷
211. The issue of informed consent was also raised. Victims and survivors must be aware of the options available to them. Dr Shana Swiss, founder and Director of Women's Rights International, started with the question:

301 Committee on the Elimination of Discrimination against Women, *General recommendation on women's access to justice* (23 July 2015): http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_33_7767_E.pdf [accessed 14 March 2016]. The recommendation stresses the importance of women's access to justice "in diverse legal systems and all areas of law for all women, irrespective of economic or social status, political background, geographical location, disability, sexual orientation or gender identity. It encompasses all justice settings (formal, informal or semi-formal), sources of law (common law, civil law, religious law, customary law or mixed legal systems) and the full range of legal domains (criminal, civil, family, administrative and constitutional)". See UN Women, *UN Women welcomes CEDAW General Recommendation on women's access to justice*, 19 August 2015: <http://www.unwomen.org/en/news/stories/2015/8/cedaw-general-recommendation> [accessed 14 March 2016]

302 *Ibid.* "These obstacles occur in a structural context of discrimination and inequality, due to factors such as gender stereotyping, discriminatory laws, intersecting or compounded discrimination, procedural and evidentiary requirements and practices, and a failure to systematically ensure that judicial mechanisms are physically, economically, socially and culturally accessible to all women. All of these obstacles constitute persistent violations of women's human rights."

303 Written evidence from the Gender and Development Network (SVC0034). See also Q 157 (Baroness Anelay of St Johns): "We need to support the survivors. That means not just bringing justice by way of prosecutions or compensation, which can take time, but more immediately to provide psychosocial help and health services and make sure that there is community work to assist them."

304 Q 102 (Dr Chris Dolan)

305 Q 102 (Professor Doris Schopper)

306 For example, at the Extraordinary Chambers in the Courts of Cambodia (ECCC), 3,866 victims are participating in the current war crimes case on trial. See ECCC, 'Statistics: Civil Party applicants per Case File': <http://www.eccc.gov.kh/en/statistics-civil-party-applicants-case-file> [accessed 14 March 2016].

307 Written evidence from REDRESS (SVC0022)

“What is justice?”³⁰⁸ She concluded that it was important to “constantly and continually be in discussion” about “what justice is, what it would look like, what it would mean and what needs to happen in order for them [the victim and survivor] to feel that justice has occurred”.³⁰⁹ Not only do victims and survivors need to be aware of the options available to them they also need to be aware of the limitations of justice.

212. The International Rescue Committee UK highlighted the principle of ‘do no harm’. It said that, when approaching victims and survivors to participate in investigation, monitoring and evidence-gathering procedures, information should be made available about the possible consequences and “potential harm their participation may bring”.³¹⁰ For example, the pursuit of justice could result in retaliation from armed people, community and family members and/or members of other communities or groups.³¹¹
213. **Justice for victims and survivors is a human right as well as a moral imperative. At present, too many people face barriers in seeking justice and women face additional obstacles due to their gender. These barriers prevent perpetrators—including those in positions of power and authority—from being held accountable and perpetuate the cycle of impunity. Accessing justice is, however, only one of a wide range of needs that must be addressed. For victims to make an informed decision as to whether to engage with the justice process, these other needs—such as medical and psychological care, and security (both physical and financial)—must also be addressed.**
214. Access to abortion services was raised as an important requirement for women and girls who had become pregnant as a result of war rape. Abortion is illegal in a number of conflict-affected countries. We were told that, as a result, victims of war rape might have illegal or unsafe abortions. These operations endanger lives and put women at risk of further harms such as re-traumatisation.³¹² Ms Rosy Cave, Head of the Conflict and Stabilisation Team in DfID, said that in Iraq “there are concerns about the number of illegal abortions that might be happening and the health of those individuals”.³¹³ Additionally, we heard how the children of rape victims were often stigmatised and stateless,³¹⁴ and “frequently cast out from or marginalised within their communities”.³¹⁵ Those who raised the issue agreed that women and girls who became pregnant due to war rape must have access to safe abortion services.³¹⁶
215. There is some disparity in the international community’s approach to this issue. The UK’s policy permits the provision of abortion services in line with the principles of international humanitarian law (IHL). This is set out in DfID’s June 2014 policy paper, *Safe and unsafe abortion: The UK’s policy*

308 See also [Q 159](#) (Baroness Anelay of St Johns): “Above all, it has to be the survivors who tell us what justice means to them. It may not be a court case or compensation.”

309 [Q 111](#) (Dr Shana Swiss)

310 Written evidence from the International Rescue Committee UK ([SVC0035](#))

311 *Ibid.*

312 Written evidence from ABColombia ([SVC0033](#)), Mansfield Chambers ([SVC0036](#)), Dr Michael Korzinski ([SVC0039](#)), Global Justice Center ([SVC0044](#)) and Dr Emilie Medeiros ([SVC0042](#))

313 [Q 10](#) (Ms Rosy Cave)

314 Written evidence from Track Impunity Always (TRIAL) ([SVC0002](#)) and Dr Ingrid Elliott ([SVC0026](#))

315 [Q 10](#) (Mr Dan Chugg)

316 [Q 72](#) (Ms Lauren Wolfe), written evidence from Marie Stopes International ([SVC0040](#)), Global Justice Center ([SVC0044](#)) and Human Rights Watch ([SVC0049](#))

*position on safe and unsafe abortion in developing countries.*³¹⁷ This approach is consistent with United Nations (UN) Security Council Resolution (UNSCR) 2122, which notes the need for access to comprehensive sexual and reproductive health services for women affected by armed conflict and post-conflict situations.³¹⁸

216. In the US, however, the 1973 ‘Helms Amendment’ prevents US overseas aid being given to organisations that provide abortion services, including for women and girls raped during a conflict.³¹⁹ The wording of the amendment states that no foreign assistance funds may be used to pay for the performance of abortion “as a method of family planning”. This term has not been defined, but it might imply that it excludes cases of rape or life endangerment.³²⁰ Consequently, there have been calls for the US to interpret the language differently and to overturn this policy.³²¹ The EU’s 2016 budget was described as including the first ever ‘anti-Helms Amendment’, requiring that EU humanitarian aid be provided “in accordance with international humanitarian law”, and without “discrimination or adverse distinction”.³²² In a reference to the Helms Amendment, the budget mandates that EU funds should “not be subject to restrictions imposed by other partner donors”.³²³ Furthermore, in its report on the upcoming World Humanitarian Summit (WHS), the European Parliament urged “that women and girls have access to the full range of sexual and reproductive health services, including safe abortions”,³²⁴ a similar view that was supported by Global Justice Center.³²⁵
217. **Women and girls who are victims of war rape should have access to safe abortion services. We support the approach that has been adopted in this respect by the UK and the EU. We believe the current enforcement of the Helms Amendment by the US administration is contrary to international human rights law (IHRL) and undermines the protections of international humanitarian law (IHL). Where women who are victims of war rape have borne children as a result of that rape, we believe they should be able to access maternity**

317 Department for International Development, *Safe and unsafe abortion: The UK’s policy position on safe and unsafe abortion in developing countries* (June 2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/324590/safe-unsafe-abortion2.pdf [accessed 14 March 2016]: “It is the UK’s view that in situations of armed conflict or occupation where denial of abortion threatens the woman’s or girl’s life or causes unbearable suffering, international humanitarian law principles may justify offering a safe abortion rather than perpetuating what amounts to inhumane treatment in the form of an act of cruel treatment or torture.”

318 UN Security Council, *Resolution 2122* (18 October 2013): <http://unscr.com/en/resolutions/doc/2122> [accessed 14 March 2016]

319 Global Justice Center, ‘On Anniversary of Roe vs. Wade, US Can’t Forget Women Overseas’, <http://globaljusticecenter.net/blog/?s=helms> [accessed 14 March 2016]

320 Center for Health and Gender Equality, ‘Helms Amendment’: <http://www.genderhealth.org/the-issues/us-foreign-policy/helms/> [accessed 14 March 2016]

321 Q 72 (Ms Lauren Wolfe)

322 Global Justice Center, ‘European Union Divorces Itself from US Abortion Ban’: <http://globaljusticecenter.net/index.php/news-and-events/news1/press-releases/658-eu-seeks-divorce-from-us-abortion-ban-anti-us-helms-amendment-attached-to-2016-eu-budget> [accessed 14 March 2016]

323 European Parliament, *2016 Budgetary Conciliation Document—Joint Text* (14 December 2015), p 144: http://globaljusticecenter.net/index.php?option=com_mtree&task=att_download&link_id=657&cf_id=34 [accessed 14 March 2016]

324 European Parliament Committee on Development, *Report on preparing for the World Humanitarian Summit: Challenges and opportunities for humanitarian assistance* (18 November 2015): <http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A8-2015-0332&language=EN> [accessed 14 March 2016]

325 Written evidence from Global Justice Center (SVC0044)

services and receive continued financial and other support from their respective state.

218. A number of witnesses and submissions commented on the need for tailored responses to address the specific needs of individual groups. One such group was men and boys.
219. Some of our witnesses stressed that male victims were omitted from the mainstream narrative on wartime sexual violence. This meant that policy responses ignored, neglected, or were not equipped to deal with the specific needs of male survivors. Dr Michael Korzinski, a psychologist and psycho-social expert, for example, referenced a study which found that of the more than 4,000 NGOs around the world that addressed the issue of wartime sexual violence, only 3% mentioned males in their informational materials.³²⁶
220. A consequence of this was that male victims and survivors did not necessarily have the same access as women and girls to necessary services. DfID told us that the services put in place by its partners did not discriminate against men and boys if they suffered from sexual violence.³²⁷ However, the Refugee Law Project said that even if men and boys did come forward to seek assistance, they were “typically denied access to services”. It therefore advocated further revision of policy documents and gender policies along with the need to develop guidance on how to “recognise, respond and prevent SGBV [sexual and gender-based violence]” against men and boys.³²⁸
221. On the situation in Syria, the Government said research from human rights organisations stated that, for every violation committed by Daesh, the Assad regime had committed seven.³²⁹ In its February 2016 report examining deaths in detention centres in Syria, the UN Human Rights Council found the Syrian government, anti-government armed groups and Daesh to be in violation of international humanitarian and human rights law. The report said that “the [Syrian] government has committed the crimes against humanity of extermination, murder, rape or other forms of sexual violence, torture, imprisonment, enforced disappearance and other inhuman acts”.³³⁰ It estimated that the number of people tortured was in the hundreds of thousands, a high number of which were likely to involve sexual abuse. The Government said that the abuse against men was predominantly committed in detention centres. It added that cultural sensitivities meant it was likely that the volume of cases was underreported.³³¹
222. The scale of sexual violence being committed in Syria, and the fact that it is known that men as well as women are being targeted, has implications for responding to the victims of these abuses. Professor Schopper said studies had shown that during and after conflict the increase in domestic violence was more significant than the sexual violence perpetrated by armed people.³³²

326 Written evidence from Dr Michael Korzinski (SVC0039)

327 Written evidence from DfID (SVC0019)

328 Written evidence from the Refugee Law Project (SVC0037)

329 See also Q 10 (Mr Michael Howells): “Prior to ISIL’s emergence as an organisation in Syria, unfortunately the Syrian regime had used sexual violence extensively as a tool, as a form of collective punishment and intimidation in prisons and so on. Figures predating ISIL suggest that 80% of all sexual violence in Syria had been committed by government forces and government actors.”

330 UN Human Rights Council, *Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic*, A/HRC/31/CRP.1 (3 February 2016): http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A-HRC-31-CRP1_en.pdf [accessed 14 March 2016]

331 Supplementary written evidence from DfID and the FCO (SVC0062)

332 Q 104 (Professor Doris Schopper)

This was supported by other evidence, which said that the consequences of wartime rape manifested themselves in the long term and were trans-generational. Medica Mondiale's study on the long-term consequences of war rape and coping strategies of survivors in Bosnia and Herzegovina gave examples of this effect.³³³ It is therefore particularly necessary to support male, as well as female victims of sexual violence in Syria to try to mitigate its long-term, cross-generational consequences.

223. **The ongoing conflict in Syria and Iraq makes it very difficult to respond to survivors of sexual violence in that conflict, although local organisations are doing their utmost, often in the absence of any other interventions. What needs to happen now is for a strategy to be prepared that aims to meet the needs of the men, women and children who have been subjected to this abuse. This strategy needs to be put into effect at the earliest opportunity. The Government should press for this in international fora.**
224. As with male victims and survivors, children were highlighted as a distinct group that required tailored responses. The experiences of children who suffer sexual violence are different to those of adults. Dr Dolan explained that children have much less developed social and sexual identities and are not yet playing key social roles, such as being in a relationship with a partner. He said while children would have "specific needs", these were not yet well understood.³³⁴
225. The approach of grouping 'women' with 'girls' and 'men' with 'boys' was criticised. Furthering his earlier point, Dr Dolan said that it was wrong to treat adults and children as if they were homogenous groups. He said this was because the "cut-off point[s]" between boy and man, or girl and woman, were different in different cultures. As a result, he said responses needed to start from an understanding of where this "cut-off point" was and look at the specific needs that related to the different accompanying identities and stages of development.³³⁵ The submission from War Child UK agreed.³³⁶
226. The UK has distinct international obligations in relation to the specific needs and rights of children. The UK is a state party to the UN Convention on the Rights of the Child.³³⁷ The Convention recognises the human rights of children (defined as persons up to the age of 18 years). It establishes in international law that states parties must ensure that all children—without discrimination in any form—benefit from special protection measures and assistance. As of 2016, 194 countries³³⁸ had become states parties to the Convention.³³⁹ There are specific provisions within the Convention that

333 Written evidence from Medica Mondiale (SVC0058). It found that more than 70% of the participants in the study indicated that 20 years later the rapes were still significantly influencing their lives.

334 Q 103 (Dr Chris Dolan)

335 *Ibid.*

336 Written evidence from War Child UK (SVC0032): The PSVI tended to "lapse into a reductionist 'women only' approach ... Participation of all children and young people, male or female, is also critical". See also Foreign Affairs Committee, *The FCO's human rights work in 2013* (Sixth Report, Session 2014–15, HC 551), para 18: "The FCO should do more to demonstrate publicly its support for children's rights."

337 Office of the High Commissioner for Human Rights, *Convention on the Rights of the Child* (1989): <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf> [accessed 14 March 2016]

338 Only two countries have not ratified the Convention: Somalia and the US. The US is only a signatory to the Convention, meaning it has yet to ratify it.

339 Unicef, 'Convention on the Rights of the Child—FAQs and resources': http://www.unicef.org/crc/index_30225.html [accessed 14 March 2016]

relate to protecting children from sexual exploitation and abuse³⁴⁰ and armed conflict.³⁴¹ In relation to conflict, Article 38(4) states that in accordance with their obligations under international humanitarian law (IHL) to protect the civilian population in armed conflicts, states parties shall take “all feasible measures to ensure protection and care of children who are affected by an armed conflict”.³⁴²

227. *The PSVI must ensure that policy and programmatic work responds in particular to the needs and experience of child victims of sexual violence in conflict. As part of the strategic plan for the PSVI that we are recommending, children’s best interests should be prioritised. The PSVI must ensure that it respects the provisions of the UN Convention on the Rights of the Child, of which the UK was a sponsor and founding signatory.*
228. **Victims of sexual violence in conflict, especially rape victims, include adult males as well as females and children. This has so far been inadequately acknowledged in post-conflict solutions. There is an acute need for the same kind of public advocacy and recognition, as well as tailored responses to the needs of men and boys.**
229. *On the situation in Syria, we recommend the Government pursues, in conjunction with the UN and the International Syrian Support Group, a plan to respond to those who have suffered sexual violence during the conflict. This strategy needs to deal with the repercussions of sexual violence against women, men and children. Its purpose should be threefold: to address the immediate medical and psychological needs of survivors; counter the stigma associated with such crimes; and mitigate against the long-term, cross-generational effects.*

Stigma

230. The damaging effects of stigma were raised regularly. We were told that stigma acted to prevent victims and survivors from accessing the post-trauma support and services³⁴³ and as an additional barrier to justice. Stigma can also play a central role in making victims vulnerable to further harms, which we discuss further in paragraphs 257–272 below.
231. The stigma experienced by victims and survivors means that crimes are often left unreported—for example due to fear of reprisals—and perpetuates a cycle of silence and denial, as well as the culture of impunity.³⁴⁴ World Vision UK said:

“The stigma faced by survivors has a profound impact on their lives and helps to perpetuate impunity. The very real threat and damaging impact

340 Office of the High Commissioner for Human Rights, *Convention on the Rights of the Child* (1989), Articles 19 and 34: <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf> [accessed 14 March 2016]

341 Office of the High Commissioner for Human Rights, *Convention on the Rights of the Child* (1989), Articles 38 and 39: <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf> [accessed 14 March 2016]

342 Office of the High Commissioner for Human Rights, *Convention on the Rights of the Child* (1989), Article 38(4): <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf> [accessed 14 March 2016]

343 [Q 104](#) (Professor Doris Schopper) and written evidence from the FCO ([SVC0011](#))

344 [Q 10](#) (Ms Rosy Cave), [Q 34](#) (Madame Zainab Hawa Bangura) and [Q 102](#) (Ms Josephine Wambui)

of stigma, often described as more devastating than the violence itself, discourages survivors from reporting their cases. This has a knock-on effect on understanding of the true scale of the problem. Effective monitoring and reporting of conflict-related sexual violence will be achieved only by tackling stigma that so often prevents survivors from coming forward.”³⁴⁵

232. A number of other effects were highlighted. Ms Patten said that women and girls might not return to their communities at the end of a conflict because of their fear of rejection; meaning many remain with the rebel or militia ‘husband’ who abducted and often raped them.³⁴⁶ As noted by Professor Schopper earlier, stigma can result in an increase in domestic and intimate violence.³⁴⁷ A recent example of the stigma victims can face is highlighted in Box 2 below.

Box 2: Stigma experienced by women freed from Boko Haram

Women and girls recently freed from Boko Haram in Nigeria have faced discrimination and stigma upon returning to their families and communities.

A number of reports have highlighted how instead of being admired for their bravery, many victims of Boko Haram have become outcasts in their communities. They have been stigmatised due to their perceived association with Boko Haram.³⁴⁸ For example, those who became pregnant after being raped by their captors have been shamed and are now accused of “spawning or seeking to spawn future Boko Haram fighters”. Although there are no exact figures, the government of Nigeria has said that “an alarming” percentage of kidnapped girls who returned from Boko Haram are pregnant.³⁴⁹

Some of our evidence highlighted that the government was exacerbating this stigma. For example, Open Doors UK & Ireland said:

“In Nigeria, the governor of Borno State, Kashim Shettima, has publicly warned that these pregnant women and girls could breed a new generation of terrorists: ‘They [the unborn children] could indeed inherit their father’s ideology somehow,’ Shettima has told government officials. He is now advocating for a special mentoring program for these mothers-to-be to ensure they do not give birth to ‘future insurgents’.”³⁵⁰

233. Specific groups can experience additional stigma. In particular, our evidence highlighted the vulnerability of male and lesbian, gay, bisexual, transgender and intersex (LGBTI) victims and survivors. This was mainly associated with negative social norms, perceptions and attitudes about masculinity and homosexuality.

345 Written evidence from World Vision UK (SVC0006)

346 Q 46 (Ms Pramila Patten)

347 Q 104 (Professor Doris Schopper)

348 See for example ‘Women freed from Boko Haram rejected for bringing “bad blood” back home’, *The Guardian* (16 February 2016): <http://www.theguardian.com/global-development/2016/feb/16/women-freed-boko-haram-rejected-for-bringing-bad-blood-back-home-nigeria> [accessed 14 March 2016]

349 Integrated Regional Information Networks, ‘Freedom brings stigma and fresh fears for Boko Haram “wives”’, 1 September 2015: <http://www.irinnews.org/analysis/2015/09/01> [accessed 14 March 2016]

350 Written evidence from Open Doors UK & Ireland (SVC0020). See also written evidence from International Alert (SVC0017): “... young women recovering from SGBV [sexual and gender-based violence] post-abduction in north eastern Nigeria are being re-victimized by the Federal government as their ‘contact’ with Boko Haram implies that they (the victims) are also insurgents”.

234. In the case of men, Dr Korzinski said that perpetrators would attack men to achieve “emasculatation/feminization, homosexualization, and prevention of procreation”.³⁵¹ The Refugee Law Project said that male victims were silenced by “deeply entrenched cultural assumptions about male invulnerability”,³⁵² in addition to being met with disbelief and outright rejection by service providers when they did seek assistance. It argued that if male survivors did come forward they were typically denied access to services, accused of homosexuality, and might be rejected and ostracised by their communities and families.³⁵³ This was especially the case in countries where homosexuality is criminalised. Countries where homosexuality is illegal include (but are not limited to), Iraq, Liberia, South Sudan, Sri Lanka and Syria. Consequently, it was said that this additional stigma made reporting and tailored programming even more difficult.³⁵⁴
235. The pre-existing discrimination faced by LGBTI persons means they can face heightened threats of sexual violence in conflict. Professor Lisa Davis said that there had been “epidemic levels” of sexual violence and murder committed against LGBTI persons in the Daesh conflict.³⁵⁵ This was supported by Human Rights Watch, which highlighted such threats and occurrences in Iraq and Syria.³⁵⁶ A recent Arria-formula meeting³⁵⁷ of the UN Security Council also highlighted the particular threats against LGBTI individuals in conflict settings.³⁵⁸
236. Addressing stigma was therefore regarded as crucial to enabling victims and survivors to speak up and rebuild their lives. A variety of strategies to combat stigma were suggested.
237. There was consensus about the importance of altering the attitudes of the community, primarily through educating families and communities so that blame was not apportioned to the victim or survivor.³⁵⁹ This often involved tackling negative social norms and attitudes held by communities.³⁶⁰ For example, we were told that fighting stigma in Bosnia and Herzegovina over the last 20 years had been done through campaigns urging the public to ‘accept’ survivors of sexual violence and see them as heroes, rather than victims.³⁶¹

351 Written evidence from Dr Michael Korzinski (SVC0039)

352 Office of the UN Special Representative of the Secretary-General on Sexual Violence in Conflict, *Report of Workshop on Sexual Violence Against Men and Boys in Conflict Situations* (2013): <http://www.slideshare.net/osrgsvc/report-of-workshop-on-sexual-violence-against-men-and-boys-final> [accessed 14 March 2016]

353 Written evidence from the Refugee Law Project (SVC0037)

354 Written evidence from World Vision UK (SVC0006)

355 Q 10 (Professor Lisa Davis)

356 Written evidence from Human Rights Watch (SVC0049). See also Human Rights Watch, ‘The Double Threat for Gay Men in Syria’, 28 April 2014: <https://www.hrw.org/news/2014/04/28/double-threat-gay-men-syria> [accessed 14 March 2016]

357 A type of unofficial, confidential and non-mandatory gathering of UN Security Council members. It is a means by which members of the Security Council can enter into a dialogue with non-members of the Security Council, including representatives of governments, international organisations and non-state parties on matters with which they are concerned and which fall within the purview of responsibility of the Security Council.

358 ‘The U.S. And Chile Got The UN Security Council To Talk LGBT Rights’, *Huffington Post* (24 August 2015): http://www.huffingtonpost.com/entry/un-security-council-lgbt_us_55db6f4de4b08cd3359cddde6 [accessed 14 March 2016]

359 Written evidence from Soroptimist International of Great Britain and Ireland (SVC0007) and Womankind Worldwide (SVC0008)

360 Written evidence from World Vision UK (SVC0006) and DfID (SVC0019)

361 Written evidence from Goldsmiths, University of London and Women’s International League for Peace and Freedom (SVC0015)

DfID identified the funding of grassroots civil society organisations as an effective way to produce “an enduring and positive change” and challenge “institutional and social norms”.³⁶² Working with and supporting the media, including through the use of mobile technologies, was also suggested as a way to raise community awareness about gender equality and sexual violence.³⁶³

238. Others, meanwhile, highlighted the important function and considerable influence of religious leaders and institutions in addressing “misconceptions” about victims and victim blaming.³⁶⁴ On the final day of our visit to the DRC, we visited a project run by the Christian relief and development agency, Tearfund, in Kibumba village. Tearfund’s work in the DRC focused on mobilising faith groups within the country, working through the Anglican Church of Congo to take “a faith-led approach in implementing prevention measures to SV [sexual violence]”.³⁶⁵ Kibumba village was just one of a number of communities across the DRC where this project was being implemented, and engaged with the whole community, rather than just being targeted at victims and survivors of sexual violence. We were told that the project was designed in this way to prevent creating additional stigma for victims and survivors who might otherwise be singled out. More detail of Tearfund’s work in the DRC can be found in Appendix 6.
239. Acknowledging the existence of male survivors was described as an important way to help address the stigma men and boys faced. The Refugee Law Project said that the PSVI could accomplish much in this regard by supporting organisations and/or associations that undertook outreach mechanisms (such as community sessions or radio shows) “that sensitise communities regarding the existence of male survivors”.³⁶⁶ Dr Dolan said that an additional remedy his organisation used was the systematic screening of all refugees who attended its clinics; everybody who attended was asked standard questions about experiences of sexual violence.³⁶⁷
240. Support groups can also help tackle stigma. Ms Josephine Wambui, Programme Officer Somalia at Oxfam Novib, and Dr Dolan both agreed that support groups were important in this regard, albeit for different reasons. Ms Wambui highlighted how support groups could assist with raising awareness and sharing the message in the community about the impact of sexual violence and the fact that “it could happen to anyone”. Moreover, she said such groups were not only important at the national level or in urban areas, but also in rural areas where stigma was greater.³⁶⁸
241. Dr Dolan explained that while support groups were significant, it was equally important not to have support groups just for survivors, but for a range of different issues. He said that this created a microclimate “in which a larger number of people become aware of issues of discrimination, marginalisation

362 Written evidence from DfID ([SVC0019](#))

363 [Q 104](#) (Ms Josephine Wambui) and written evidence from the Overseas Development Institute ([SVC0038](#))

364 Written evidence from World Vision UK ([SVC0006](#)) and the Overseas Development Institute ([SVC0038](#))

365 Written evidence from Tearfund ([SVC0031](#))

366 Written evidence from the Refugee Law Project ([SVC0037](#))

367 [Q 103](#) (Dr Chris Dolan)

368 [Q 104](#) (Ms Josephine Wambui)

and so on”.³⁶⁹ The result of raising awareness of the different issues amongst different groups meant a change began to occur. Dr Dolan said that male survivors, for example, would initially try to meet in darkness but that “[t]hese days they go on national television.”³⁷⁰

242. We also heard how empowering victims and survivors to speak for themselves and share their stories could help tackle stigma. Discussing the further benefits of support groups, Dr Dolan said that these were able to create platforms for victims and survivors to speak for themselves, which was also “incredibly mobilising for all sorts of people”, especially as the issue is no longer “pushed under the carpet”. He noted that there were many different modalities to achieve this, such as screening short documentaries by survivors themselves.³⁷¹ Ms Wambui highlighted the important role of the media in tackling stigma, but noted that journalists might also require protection.³⁷²
243. In highlighting some of the successes of the PSVI in tackling stigma, Ms Angelina Jolie Pitt commented:

“In very human terms, we have seen that many of the victims have now come out of the shadows. That cannot be quantified, but people around the world who have gone through these things now feel that they can speak out, that this is being discussed, that if they speak it is worthy of their time, efforts, pain and tears. They will be heard and they can feel that things are moving and that there is some momentum. Each individual feels less stigmatised.”³⁷³
244. Regardless of approach, the evidence stressed that efforts to address stigma were long-term endeavours. ABColombia said that attitudinal change was a long-term process, not least because the attitudes and cultural beliefs driving sexual violence were also present in domestic life.³⁷⁴ Dr Medeiros said that longer-term funding cycles and projects were key, with addressing issues of stigma requiring “continuous investment and support”.³⁷⁵
245. Dr Dolan also raised the question of training when tackling stigma, particularly the “stigmatising assumptions” service providers might bring when encountering a victim or survivor. For example, he said that in Uganda the box on the police form on which you marked where the sexual violence had taken place was female.³⁷⁶
246. **The stigma that follows sexual violence in conflict is one of the biggest challenges that victims and societies face. Stigma continues to damage victims and survivors of sexual violence and can form a barrier which prevents them from accessing the support they need to recover and reintegrate into society.**
247. **Certain groups such as lesbian, gay, bisexual, transgender and intersex (LGBTI) persons are vulnerable to sexual violence in conflict**

369 [Q 104](#) (Dr Chris Dolan). For example, Dr Dolan said training workshops were ran for leaders of different support groups where they juxtaposed LGBTI support groups with survivor support groups, with the parents of children born of rape and with people living with HIV.

370 [Q 104](#) (Dr Chris Dolan)

371 *Ibid.*

372 [Q 104](#) (Ms Josephine Wambui)

373 [Q 3](#) (Ms Angelina Jolie Pitt)

374 Written evidence from ABColombia ([SVC0033](#))

375 Written evidence from Dr Emilie Medeiros ([SVC0042](#))

376 [Q 104](#) (Dr Chris Dolan)

and face additional stigma due to pre-existing negative social norms and attitudes.

248. **There are a variety of ways in which stigma can be addressed, ranging from educating families and communities, to encouraging the use of support groups. Where possible, survivors should be encouraged to communicate their stories to wider society to help raise awareness, while ensuring their security is not compromised.**
249. **Addressing stigma is a long-term endeavour that requires ongoing support and commitment from the Government. However, the UK cannot tackle the issue of stigma alone.**

Evidence gaps

250. In Chapter 3 we highlighted the lack of evidence and data on sexual violence (see paragraphs 111–121). This was also the case in the context of responding to the needs of victims and survivors, where it was generally agreed that more research into the area was required in order to provide suitable responses.³⁷⁷
251. As has already been referenced under the specific needs of male and child victims (see paragraphs 218–229), attention was drawn to particular gaps in knowledge, such as for specific groups like ethnic or religious minorities.³⁷⁸ The Overseas Development Institute highlighted vulnerable groups such as people with disabilities or those living in remote areas, and the lack of understanding with regard to the range of “formal and informal coping repertoires” that victims had access to.³⁷⁹ Dr Ingrid Elliott said that responses needed to “consider and adapt” to differences between victims, including children and LGBTI persons, but that further research was required to find the appropriate and attuned responses.³⁸⁰
252. There was limited comment or evidence as to the effectiveness of the Government’s support, assistance and reparation for survivors. The International Rescue Committee UK said that DfID was “particularly effective in supporting and assisting survivors of GBV [gender-based violence]”.³⁸¹ By contrast, Widows for Peace through Democracy commented: “Evidence is weak on the effectiveness of the Government’s support, assistance and reparation for survivors of sexual violence in conflict.”³⁸²
253. **At present there is a paucity of evidence on the effectiveness of the support accessible by and provided to victims and survivors of sexual violence in conflict, including that which is provided by the Government.**
254. **While recognising that the effects of sexual violence will differ for all individuals, there are particular gaps in knowledge surrounding specific groups and how they are differently affected by sexual violence, such as children, LGBTI persons, men, people with disabilities and ethnic minorities. More work is required to identify**

377 Written evidence from Open Doors UK & Ireland (SVC0020) and War Child UK (SVC0032)

378 Written evidence from Open Doors UK & Ireland (SVC0020) and Dr Michael Korzinski (SVC0039)

379 Written evidence from the Overseas Development Institute (SVC0038)

380 Written evidence from Dr Ingrid Elliott (SVC0026)

381 Written evidence from the International Rescue Committee UK (SVC0035)

382 Written evidence from Widows for Peace through Democracy (SVC0003)

what the specific needs of different groups are and the best way to respond to them.

255. *The Government should commission research into how effectively its policies and responses are meeting the needs of victims and survivors of sexual violence in conflict, as well as acting to counter stigma. This research should include evaluating how effectively policies and responses are meeting the needs of specific groups, such as men, children and LGBTI persons.*
256. *We further recommend that the Government includes an independent evaluation of the support delivered to survivors by the PSVI and DfID in the annual report to Parliament that we have recommended. This should include significant input from local organisations, NGOs and activists. The evaluation should also consider the extent to which the support delivered to survivors is targeted at the needs of particular groups, such as men, children and LGBTI persons.*

Vulnerability to further harms

257. Victims and survivors of sexual violence in conflict can become vulnerable to further harms. Our evidence suggested three main causes of this: the effects of stigma; the dangers facing asylum seekers, refugees³⁸³ and internally displaced persons (IDPs);³⁸⁴ and the targeting of specific groups. Examples of further harms include forced marriage, child marriage, honour killings,³⁸⁵ female genital mutilation (FGM), survival sex,³⁸⁶ trafficking and prostitution.
258. We heard how stigma brought with it additional risks and vulnerabilities. The Overseas Development Institute said: “[I]t is crucial to understand that stigma, especially against sexual violence households, can play a central role in making them [victims] ‘fair game’ for more crime and harm”.³⁸⁷ The Overseas Development Institute provided several possible explanations for this: victims lacked status and so no one would defend them or come to their aid; their land was vulnerable to theft because local leaders and courts would not support them or enforce rulings; and children and women were targeted

383 Refugees are people who are outside the country of their nationality “owing to a well-founded fear of being persecuted” (1951 Refugee Convention on the Status of Refugees). Refugees should be distinguished from asylum seekers. An asylum seeker is a person who has applied for asylum under the 1951 Refugee Convention on the ground that if he or she is returned to their country of origin they have a well-founded fear of persecution on account of race, religion, nationality, political belief or membership of a particular social group. A refugee, on the other hand, has already received a positive decision from the authorities on his or her asylum claim. In its broader context refugee can mean a person fleeing—for example from a civil war or natural disaster—but not necessarily fearing persecution as defined by the 1951 Refugee Convention.

384 Unlike refugees, IDPs have not crossed an international border to find sanctuary but have remained inside their home countries. Even if they have fled for similar reasons as refugees (for example, armed conflict, generalised violence or human rights violations), IDPs legally remain under the protection of their own government—even though that government might be the cause of their flight.

385 An honour killing (or shame killing) is the homicide of a member of a family by other members, due to the perpetrators’ belief that the victim has brought shame or dishonour upon the family. Reasons can include: refusing to enter an arranged marriage; being in a relationship that is disapproved by their family; having sex outside marriage; becoming the victim of rape; dressing in ways which are deemed inappropriate; engaging in non-heterosexual relations; or renouncing a faith.

386 Survival sex is prostitution engaged in by a person because of their extreme need. For example, trading sex for food or other basic needs.

387 [Q 10](#) (Mr Dan Chugg), written evidence from Track Impunity Always (TRIAL) ([SVC0002](#)), Open Doors UK & Ireland ([SVC0020](#)), Dr Ingrid Elliott ([SVC0026](#)) and the Overseas Development Institute ([SVC0038](#))

because they did not have the social connections and resources to defend them.³⁸⁸

Asylum seekers, refugees and internally displaced persons

259. Asylum seekers, refugees and IDPs who have experienced conflict-related sexual violence were identified as being vulnerable to further harms. The Refugee Law Project highlighted the scale of the problem. Screenings it carried out found that sexual violence affected on average three out of 10 refugee men, alongside six out of 10 women.³⁸⁹ Similar findings were reported by the Institute of Development Studies, which said that one in five female refugees or IDPs had experienced sexual violence.³⁹⁰
260. Dr Chaloka Beyani provided an overview as to why IDPs were vulnerable to further harms. Dr Beyani said that women, and some men, were subjected to sexual violence during and after displacement, because the original cause of displacement continued.³⁹¹ He highlighted the particular insecurity and lack of safety during flight—for example, many IDPs were taken advantage of by smugglers and traffickers, or were at risk of FGM.³⁹² The pattern continued within the IDP camps themselves as there was very often a lack of effective internal protection for IDPs, which was exacerbated by poor living conditions.³⁹³ To worsen the problem, Dr Beyani said there was no single UN agency that looked after the needs and protection of IDPs; this was done through multiple agencies, whereas once IDPs crossed an international border, there was the UN High Commissioner for Refugees as a single entity.³⁹⁴
261. Women and girls within IDPs camps faced a heightened risk of sexual violence. Dr Beyani said women specifically were targeted for a variety of reasons: “because of their identity, because they care for their families, or because they are enterprising in the IDP/refugee camps and they have money”. Single, female-headed households were also “easy targets” because they did not have men to protect them and lacked a voice in the camps.³⁹⁵
262. Ms Chitra Nagarajan, Gender and Conflict Adviser at the Nigeria Stability and Reconciliation Programme, highlighted the vulnerabilities of women and girls with disabilities. Ms Nagarajan said that IDP camps were not accessible and that little effort was made to reach out to them. She described it as a matter of “survival of the fittest”; as women and girls with disabilities had no access to food and other services, they were forced to exchange sex in return for so-called ‘help’ (this is sometimes referred to as “survival sex”).³⁹⁶ Dr Beyani also talked about survival sex within the camps, especially for young girls who put themselves under the protection of a man (who might then exploit the relationship).³⁹⁷
263. Dr Beyani suggested a several ways to mitigate these risks, which included: “preparedness”, with gender-sensitive approaches and policies in protection in the emergency phase and humanitarian early recovery; enhanced physical

388 Written evidence from the Overseas Development Institute ([SVC0038](#))

389 Written evidence from the Refugee Law Project ([SVC0037](#))

390 Written evidence from the Institute of Development Studies ([SVC0045](#))

391 [QQ 90-91](#) (Dr Chaloka Beyani)

392 [Q 91](#) (Dr Chaloka Beyani)

393 [Q 90](#) (Dr Chaloka Beyani)

394 *Ibid.*

395 [Q 91](#) (Dr Chaloka Beyani)

396 [Q 41](#) (Ms Chitra Nagarajan)

397 [Q 91](#) (Dr Chaloka Beyani)

protection for women, both during flight and in places of displacement; secure routes of passage for IDPs; better shelter for women and secure and safer locations in camps; and ensuring that women were camp administrators, providing them with proper training and security to do this.³⁹⁸

264. An additional suggestion was to allow individuals or organisations in the UK to sponsor applications for IDPs and refugees. Ms Anna Musgrave, Women's Advocacy Manager at the Refugee Council, said that often they had to make "dangerous journeys" in order to make an application. She cited how for Somalis in 1988 and 1994, a sponsor in the UK was allowed to make an application on their behalf. Ms Musgrave said her organisation would "like to see that replicated".³⁹⁹

Specifically targeted groups

265. Particular groups were said to be specifically targeted and susceptible to further harms. Such groups included ethnic and religious minorities. For example, Mr Dan Chugg spoke of how various ethno-religious groups in Iraq were being targeted, including Yazidis, Christians, Turkoman groups and Shabak groups. He stressed that these crimes were being perpetrated not only by Daesh, but by a variety of people.⁴⁰⁰ Although we heard that these victims were sometimes welcomed back into their communities, such as in the case of Yazidi women and girls,⁴⁰¹ concerns were raised that they might still face additional risks after escaping, such as honour killings.⁴⁰²
266. Similar concerns were expressed by Dr Elliott. She acknowledged that while some communities accepted survivors back, such reintegration and protection often came "in the form of arranged marriages". Dr Elliott said that the potential impact of this on victims of sexual violence, including of sexual slavery, should not be overlooked.⁴⁰³ With regard to Iraq, Ms Yanar Mohammed warned that women who had been captured by Daesh would not be safe from honour killings post-conflict. She advocated the creation of "safe zones" for women in the cities liberated from Daesh, to be supervised by NGOs "who know how to keep women in dignity and safety".⁴⁰⁴
267. Widows were also identified as a group that were specifically targeted and faced increased risks of sexual violence. The Gender and Development Network noted that in Nepal for example, widows faced high rates of sexual violence.⁴⁰⁵ Widows for Peace through Democracy said widows were at greater risk of sexual violence not just because of ingrained societal inequalities that reduced the status of women. For example, it said that in Africa, South Asia and the Middle East widows were commonly regarded as "mere chattels,

398 [QQ 91-92](#) (Dr Chaloka Beyani)

399 [Q 100](#) (Ms Anna Musgrave)

400 [Q 12](#) (Mr Dan Chugg)

401 [Q 10](#) (Ms Rosy Cave)

402 Written evidence from Vital Voices Global Partnership ([SVC0025](#))

403 Written evidence from Dr Ingrid Elliott ([SVC0026](#))

404 [Q 78](#) (Ms Yanar Mohammed)

405 Written evidence from the Gender and Development Network ([SVC0034](#))

part of the estate”, so that on a husband’s death they could be “‘inherited’ by the dead man’s brother, cousin or other male relative”.⁴⁰⁶

268. **Victims and survivors of sexual violence in conflict are vulnerable to further harms, ranging from honour killings, to forced and child marriage, to survival sex and being trafficked. Stigma imposed on victims of sexual violence plays a fundamental role in exacerbating the further risks they face. Asylum seekers, refugees and internally displaced persons (IDPs) are especially vulnerable to experiencing further harms, as are specifically targeted groups, such as widows, or ethnic and religious minorities.**
269. **We believe there is as yet insufficient research and evidence on how to mitigate these vulnerabilities. As we noted earlier, there is a lack of data on how to address stigma and the needs of specific groups.**
270. *The Government should give further attention to the particular circumstances of victims of conflict-related sexual violence among those claiming asylum in the UK.*
271. *Unlike for refugees, the UN does not have responsibility for IDPs. We believe this to be a damaging distinction and that the Government should press for the UN to have responsibility for IDPs, as well as refugees. This could be achieved by extending the mandate of the UN High Commissioner for Refugees. At the very least, we believe that given the vulnerability of individuals in IDP camps to sexual violence, the Government should encourage the UN to revisit the need for it to take responsibility for those camps.*
272. *We earlier recommended the need for international research on addressing the needs of victims and survivors. Such research should also examine what might be done to reintegrate victims and survivors of sexual violence—such as those who escape from violent non-state groups (VNSGs)—back into their communities. DfID’s ‘What Works to Prevent Violence Against Women and Girls’ research and innovation programme could be an effective way of filling this research gap.*

Humanitarian crises

273. There is a heightened risk of sexual violence during a humanitarian crisis (see Box 3). Our evidence identified a range of weaknesses in humanitarian responses to sexual violence in conflict.⁴⁰⁷ GBV and VAWG were said to be low-priority issues in many humanitarian responses and activities. The International Rescue Committee UK noted that in two emergencies

406 Written evidence from Widows for Peace through Democracy (SVC0003): “they [widows] are the least likely to enjoy their basic human right, access justice, obtain protection from violence, or inherit and own land. Before, during and after conflicts, widows in Africa in particular will continue to be coerced into participation in harmful traditional practices such as those required in some mourning and burial practices. They may be blamed and branded as witches when they become infected with the HIV virus, which was a common result of rape during the Rwanda genocide ... Often the men and boys are separated from the women and girls, the former are killed and the latter subjected to rape and sexual slavery ... The poverty of widows, due to their lack of rights to inheritance and land ownership, and the stigma and discrimination they suffer ... lays them open to continual sexual exploitation long after formal peace accords have been signed”.

407 In discussing humanitarian crises, the majority of our evidence referred specifically to GBV and VAWG.

analysed, Iraq and Sierra Leone, it took twelve and five months, respectively, for GBV needs to be analysed in common humanitarian assessments and documents.⁴⁰⁸

Box 3: Examples of recent emergencies where women and girls have been exploited or abused

- “Syria: research shows violence towards women and children has increased as some men vent their frustration and abuse their power within the household. Outside the household, women and girls are further vulnerable to physical and verbal harassment, including sexual harassment, and in many areas they fear kidnap, robbery, and attacks;
- “Haiti: 18 months after the earthquake sexual abuse and exploitation were widespread mainly because girls and women could not get the goods and services needed to survive;
- “Horn of Africa: during the 2011 drought families married off daughters as young as 9 years old, to receive their dowries in kind before their livestock died;
- “Bangladesh: 62% of under-18 year olds married between 2007 and 2011, were married in the 12 months following Cyclone Sidr;
- “Kenya: following droughts reports of sexual violence increased by 36% between February to May 2012 in Hagadera and Kambioos camps, compared to the previous three months. At the same time, funding for VAWG programming decreased by 50%; and
- “Rates of unintended pregnancies, maternal mortality, disability, unsafe abortions, sexually transmitted infections including HIV, rise in crisis situations.”⁴⁰⁹

274. As a consequence, the International Rescue Committee UK said donors and common funding pools did not consistently fund GBV in emergencies. For example, the 2014 Humanitarian Response plans for the Central African Republic, South Sudan and Iraq only fulfilled 5.2%, 20.9%, and 5.5%, respectively, of what was requested for GBV programmes.⁴¹⁰ The Gender and Development Network said this limited commitment and resources had an impact on services, such as side-lining and deprioritising specialist services for survivors in order to provide what the humanitarian community considered ‘urgent’ assistance—shelter, food, water and medical care.⁴¹¹
275. Submissions said that VAWG and sexual violence in conflict should be prioritised and support to survivors improved. The UK should leverage its influence to achieve this. A series of recommendations for UK action were proposed. Examples included: pressing humanitarian agencies to prioritise gender equality and address VAWG in all emergency, humanitarian assistance and response plans;⁴¹² strengthening accountability mechanisms, such as requiring humanitarian leadership to include GBV analysis in all emergency

408 Written evidence from the International Rescue Committee UK (SVC0035)

409 Department for International Development, ‘Greening: girls and women must be kept safe in emergencies’, 13 November 2013: <https://www.gov.uk/government/news/greening-girls-and-women-must-be-kept-safe-in-emergencies> [accessed 14 March 2016]

410 Written evidence from the International Rescue Committee UK (SVC0035)

411 Written evidence from Gender Development Network (SVC0034)

412 Written evidence from Gender Development Network (SVC0034) and War Child UK (SVC0032)

assessments and response plans and to be trained on GBV risk reduction and/or specialised services prior to deployment;⁴¹³ and making contributions to common funding pools contingent upon allocations to GBV programmes in compliance with the 2015 Inter-Agency Standing Committee's Guidelines for Integrating GBV Interventions in Humanitarian Action.⁴¹⁴

The Call to Action on Protecting Women and Girls in Emergencies

276. Reference was made to DfID's *Call to Action on Protecting Women and Girls in Emergencies*,⁴¹⁵ which was launched in November 2013 (see Box 4).⁴¹⁶ DfID described the Call to Action as a complementary initiative to the PSVI that would mobilise the humanitarian community not only to address sexual violence in conflict, but also the many forms of GBV in all types of emergencies.⁴¹⁷

Box 4: The Call to Action on Protecting Women and Girls in Emergencies

In November 2013, the UK Secretary of State for International Development (the Rt Hon Justine Greening MP) launched, with Sweden, the Call to Action on Protecting Women and Girls in Emergencies. This brought together governments, UN agencies, international NGOs and civil society organisations to set an “ambitious agenda” to ensure the humanitarian system protected women and girls from violence as a priority, and provided for their unique needs.⁴¹⁸

The event saw the endorsement of a “ground-breaking” communiqué,⁴¹⁹ in which donors and humanitarian agencies committed to prevent violence against women and girls from the start of humanitarian emergencies.⁴²⁰ The communiqué also emphasised the importance of working with communities and local civil society to ensure that humanitarian responses were informed by the local context and women's experiences.⁴²¹

413 Written evidence from Gender Development Network (SVC0034) and the International Rescue Committee UK (SVC0035)

414 Written evidence from Gender Development Network (SVC0034) and the International Rescue Committee UK (SVC0035). Other examples included: having gender-sensitive approaches and policies in protection in the emergency phase and humanitarian early recovery (Q 91 (Dr Chaloka Beyani)); providing immediate funding at the onset of an emergency for the deployment of GBV/ violence against women advisors and gender/GENCAP advisors to support response efforts (Gender Action for Peace and Security (SVC0043)); and pressing for increased investment in healthcare and comprehensive emergency health services (including medical treatment for injuries, treatment for HIV and other STIs, emergency contraception, safe and legal abortion, and trauma counselling) (Human Rights Watch (SVC0049))

415 Department for International Development, ‘Greening: girls and women must be kept safe in emergencies’, 13 November 2013: <https://www.gov.uk/government/news/greening-girls-and-women-must-be-kept-safe-in-emergencies> [accessed 14 March 2016]

416 Keep Her Safe—Protecting girls and women in emergencies, *Communiqué* (13 November 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256872/Final_Communique_v_11_Nov_4.pdf [accessed 14 March 2016]

417 Further supplementary written evidence from DfID (SVC0061)

418 Written evidence from DfID (SVC0019)

419 Keep Her Safe—Protecting girls and women in emergencies, *Communiqué* (13 November 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256872/Final_Communique_v_11_Nov_4.pdf [accessed 14 March 2016]

420 US Department of State, ‘Preventing and Responding to Gender-Based Violence in Emergencies’: <http://www.state.gov/j/prm/policyissues/issues/c62377.htm> [accessed 14 March 2016]

421 Written evidence from DfID (SVC0019)

At the launch event, DfID announced over £20 million in new funding to help protect girls and women in emergencies.⁴²² Other funding commitments totalling £19.7 million were made by the US, Switzerland, Japan and Humanitarian Aid and Civil Protection.⁴²³

In January 2014, the US assumed leadership of the Call to Action. At a high-level event in the margins of the UN General Assembly in October 2015, US Secretary of State John Kerry launched a Road Map for the Call to Action.⁴²⁴ This also saw the handover of leadership of the Call to Action to Sweden.⁴²⁵

277. Several submissions described the Call to Action as a welcome step to prioritise VAWG within humanitarian and emergency responses.⁴²⁶ There were criticisms of the Call to Action, however, for example that more still needed to be done to ensure adequate resources and accountability mechanisms were focused on responding to VAWG at the onset of crises.⁴²⁷ For example, the Gender and Development Network suggested that the UK Government could “monitor and advocate to address” low levels of GBV emergency response funding and gaps in GBV coordination mechanisms.⁴²⁸
278. However, the criticisms of the Call to Action were made before the publication of its Road Map. At the UN General Assembly in October 2015, US Secretary of State John Kerry launched the Call to Action’s Road Map.⁴²⁹ The Road Map is a time-bound and measurable five-year plan which articulates “what donors and states, UN agencies, NGOs and the Red Cross/Red Crescent Movement need to do by 2020 to improve outcomes for women and girls in emergencies”.⁴³⁰ The Road Map includes comprehensive detail on a monitoring framework, including indicators for various outcomes. This is consistent with DfID’s ambitions, which said that it had pushed for “stronger transparency and accountability” in how Call to Action members—including the UK—implemented their commitments.⁴³¹
279. **We fully support the aims and objectives set out in the Call to Action on Protecting Women and Girls in Emergencies. It is encouraging to see that an operational framework, the US-developed Road Map for the Call to Action, has now also been published. The Road Map is a time-bound, measurable plan to deliver systematic change.**

422 Written evidence from DfID (SVC0019)

423 Department for International Affairs, ‘Greening: girls and women must be kept safe in emergencies’, 13 November 2013: <https://www.gov.uk/government/news/greening-girls-and-women-must-be-kept-safe-in-emergencies> [accessed 14 March 2016]

424 US Department of State, *Call to Action on Protection from Gender-based Violence in Emergencies: Road Map 2016–2020* (September 2015): <http://www.state.gov/j/prm/policyissues/issues/c68699.htm> [accessed 14 March 2016]

425 Further supplementary written evidence from DfID (SVC0061). See also US Department of State, ‘Preventing and Responding to Gender-Based Violence in Emergencies’: <http://www.state.gov/j/prm/policyissues/issues/c62377.htm> [accessed 14 March 2016]

426 Written evidence from Gender and Development Network (SVC0034) and the International Rescue Committee UK (SVC0035)

427 Written evidence from World Vision UK (SVC0006) and Gender and Development Network (SVC0034)

428 Written evidence from Gender and Development Network (SVC0034)

429 US Department of State, *Call to Action on Protection from Gender-based Violence in Emergencies: Road Map 2016–2020* (September 2015): <http://www.state.gov/j/prm/policyissues/issues/c68699.htm> [accessed 14 March 2016]

430 Written evidence from DfID (SVC0061). See also US Department of State, ‘Preventing and Responding to Gender-Based Violence in Emergencies’: <http://www.state.gov/j/prm/policyissues/issues/c62377.htm> [accessed 14 March 2016]

431 Written evidence from DfID (SVC0061)

280. *We recommend that the Road Map for the Call to Action be used by the Government as a model when formulating a forward-looking strategic plan for the PSVI as recommended earlier.*

The World Humanitarian Summit

281. There was consensus that the WHS⁴³² would be an important forum for addressing the issue of sexual violence in conflict, particularly in addressing humanitarian responses.⁴³³ CARE International UK described it as “one of the most strategic global opportunities to make progress on the PSVI agenda”.⁴³⁴
282. A number of proposals were put forward suggesting what action the UK should push for at the WHS. These included: ensuring that humanitarian action is gender responsive and respects the rights of victims of sexual violence in conflict under IHL;⁴³⁵ advancing gender equality and empowering women and girls and local women’s organisations in humanitarian action, crisis preparedness, risk reduction, resilience and recovery, including rights and leadership;⁴³⁶ implementing core or minimum standards and guidelines on gender equality, GBV and sexual and reproductive health and rights in emergencies;⁴³⁷ pressing for survivors of sexual violence and other forms of GBV to have access to essential medical and psychological care, as well as economic and social support;⁴³⁸ and integrating specific references to GBV in WHS outcomes on IHL and ensuring links are forged between the WHS, Call to Action and UNSCR 1325.⁴³⁹
283. There was some disagreement as to whether humanitarian policies should focus primarily on women and girls, or whether they should be ‘gender blind’. On the one hand, Global Justice Center said that the WHS should address the need for humanitarian aid to “meet the gender specific needs of women and girls”. It stressed that gender blind policies could have “devastating consequences on the safety and health” of women and girls—for example, food distribution sites were still set up in areas that were not easily accessible and female latrines continued to be built without locks.⁴⁴⁰
284. On the other hand, International Alert said that support and protection should be extended to men and boys, as well as members of sexual and gender minorities.⁴⁴¹ The Refugee Law Project similarly supported a gender inclusive model of humanitarian response. It said: “[C]ivilian men and boys continue to be largely excluded from necessary medical, legal, psychosocial, and protection interventions in conflict settings”.⁴⁴² We found this consistent with our earlier evidence which highlighted the particular needs of men and boys. Support aimed at women and girls, and men and boys need not be

432 World Humanitarian Summit: <https://www.worldhumanitariansummit.org/> [accessed 14 March 2016]

433 Written evidence from DfID (SVC0019), CARE International UK (SVC0029), Global Justice Center (SVC0044) and Gender Action for Peace and Security (SVC0045)

434 Written evidence from CARE International UK (SVC0029)

435 Written evidence from International Alert (SVC0017) and Global Justice Center (SVC0044)

436 Written evidence from CARE International UK (SVC0029) and Gender Action for Peace and Security (SVC0045)

437 *Ibid.*

438 Written evidence from Human Rights Watch (SVC0049)

439 Written evidence from CARE International UK (SVC0029) and Gender Action for Peace and Security (SVC0045)

440 Written evidence from Global Justice Center (SVC0044)

441 Written evidence from International Alert (SVC0017)

442 Written evidence from the Refugee Law Project (SVC0037)

mutually exclusive. Furthermore, support may be necessary for the families of victims who have not survived.

285. DfID is the lead department for the WHS and said that the UK had four objectives for the Summit: a renewed commitment to the protection of civilians in conflict; smarter financing; a new approach to building resilience to natural hazards before they take place; and a stronger focus on protecting and empowering women and girls. The Government's ambitions for the WHS therefore appeared to be aligned with proposals put forward by others—for example, by pushing for a “bold commitment to gender equality and the expansion of the Call to Action” and ensuring that women and girls and gender are integrated into other thematic areas of the WHS.⁴⁴³
286. However, there appears to be a missed opportunity in the Government's approach to the WHS. As mentioned earlier, the PSVI played a crucial role in bringing attention to the fact that men and boys are also victims. But in discussing the WHS, the Foreign and Commonwealth Office (FCO) stressed that it was supporting DfID in using the WHS as an opportunity to ensure women and girls were “front and centre of all humanitarian efforts”, so that in all types of emergencies “assistance targets their specific needs”.⁴⁴⁴ Surprisingly, there was no reference to the needs of men and boys during humanitarian crises or how these might be addressed at the WHS. Furthermore, when we requested details of the Government's objectives for the WHS, we did not find these to be comprehensive in dealing with sexual violence in conflict.
287. **The WHS in Istanbul in May 2016 will provide an important opportunity for the international community to address sexual violence in conflict. We urge the Government to make full use of the Summit. We regret the Government's failure to furnish the Committee with a comprehensive set of objectives for this important conference.**
288. **While we believe that it is important to focus on addressing the specific needs of women and girls during emergencies and humanitarian crises, and acknowledge the dangers of ‘gender blind’ policies, the specific needs of male survivors of sexual violence must not be neglected. We do not think that supporting the needs of men and boys is detrimental to those of women and girls.**
289. **We further believe that the Government has missed an opportunity to address targeted support that may be required for male and child survivors of sexual violence. The UK has been one of the first to champion awareness of the status of men and boys as victims. We are therefore surprised that the Government has not reflected this in its approach to the WHS.**
290. *In addition to campaigning for more states to adopt the Call to Action on Protecting Women and Girls in Emergencies at the WHS, the Government should ensure that the needs of men and boys who are victims of sexual violence in conflict are also addressed.*

443 Further supplementary written evidence from DfID ([SVC0066](#))

444 Written evidence from the FCO ([SVC0011](#))

The role of local organisations

291. In Chapter 3 we discussed the role of local organisations, which were described by our evidence as: important in addressing sexual violence in conflict; often in unique positions to assist; but under-resourced in carrying out their work.⁴⁴⁵ All of these points stand in the context of responding to the needs of victims and survivors.
292. The US State Department's Gender-Based Violence Emergency Response and Protection Initiative (GBV Initiative)⁴⁴⁶ was cited as a successful example currently supporting smaller grassroots organisations.⁴⁴⁷
293. Professor Davis noted how UK Government engagement with local organisations had been successful in the past. In Istanbul in January 2014, MADRE, the Women's International League for Peace and Freedom, and the Sorensen Center at CUNY law school, in partnership with local organisations in Iraq and Syria working on sexual violence in the context of the conflict, hosted a conference with the support of the PSVI. Professor Davis said that this conference resulted in "a practical and solid set of recommendations for the international community", in addition to "best practices for groups on the ground" on how to address sexual violence and the broader human rights violations that exacerbate it.⁴⁴⁸
294. The Government agreed that local organisations were important and acknowledged that they were "often under-resourced".⁴⁴⁹ In its written evidence, DfID said that its contribution to the UN Trust Fund to End Violence against Women and to *AmplifyChange*⁴⁵⁰ aimed to deliver increased funding to local organisations.⁴⁵¹
295. DfID also highlighted the establishment of the Global Acceleration Instrument (GAI), which was announced in October 2015 on the 15th anniversary of UNSCR 1325.⁴⁵² In acknowledging that one of the factors behind "the poor implementation to date of the Women, Peace and Security agenda" was a lack of financial support, UN Women established the GAI as a new funding mechanism. The GAI was established to channel funds to grassroots projects that "empower women to participate in, contribute to, and benefit from conflict prevention, crisis response, peacebuilding and

445 [Q 11](#) (Professor Doris Schopper and Mr Michael Howells), [Q 12](#) (Professor Lisa Davis), [Q 66](#) (Mr David Mephram and Ms Lauren Wolfe), [Q 68](#) (Ms Lauren Wolfe), [QQ 108-109](#) (Ms Josephine Wambui), written evidence from International Alert ([SVC0017](#)), Women for Women International UK ([SVC0018](#)), Vital Voices Global Partnership ([SVC0025](#)), Dr Ingrid Elliott ([SVC0026](#)), ABColombia ([SVC0033](#)), Gender and Development Network ([SVC0034](#)) and the International Rescue Committee UK ([SVC0035](#))

446 US Department of State, 'Gender-Based Violence Emergency Response and Protection Initiative: Bureau of Democracy, Human Rights, and Labor Partnership to Assist Individuals in Crisis': <http://www.state.gov/r/pa/prs/ps/2014/04/224983.htm> [accessed 14 March 2016]

447 The GBV Initiative provides individuals with medical, psycho-social, legal and livelihood support. Grassroots organisations are then able to support survivors through this Initiative without diverting resources away from other operations and programmes. See written evidence from Vital Voices Global Partnership ([SVC0025](#)): By supporting such an initiative, the Government could "create a direct line to victims and survivors of gender-based violence and ensure that they receive the services they need"

448 [Q 11](#) (Professor Lisa Davis)

449 Written evidence from DfID ([SVC0019](#))

450 AmplifyChange is an initiative to support civil society activists end child marriage and address a broader range of sexual and reproductive health services and gender issues. See <https://amplifychange.org/> [accessed 14 March 2016]

451 Written evidence from DfID ([SVC0019](#))

452 Cordaid, 'Governments pledge support to Global Acceleration Instrument': <https://www.cordaid.org/en/news/governments-pledge-support-global-acceleration-instrument/> [accessed 14 March 2016]

recovery”.⁴⁵³ In October 2015, Baroness Verma announced that the UK Government would contribute \$1 million of start-up funding to the GAI.⁴⁵⁴ As one of the three current largest donors to the GAI, the Government said it hoped to be invited to join the Steering Committee, which will set the strategic direction of the fund, make resource allocations and monitor progress towards achieving results.⁴⁵⁵ The Government’s approach to the GAI resonated with other evidence, which encouraged it to provide funding to the GAI and advocate for women’s rights organisations to be represented within the Steering Committee.⁴⁵⁶

296. **Local and grassroots organisations are well placed to assess the needs of victims and survivors of sexual violence in conflict. They may be in place before, during and after a conflict. Such organisations are also more attuned to the local context and have greater access than international organisations that might be present for a limited period only. They can also play a critical role when state agents are either unable or unwilling to provide the necessary support.**
297. *Since local and grassroots organisations are often the most effective in restoring the health and welfare of survivors of sexual violence in conflict, a review should be undertaken by the Government of the uses of emergency funding provided to local, regional and international NGOs in order to see what partnerships have proved most effective. New ways of working with local partners should be explored.*
298. **If the activities of local organisations are to yield positive results, they require increased long-term and quality funding. We therefore welcome the creation of a new funding mechanism, the Global Acceleration Instrument (GAI), which will channel funds to grassroots projects. We commend the Government for the initial \$1 million contribution it has made. As one of the three largest donors to the GAI, we also endorse the Government’s objective of obtaining a place on the GAI’s Steering Committee. As a member of this Committee, the Government would be well placed to shape the policies of the GAI, including supporting local organisations and HRDs.**
299. *The Government should continue to make financial contributions to the GAI and encourage other states to do likewise.*

UK domestic policies

300. Although it was not the primary focus of our remit, some of our evidence raised questions about the screening process for those making asylum claims who had experienced sexual violence in conflict.
301. The Refugee Council told us that a substantial proportion of refugee women in the UK had been affected by violence or sexual violence. A study conducted

453 Further supplementary written evidence from DfID (SVC0061)

454 Foreign & Commonwealth Office, Department for International Development and Ministry of Defence, ‘The UK firmly believes that the 15th anniversary must represent the start of a new era on Women, Peace and Security’, 13 October 2015: <https://www.gov.uk/government/speeches/the-uk-firmly-believes-that-the-15th-anniversary-must-represent-the-start-of-a-new-era-on-women-peace-and-security> [accessed 14 March 2016]

455 Further supplementary written evidence from DfID (SVC0061)

456 Written evidence from Womankind Worldwide (SVC0008) and Gender Action for Peace and Security (SVC0045)

by the Scottish Refugee Council interviewing women in Scotland found 70% of those interviewed had been affected by violence during their lifetime, with just under 50% affected by sexual violence. The Refugee Council also found that between August 2014 and August 2015, 78% of women who accessed its therapeutic service for refugee women were survivors of sexual violence.⁴⁵⁷

302. Concerns about the UK's asylum screening process were raised. Research by Women for Refugee Women and Asylum Aid found that women were routinely detained, "despite the Home Office's own guidance [setting out] that survivors of torture should only be detained in very exceptional circumstances".⁴⁵⁸ Accordingly, Women for Refugee Women said a key policy reform it would like to see implemented was an "end to the detention of survivors of rape and sexual violence".⁴⁵⁹ The International Truth and Justice Project—Sri Lanka raised similar concerns in relation to Tamil survivors claiming asylum in the UK. It said that one of the problems was a lack of awareness of asylum rights.⁴⁶⁰
303. Other evidence called on the Government to review and revise the administration of its asylum procedure. Widows for Peace through Democracy said that asylum procedure should be reviewed to ensure it complied with the gender guidelines on implementation of the 1951 Refugee Convention.⁴⁶¹
304. In its written evidence, the Home Office said that a key aim for UK Visas and Immigration (UKVI) was to ensure that the asylum system was "as gender sensitive as possible". UKVI had four action points in the Government-wide VAWG Action Plan, and said that all actions "with the exception of establishing a referral process for women who claim to have been victims of sexual violence", had been completed.⁴⁶² UKVI had also developed an Asylum Gender Action Plan (AGAP). The Home Office said progress on key actions in the AGAP had been made and that it had received "positive feedback".⁴⁶³ Ms Musgrave said that Home Office engagement on this issue was "very welcome".⁴⁶⁴ However, concerns were raised about the "extremely slow" pace of implementation, which was attributed to an apparent lack of funding and resources within the Home Office.⁴⁶⁵
305. **The UK's screening process for asylum seekers who claim to have been victims of sexual violence must be sensitive to their experiences. We are therefore pleased that the Home Office has reviewed its screening process for those claiming asylum. However, we are concerned that progress in implementing these changes is slow.**

457 **Q 90** (Ms Anna Musgrave)

458 Written evidence from Asylum Aid ([SVC0004](#)) and Women for Refugee Women ([SVC0021](#))

459 Written evidence from Women for Refugee Women ([SVC0021](#))

460 Written evidence from International Truth and Justice Project—Sri Lanka ([SVC0024](#))

461 Written evidence from Widows for Peace through Democracy ([SVC0003](#)). See also UN High Commissioner for Refugees, 'Convention and Protocol Relating to the Status of Refugees': <http://www.unhcr.org/3b66c2aa10.html> [accessed 14 March 2016]

462 Written evidence from the Home Office ([SVC0072](#)). In relation to establishing a process for women who claim to have been victims of sexual violence, the Home Office added: "Good progress is being made on that action, with Home Office officials working closely with colleagues from the Refugee Council, the Scottish Refugee Council and the UNHCR."

463 Written evidence from the Home Office ([SVC0072](#))

464 **Q 91** (Ms Anna Musgrave)

465 **Q 91** (Ms Anna Musgrave), written evidence from Asylum Aid ([SVC0004](#)) and Women for Refugee Women ([SVC0021](#))

306. *We recommend that the Government expedite the process of implementing changes to the asylum screening process. The Government should outline the timetable for this. If necessary, UK Visas and Immigration (UKVI) should be provided with the necessary funding and resources to assist with implementation.*

CHAPTER 6: ACCOUNTABILITY AND JUSTICE

307. A further theme of our inquiry was ensuring accountability of offenders and justice for victims and survivors. This Chapter looks at: evidence gathering and documentation; capacity building for national judicial systems; violent non-state groups (VNSGs); and remedy and reparation. The issue of holding peacekeepers accountable is addressed in Chapter 7.

Documentation and evidence gathering

Importance and purposes

308. There was consensus on the importance of documentation. We agreed with His Honour Judge Jonathan Carroll, a civilian member of the UK Team of Experts (ToE), who said: “[D]ocumentation is at the heart of how we produce some kind of accountability”.⁴⁶⁶
309. We were told that documentation served at least three purposes: creating a historical record; advocacy and awareness raising; and for the criminal justice process. Judge Carroll warned, however, that the “level, style and quality” of documentation could be very different depending on those three tasks. He said it was essential for those involved in documentation to be clear about what they were hoping to achieve before they started.⁴⁶⁷
310. The documentation of sexual violence could be simply about getting the historical record right. Documentation could involve the recording of events for that society so that it has its own post-conflict understanding of what happened and potentially also allow for the identification of patterns.⁴⁶⁸ ABColombia said that the construction of a historical memory was also a way of raising awareness about the experiences of victims and helping to “restore their dignity”.⁴⁶⁹
311. A number of witnesses commented on the advocacy element of documentation. We were told that part of what victims wanted was to be acknowledged.⁴⁷⁰ In describing her experience in the former Yugoslavia and Liberia, Dr Shana Swiss said that documentation itself was “extremely empowering” for the survivors.⁴⁷¹
312. Documentation was also regarded as an important way to address the under-reporting of male victims of sexual violence. Dr Chris Dolan, for example, said that the current approach to documenting sexual violence in conflict had “contributed a lot to a culture of impunity” because it did not sufficiently address the issue of men.⁴⁷² Ms Niamh Hayes, Head of Office at the Institute for International Criminal Investigations, subsequently advocated the need to keep documenting the levels of sexual violence in conflict committed against male victims because “the process has never existed before”.⁴⁷³

466 [Q 15](#) (His Honour Judge Jonathan Carroll)

467 *Ibid.*

468 [Q 15](#) (Professor Lisa Davis and His Honour Judge Jonathan Carroll), [Q 78](#) (Ms Yanar Mohammed), [Q 112](#) (Dr Shana Swiss) and [Q 115](#) (Ms Niamh Hayes)

469 Written evidence from ABColombia ([SVC0033](#))

470 [Q 105](#) (Professor Doris Schopper)

471 [Q 112](#) (Dr Shana Swiss)

472 [Q 105](#) (Dr Chris Dolan)

473 [Q 112](#) (Ms Niamh Hayes)

313. One of the fundamental purposes of documentation is evidence gathering for criminal prosecutions. Madame Zainab Hawa Bangura said that the international community needed to work harder with groups on the ground, non-governmental organisations (NGOs) and other countries to make sure the evidence collected could be “presented successfully in a court of law” to enable prosecutions.⁴⁷⁴
314. Furthermore, Ms Widney Brown said that absent evidence in criminal processes could result in victims being denied reparations and support services, such as healthcare. She highlighted a research project in northern Uganda which found that nearly 10 years after the peace process, women who were sexually enslaved by the Lord’s Resistance Army were still excluded and barely survived because of a “lack of a justice process”.⁴⁷⁵
315. During our visit to the Democratic Republic of Congo (DRC) (see Appendix 6), we visited a special police unit in Goma which responded to victims of sexual and gender-based violence (SGBV). The unit’s main work was to carry out investigations and gather evidence. The UK had been assisting with neighbourhood policing and funded an SMS (Short Message System) support system (and training for officers on how to use the system), which was an important part of data collection. In highlighting the success of these units, we heard that out of 593 suspected perpetrators of rape investigated by the unit, 204 had been convicted—this was regarded as significant progress compared to previous years. Although 11 such units existed across the province, we were told that many in the DRC wanted to see the units expanded across the country, with new legislation to formalise their role. For example, during our meeting with the North Kivu Province Chief of Police, General Awachnago Vital, he said he wanted these units to be rolled-out everywhere, including rural areas.
316. To assist with the documentation process, those giving evidence stressed the importance of building the capacities of local organisations and people.⁴⁷⁶ We earlier noted how local organisations are often *in situ* before, during and after a conflict. As a consequence, local groups working on the ground would have better access.⁴⁷⁷
317. However, we were told that the problem would not be addressed solely by providing more data. Instead, data needed to be more robust and reliable. Goldsmiths, University of London and Women’s International League for Peace and Freedom said that the UK could support better data collection and analysis by funding longer-term research programmes and addressing significant data gaps in legal institutions (international and domestic criminal courts).⁴⁷⁸
318. Mr David Hammond agreed: “It is not a quick fix and HMG [Her Majesty’s Government] should take a long-term view of influencing attitudes to law and justice”. He said the issue of enhancing accountability should be viewed in terms of a generational change.⁴⁷⁹ Taking a longer-term view of this issue

474 Q 38 (Madame Zainab Hawa Bangura)

475 Q 15 (Ms Widney Brown)

476 Written evidence from REDRESS (SVC0022)

477 Q 12 (Professor Lisa Davis) and written evidence from REDRESS (SVC0022)

478 Written evidence from Goldsmiths, University of London and Women’s International League for Peace and Freedom (SVC0015)

479 Written evidence from Mr David Hammond (SVC0001)

is consistent with a message we heard repeatedly throughout our inquiry: that addressing sexual violence is a long-term endeavour.

319. **Documentation and evidence gathering of conflict-related incidents of sexual violence serve many important purposes, including creating a historical record, advocacy and awareness raising and facilitating the criminal justice process itself.**

The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict

320. Our evidence also commented on the Preventing Sexual Violence Initiative's (PSVI) International Protocol on the Documentation and Investigation of Sexual Violence in Conflict.⁴⁸⁰
321. The Protocol was developed "in collaboration with a range of global experts and practitioners" and first launched at the Global Summit to End Sexual Violence in Conflict in June 2014. The Foreign and Commonwealth Office's (FCO) written submission provided more detail as to the Protocol's purpose.⁴⁸¹
322. There was widespread praise and recognition that the Protocol had made an important contribution to improving documentation and providing uniform guidelines.⁴⁸² The Protocol was particularly welcomed given that it incorporated so many of the lessons learned from other criminal investigative and prosecutorial bodies, such as the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Court (ICC). Dr Ingrid Elliott described it as "an excellent collection of standards and tools for best practice".⁴⁸³
323. The unique nature of the project was also highlighted. Judge Carroll said that sexual violence in conflict historically had been significantly underrepresented in post-conflict justice mechanisms, and that "the current endeavours to build a body of criminal justice standard documentation to remedy that past defect has not been attempted before".⁴⁸⁴
324. A significant reason why crimes are not prosecuted is that the evidence is difficult to obtain or preserve. As a result, the Protocol was described in the joint submission by Ms Elizabeth Wilmshurst and Ms Harriet Moynihan as

480 Foreign & Commonwealth Office, *International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Basic Standards of Best Practice on the Documentation of Sexual Violence as a Crime under International Law* (June 2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319054/PSVI_protocol_web.pdf [accessed 14 March 2016]

481 Written evidence from the FCO (SVC0011): "The International Protocol serves as a set of practical guidelines for actors working to document incidents of sexual violence in conflict-affected areas and is particularly focused on embedding protection strategies throughout investigations to ensure survivors receive sensitive and sustained support should they choose to come forward. Since its launch at the Global Summit we have translated the International Protocol into five languages (French, Spanish, Bosnian, Arabic and Nepali) and provided training to governments, the judiciary, police, military and civil society to gather evidence and strengthen the prosecution of sexual violence in Bosnia, Colombia, the DRC, Nepal and Uganda".

482 Q 3 (Lord Hague of Richmond), Q 15 (Professor Lisa Davis), Q 70 (Mr David Mepham), Q 81 (Madame Bineta Diop), written evidence from Track Impunity Always (TRIAL) (SVC0002), Asylum Aid (SVC0004), REDRESS (SVC0022), War Child UK (SVC0032), Amnesty International UK (SVC0048), Survivors Speak Out (SVC0052) and Dr Jill Steans (SVC0060)

483 Written evidence from Dr Ingrid Elliott (SVC0026)

484 Supplementary written evidence from His Honour Judge Jonathan Carroll (SVC0046)

significant in that it provided a set of “practical guidelines for those working to document incidents of sexual violence”.⁴⁸⁵

325. **The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict makes an important contribution by setting out good practice for documenting crimes of sexual violence in conflict. Even if prosecutions take time (for example, with regard to crimes being committed in Iraq and Syria), the Protocol plays an important role in the gathering and collection of data and evidence that might be available for the judicial process in the future.**
326. Despite general praise for the Protocol, a number of suggestions were made as to possible improvements.
327. We are unsure as to how much awareness there is of the Protocol. Its dissemination and usage seemed patchy. Indeed, one suggestion was that the Protocol should be more widely translated and disseminated.⁴⁸⁶ It was said that implementation of the Protocol had been limited to only a few countries. This meant there was reduced awareness of its existence. Widows for Peace through Democracy said: “When we were in Syrian Kurdistan, barely any of the women’s organisations or women’s committees in Rojava had heard of the Protocol”.⁴⁸⁷
328. We were told that wider translation and dissemination would help increase efforts to gather documentation and evidence on conflict-related sexual violence and therefore potentially lead to increased prosecutions. Lord Hague of Richmond agreed with this when he said: “[I]f the Protocol that we have devised is widely disseminated, translated and employed by prosecutors, there can be a great many more prosecutions and we will start to tackle impunity”.⁴⁸⁸
329. The need for further training to support the Protocol was also identified. We were told that for the Protocol to have a greater impact there needed to be regular training (including follow up) by competent trainers to groups such as local organisations and NGOs.⁴⁸⁹ Citing a joint Department for International Development (DfID)-FCO ‘lessons learned’ exercise, Dr Elliott said that building local capacity required more than “one-off trainings or training of trainer (ToT) weeks”, but rather, ongoing iterative trainings, mentoring and partnerships to build and share skills sets.⁴⁹⁰ War Child UK advocated the UK hosting annual training on the Protocol for NGO persons and those operational in conflict contexts.⁴⁹¹
330. Other evidence said that future iterations needed to include increased guidance on male victims and children. The Refugee Law Project said that additional guidance should be included on investigating sexual violence crimes against men and boys, although it acknowledged that “this has already

485 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan ([SVC0059](#))

486 Written evidence from Amnesty International UK ([SVC0048](#)) and World Vision UK ([SVC0006](#))

487 Written evidence from Widows for Peace through Democracy ([SVC0003](#)): “We would like to see the International Protocol more widely disseminated, translated and distributed, so that countries like Sri Lanka, that has the most well documented evidence of sexual violence spearheaded by the government, brought into its orbit.”

488 [Q 8](#) (Lord Hague of Richmond)

489 [Q 11](#) (Professor Lisa Davis), written evidence from Track Impunity Always (TRIAL) ([SVC0002](#)), World Vision UK ([SVC0006](#)) and REDRESS ([SVC0022](#))

490 Written evidence from Dr Ingrid Elliott ([SVC0026](#))

491 Written evidence from War Child UK ([SVC0032](#))

been prepared with PSVI funding support”.⁴⁹² In respect of children, War Child UK noted that while the Protocol outlined how to interview vulnerable adults, very little of it covered children “and the safeguards that need to be in place to reduce trauma to child survivors”.⁴⁹³

331. **Use of the Protocol would be improved with wider translation and dissemination, the inclusion of further guidance on male and child victims, and regular and ongoing training for those who use the document.**
332. Although a series of suggested improvements were made, we also heard that the effectiveness of the Protocol could not be fully assessed in the short term. The Protocol has only existed since June 2014. Judge Carroll said that by definition “it is not a quick endeavour”, and that the quality of the Protocol could not be tested “until after the conflict and some form of criminal justice process has been put in place”.⁴⁹⁴
333. Goldsmiths, University of London and Women’s International League for Peace and Freedom agreed that it was too early to assess its effectiveness and usefulness. It said that for the Protocol to be useful and effective it should be “approached as a living document ... trusted on the ground, contextualised within certain circumstances and significantly further developed”.⁴⁹⁵
334. The Government told us that it had always seen the Protocol as a ‘living’ document. Mr Paul Williams, Director of the Multilateral Policy Directorate at the FCO, noted that it had already changed in slight ways—for example, by its translation into several other languages.⁴⁹⁶ He went on to stress that the Government was “keen to get feedback from the groups, NGOs and so on” who used the Protocol in the field. Mr Williams said that the Government had already had some feedback and wanted to take that information on board in order to revise the document further.⁴⁹⁷ Mr Tom Woodroffe, Head of Office of the Prime Minister’s Special Representative on Preventing Sexual Violence in Conflict, summarised that there would be an “ongoing process of review”.⁴⁹⁸ In subsequent evidence, the Government said that in 2016 it would carry out a review of the Protocol and was “discussing with experts how to monitor the impact that this methodology has on documenting and investigating these crimes and the judicial and other outcomes for survivors”. This process would include consultation with “a number of organisations that have either used the Protocol or trained on its use”.⁴⁹⁹

492 Written evidence from the Refugee Law Project ([SVC0037](#))

493 Written evidence from War Child UK ([SVC0032](#))

494 Supplementary written evidence from His Honour Judge Jonathan Carroll ([SVC0046](#))

495 Written evidence from Goldsmiths, University of London and Women’s International League for Peace and Freedom ([SVC0015](#))

496 [Q 122](#) (Mr Paul Williams). See also supplementary written evidence from the FCO ([SVC0067](#)): “To date, we have translated the Protocol into French, Spanish, Bosnian, and Arabic. We are also translating the Protocol into Burmese, Nepali, Albanian, Serbian, Swahili, Lingala and Kurdish.”

497 [Q 122](#) (Mr Paul Williams). See also written evidence from the FCO ([SVC0011](#)): “The FCO continues to identify further implementation and training opportunities and to encourage the UN, AU and other international organisations to promote its use. The International Protocol has been welcomed by a number of organisations that are using it in the field. The FCO will work with them to incorporate feedback on its efficacy and suggestions for how future versions may be improved, in line with the commitment periodically to revise the text.”

498 [Q 122](#) (Mr Tom Woodroffe)

499 Supplementary written evidence from the FCO ([SVC0067](#))

335. On the subject of training, the Government said it had developed a set of training materials “to support its use”, regional training modules on how to implement the Protocol “in different local contexts” and a series of “bespoke training packages”. It said it had begun a programme of implementation and training in Bosnia and Herzegovina, Colombia, the DRC, Nepal and Uganda, as well as of Iraqi and Syrian activists. Training plans for 2016 were still being developed.⁵⁰⁰
336. **We are mindful that the Protocol is relatively new, having existed for less than two years. The Government therefore needs to continue to gather evidence from those who use it and to evaluate its practical application and effectiveness. We endorse the Government’s approach in viewing the Protocol as a ‘living document’.**
337. *We urge the Government to ensure the review process for the Protocol remains ongoing and agile to reflect improvements promptly. The review process must continue to incorporate feedback from users, including local organisations, NGOs and activists. Furthermore, it must be adequately resourced and be subject to a peer review process to ensure usability and up-to-date good practice.*
338. *The Protocol is a comprehensive and lengthy document. While we welcome the training materials and programmes the Government has already produced, we recommend that a short user manual be produced for operatives in the field.*

Truth and reconciliation commissions

339. We received limited evidence on truth and reconciliation commissions (TRCs).⁵⁰¹ The Guatemalan and Liberian TRCs were identified as positive examples, but there was a lack of consensus as to the wider value of TRCs.
340. Dr Chaloka Beyani said that on sexual violence in conflict, TRCs were “very weak” as “they appear to be friends of the system until they begin to operate, and when they are begin to operate effectively they are immediately side-lined”. Dr Beyani thought there was “a lack of clarity about what happens in the course of their work or after they finish”. He said there was a particular problem with prosecutions, either because commissions lacked the necessary powers, or those in authority did not follow up any recommendations to prosecute that were made by the TRC.⁵⁰² In the case of Liberia, Dr Swiss said that the TRC’s report had “not been implemented”. This was partly because the report “recommended prosecutions of specific people, so the legislature did not act”.⁵⁰³

500 Supplementary written evidence from the FCO ([SVC0067](#))

501 Truth and reconciliation commissions are a form of transitional justice mechanism tasked with discovering and revealing past wrongdoings by a government—or, depending on the circumstances, non-state actors also—in the hope of resolving conflict left over from the past. They appear under different names, and are occasionally set up by states emerging from periods of civil unrest, civil war or other forms of conflict. Countries where truth and reconciliation commissions have been established include: Argentina, Bolivia, Brazil, Canada, Chad, Chile, Colombia, Czech Republic, the DRC, East Timor (Timor-Leste), Ecuador, El Salvador, Fiji, Germany, Ghana, Guatemala, Haiti, Kenya, Liberia, Mauritius, Morocco, Nepal, Nigeria, Panama, Paraguay, Peru, Poland, Philippines, Rwanda, Sierra Leone, Solomon Islands, South Africa, South Korea, Sri Lanka, Togo, Uganda, Ukraine, Uruguay, Tunisia, the US and the former Yugoslavia.

502 [Q 92](#) (Dr Chaloka Beyani)

503 [Q 116](#) (Dr Shana Swiss)

341. Judge Mary McGowan Davis, former acting Justice of the Supreme Court of New York, said that while she thought TRCs were “very appropriate and useful”, they were not an effective means of achieving prosecutions and accountability (in the formal sense).⁵⁰⁴ Instead, she said their value was in “setting out the evidence of what happened”.⁵⁰⁵ Dr Swiss also agreed that TRCs could assist with creating historical records.⁵⁰⁶ She said that the Liberian TRC was “terrific in the way it really put women and children forward in the gathering of information”,⁵⁰⁷ and had “some excellent things in place”, such as a gender committee and a gender policy.⁵⁰⁸ Ms [Niamh] Hayes agreed, and said that in some conflicts, a truth and reconciliation commission was “essentially the only historical record ... you are going to get”.⁵⁰⁹

Capacity building for national judicial systems

342. We discussed in Chapter 2 that the state where a crime is committed has responsibility for investigating and prosecuting crimes. Where the capacity or will to do this is lacking, international justice can step in. However, the ICC is a court of last resort (the ‘principle of complementarity’) (see paragraph 78).⁵¹⁰
343. Our evidence agreed on the importance of capacity building for national judicial systems. Multiple reasons were given as to why emphasis should be placed on such programmes.
344. Ms Lauren Wolfe said governments and international NGOs placed too much emphasis on finding justice at the international level, such as through the ICC. She said that local activists were “not interested in the ICC”, but were instead more interested in “local justice”, which needed to be the priority.⁵¹¹ Judge Davis made a similar point. She said that mass rape and impunity had a “trickle-down” effect on the rest of the civilian community and led to the “normalisation of rape”. As a result, Judge Davis said it was necessary to build up the local justice system to enable the prosecution of perpetrators that were “closer to home—in the sense of everybody’s lives”.⁵¹²
345. From a slightly different perspective, Madame Bineta Diop emphasised that there were some practical limitations in accessing international justice. She

504 Q 116 (Judge Mary McGowan Davis)

505 Q 117 (Judge Mary McGowan Davis)

506 Q 112 (Dr Shana Swiss): “It [the Liberian Truth and Reconciliation Commission] took about 21,000 written testimonies and about 500 public testimonials. Half the written testimonies and about 40% of the public testimonials were from women. The Commission was also able to document male sexual abuse ... This is another way of getting documentation without having continually to interview women for that information if what we want is an historical record”.

507 Q 112 (Dr Shana Swiss)

508 Q 116 (Dr Shana Swiss): “... for example, every woman who testified, in all of the 15 counties, got six weeks of follow-up in groups with psychosocial support ... The groups themselves said they had 100% participation in those groups. It was done in a truly respectful, supportive and empowering way for the women who participated in it”.

509 Q 116 (Ms Niamh Hayes)

510 The principle of complementarity: “Complementarity is one of the foundational principles of the Rome Statute system. What was envisioned by the drafters of the Rome Statute was not simply a self-standing Court, but rather a comprehensive system of international justice, where the duty on States Parties to investigate and prosecute international crimes is clearly reinforced. Consequently, the International Criminal Court (ICC) is a court of ‘last resort’ and will step in where national jurisdictions have failed to address international crimes.” See Coalition for the International Criminal Court, ‘Complementarity’: <http://www.iccnw.org/?mod=complementarity> [accessed 14 March 2016]

511 Q 68 (Ms Lauren Wolfe)

512 Q 113 (Judge Mary McGowan Davis)

said that there was a need to reform the judicial process at a national level, because “not everybody can go to the ICC”.⁵¹³

346. However, we heard that to improve the capacity of individual states to hold perpetrators accountable, barriers at the national level needed to be addressed first.
347. One of the main barriers in this regard was inadequate domestic legislation. Several witnesses agreed that it was important to ensure that domestic legislation was consistent with international law and allowed victims to come forward safely.⁵¹⁴ A key aspect of ending impunity is the need to expand the capacity at the domestic level for accountability for conflict-related sexual violence. This is because impunity cannot be ended unless all states have national laws reflecting and implementing their “willingness and ability” to prosecute rape as a crime against humanity, war crime, or element of genocide.⁵¹⁵
348. Enacting legislation at the domestic level first requires political will. In a number of countries, this is often lacking. For example, International Alert noted that the Violence Against Persons (Prohibition) Bill in Nigeria languished for 13 years before being passed as an Act. It said that “cultural and societal gender inequalities” had hindered progress.⁵¹⁶
349. The second step is implementation. Global Justice Center noted that while many of the states who endorsed the General Assembly’s Declaration of Commitment to End Sexual Violence in Conflict⁵¹⁷ had ratified the Rome Statute of the ICC—which criminalises sexual violence as a war crime and crime against humanity, and provides thorough definitions of sexualised crimes—the majority had not implemented the Rome Statute’s crimes into their own domestic law.⁵¹⁸ We agreed with REDRESS and the International Federation for Human Rights:

“Ratification of a treaty without implementing the obligations and ensuring respect for its provisions is practically meaningless. As a first step, states must therefore ensure that the crimes outlawed under the treaty are considered ‘criminal’ and can be prosecuted and punished under their domestic law.”⁵¹⁹
350. The lack of parity between domestic legislation and international law could negatively impact victims and survivors of sexual violence in conflict from accessing justice. On one hand, Track Impunity Always (TRIAL) said that both in Nepal and Bosnia and Herzegovina domestic legislation was “at

513 Q 84 (Madame Bineta Diop)

514 Q 105 (Professor Doris Schopper), written evidence from Goldsmiths, University of London and Women’s International League for Peace and Freedom (SVC0015) and Amnesty International UK (SVC0048)

515 Written evidence from Global Justice Center (SVC0044)

516 Written evidence from International Alert (SVC0017)

517 Foreign & Commonwealth Office, *Declaration of Commitment to End Sexual Violence in Conflict* (24 September 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/274724/A_DECLARATION_OF_COMMITMENT_TO_END_SEXUAL_VIOLENCE_IN_CONFLICT.pdf [accessed 14 March 2016]

518 Written evidence from Global Justice Center (SVC0044)

519 REDRESS & International Federation for Human Rights, *Extraterritorial Jurisdiction in the European Union: A Study of the Laws and Practice in the 27 Member States of the European Union* (December 2010): http://www.redress.org/downloads/publications/Extraterritorial_Jurisdiction_In_the_27_Member_States_of_the_European_Union.pdf [accessed 14 March 2016]

odds with international law” and contained “discriminatory provisions” that disproportionately affected female victims, especially in matters related to compensation and the applicable statutes of limitation with respect both to reporting the offence and to claiming redress.⁵²⁰

351. On the other hand, we also heard that domestic legal systems afforded very little protection to male victims. The Refugee Law Project said that 90% of men in conflict-affected countries were in situations where the law provided no protection for them if they became victims of sexual violence: 62 states (representing almost two-thirds of the world’s population) only recognised female victims of rape; 67 states criminalised men who reported abuse committed against themselves; and in 28 states only males were recognised as perpetrators of sexual violence.⁵²¹
352. A second barrier at the national level was that state institutions often lacked the necessary resources to investigate and prosecute conflict-related sexual violence. REDRESS cited eastern DRC as an example. It said that the prosecution of cases was “very much dependent on external funding from the UN [United Nations] or other organisations”.⁵²² REDRESS said that the cases which eventually proceeded to a judgment were all backed by international organisations.⁵²³ Additionally, there may be a lack of protection for witnesses coming forward to assist with prosecutions. Some of our evidence highlighted the need for increased witness protection—particularly for victims of sexual violence who were seeking justice.⁵²⁴
353. **The primary responsibility for dealing with crimes of sexual violence in conflict lies with the state in which the crime occurs. Strengthening the legislation and capacity of national justice systems is vital if states are going to be able to hold perpetrators of sexual violence in conflict accountable. States may have inadequate domestic legislation, political will to address this may be lacking or social attitudes may prevent reform. Even if the appropriate domestic legislation is enacted, implementation is a further challenge. We believe the UK has an important position in assisting other states build the capacity of their national law enforcement and judicial systems.**
354. *Peacekeeping and post-conflict work should incorporate a review of local legislation. For example, in countries where common law is practiced, the Bar Associations of both the UK and US could be asked to assist in this process.*
355. The Government also recognised the importance of capacity building for national judicial systems. DfID’s written submission highlighted the increasingly important function of security and justice (S&J) programming

520 Written evidence from Track Impunity Always (TRIAL) (SVC0002)

521 Written evidence from the Refugee Law Project (SVC0037). See also Q 105 (Dr Chris Dolan)

522 Written evidence from REDRESS (SVC0022). See also International Center for Transitional Justice, *The Accountability Landscape in Eastern DRC—Analysis of the National Legislative and Judicial Response to International Crimes (2009–2014)*, (July 2015): <https://www.ictj.org/sites/default/files/ICTJ-Report-DRC-Accountability-Landscape-2015.pdf> [accessed 14 March 2016]

523 Written evidence from REDRESS (SVC0022). See table of cases in: International Center for Transitional Justice, *The Accountability Landscape in Eastern DRC—Analysis of the National Legislative and Judicial Response to International Crimes (2009–2014)* (July 2015), p 41: <https://www.ictj.org/sites/default/files/ICTJ-Report-DRC-Accountability-Landscape-2015.pdf> [accessed 14 March 2016]

524 Q 46 (Ms Pramila Patten), written evidence from Track Impunity Always (TRIAL) (SVC0002), Gender and Development Network (SVC0034), Survivors Speak OUT (SVC0052), Ms Elizabeth Wilmshurst and Ms Harriet Moynihan (SVC0059)

in the UK's aid portfolio. At the time of its submission, DfID was supporting S&J programmes in 21 countries, with 86% of the programmes operating in fragile and conflict-affected states. In 2013/14 Government spend on S&J programming was £95 million. DfID said that with the advent of the new Conflict, Stability and Security Fund (CSSF), Government spend on S&J assistance was likely to increase substantially.⁵²⁵ DfID's approach also appeared consistent with the calls made in our evidence, insofar as focusing on tackling barriers at the national level—particularly in addressing the challenges faced by state institutions.

356. Whereas DfID's programming seemed to focus more on addressing institutional barriers, the FCO's reforms appeared to address the other main barrier, that of domestic justice systems. As we have already noted, the FCO suggested it was too early to assess the full impact of its work on national justice programmes.⁵²⁶ Nevertheless, it said there were a number of positive indicators (see Box 5).

Box 5: Impact of FCO national justice programmes

In its written evidence, the FCO outlined its evaluation of the effectiveness of its national justice programmes to date:

- “In Colombia the UK worked with the Attorney General's Office to deliver a capacity building programme for prosecutors on sexual violence in conflict. This, and the UK's work along with the international community and civil society organisations, helped drive the government's commitment to a new law to improve access to justice for victims of sexual and gender based violence. This law recognises discrimination and subordination as an “aggravated circumstance” for homicide. It increases potential sentences for perpetrators of sexual violence from 20 to 41 years and led to the Colombian authorities immediately increasing investigations into sexual and gender based crimes. It has been widely celebrated by women's rights groups as a success and is helping to maintain political will and momentum for wider judicial reforms in Colombia;
- “As a direct result of Embassy lobbying in Kosovo, President Jahjaga launched the National Council for the Survivors of Sexual Violence during the War, which has led to an amendment to the Law on Martyrs, Veterans and Civilian Victims of the War to include survivors of wartime sexual violence in state support mechanisms. This measure was adopted in March 2015;
- “After the [2014] Global Summit, the Government of Côte d'Ivoire has embarked upon a process of legal reform, including to expand its definition of sexual violence and to harmonise its criminal and civil codes with international standards. The Government has also drafted a specific law on the protection of victims and witnesses;
- “Since the [2014] Global Summit, the Government of Croatia passed a bill that will compensate survivors of sexual violence during the war of the 1990s. The bill entitles survivors to a one-off payment of €20,000 and monthly sums of €320;

⁵²⁵ Written evidence from DfID ([SVC0019](#))

⁵²⁶ Written evidence from the FCO ([SVC0011](#))

- “The FCO supported the development of, and subsequent training on, the OSCE wartime sexual violence training module for judges, prosecutors and witness support officers in Bosnia and Herzegovina. The module covers international and national legal frameworks and jurisprudence governing the prosecution of wartime sexual violence crimes, including psycho-social considerations (such as trauma, trauma and memory, issues of re-traumatisation); and
- “In Burma the FCO is supporting the creation of legal aid centres and the provision of trained paralegals to help provide advice and assistance on documenting sexual violence crimes.”⁵²⁷

357. There was limited comment on the effectiveness of the Government’s programmes conducted overseas to build the capacity of national judicial systems. Evidence focused instead on the longevity of the task.
358. It was noted that reforming national justice programmes was a long-term endeavour. Influencing attitudes to law and justice in other countries where established local legal systems are often embedded is a considerable challenge.⁵²⁸ Ms Wilmshurst and Ms Moynihan said: “There is no one simple measure that will improve prosecution at the domestic level; it will require multiple levers applied over time.”⁵²⁹
359. Consequently, Goldsmiths, University of London and Women’s International League for Peace and Freedom recommended the development of a systematic evaluation of the effectiveness of such programmes and review of priority areas. It said that the use of “ad hoc short-term projects based on consultancies” was not helpful for ensuring sustainable reform.⁵³⁰
360. **We commend the Government for the programmes it already carries out overseas to build the capacity of national judicial systems. As with addressing the gap in documentation, tackling the barriers that hinder accountability at the national level requires long-term commitment. We therefore hope that support for such programmes will continue.**

The Team of Experts

361. We received a number of detailed pieces of evidence on the work of the ToE, which is a key mechanism for the UK’s further efforts on capacity building for national judicial systems.
362. The FCO set out the role and remit of the ToE, which is part of the wider Civilian Stabilisation Group that was created to deploy expertise on conflict, stabilisation and security issues at short notice to conflict-affected states:

“The ToE currently consists of 74 experts (of which 43 are women), including police, lawyers, psychologists, doctors, forensic experts,

527 Written evidence from the FCO (SVC0011). It should be noted that we received evidence disputing the FCO’s engagement and effectiveness in Burma. For example, see written evidence from Burma Campaign UK (SVC0023): “The British government is not implementing PSVI effectively in Burma. It is deliberately avoiding the fact that the biggest perpetrator when it comes to rape and sexual violence in Burma is the Burmese army.”

528 Written evidence from Mr David Hammond (SVC0001)

529 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan (SVC0059)

530 Written evidence from Goldsmiths, University of London and Women’s International League for Peace and Freedom (SVC0015)

gender-based violence experts and experts in the care and protection of survivors and witnesses. Since 2012 there have been 65 deployments from the PSVI ToE to 13 countries in support of 17 projects. Each deployment is tailored to local needs and circumstances. The ToE do not collect evidence or investigate sexual violence. Deployments are designed to complement and reinforce the work of others, including governments UN and NGOs. These deployments have been critical in building local, national, regional and international capacity to respond to sexual violence, highlighting UK subject matter expertise and demonstrating publically the strength of our commitment ... In addition, the PSVI ToE is helping to build the capacity of HMG on conflict-related sexual violence. This support includes deploying as gender advisers on UK and NATO military exercises, ensuring PSVI is integrated into the scenarios and providing thematic advice during the exercises; and developing a generic training manual on conflict-related sexual violence for the MOD and FCO to be used by the UK military”.⁵³¹

363. Evidence was submitted by a number of current and former members of the ToE.⁵³² In oral evidence, Judge Carroll gave an example of the nature of the ToE’s work in capacity building for national judicial systems. In Syria he was involved in a criminal justice project that involved teaching international standards—“the essential, gold-plated standards”—to those who could hold themselves out as expert witnesses in due course.⁵³³
364. As in other areas, it was noted that assessing the effectiveness of the ToE was very difficult. Dr Michael Korzinski, a former member of the ToE, said that the absence of agreed metrics made it difficult to assess effectiveness. He therefore suggested that the Government should reach out to the jurisdictions to which the ToE teams had been deployed and “request their feedback”, including from a range of NGOs.⁵³⁴
365. Questions were also raised about whether there was a need for long-term commitment or re-commitment, and how intelligence and learning could be effectively gathered and disseminated. Dr Korzinski commented on the short-term nature of engagements and lack of follow up. In his experience there had been little follow-through with participants—with either those deployed or ‘service users’. Dr Korzinski said he would have valued “continuing joint working, including debriefing”, but that instead, any follow up work he conducted was done on a voluntary, unpaid basis. He added that none of the follow-through in his experience had been systematic, and he was not aware of “any opportunity for individuals and teams deployed to different areas to share views and build on their individual work for the benefit of the Initiative”.⁵³⁵ This would appear to be a lost opportunity in terms of sharing experiences and good practice.
366. **The work conducted by the Team of Experts (ToE) must be a long-term endeavour. We note with concern the current short-term nature of engagements, and believe that it would be beneficial if there were**

531 Written evidence from the FCO ([SVC0011](#))

532 See for example written evidence from Dr Ingrid Elliott ([SVC0026](#)) and Dr Emilie Medeiros ([SVC0042](#))

533 [Q 15](#) (His Honour Judge Jonathan Carroll)

534 Written evidence from Dr Michael Korzinski ([SVC0039](#))

535 *Ibid.*

a degree of continued engagement and re-engagement of members to capture their knowledge and experiences.

367. A further lost opportunity could be the perceived limited involvement of ToE members in the development of projects and deployments. The Government's written evidence and our discussion with the Minister made it clear that the ToE did not have a role in the formulation of policy. Baroness Anelay of St Johns said: "The Team of Experts is a group that assists and advises. They do not take action, they do not set policy, they do not monitor, they do not criticise."⁵³⁶ Although Sir Simon McDonald said that the plans were developed "in the knowledge of the skills of our experts", he agreed that "perhaps it would be better to involve them earlier in the process".⁵³⁷ Given that members are 'experts' in their fields, it is problematic that they do not play a greater role in the formulation of policy.
368. **The knowledge and expertise of members recruited to the ToE could be used more effectively in the formulation of policy.**
369. Addressing the needs of children and male victims has been raised consistently throughout our report. In the context of the ToE, War Child UK said that members had not received any child safeguarding or protection training, including responding to sexual violence against men and boys. It said that deployments "must each include individuals with experience of child rights and protection" and "of interviewing and engaging with girls and boys". War Child UK therefore recommended that personnel received pre-deployment child protection training.⁵³⁸
370. **We are concerned that the ToE has not received child safeguarding or protection training, including responding to sexual violence against men and boys.**
371. In addition to its above recommendation, War Child UK suggested that the concept of the ToE be expanded into other countries. It said this would ensure "a broader roster of expertise in child protection and scale-up in-house training".⁵³⁹ Although War Child UK was speaking about increasing the availability of expertise in relation to children, this could be applied to all categories of expertise. The ToE currently has only 74 experts; given the global scale of sexual violence in conflict, this is a very small number.
372. **Current requests for support from the ToE outweigh its capacity. There should be greater use of the ToE model in other countries to provide a broader roster of available expertise.**
373. ***We earlier recommended that the PSVI needs to establish a strategic plan and operational road map. The ToE needs to be incorporated into the delivery of this strategy. As we have mentioned elsewhere, the Government must heed its own assessment that mitigating and eliminating sexual violence in conflict is a long-term endeavour. The ToE therefore requires suitable funding and flexibility in deployments for re-engagements and longer-term support.***

536 [Q 166](#) (Baroness Anelay of St Johns)

537 [Q 143](#) (Sir Simon McDonald)

538 Written evidence from War Child UK ([SVC0032](#)). Note: in its evidence, War Child UK refers to the Team of Experts as "Deployable Civilian Experts".

539 Written evidence from War Child UK ([SVC0032](#))

374. *We further recommend the following with regard to the ToE:*

- (a) *That the Government should establish a formal process to make use of and disseminate the learning and experience generated by the members of the ToE;*
- (b) *That the knowledge and expertise of members of the ToE should be used earlier in the development of deployment policy;*
- (c) *That it should be mandatory that all members of the ToE complete pre-deployment child safeguarding and protection training, including responding to sexual violence against men and boys; and*
- (d) *That the Government should work to expand the capacity of the ToE so that it can undertake more deployments and have greater flexibility as to the length and nature of these. We would like to see the UK partnering with other states (for example, states that are the ‘friends of the PSVI’) to expand the capacity of the ToE.*

Violent non-state groups

375. This section considers the issue of accountability and justice for VNSGs.⁵⁴⁰ It is important to note that not all VNSGs are armed groups. For instance, international crimes could be committed by civilian leaders of a VNSG or civilians themselves.⁵⁴¹ Our views on the international criminal law framework, including bodies such as the ICC and international tribunals (for example, the ICTY and International Criminal Tribunal for Rwanda (ICTR)) are addressed in Chapter 2.
376. Sexual violence in conflict is not committed solely by state agents. The scale of sexual violence perpetrated by VNSGs has received considerable global attention in recent years, particularly as a result of groups such as Boko Haram in Nigeria, and Daesh in Iraq and Syria. Dr Elliott said that the “gravity of the scale, nature and organisation” of Daesh in particular was “unprecedented”.⁵⁴²
377. We were told that many VNSGs used sexual violence as a deliberate tactic.⁵⁴³ Madame Bangura said that where Daesh was concerned, sexual violence “is not accidental”. She said that sexual violence was used actively for multiple reasons, such as to entice young men to join, or to raise money (for example, by auctioning women in open markets).⁵⁴⁴
378. Given the scale and impact of VNSGs in using sexual violence, we thought it important to consider ways in which they might be held accountable and brought to justice. There was, however, limited evidence on how this might be achieved.

540 VNSGs are sometimes referred to as non-state actors or non-state armed groups.

541 In population-based investigations of wartime sexual violence that look beyond war rape committed by combatants, many victims report that the perpetrator was an intimate partner, acquaintance, or other noncombatant. See United States Institute of Peace, *Special Report: Wartime Sexual Violence—Misconceptions, Implications, and Ways Forward* (February 2013): <http://www.usip.org/sites/default/files/resources/SR323.pdf> [accessed 14 March 2016]

542 Written evidence from Dr Ingrid Elliott (SVC0026)

543 Q 8 (Lord Hague of Richmond) and written evidence from Open Doors UK & Ireland (SVC0020)

544 Q 37 (Madame Zainab Hawa Bangura)

Challenges in holding violent non-state groups accountable

379. There are a number of challenges associated with holding VNSGs accountable. In the first instance, there are questions about the applicability of international law to VNSGs. Dr Jill Steans said that research demonstrated that the problem of impunity was “not just a failure of political will”, but the result of the “structural weaknesses of international law”.⁵⁴⁵
380. Human rights law regulates the behaviour of the state with respect to individuals within its territory and jurisdiction, and is primarily constituted through international conventions to which only states can become parties. Accordingly, VNSGs cannot become parties to human rights treaties. Furthermore, the ‘responsibility to protect’ (R2P) concept and UN Security Council resolutions (UNSCRs) on the protection of civilians in armed conflict stress that the primary responsibility for human rights protections rests upon the government.⁵⁴⁶
381. The challenges of VNSGs extend beyond the application of international law. Madame Bangura provided a detailed analysis of the “extreme challenge” posed by VNSGs. She said that since the UN was created, it had developed “mechanisms and tools” to engage with state agents; however, a similar policy did not exist for VNSGs.⁵⁴⁷ In order to address this, Madame Bangura stressed that the international community needed to broaden its knowledge of VNSGs. She highlighted a variety of challenges in addressing this knowledge gap: there had been a growth in VNSGs, with some becoming bigger than states; their size varied; accessibility was restricted; many of them had limited contact with NGOs and UN entities and could not be dealt with directly; they did not necessarily have the same structures and institutions as a state; and many of them did not have respect for international law and or international borders (such as Daesh).⁵⁴⁸
382. Madame Diop provided an example of how the African Union (AU) had attempted to address the problem of crimes committed by VNSGs:
- “I recently convened a committee at the Kofi Annan centre in Accra. I invited women from northern Nigeria but also from Somalia and other parts where we are likely to see terrorist acts. We had a discussion and shared experiences. One of the actions that we are looking at is how women who are members of the intelligence services can have the tools to act on the information that we can see. When you go to Somalia and ask the people in the villages about al-Shabaab, we know that they are in the community. So we need to know how to generate and gather information, but we also need to make sure that women are part of that process of identifying those who have infiltrated the communities.”⁵⁴⁹
383. As a result, Madame Bangura said it was a mistake to engage Daesh using “our own international standards”, as a VNSG such as Daesh “does not respect international law”. She said that the international community needed

545 Written evidence from Dr Jill Steans (SVC0060)

546 The ‘responsibility to protect’ (R2P): R2P is a proposed norm that sovereignty is not an absolute right, and that states forfeit aspects of their sovereignty when they fail to protect their populations from mass atrocity crimes and human rights violations (namely genocide, crimes against humanity, war crimes, and ethnic cleansing). See also UN, ‘The Responsibility to Protect’: <http://www.un.org/en/preventgenocide/adviser/responsibility.shtml> [accessed 14 March 2016]

547 Q 37 (Madame Zainab Hawa Bangura)

548 *Ibid.*

549 Q 80 (Madame Bineta Diop)

to think “outside of the box” as it was not possible to use existing tools, such as sanctions and travel bans.⁵⁵⁰

384. **There are considerable legal and practical challenges in holding VNSGs to account. The body of knowledge of VNSGs is sparse and more urgent research is necessary; they are not a homogenous group, and should not be treated as such.**

The Government’s approach

385. In Chapter 3 we discussed preventing VNSGs from committing sexual violence in conflict, including the Government’s policy for responding to VNSGs (see paragraphs 140–146). This rightly placed a considerable emphasis on prevention. However, we noted a lack of detail in relation to its approach to holding VNSGs accountable.
386. The FCO said it was determined that “all perpetrators should be held accountable”. It recognised, however, that there was no ‘one-size-fits-all’ approach and that the diversity of VNSGs required a similarly diverse range of measures that were “tailored to specific actors in specific contexts”.⁵⁵¹ Limited information was provided on these measures. We were told they included working at the international level—such as on the Women, Peace and Security (WPS) Agenda at the UN—or focused more directly at country level in support of organisations with better access to VNSGs.⁵⁵² It did make reference to the specific example of the work carried out by the NGO Geneva Call, which is discussed in paragraphs 392–393 below.
387. DfID’s written submission was similarly sparse, with even less detail on holding VNSGs accountable.⁵⁵³
388. There was a similar lack of detail during our oral evidence sessions with the Government, which also focused specifically on addressing Daesh. As with its written submissions, discussions focused on prevention—including the Government’s “communications strategy” that was being used to expose and counter Daesh propaganda—and support for survivors. Mr Chugg nevertheless reiterated the Government’s view that the perpetrators must be brought to justice. He said that documenting evidence now was important so that it could be used in the future.⁵⁵⁴
389. Following this exchange, we asked for supplementary evidence from the Government on how it would go about prosecuting groups such as Daesh. Addressing Daesh in Iraq and Syria is covered in paragraphs 395–409 below.

Methods to hold violent non-state groups accountable

390. There was little evidence on practical methods to hold VNSGs accountable. Evidence which discussed responding to VNSGs generally focused on

550 [Q 37](#) (Madame Zainab Hawa Bangura)

551 Written evidence from the FCO ([SVC0011](#))

552 *Ibid.*

553 Written evidence from DfID ([SVC0019](#)): “In the last year, DFID ensured coherent UK wide messaging on sexual violence, including condemning the use of sexual violence in by ISIL in northern Iraq and Syria. DFID also coordinated with the FCO and the Stabilisation Unit to support expert missions to the region during the roll out of the International Protocol on the Investigation and Documentation of Sexual Violence in Conflict.”

554 [Q 12](#) (Mr Dan Chugg). See also [Q 8](#) (Lord Hague of Richmond)

strategies to counter their ideologies and expansion.⁵⁵⁵ There was only one convincing approach suggested to address the current lack of accountability for VNSGs.

391. Previously, it has been possible for some VNSGs to make commitments through unilateral declarations, ad hoc agreements, codes of conduct or even internal regulations accepting all or part of international humanitarian law (IHL). For example, in 1995 the Kurdistan Workers' Party (PKK) issued a declaration stating:

“In its conflict with the Turkish State forces, the PKK undertakes to respect the Geneva Conventions of 1949 and the First Protocol of 1977 regarding the conduct of hostilities and the protection of the victims of war and to treat those obligations as having the force of law within its own forces and the areas within its control.”⁵⁵⁶

392. Such methods can still work. A few submissions highlighted the work of the NGO Geneva Call.⁵⁵⁷ Geneva Call is an organisation that has been engaging with certain non-state actors—including VNSGs—to help prevent and prohibit sexual violence in conflict and to “increase the prospects that perpetrators are sanctioned”.⁵⁵⁸ It developed a ‘Deed of Commitment’⁵⁵⁹ which allows signatories who cannot become parties to international treaties to undertake to respect international standards. Geneva Call supports and monitors implementation of the Deed of Commitment and also works with community-based organisations to build their capacity to monitor the commitments.⁵⁶⁰

393. The FCO said that it had funded Geneva Call’s work in Burma, where it provided education and training to various local VNSGs on the protection of women in armed conflict. It said that some of the local VNSGs had signed the Deed of Commitment.⁵⁶¹ Ms Wilmshurst and Ms Moynihan similarly highlighted the work of Geneva Call. Although they cautioned that such deeds “are not legally binding” and “have inherent limitations”, they said overall there was reported to be a high level of co-operation and compliance.

394. **We received limited evidence on practical methods to dissuade VNSGs from sexual violence in conflict and to hold them accountable. We were encouraged, however, by the work being conducted by the NGO Geneva Call. Their ‘Deed of Commitment for the Prohibition of Sexual Violence in Situations of Armed Conflict and towards the Elimination of Gender Discrimination’ allows signatory non-state actors—including VNSGs—to undertake to respect international standards. Although there are limitations to this approach, such as its credibility and it not being legally binding, it has already yielded some positive results. Such an approach is also important given the**

555 For example, see [Q 12](#) (Professor Lisa Davis) and written evidence from the FCO ([SVC0011](#))

556 ‘Lessons for the law of armed conflict from commitments of armed groups: identification of legitimate targets and prisoners of war’, *International Review of the Red Cross*, vol. 93 no. 882 (June 2011): <https://www.icrc.org/spa/assets/files/review/2011/irrc-882-sivakumaran.pdf> [accessed 14 March 2016]

557 Geneva Call: <http://www.genevacall.org/> [accessed 14 March 2016]

558 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan ([SVC0059](#))

559 Geneva Call, *Deed of Commitment for the Prohibition of Sexual Violence in Situations of Armed Conflict and towards the Elimination of Gender Discrimination*: http://www.genevacall.org/wp-content/uploads/dlm_uploads/2013/12/DoC-Prohibiting-sexual-violence-and-gender-discrimination.pdf [accessed 14 March 2016]

560 Written evidence from the FCO ([SVC0011](#))

561 *Ibid.*

obvious limitations associated with the Government's ability itself to engage directly with VNSGs.

Iraq and Syria

395. The current situation in Iraq and Syria was widely referred to in evidence. The Syrian government, anti-government armed groups and Daesh are in violation of international humanitarian and human rights law.⁵⁶² Securing accountability for these crimes is difficult.
396. The situation in regard to VNSGs and IHL is complex (see Chapter 2 for a full discussion of this point). In regard to Iraq and Syria there are also jurisdictional issues. A number of witnesses highlighted the difficulties of establishing a tribunal with jurisdiction over members of VNSGs such as Daesh, as well as the lack of ICC jurisdiction in Iraq and Syria.
397. The submissions from Dr Elliott, and Ms Wilmshurst and Ms Moynihan outlined the limitations of ICC jurisdiction. The ICC may take jurisdiction over a situation only: where the state where the crime was committed—or the state of nationality of the alleged offender—is a party to the Rome Statute of the ICC; where the state where the crime was committed has accepted the ICC's jurisdiction for the particular situation; or where the UN Security Council, acting under Chapter VII of the Charter, has referred the situation to the ICC.⁵⁶³
398. As neither Iraq nor Syria is a party to the Rome Statute,⁵⁶⁴ the ICC has no jurisdiction over sexual atrocities committed by Daesh (or other perpetrators) in those states unless: the perpetrator is a national of a state party (for example, if the perpetrator was a UK national); the state of nationality or the state where the crime was committed accepts the jurisdiction of the ICC in respect of the specific situation; or the UN Security Council—without encountering a veto by a Permanent Member⁵⁶⁵—refers the situation to the ICC.
399. It has been suggested that acts of genocide have been committed by Daesh. The Government's position is that “any resolution declaring genocide [by

562 UN Human Rights Council, *Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic* (3 February 2016): http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A-HRC-31-CRP1_en.pdf [accessed 14 March 2016]

563 Written evidence from Dr Ingrid Elliott ([SVC0026](#)) and Ms Elizabeth Wilmshurst and Ms Harriet Moynihan ([SVC0059](#))

564 Middle East and North African states which have (a) signed and ratified the Rome Statute: Djibouti, Jordan and Tunisia; (b) signed but not ratified the Rome Statute: Algeria, Bahrain, Egypt, Iran, Israel, Kuwait, Morocco, Oman, United Arab Emirates and Yemen; and (c) not signed the Rome Statute: Iraq, Lebanon, Libya, Qatar, Saudi Arabia, Syria and West Bank and Gaza.

565 The Permanent Members of the UN Security Council—also known as the Permanent Five, Big Five, or P5—are: China, France, Russia, the UK and the US. If any one of the five Permanent Members casts a negative vote on non-procedural matters in the 15-member Security Council, a resolution or decision is not approved. See UN, ‘Voting System and Records’: <http://www.un.org/en/sc/meetings/voting.shtml> [accessed 14 March 2016]

Daesh] is a matter for the judicial system rather than the Government”.⁵⁶⁶ However, it did not believe that an international court or tribunal was a realistic prospect. It said that whilst it had advocated the referral of the situation in Syria to the ICC, and had supported the UNSCR calling for this in May 2014, this Resolution had been vetoed by Russia and China.⁵⁶⁷ Neither did the Government believe that Syria or Iraq would sign the Rome Statute: “Syria will not, of course, and Iraq will almost certainly not, as its security forces would be in scope [for prosecution] too”.⁵⁶⁸

400. Consequently, the Government said it was looking to see whether there were other ways that it could use international law to prosecute Daesh. However, with regard to Iraq, the Government said that the Iraqi court system “might be better placed” to deal with some of the crimes perpetrated by Daesh.⁵⁶⁹ It said that it was documenting cases of sexual violence that could be used to bring cases before the Iraqi justice system.⁵⁷⁰
401. The Government did not propose a solution for dealing with perpetrators in Syria. Instead, it said its focus was on the gathering and preservation of evidence until such a time when “an international or Syrian accountability process is established, post conflict”. To support this, the Government said it was considering what capacity building it could provide Syrian lawyers, judges and activists.⁵⁷¹ This included spending £5 million on building local capacity to document sexual violence crimes and other human rights abuses and to fund evidence collection. It said a further £2 million was being programmed to continue delivering this work.⁵⁷²
402. Ms Wilmshurst and Ms Moynihan said that efforts would be best expended encouraging states particularly affected by sexual violence in conflict to sign up to the Rome Statute. They said that if Iraq was to become a party to the Rome Statute, or at least to accept the ICC’s jurisdiction for the purposes of the specific conflict, the ICC would have jurisdiction “in respect of the horrendous crimes of sexual violence reportedly being committed in the conflict in Iraq, both by ISIL and other actors”.⁵⁷³
403. An alternative mechanism would be a hybrid international criminal court that was constituted by the UN, with the agreement of the Iraqi government

566 HL Deb, 15 March 2016, [cols 1733–1737](#). The US House of Representatives agreed a resolution on 14 March 2016, “that those who commit or support atrocities against Christians and other ethnic and religious minorities and who target them specifically for ethnic or religious reasons, are committing, and are hereby declared to be committing, war crimes, crimes against humanity, and genocide”. See US Congress, *H.Con.Res.75, 114th Congress, 2nd Session (2015–2016)* (14 March 2015): <https://www.congress.gov/bills/114/congressional-resolutions/75>. A similar resolution was passed by the European Parliament on 3 February 2016. See European Parliament, *European Parliament resolution on the systematic mass murder of religious minorities by the so-called ‘ISIS/Daesh’ (2016/2529(RSP))* (3 February 2016): <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+MOTION+P8-RC-2016-0149+0+DOC+XML+V0//EN>

567 Supplementary written evidence from the FCO ([SVC0067](#))

568 Supplementary written evidence from DfID and the FCO ([SVC0062](#)). Dr Ingrid Elliott ([SVC0026](#)) largely agreed with the Government’s position on this: “For crimes on Syrian territory by non-State Party nationals, given the grave international crimes committed by the Assad government, there is unlikely to be any acceptance of ICC jurisdiction by the state until after a transition. Other unlikely routes would be a UNSC referral (almost certainly vetoed again since it would also apply to regime crimes)”.

569 Supplementary written evidence from DfID and the FCO ([SVC0062](#))

570 Supplementary written evidence from the FCO ([SVC0067](#))

571 Supplementary written evidence from DfID and the FCO ([SVC0062](#))

572 Supplementary written evidence from the FCO ([SVC0067](#))

573 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan ([SVC0059](#))

to consider serious violations of international law over a defined period. However, it seems likely that the government of Iraq would resist accepting international jurisdiction given that allegations of sexual abuse have also been made against the Iraqi authorities and security forces.⁵⁷⁴

404. We agree with Ms Wilmshurst and Ms Moynihan that it would be preferable for Iraq to be encouraged to sign up to the Rome Statute. We believe that the UK has the influence to attempt this. The Government told us that the British Embassy in Iraq was a member of Iraq's UNSCR 1325 National Action Plan Committee in Baghdad. It said that the British Embassy was "the only diplomatic mission" to be invited to sit on the committee as the UK was viewed by the government of Iraq as "a key partner" on preventing sexual violence in conflict.⁵⁷⁵ The Government clearly has a degree of influence it could exert.
405. *Although this would not be practicable for all VNSGs, such as Daesh, the Government should extend further support to the work of Geneva Call. Where possible it could encourage other, similar initiatives.*
406. *We recommend that the government of Iraq should be encouraged either to ratify the Rome Statute or to invite the ICC to prosecute cases of sexual violence committed within Iraq's jurisdiction. We believe that the UK should use its influence to achieve this.*
407. *We accept that, ultimately, it is for courts, not governments, to determine responsibility for war crimes and crimes against humanity, including sexual violence in conflict, torture and genocide that have allegedly been committed in Syria and Iraq. However, we believe that, so long as access to international jurisdictions such as the ICC is blocked, the Government should make it clear that, in its view, there is prima facie evidence that such crimes have been committed and that those who committed them must, in one way or another, be brought to justice.*
408. Evidence suggests that many parties to the conflict in Syria are committing acts of sexual violence. Although it is outside of our remit to offer any recommendations on a solution to the Syrian crisis, we urge that any resolution to the conflict should include provision for securing accountability for the prosecution of these crimes.
409. *In respect of Syria (and elsewhere), the Government should resist any peace settlement that sanctions or approves the use of amnesties for sexual violence in conflict, and ensure that there is an accountability mechanism to bring to justice all those that have perpetrated sexual violence in Syria. Any peace process needs to include the participation of women.*

574 Human Rights Watch, 'World Report 2015: Iraq': <https://www.hrw.org/world-report/2015/country-chapters/iraq> [accessed 14 March 2016]

575 Supplementary written evidence from DfID and the FCO (SVC0062). See also Q 11 (Mr Dan Chugg)

Remedy and reparation

410. A range of evidence cited the importance of reparations.⁵⁷⁶ Goldsmiths, University of London and Women's International League for Peace and Freedom said: "Of all the mechanisms for dealing with the past that are put in place in a post-conflict setting reparations have the most transformative potential on the lives of women".⁵⁷⁷
411. The significance of reparations is that it means victims and survivors can receive acknowledgement for the crimes that have been perpetrated against them. Professor Doris Schopper told us that part of what victims wanted was "for it to be acknowledged" that sexual violence had happened to them and "that it was a wrongdoing—more perhaps than the prosecution of the perpetrators".⁵⁷⁸
412. Reparations were described as playing a part in encouraging survivors to come forward and participate in the justice process. World Vision UK said that survivors conducted a "cost-benefit analysis" before deciding to report crimes made against them. It said that currently, the benefit of perpetrators being held to account did not outweigh the personal cost to survivors.⁵⁷⁹ Widows for Peace through Democracy made a similar argument, saying that for victims to be encouraged to speak out about "the most private and intimate areas of their lives", they would have to be assured that at the end of the process, they would receive reparations.⁵⁸⁰
413. However, the purpose of reparations extends beyond acting as a means of justice. We were told that survivors often found themselves in financially precarious situations because of their experiences. For example, REDRESS highlighted the experience of Ugandan women who had been abducted as young girls and forced to become 'wives' of rebel combatants. After years in captivity, they returned to their communities as single mothers without education and employment opportunities. Consequently, REDRESS said that court-awarded reparations, including monetary compensation, could "help SVC [sexual violence in conflict] victims rebuild their lives".⁵⁸¹
414. A number of references were made to recent rulings where victims of sexual violence in conflict had been awarded reparations.⁵⁸² The Government highlighted examples from 2015 in the western Balkans:

576 [Q 46](#) (Ms Pramila Patten), [Q 83](#) (Madame Bineta Diop), [Q 111](#) (Dr Shana Swiss), written evidence from Widows for Peace through Democracy ([SVC0003](#)), Survivors Speak OUT ([SVC0052](#)) and Ms Elizabeth Wilmshurst and Ms Harriet Moynihan ([SVC0059](#))

577 Written evidence from Goldsmiths, University of London and Women's International League for Peace and Freedom ([SVC0015](#)). It qualified, however, that reparations would only be transformative if they had an "explicit gender dimension" and were "planned and carried out in a way that is sensitive towards the complexities of the country in question".

578 [Q 105](#) (Professor Doris Schopper)

579 Written evidence from World Vision UK ([SVC0006](#))

580 Written evidence from Widows for Peace through Democracy ([SVC0003](#)). In addition to reparations, it said that victims would also need to be assured that they received "restorative justice, to rebuild their lives, which mean land, housing, training for income, protection, and pensions, rather than simply the punishment and imprisonment of their abuser".

581 Written evidence from REDRESS ([SVC0022](#))

582 [Q 4](#) (Lord Hague of Richmond), written evidence from Track Impunity Always (TRIAL) ([SVC0002](#)) and Goldsmiths, University of London and Women's International League for Peace and Freedom ([SVC0015](#))

- The governments of Croatia and Kosovo revised their laws in order to allow victims of sexual violence from the conflict in the 1990s to access compensation, state support and benefits (including pensions);⁵⁸³ and
 - In a landmark ruling, the Court of Bosnia and Herzegovina awarded compensation to the victims of sexual violence committed during the war,⁵⁸⁴ setting an important precedent for future cases.⁵⁸⁵
415. In a similar landmark ruling, we heard that the Cantonal Court in Zenica, Bosnia and Herzegovina, granted ‘civil war victim status’ to a male survivor of sexual violence for the first time. The victim will consequently receive compensation from the state. The FCO said that this ruling set “an important precedent”.⁵⁸⁶ As discussed earlier in Chapter 5 (see paragraphs 230–249), raising awareness about the status of men as victims can play an important role in tackling stigma.
416. The UK Government was credited with being partially responsible for these rulings. A number of submissions highlighted the UK’s support for these efforts by way of an FCO grant to the Swiss-based advocacy group, Track Impunity Always (TRIAL).⁵⁸⁷ The International Truth and Justice Project—Sri Lanka called on the Government to fund similar litigation or other accountability processes in other countries.⁵⁸⁸
417. The importance of reparations for victims has also been reflected at the international level. On 16 December 2005, the UN General Assembly adopted the *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*.⁵⁸⁹ This resolution recognises victims’ rights to benefit from remedies and reparation and reaffirms that states should ensure access to “adequate, effective, prompt and appropriate remedies, including reparation”, as required under international law.⁵⁹⁰
418. Furthermore, the establishment of the ICC in 2002 also resulted in the creation of the Trust Fund for Victims (TFV).⁵⁹¹ Article 79 of the Rome Statute stated that a Trust Fund would be established for “the benefit of victims of crimes within the jurisdiction of the [International Criminal] Court, and of the families of such victims”.⁵⁹² The TFV has two mandates:

583 Q 165 (Baroness Anelay of St Johns)

584 ‘Bosnia rape victims may claim compensation for first time’, *The Guardian* (30 June 2015): <http://www.theguardian.com/world/2015/jun/30/bosnia-victims-compensation-landmark-ruling> [accessed 14 March 2016]

585 Written evidence from the FCO (SVC0011)

586 *Ibid.*

587 Written evidence from Women for Women International UK (SVC0018) and the International Truth and Justice Project—Sri Lanka (SVC0024)

588 Written evidence from the International Truth and Justice Project—Sri Lanka (SVC0024)

589 Office of the High Commissioner for Human Rights, ‘Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law’: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RemedyAndReparation.aspx> [accessed 14 March 2016]

590 *Ibid.*, Part 1, 2(c)

591 The Trust Fund for Victims: <http://www.trustfundforvictims.org> [accessed 14 March 2016]

592 International Criminal Court, *Rome Statute of the International Criminal Court* (2002), Article 79: http://www.icc-cpi.int/nr/rdonlyres/ea9aef7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf [accessed 14 March 2016]

reparations and assistance.⁵⁹³ In oral evidence Mrs Fatou Bensouda explained the importance of the TFV:

“You have seen that even prior to Lubanga—the first case for the ICC—being concluded, work was already being done in Uganda and the Democratic Republic of Congo by the Trust Fund for Victims. Because victims are so central to the work of the ICC ... the Trust Fund for Victims has been working a lot ... to ensure that some form of help or assistance is provided to the victims, even prior to a case being completed by the ICC ... The Trust Fund for Victims is playing a crucial role with regard to reparations”.⁵⁹⁴

419. **Remedies, including financial compensation, for victims and survivors of sexual violence in conflict are an important element of justice and form part of the recovery process. Not only do they assist reintegration, they also provide recognition for the survivors against whom a crime has been committed. In some circumstances such remedies can encourage survivors to come forward to pursue criminal prosecutions.**
420. **We commend the Government for the support it provided to help secure the landmark rulings for victims in Bosnia and Herzegovina.**
421. **We hope that the Government will continue to support and contribute towards the ICC’s Trust Fund for Victims.**

593 Reparations: implementing awards for reparations ordered by the Court against a convicted person. Assistance: using other resources (voluntary contributions and private donations) to provide victims under Court jurisdiction with physical rehabilitation, psychological rehabilitation, and/or material support. See The Trust Fund for Victims, ‘The Two Roles Of The TFV’: <http://www.trustfundforvictims.org/two-roles-tfv> [accessed 14 March 2016]

594 [Q 129](#) (Mrs Fatou Bensouda)

CHAPTER 7: SEXUAL VIOLENCE BY PEACEKEEPERS

422. We received a considerable volume of evidence on the issue of sexual violence perpetrated by peacekeepers. The crimes perpetrated by peacekeepers are often exploitative and transactional in their nature, making them somewhat different to what has been described previously—for example, such crimes are not used as a weapon of war. They are also committed on smaller scale, although this does not diminish their importance—not least because of the associated abuse of trust and position.

Background

423. When discussing these crimes as perpetrated by peacekeepers, the norm is to use the phrase ‘sexual exploitation and abuse’ (SEA).⁵⁹⁵
424. Different bodies conduct peacekeeping operations. For example, at a regional level, the African Union (AU)⁵⁹⁶ carries out peacekeeping missions. However, the majority of our evidence focused on United Nations (UN) peacekeeping (see Box 6 below).

Box 6: UN peacekeeping

UN peacekeeping was established shortly after the organisation’s creation to keep warring sides apart and monitor ceasefires and peace agreements. Initially manned by unarmed observers, in 1956 these were supplemented with armed battalions.

There have been 71 peacekeeping operations since 1948.⁵⁹⁷ The character of these operations has changed markedly over this time. Since the formation of the UN Transition Assistance Group in Namibia in 1989, peacekeeping operations have expanded to provide an array of technical assistance.⁵⁹⁸

The nature of conflict has also changed, bringing with it additional challenges for peacekeeping operations. UN Secretary-General Ban Ki-moon said in September 2015: “[M]issions are struggling to cope with the spread and intensity of conflicts today, and the lack of unity among Member States over their scope and application is thwarting their adaptation”.⁵⁹⁹ The US has lead recent efforts to remodel peacekeeping operations, which have included pressing for increased contributions from European states.⁶⁰⁰

595 The UN defines sexual exploitation as “any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another”. Sexual abuse is defined as “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”. See UN Secretariat, *Secretary-General’s Bulletin: Special measures for protection from sexual exploitation and abuse*, ST/SGB/2003/13 (9 October 2003): <https://oios.un.org/resources/2015/01/ST-SGB-2003-13.pdf> [accessed 14 March 2016]

596 African Union Mission in Somalia: <http://amisom-au.org/> [accessed 14 March 2016]

597 UN Peacekeeping, ‘Peacekeeping Fact Sheet’: <http://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml> [accessed 14 March 2016]

598 The UN Operation in the Congo 1960–63 had also seen UN peacekeeping operations expand from monitoring to providing an array of technical assistance.

599 UN General Assembly and Security Council, *The future of the United Nations peace operations: implementation of the recommendations of the High-level Independent Panel Operations: Report of the Secretary-General* (2 September 2015): http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/682 [accessed 14 March 2016]

600 ‘Countries to pledge troops to bolster UN peacekeepers after intense UN pressure’, *The Guardian* (27 September 2015): <http://www.theguardian.com/world/2015/sep/27/un-peacekeeping-obama-countries-pledge-troops-counterterror> [accessed 14 March 2016]

425. Peacekeeping operations comprise two groups. The first, largest group are military personnel who are provided by troop contributing countries (TCCs) (these are usually personnel from a state's Armed Forces). The second, smaller group consists of civilians who are part of a peacekeeping operation and are employees of the UN—these are staff, 'experts on mission' and certain police.⁶⁰¹
426. There have been allegations of SEA by peacekeepers and humanitarian personnel on missions in Angola, Bosnia and Herzegovina, Cambodia, the Democratic Republic of the Congo (DRC), East Timor (Timor Leste), Eritrea, Kosovo, Liberia, Mozambique, Sierra Leone and Somalia.⁶⁰² Allegations include rape, paedophilia, prostitution and trafficking. They also include transactional sex or sex under coercive circumstances. While there has arguably been some progress in reducing its incidence, allegations persist.⁶⁰³ In 2015 UN peacekeepers in the Central African Republic were accused of a range of abuses and the UN criticised for its handling of the accusations.⁶⁰⁴ Allegations of abuses were reported as recently as January this year.⁶⁰⁵

UN reform efforts

427. The issue received institutional recognition in 2001, when the UN's Office of Internal Oversight Services (OIOS)⁶⁰⁶ commenced an investigation into allegations against non-governmental organisation (NGO) staff and peacekeepers in Guinea, Liberia and Sierra Leone. Since 2002 the UN has instigated a series of measures to tackle the issue of SEA by peacekeepers.⁶⁰⁷
428. In the wake of revelations in 2004 of SEA by UN peacekeeping personnel in the DRC, the Secretary-General appointed the then Permanent Representative of Jordan to the UN, Prince Zeid Ra'ad Zeid Al-Hussein (now the UN High Commissioner for Human Rights), to report on the issue of SEA by peacekeepers. His report was released in March 2005. It was

601 Q 58 (Ms Paula Donovan)

602 Chiyuki Aoi, Cedric de Coning and Ramesh Thakur (eds.), *Unintended Consequences of Peacekeeping Operations* (New York: United Nations University Press, 2007)

603 Written evidence from Human Rights Watch (SVC0049) and Ms Elizabeth Wilmshurst and Ms Harriet Moynihan (SVC0059). Ms Paula Donovan (Q 54) said that although the numbers indicated that the instances of SEA were diminishing, the numbers were entirely unreliable. She said that decreasing numbers of allegations may actually reflect "that the civilian population feels as though it is dangerous, futile and simply not in their best interests for safety and justice reasons to come forward and attempt to use a system that historically has not worked in their favour".

604 'UN accused of "reckless disregard" for allegations of peacekeeper child abuse', *The Guardian* (30 April 2015): <http://www.theguardian.com/world/2015/apr/30/un-accused-of-reckless-disregard-for-allegations-of-peacekeeper-child-abuse> [accessed 14 March 2016]. See also 'UN reveals new sexual abuse allegation against peacekeeper in CAR', *The Guardian* (3 September 2015): <http://www.theguardian.com/world/2015/sep/03/un-reveals-new-sexual-abuse-allegation-against-peacekeeper-in-car> [accessed 14 March 2016]

605 'UN peacekeepers in CAR hit with fresh sex abuse allegations', *FRANCE 24* (6 January 2016): <http://www.france24.com/en/20160106-un-peacekeepers-car-hit-with-fresh-sex-abuse-allegations> [accessed 14 March 2016]

606 UN Office of Internal Oversight Services: <https://oios.un.org/> [accessed 14 March 2016]

607 The UN Secretary-General presented the report by the OIOS into sexual exploitation of refugees by aid workers in West Africa to the UN General Assembly on 11 October 2002. See UN General Assembly, *Investigation into sexual exploitation of refugees by aid workers in West Africa: Note by the Secretary-General*, A/57/465 (11 October 2002): <https://cdu.unlb.org/Portals/0/PdfFiles/PolicyDocI.pdf> [accessed 14 March 2016]

highly critical of the “ad hoc and inadequate” measures that were in place to deal with the problem and said that “radical change” was required.⁶⁰⁸

429. The Zeid Report made a series of recommendations for reform, including:

- applying standards of conduct to all categories of personnel, including military contingents, and requiring the wider dissemination of standards;
- establishing a permanent professional investigative mechanism to investigate serious misconduct, including SEA, committed by all categories of personnel;
- holding the UN accountable for extensive training, effective community outreach and personnel quality of life;
- incorporating the implementation of measures to eliminate SEA into the performance goals and evaluation of civilian managers and military commanders;
- requiring individual disciplinary, financial and criminal accountability, including liability to victims and dismissal from UN service, for all categories of personnel; and
- amending the memorandum of understanding (MoU) that regulates the relationship between the TCC and the UN to require TCC reporting of any action taken on cases referred through UN investigation.

430. A series of measures were taken in response, including: the establishment of the Conduct and Discipline Unit at UN headquarters; the clarification of standards of conduct for all troops;⁶⁰⁹ the amendment of the model MoU regulating the relationship between TCCs and the UN;⁶¹⁰ the creation of a special prevention task force;⁶¹¹ protocols for assistance and support to victims;⁶¹² the standardisation of training and outreach measures;⁶¹³ and the creation of an administrative investigation structure.⁶¹⁴

608 UN General Assembly, *A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations*, A/59/710 (24 March 2005): <https://cdu.unlb.org/Portals/0/Documents/KeyDoc5.pdf> [accessed 14 March 2016]

609 The UN Secretary-General's 2003 Bulletin was made applicable to all categories of UN peacekeepers, including military personnel.

610 Under the 2007 MoU, TCCs have the primary responsibility to investigate alleged misconduct by their military personnel. See UN General Assembly, *Report of the Special Committee on Peacekeeping Operations and its Working Group on the 2007 resumed session*, A/61/19 (Part III) (12 June 2007): <https://cdu.unlb.org/Portals/0/Documents/KeyDoc8.pdf> [accessed 14 March 2016]

611 The Executive Committees on Humanitarian Affairs and Peace and Security (ECHA/ECPS) United Nations and Non-governmental Organization Task Force on Protection from Sexual Exploitation and Abuse was established in February 2005, with the aim of preventing acts of SEA and improving the response to it when it occurs. See Save the Children, ‘To Serve With Pride: Zero tolerance for sexual exploitation and abuse’: <http://resourcecentre.savethechildren.se/library/serve-pride-zero-tolerance-sexual-exploitation-and-abuse> [accessed 14 March 2016]

612 UN General Assembly, *Comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel*, A/RES/62/214 (7 March 2008): <https://cdu.unlb.org/Portals/0/Documents/KeyDoc13.pdf> [accessed 14 March 2016]

613 UN General Assembly, *Comprehensive report prepared pursuant to General Assembly Resolution 59/296 on sexual exploitation and sexual abuse, including policy development, implementation and full justification of proposed capacity on personnel conduct issues: Report of the Secretary-General*, A/60/862 (24 May 2006): <https://cdu.unlb.org/LinkClick.aspx?fileticket=15Upsbb00eE%3D&> [accessed 14 March 2016]

614 In November 2005, a special team was established, later named the Conduct and Discipline Unit (CDU). It is part of the Department of Field Support and is mandated to provide oversight and to carry out investigations into allegations of misconduct. Serious offenses are referred to the OIOS, which is then responsible for investigating. See UN Conduct and Discipline Unit: <https://cdu.unlb.org/> [accessed 14 March 2016]

431. However, measures to address accountability have proved more difficult to implement. The Zeid Report noted the barriers to holding peacekeeping personnel accountable. It recommended a group of legal experts be appointed to advise on how best to overcome the remaining legal barriers to criminal accountability of peacekeepers.
432. Following a General Assembly mandate, the Group of Experts issued its report in 2006.⁶¹⁵ Their proposals included: an international convention under which states would agree to investigate, prosecute or extradite alleged offenders; the establishment of hybrid courts; the shared exercise of jurisdiction by the host state and other states; and the establishment of an international tribunal with jurisdiction to try all categories of peacekeepers.⁶¹⁶ We were concerned to note the lack of progress with respect to the Group of Experts Report. Indeed, the item ‘criminal accountability of United Nations officials and experts on mission’ remains a standing item on the General Assembly’s Sixth (Legal) Committee.⁶¹⁷ In oral evidence, Ms Elizabeth Wilmschurst said that the Sixth (Legal) Committee could be “a grave” for issues.⁶¹⁸
433. In February 2015, the Secretary-General published a report setting out special measures for protection from SEA to strengthen accountability at all levels.⁶¹⁹ The report’s key recommendations were the creation of immediate response teams inside peacekeeping missions to gather and preserve evidence for use in investigations, and a six month deadline for the UN and Member States to complete investigations.
434. In June 2015, a High-Level Independent Panel on UN Peace Operations recommended further measures,⁶²⁰ including increasing sanctions on individuals and TCCs where there was credible evidence of abuse⁶²¹ and that governments whose forces are listed in the annual reports of the Secretary-General on children and armed conflict and on conflict-related sexual violence should be barred from contributing troops to UN missions until they are delisted. The Secretary-General published his assessment on implementation of the Panel’s recommendations in September 2015. Within his report, he urged Member States to conclude their discussions on the 2006 Group of Experts proposal for the establishment of an international convention to ensure accountability of peacekeeping personnel. The Secretary-General made the important point that continued failure to

615 UN General Assembly, *Report of the Group of Legal Experts on Ensuring the Accountability of United Nations Staff and Experts on Mission with Respect to Criminal Acts Committed in Peacekeeping Operations*, A/60/980 (16 August 2006): http://www.un.org/ga/search/view_doc.asp?symbol=a/60/980&referer=http://www.codebluecampaign.com/un-docs/&Lang=E

616 *Ibid.* See also written evidence from Ms Elizabeth Wilmschurst and Ms Harriet Moynihan (SVC0059)

617 See 70th session agenda, 16 July 2015: <http://www.un.org/en/ga/70/agenda/index.shtml> [accessed 14 March 2016]

618 Q 138 (Ms Elizabeth Wilmschurst)

619 UN General Assembly, *Special measures for protection from sexual exploitation and sexual abuse: Report of the Secretary-General*, A/69/779 (13 February 2015): http://www.un.org/ga/search/view_doc.asp?symbol=A/69/779 [accessed 14 March 2016]

620 UN General Assembly and Security Council, *Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people*, A/70/95-S/2015/446 (17 June 2015): http://www.un.org/sg/pdf/HIPPO_Report_1_June_2015.pdf [accessed 14 March 2016]

621 For example, withdrawing entitlements from staff members dismissed for SEA and suspending portions of pay due to TCCs in connection with abuse by individuals.

conclude discussions on the Group of Experts Report sent “a terrible signal to the world”.⁶²²

435. **UN and regional peacekeeping is an essential part of the international community’s response to conflict. But the current approach to reforming the handling of crimes of sexual exploitation and abuse (SEA) perpetrated by the peacekeepers themselves is woefully inadequate. Attempts at reform have failed and allegations of SEA perpetrated by peacekeepers continue. While we are obviously supportive of the UN Secretary-General’s latest reform attempts, we are concerned that these have lost momentum. For example, the 2006 report by the Group of Experts remains a standing item on the UN General Assembly’s Sixth (Legal) Committee, but no action has been taken.**

Accountability

436. Peacekeepers exist to protect civilians. However, as has been highlighted above, history has shown that on occasions they are actually harming those they are supposed to protect. Despite reform efforts, such as the Zeid Report, proposals from the Group of Experts and the introduction of a zero tolerance policy, our evidence stressed that there was a lack of accountability and dearth of prosecutions for peacekeepers—both in terms of UN staff and experts, and for national military contingents. It was agreed by all that this lack of accountability was unacceptable.⁶²³ We agree with Ms Angelina Jolie Pitt’s sentiment: “Their [peacekeepers’] job is to protect. Any time they break this code and abuse the people they are supposed to protect, there does not just have to be justice, they have to be made an example of.”⁶²⁴
437. This lack of accountability was attributed to a number of factors. These centred on current arrangements and the inability of the UN to prosecute those perpetrating SEA or to compel TCCs to take action against perpetrators.
438. UN staff are bound by the UN Staff Regulations and Rules, which are complemented by the UN Secretary-General’s Bulletins. The standards on SEA have also been extended to UN experts. Consequently, allegations of SEA against UN staff and experts can be investigated by the OIOS. Where allegations are confirmed, the UN can take disciplinary action against its own staff and individual experts can be repatriated and prevented from joining future peace operations. Further disciplinary measures can only be imposed by the relevant state, which would have been alerted to the allegation by the OIOS. We heard that although some states provide information to the OIOS on the action taken, there is no obligation to do so.⁶²⁵
439. A further challenge was that UN staff and experts are also protected by the Convention on Privileges and Immunities.⁶²⁶ This means they have immunity from the jurisdiction of the host state when they are exercising

622 UN General Assembly and Security Council, *The future of the United Nations peace operations: implementation of the recommendations of the High-level Independent Panel Operations: Report of the Secretary-General*, A/70/357-S/2015/682 (2 September 2015): http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/682 [accessed 14 March 2016]

623 Q 83 (Madame Bineta Diop)

624 Q 8 (Ms Angelina Jolie Pitt)

625 Written evidence from Dr Noëlle Quénivet (SVC0012)

626 UN, *Convention on Privileges and Immunities of the United Nations* (13 February 1946): <http://www.un.org/en/ethics/pdf/convention.pdf> [accessed 14 March 2016]

their functions. However, Dr Noëlle Quénivet said that immunities were only conferred for acts undertaken in official capacities and thus “should not affect prosecution for criminal acts of sexual exploitation and abuse”.⁶²⁷ Yet, in practice, an immunity waiver is sought to allow for a trial to take place. In cases of allegations of SEA, the primary forum to try offences will be the host state. We heard concerns from Ms Wilmshurst and Ms Moynihan, however, that in many cases involving peacekeeping missions the legal system of the host state was “dysfunctional and unable to provide a fair and effective trial for the individuals concerned”,⁶²⁸ meaning that due process and human rights standards may not be guaranteed.⁶²⁹ In such circumstances, the UN will be unwilling either to waive immunity or to confirm that no immunity exists. Accordingly, a waiver is rarely granted. At the same time, we heard that although the state of nationality of the official concerned could take forward the allegations, it may lack the will or necessary legislation to prosecute.⁶³⁰ As a result, UN officials and experts may face disciplinary measures from the UN, such as repatriation and a ban from participating in future peacekeeping operations, rather than prosecution. Ms Carla Ferstman, Director of REDRESS, described this as “the use of disciplinary sanctions in lieu of criminal accountability”.⁶³¹ In criticising the current arrangements, Dr Quénivet said that dismissal and disciplinary repatriation was the most commonly used measure, and that UN inquiries “rarely lead to anything more serious than a dismissal, even if such acts are of a criminal nature”.⁶³²

440. By contrast, military and civilian police members of national contingents are bound by their own national laws, as well as the law of the host country. Although the 2009 MoU signed between the UN and TCC makes UN standards of conduct binding, the TCC retains exclusive jurisdiction over offences committed while the peacekeepers are in the host country; the host country itself cannot prosecute offences. This means that, when warranted, criminal sanctions can be imposed.⁶³³ We were told that in practice, however, the TCC rarely brings a prosecution. In their evidence, Ms Wilmshurst and Ms Moynihan explained that: “Sometimes there may be a genuine difficulty in securing evidence, sometimes the problem is the lack of national legislation or a weakness in the legal system, and sometimes there may be a lack of political will.”⁶³⁴
441. Lack of transparency severely exacerbates the problems with accountability. Although the UN publishes the numbers of allegations and the outcome of these, these numbers are aggregated. Ms Ferstman described this as “[o]ne of the biggest challenges”, because it meant it was very difficult to ascertain which country was causing the abuse, allowing it to be publicly shamed.⁶³⁵

627 Written evidence from Dr Noëlle Quénivet (SVC0012)

628 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan (SVC0059)

629 Written evidence from Dr Noëlle Quénivet (SVC0012)

630 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan (SVC0059)

631 Q 58 (Ms Carla Ferstman)

632 Written evidence from Dr Noëlle Quénivet (SVC0012). See also Q 58 (Ms Carla Ferstman). According to the UN Secretary-General’s February 2015 report, 35% of the number of allegations involved the most egregious forms of sexual exploitation and abuse—i.e. sexual activities with minors and non-consensual sex with persons aged 18 or older. See UN General Assembly, *Special measures for protection from sexual exploitation and sexual abuse: Report of the Secretary-General*, A/69/779 (13 February 2015), para 8: http://www.un.org/ga/search/view_doc.asp?symbol=A/69/779 [accessed 14 March 2016]

633 Written evidence from Dr Noëlle Quénivet (SVC0012) and Ms Elizabeth Wilmshurst and Ms Harriet Moynihan (SVC0059)

634 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan (SVC0059)

635 Q 54 (Ms Carla Ferstman)

Expanding on the matter, Ms Paula Donovan explained that because the numbers of allegations were aggregated, a single allegation could involve one victim and one perpetrator, or 10 victims and 10 perpetrators. She described this as a “completely misleading and useless indicator”. Ms Donovan subsequently described the process as “shrouded in secrecy”⁶³⁶ and the ability of the UN to withhold such information the “crux of the problem”.⁶³⁷

442. A series of remedies were proposed to address the lack of accountability. As a possible solution to the issue of immunity for UN staff and experts, Dr Quénivet suggested the UN could waive immunity only for the trial itself, but not the outcome. The trial would be observed by a member of an investigation team⁶³⁸ and, should the member believe that the human rights of the accused had been breached, the UN could refuse to waive immunity for the enforcement of the punishment. Not only could this demonstrate that justice had been done—thereby setting a precedent and hopefully deterring further crimes—it would ensure conformity in the criteria applied.⁶³⁹
443. There was also support for the recommendation in the 2015 OIOS report that TCCs be obliged to report to the UN on the outcomes of investigations and the actions taken.⁶⁴⁰ The UN Secretary-General’s proposed six-month reporting deadline was seen as likely to speed up investigations.⁶⁴¹ There was recognition, however, that this did not necessarily deal with non-responsive states. Support was therefore given to a ‘naming and shaming’ policy in the event of non-compliance, as suggested by the OIOS report⁶⁴² and the UN Secretary-General in his 2013⁶⁴³ and 2015⁶⁴⁴ reports.⁶⁴⁵ As an additional method to strengthen accountability, it was suggested that states which demonstrated a pattern of non-compliance could have UN troop payments reduced or suspended until action was taken.⁶⁴⁶

636 Q 62 (Ms Paula Donovan): “The way in which it [the UN] deals with individual cases, and the names of the troop contributing countries in some cases, as well as the names of the individuals who have been accused of these crimes and the different UN agencies, the Secretariat or whoever, that deploy those personnel, are all shrouded in secrecy, as are the legal processes that are undertaken, the length of time of investigations and the conclusions of those investigations.”

637 Q 62 (Ms Paula Donovan)

638 To address the disparity in investigation procedures and potentially differing standards of justice, Dr Noëlle Quénivet (SVC0012) advocated that joint UN (either OIOS or field missions) and TCC investigations be the norm.

639 Written evidence from Dr Noëlle Quénivet (SVC0012)

640 UN Office of Internal Oversight Services, *Evaluation Report: Evaluation of the enforcement and remedial assistance efforts for sexual exploitation and abuse by the united nations and related personnel in peacekeeping operations* (15 May 2015), para 69: <https://oios.un.org/page?slug=evaluation-report> [accessed 14 March 2016]

641 Written evidence from Dr Noëlle Quénivet (SVC0012). See also UN General Assembly, *Special measures for protection from sexual exploitation and sexual abuse: Report of the Secretary-General*, A/69/779 (13 February 2015), para 48: http://www.un.org/ga/search/view_doc.asp?symbol=A/69/779 [accessed 14 March 2016]

642 UN Office of Internal Oversight Services, *Evaluation Report: Evaluation of the enforcement and remedial assistance efforts for sexual exploitation and abuse by the united nations and related personnel in peacekeeping operations* (15 May 2015), p 28: <https://oios.un.org/page?slug=evaluation-report> [accessed 14 March 2016]

643 UN General Assembly, *Special measures for protection from sexual exploitation and sexual abuse: Report by the Secretary-General*, A/67/766 (28 February 2013), para 25: <http://www.pseataforce.org/uploads/tools/1365153401.pdf> [accessed 14 March 2016]

644 UN General Assembly, *Special measures for protection from sexual exploitation and sexual abuse: Report of the Secretary-General*, A/69/779 (13 February 2015), para 55: http://www.un.org/ga/search/view_doc.asp?symbol=A/69/779 [accessed 14 March 2016]

645 Q 55 (Ms Carla Ferstman)

646 Written evidence from Dr Noëlle Quénivet (SVC0012)

444. Several witnesses went further and suggested that states with poor prosecution records, or whose forces were listed in the annexes to the UN Secretary-General's annual report on children and armed conflict and on conflict-related sexual violence, be prevented from contributing troops to peacekeeping missions.⁶⁴⁷ On 11 March 2016, the UN Security Council adopted Resolution 2272, which gave the Secretary-General authority to repatriate "a particular military unit or formed police unit of a contingent when there is credible evidence of widespread or systemic sexual exploitation and abuse by that unit".⁶⁴⁸
445. Support was also expressed for the proposals made in the Zeid Report and the Secretary-General's report that TCCs could hold on-site courts martial.⁶⁴⁹ Not only could this promote accountability and transparency (adhering to the principle that 'justice must be seen to be done'), it could also act as a deterrent to other military personnel. It was acknowledged, however, that national legislation regarding on-site courts martial would be necessary, as well as the guarantee of a fair trial.⁶⁵⁰ Dr Quénivet also supported the recommendation in the OIOS report that the principle of command responsibility be used more widely, advocating the introduction of a third category of OIOS investigation: 'failure of commanders to take action'.⁶⁵¹ She said that the creation of such a category "would send a clear message that it is the responsibility of commanders to ensure that their troops comply with the UN zero-tolerance policy" and act as a deterrent and a sanctioning mechanism.⁶⁵²
446. Consideration was given to the establishment of an international tribunal with jurisdiction to try all categories of peacekeepers.⁶⁵³ Ms Wilmshurst and Ms Moynihan said this would act as a "permanent means of bringing to justice

647 Written evidence from REDRESS ([SVC0022](#)), War Child UK ([SVC0032](#)) and Ms Elizabeth Wilmshurst and Ms Harriet Moynihan ([SVC0059](#))

648 UN Security Council, *Resolution 2272* (11 March 2016): [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2272\(2016\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2272(2016)) [accessed 17 March 2016]

649 UN General Assembly, *A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations*, A/59/710 (24 March 2005), paras 35–36: <https://cdu.unlb.org/Portals/0/Documents/KeyDoc5.pdf> [accessed 14 March 2016]; UN General Assembly, *Special measures for protection from sexual exploitation and sexual abuse: Report of the Secretary-General*, A/69/779 (13 February 2015), para 60: http://www.un.org/ga/search/view_doc.asp?symbol=A/69/779 [accessed 14 March 2016]

650 Written evidence from Dr Noëlle Quénivet ([SVC0012](#)) and Ms Elizabeth Wilmshurst and Ms Harriet Moynihan ([SVC0059](#))

651 UN Office of Internal Oversight Services, *Evaluation Report: Evaluation of the enforcement and remedial assistance efforts for sexual exploitation and abuse by the United Nations and related personnel in peacekeeping operations* (15 May 2015) p 49: <https://oios.un.org/page?slug=evaluation-report> [accessed 14 March 2016]

652 Written evidence from Dr Noëlle Quénivet ([SVC0012](#))

653 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan ([SVC0059](#)): This was considered in the Group of Experts' Report and is the preferred option of the Global Study on the Implementation of UNSCR 1325. The Group of Experts also considered the establishment of hybrid courts composed of both nationals of the host state and international judges, like the Special Court of Sierra Leone. But whereas hybrid courts would be restricted to one particular conflict situation, an international tribunal could investigate and prosecute any sexual offences by all components of peacekeeping missions. See UN General Assembly, *Report of the Group of Legal Experts on Ensuring the Accountability of United Nations Staff and Experts on Mission with Respect to Criminal Acts Committed in Peacekeeping Operations*, A/60/980 (16 August 2006), para 72: http://www.un.org/ga/search/view_doc.asp?symbol=a/60/980&referer=http://www.codebluecampaign.com/un-docs/&Lang=E [accessed 14 March 2016]; UN Women, *Preventing Conflict, Transforming Justice and Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325* (14 October 2015), p 149: <http://wps.unwomen.org/~media/files/un%20women/wps/highlights/unw-global-study-1325-2015.pdf> [accessed 14 March 2016]

persons who at present are not being prosecuted”.⁶⁵⁴ Such a tribunal could be established either by treaty or by a Security Council resolution.⁶⁵⁵ Such a mechanism would require significant resources. Furthermore, issues such as securing evidence and suspects would remain and in some instances these problems could be exacerbated by the distance of an international tribunal from the location of the alleged offence.⁶⁵⁶ In order to minimise the cost of a tribunal Ms Wilmshurst and Ms Moynihan suggested an international tribunal “light” model. Under this model, there would be a standing roster of judges and potential staff, available to be called on when required and therefore not located in one city. They further said that only a small number of permanent staff would be necessary, citing the Mechanism for International Criminal Tribunals as a precedent.⁶⁵⁷ We found this suggestion persuasive.

447. In late January 2016 the UN disclosed the names of the countries whose peacekeepers had been accused of committing SEA against children in the Central African Republic—namely, France and Georgia.⁶⁵⁸ This was followed in February 2016, by the UN publishing for the first time a full list of the countries of alleged perpetrators of SEA.⁶⁵⁹ On 11 March 2016, UNSCR 2272 gave the Secretary-General full authority to continue this practice.⁶⁶⁰

448. A further criticism of current accountability procedures for peacekeepers was that they operated without due consideration for victims and survivors of SEA.⁶⁶¹ Ms Donovan expanded on this problem:

“... the entire system is currently operating without any concern whatever for victims ... for example, of a person who comes forward and alleges that she was raped by, let us say, a non-military person in a peacekeeping operation, for reasons that we cannot understand because there is no legal basis, the United Nations itself puts itself between that victim and justice by taking as long as it needs to determine whether or not it believes that ... its fellow employee of the United Nations, is guilty of any sort of any wrongdoing that would amount to a crime. We can find nothing in any sort of legal document that gives the United Nations the right to intervene when a case is a criminal matter ... This causes incredible delays, and the delays are of course death to a case of sexual abuse and certainly rape. The delays also amount to the obstruction of

654 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan (SVC0059)

655 Pursuant to Chapter VII of the UN Charter. See UN General Assembly, *Report of the Group of Legal Experts on Ensuring the Accountability of United Nations Staff and Experts on Mission with Respect to Criminal Acts Committed in Peacekeeping Operations*, A/60/980 (16 August 2006), p 20: http://www.un.org/ga/search/view_doc.asp?symbol=A/60/980&referer=http://www.codebluecampaign.com/un-docs/&Lang=E [accessed 14 March 2016]

656 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan (SVC0059)

657 The Mechanism functions as a court, but has a very limited number of permanent staff, including the President of the Judges. It has a roster of judges and of potential staff who will be able to act when called upon to do so. See UN Mechanism for International Criminal Tribunals, ‘About the MICT’: <http://www.unmict.org/en/about> [accessed 14 March 2016]

658 ‘UN speaks out: French, Georgian peacekeepers accused of sex abuse in Central African Rep’, RT (30 January 2016): <https://www.rt.com/news/330708-un-eu-peacekeepers-abuse/> [accessed 14 March 2016]

659 UN General Assembly, *Special measures for protection from sexual exploitation and sexual abuse: Report by the Secretary-General*, A/70/729 (16 February 2016): http://www.un.org/ga/search/view_doc.asp?symbol=A/70/729 [accessed 17 March 2016]

660 UN Security Council, *Resolution 2272* (11 March 2016): [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2272\(2016\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2272(2016)) [accessed 17 March 2016]

661 Q 59 (Ms Carla Ferstman)

justice for the victims. The victims are also deprived of their remedy in their own country, but they have no idea and no way of finding out what, if anything, happened to the people who were accused of these crimes. The opacity of the entire system is a tremendous problem”.⁶⁶²

449. **The current system for holding peacekeepers accountable is not working and lacks transparency. Peacekeepers are deployed to protect civilians and any act of SEA is a crime and must be challenged.**
450. **We are also concerned that current accountability procedures for peacekeepers do not give enough priority to the needs and rights of victims of SEA.**

Preventative measures

451. Earlier in this report we discussed measures to help mitigate sexual violence in conflict from occurring in the first instance (see Chapter 3). We similarly received evidence on possible preventative measures to reduce SEA committed by peacekeepers.
452. There was consensus on the importance of training for peacekeepers. Dr Jill Steans said training was “patchy” and varied.⁶⁶³ Ms Ferstman noted there were gaps in the content of existing training modules, as they did not get to the root of the gender biases and stereotypes that underpin and cause the environment in which SEA can flourish.⁶⁶⁴ There was therefore an agreement from some that the UK should push for the inclusion of gender training for all peacekeepers on all missions.⁶⁶⁵ Gender Action for Peace and Security, for example, said that the UK should lobby for reform within UN missions to include “mandatory pre-deployment gender training” for all peacekeepers, as well as “ongoing gender sensitivity training for all UN staff”.⁶⁶⁶ Such training needed to be intensive, ongoing and underscored by positive practice—although it was acknowledged that in the case of SEA, positive case examples did not exist due to limited follow up.⁶⁶⁷
453. The calls for mandatory gender training were linked with the suggestion of deploying gender advisors on peacekeeping missions. International Alert said that the position of gender advisors could be given more prominence in missions and receive more political support, so that gender was not regarded by military staff as “an essentially meaningless add-on forced upon the mission by civilians”.⁶⁶⁸ In support of this proposal, Dr Steans said that gender advisors could play an effective role in moulding military culture in peacekeeping operations and in liaising with NGOs to advance gender equality.⁶⁶⁹
454. In addition to suggesting that the UK increase the number and prominence of gender advisors in its own military (see Chapter 3, paragraph 126), Gender Action for Peace and Security advocated deploying UK gender advisors on UN missions. It said that this would allow the UK to “set a strong example”.⁶⁷⁰

662 [Q 59](#) (Ms Paula Donovan)

663 Written evidence from Dr Jill Steans ([SVC0060](#))

664 [Q 54](#) (Ms Carla Ferstman)

665 [Q 8](#) (Lord Hague of Richmond) and [Q 45](#) (Ms Pramila Patten)

666 Written evidence from Gender Action for Peace and Security ([SVC0045](#))

667 [Q 54](#) (Ms Carla Ferstman)

668 Written evidence from International Alert ([SVC0017](#))

669 Written evidence from Dr Jill Steans ([SVC0060](#))

670 Written evidence from Gender Action for Peace and Security ([SVC0045](#))

Such an approach has already been used by the Government. In his oral evidence, Lieutenant Colonel Alcuin Johnson said that the UK had deployed its first gender field advisor into a UN peacekeeping operation in the DRC about a year ago. He went on to say that the advisor had now been sent to New York to develop that role within wider UN peacekeeping operations.⁶⁷¹

455. The composition of peacekeeping forces was also discussed. At present, women are massively under-represented within peacekeeping forces, comprising just over 4% of forces (see Appendix 7). For the month of February 2016, there was a total of 92,035 military experts and troops across the UN's 19 missions (this does not include police personnel). Of this, only 3,074 were women.⁶⁷² As we have referenced previously (see Chapter 4), failing to ensure the adequate representation of women means that half the world's population is ignored.⁶⁷³ Ms Chitra Nagarajan said that the lack of female representation meant there was a "hyper-masculine culture" within peacekeeping missions.⁶⁷⁴ Dr Steans said that this could be a core part of the problem of SEA.⁶⁷⁵ As a result, there was agreement on the need to deploy greater numbers of women within military and police personnel.⁶⁷⁶ Ms Nagarajan highlighted the positive impact of the first ever all-female police unit⁶⁷⁷ sent by the UN to support the Mission in Liberia in 2007:

"A very good example is the all-female contingent of the UN peacekeeping mission in Liberia, which meant that not only did Liberian women not feel at risk of sexual abuse and exploitation by peacekeeping forces but they also felt more able to go out and engage with them on their own security concerns, including concerns about sexual violence."⁶⁷⁸

456. Several witnesses also commented on the impact of the absence of western troops in the composition of UN peacekeeping missions (see Appendix 8). As of 29 February 2016, the states contributing the largest number of forces were: Ethiopia (8,324); India (7,695); Bangladesh (7,525); Pakistan (7,501); and Rwanda (6,002). Among EU Member States, Italy was the largest contributor at 1,093. The UK and USA contributed 290 and 71, respectively.⁶⁷⁹ We were told that part of the problem of SEA was linked to the concentration of TCCs where their views on gender equality often lagged behind those of western norms. Major (ret.) Philip Lancaster said that one of the difficulties was trying to work with armies recruited from the developing world which had "a wide range of skills, education and cultures" that needed to be persuaded in the first instance "that the western view of gender equality is the correct one".⁶⁸⁰ Colonel Johnson echoed Major Lancaster's comments,

671 Q 28 (Lieutenant Colonel Alcuin Johnson)

672 UN, *Gender Statistics by Mission for the month of February 2016* (17 March 2016): <http://www.un.org/en/peacekeeping/contributors/gender/2016gender/feb16.pdf> [accessed 21 March 2016]

673 Q 23 (Lieutenant-General (ret.) David Morrison)

674 Q 41 (Ms Chitra Nagarajan)

675 Written evidence from Dr Jill Steans (SVC0060)

676 Q 23 (Lieutenant-General (ret.) David Morrison), Q 41 (Ms Chitra Nagarajan), Q 45 (Ms Pramila Patten), Q 92 (Dr Chaloka Beyani) and written evidence from Dr Jill Steans (SVC0060)

677 'In first for UN peacekeeping, all-female police unit arrives in Liberia', *UN* (30 January 2007): <http://www.un.org/apps/news/story.asp?NewsID=21391&Cr=liberia&Cr1#.Vqec6ZqLTcs> [accessed 14 March 2016]; 'Female Police in Liberia Hope to Empower Women', *abcNEWS* (16 May 2007): <http://abcnews.go.com/GMA/story?id=3179392> [accessed 14 March 2016]

678 Q 41 (Ms Chitra Nagarajan)

679 UN, *Ranking of Military and Police Contributions to UN Operations—Month of Report: 29-Feb-16*: http://www.un.org/en/peacekeeping/contributors/2016/feb16_2.pdf [accessed 21 March 2016]

680 Q 28 (Major (ret.) Philip Lancaster)

adding that such countries were deploying where there was “little formalised or UN-mandated training”.⁶⁸¹

457. Of course, western troops are not immune from committing SEA. As was highlighted earlier, in 2015 French peacekeepers in the Central African Republic were accused of a range of abuses.⁶⁸²
458. **There are a series of preventative measures that could be adopted to reduce the risk of SEA by peacekeepers. While accountability is imperative, and can act as a deterrent, more weight must be given to actions aimed at preventing the crimes from occurring in the first place. Consideration should be given to making pre-deployment gender training mandatory and the inclusion of gender advisors for all peacekeeping missions. The composition of such missions should also include a larger proportion of women.**

The UK's approach

459. The previous two sections dealt with the issues of accountability and preventative measures. Our evidence also discussed what the UK's overall approach to the issue of SEA committed by peacekeepers should be.
460. The Government's approach was outlined mainly in the Foreign and Commonwealth Office's (FCO) written submission, as well as the 2015 National Security Strategy and Strategic Defence and Security Review (see Box 7). In September 2015, the Government also announced that it would make new deployments to UN missions in South Sudan and Somalia.⁶⁸³

Box 7: The Government's approach to peacekeeping

Written evidence from the FCO

“The Secretary-General has described Sexual Exploitation and Abuse (SEA) as ‘the cancer in our system’. We agree and believe that UN member states must do everything to support his efforts to rid the UN system of SEA.

“For these acts to be stopped, all Troop Contributing Countries (TCCs) must take the same strong stance. There cannot be a culture of acceptability or impunity within contingents. Educating and training troops is an important component of preventing abuse, but it must be accompanied by firm leadership.

“There needs to be faster progress on achieving the Secretary-General's zero tolerance approach. We are pleased to see detailed initiatives from his Office being proposed which will help with both the prevention of SEA and with strengthening accountability when the policy is breached. They have the potential to deliver real change.

681 **Q 28** (Lieutenant Colonel Alcuin Johnson)

682 ‘UN accused of “reckless disregard” for allegations of peacekeeper child abuse’, *The Guardian* (30 April 2015): <http://www.theguardian.com/world/2015/apr/30/un-accused-of-reckless-disregard-for-allegations-of-peacekeeper-child-abuse> [accessed 14 March 2016]. See also ‘UN reveals new sexual abuse allegation against peacekeeper in CAR’, *The Guardian* (3 September 2015): <http://www.theguardian.com/world/2015/sep/03/un-reveals-new-sexual-abuse-allegation-against-peacekeeper-in-car> [accessed 14 March 2016]

683 Prime Minister's Office and Ministry of Defence, ‘PM pledges UK troops to support stability in Somalia and South Sudan’, 28 September 2015: <https://www.gov.uk/government/news/pm-pledges-uk-troops-to-support-stability-in-somalia-and-south-sudan> [accessed 14 March 2016]

“The UK wants to see major changes result from the Secretary-General’s recommendations. This includes:

- “Better training of peacekeepers: All peacekeepers should receive mandatory training before deployment as well as upon their arrival;
- “A system that communities can trust: The communities served by peacekeepers must have confidence in their [peacekeepers] ability to protect them and that any allegations they make will be treated seriously;
- “Timely and thorough investigations: TCCs must investigate any allegations against their troops and keep the UN updated on progress and outcomes;
- “A robust UN response: Reporting mechanisms for SEA allegations need to be stronger. And the UN must follow up all allegations thoroughly with TCCs; and
- “Improved remedial measures: Victims need to be adequately supported with access to appropriate assistance in-country.

“An international tribunal is one option to consider though we would need to balance the time spent establishing such a body against the immediate needs of the victims.”⁶⁸⁴

2015 National Security Strategy and Strategic Defence and Security Review

“Peacekeeping is one of the UN’s most important roles. The UK will continue to champion reform to increase the efficiency and impact of UN engagement. We will double the number of military personnel that we contribute to UN peacekeeping operations. We will also increase UK law enforcement and civilian experts on UN peace operations and in UN headquarters, and we will continue to train international peacekeepers. We will form a cross-Whitehall joint UN Peacekeeping Policy Unit to maximise our military and civilian impact.”⁶⁸⁵

461. In oral evidence, Baroness Anelay of St Johns stressed that the Government’s focus was on training, including UK and AU troops. Lady Anelay said that any country deploying troops in a peacekeeping scenario should ensure its troops were trained, and trained again when arrived in-country.
462. Lady Anelay also emphasised that the UK intended to lead by example when it deployed peacekeeping forces in South Sudan and Somalia.⁶⁸⁶ Lieutenant-General Gordon Messenger told us that this deployment of troops would provide an opportunity for the British military “to make its mark” in the

684 Supplementary written evidence from the FCO ([SVC0067](#)). See also written evidence from the FCO ([SVC0011](#)): “The UK is working with the UN to promote the highest standards of TCC behaviour. We have a long-term programme of engagement and training in place. This includes encouraging the Department for Field Support, the UN department dedicated to supporting peacekeeping and political field missions, to improve their accountability and transparency of TCC responses to allegations of SEA, based on various recommendations from the Global Summit, the UN Secretary-General’s [2015] February Report on Sexual Exploitation and Abuse and the UN’s Office of Internal Oversight Services (OIOS) June 2015 report. The UN Secretary General’s Peace Operations Review, published in July 2015, includes a number of further recommendations to ‘address abuse and enhance accountability’.”

685 HM Government, *National Security Strategy and Strategic Defence Review 2015*, Cm 9161, November 2015, para 5.92. The UN Peacekeeping Policy Unit is later described as: “hosted by the FCO, consolidating existing MOD and FCO expertise to formulate UK policy on UN peacekeeping missions”, para 7.17. See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/478933/52309_Cm_9161_NSS_SD_Review_web_only.pdf [accessed 14 March 2016]

686 [Q 167](#) (Baroness Anelay of St Johns)

UN. He noted that women would be included as part of the deployment, as well as an intention to ensure there was a gender advisor as part of “at least” the South Sudan mission.⁶⁸⁷ General Messenger did not provide an estimate of what proportion of the deployments would be women, nor did he clarify the Government’s ambitions in that respect.

463. We were also told that a peacekeeping summit would be held in London in the summer of 2016, which would include a “PSVI [Preventing Sexual Violence Initiative] element”.⁶⁸⁸ However Lady Anelay did not provide details on what that element would look like.
464. Overall, there appeared to be a parity between the Government’s approach and the suggestions put forward in evidence. This was particularly the case in relation to training and ensuring accountability/transparency at the UN.
465. On the issue of training, we were told by Human Rights Watch that there was a role for the UK in ensuring peacekeeping missions had the appropriate policies and training in place.⁶⁸⁹ It was suggested the UK could carry out an important function in building up the capacity of other national forces. For example, International Alert said the UK could assist in building the capacity of Nigerian forces “in the light of Nigeria’s influence in the AU and ECOWAS [Economic Community Of West African States]” to give south-south training to other Armed Forces on the continent.⁶⁹⁰
466. In respect of accountability, a number of witnesses urged the Government to use its influence to ensure transparent and swift investigations, and ensure peacekeeping forces and civilian staff committing SEA were held accountable.⁶⁹¹ This included ensuring that the necessary legal and procedural frameworks were in place in the UK so that any allegations concerning British troops operating abroad could be promptly investigated.⁶⁹² It was further suggested that the UK should lead by example.⁶⁹³ To support greater transparency and accountability, REDRESS said the UK should “record, report and publish information” about any complaints made against UK forces operating overseas and the “outcomes of the cases”.⁶⁹⁴
467. Limited comment was provided on the role of other, regional peacekeeping bodies, such as the AU. Nonetheless, some of our evidence highlighted the increasing participation of bodies like the AU in peacekeeping. Consequently, it was stressed that any standards with respect to SEA should, in principle, be applicable to non-UN (regional) peacekeeping missions as well as to those under the UN umbrella.⁶⁹⁵
468. Despite the apparent agreement between the Government’s approach and the proposals put forward by our witnesses, the problem of SEA still persists.

687 [Q 151](#) (Lieutenant-General Gordon Messenger)

688 [Q 162](#) (Baroness Anelay of St Johns). For further detail on the Government’s approach see also [Q 128](#) (Mr Paul Williams)

689 Written evidence from Human Rights Watch ([SVC0049](#))

690 Written evidence from International Alert ([SVC0017](#))

691 Written evidence from International Alert ([SVC0017](#)), REDRESS ([SVC0022](#)), Human Rights Watch ([SVC0049](#)) and Ms Elizabeth Wilmschurst and Ms Harriet Moynihan ([SVC0059](#))

692 Written evidence from Human Rights Watch ([SVC0049](#))

693 [Q 58](#) (Ms Paula Donovan)

694 Written evidence from REDRESS ([SVC0022](#)). See also written evidence from Human Rights Watch ([SVC0049](#))

695 [Q 56](#) (Ms Carla Ferstman) and written evidence from Ms Elizabeth Wilmschurst and Ms Harriet Moynihan ([SVC0059](#))

469. This could be because the Government has not used its influence sufficiently or pressed urgently enough for reform. There was some suggestion in our evidence that the Government needed to leverage its influence at the international level, especially as a Permanent Member of the UN Security Council.⁶⁹⁶ The Government itself recognised the influence it had: “Security Council membership means that the UK has the ability to influence the detail of UN peacekeeping mandates and to ensure they take into account sexual violence issues as well as wider gender considerations.”⁶⁹⁷
470. In using its influence as a Permanent Member of the UN Security Council, Ms Wilmshurst and Ms Moynihan said that the UK should:
- “... secure the inclusion, in the resolution for each peacekeeping mission, of requirements that the state of nationality and troop-contributing states criminalize sexual exploitation and abuse by peacekeepers of their nationality, ensure that their legislation has extraterritorial effect, bring to justice any individuals against whom credible evidence is produced by the UN of abuses, and provide information to the UN on their follow-up action regarding alleged abuses”.⁶⁹⁸
471. On the other hand, we have outlined the numerous failed attempts at reforming peacekeeping operations to address SEA. It seems to us more likely that the current approach to reform is simply not working. Seen in this light, we found the Government’s commitment to reform persuasive and commendable.
472. **We commend the Government for the efforts it has taken to address the issue of SEA in peacekeeping. In particular, we approve of its focus on training, both of the UK’s and other states’ troops, and ensuring accountability. However, we believe that the current approach to reform is still inadequate.**
473. *During the process of appointing a new UN Secretary-General in 2016, the Government should support candidates who make ensuring prosecutions and accountability for SEA by peacekeepers a high priority.*
474. *We recommend that the Government should seek to have the 2006 report by the Group of Experts moved out of the General Assembly’s Sixth (Legal) Committee and placed before the UN Security Council.*
475. *We welcome the decisions taken by the UN Security Council in Resolution 2272, not least the authority for the Secretary-General to repatriate units where there is credible evidence of widespread or systemic sexual exploitation and to name the countries of alleged perpetrators. These could be important steps, so long as they are rigorously applied. However, we believe in addition that the establishment of an international tribunal “light” model as suggested in our evidence (see paragraph 446) to ensure accountability for SEA by all peacekeepers (both military and non-military personnel) is now necessary and that the Government should pursue this option.*

696 See for example written evidence from Dr Noëlle Quénivet ([SVC0012](#)) and Global Justice Center ([SVC0044](#))

697 Written evidence from the FCO ([SVC0011](#))

698 Written evidence from Ms Elizabeth Wilmshurst and Ms Harriet Moynihan ([SVC0059](#))

476. *We would like to see the Government seeking:*

- (a) *Greater transparency with regards to the collection of data and reporting of allegations of SEA committed by all peacekeepers mandated by the UN and regional organisations. We welcome the publication in February 2016 of the nationalities of the alleged perpetrators of offences committed in 2015. Further transparency should now follow, not least information on action arising as a result of allegations against peacekeepers;*
- (b) *A 'naming and shaming' policy for states who fail to carry out appropriate disciplinary measures and report on allegations of SEA;*
- (c) *Mandatory pre-deployment gender training for all peacekeepers. This should include monitoring and evaluation. Assistance in providing such training for troop contributing countries (TCCs) should be offered by the UK and other states;*
- (d) *Deployment of gender advisors with child protection knowledge on all peacekeeping missions. The UK could lead by example by seeking the inclusion of gender advisors in its deployments to South Sudan and Somalia;*
- (e) *The restoration of the secondments of UK police personnel to UN police peacekeeping missions and ensure they are provided with gender training, with costs being met by central Government and not the police force directly;*
- (f) *The encouragement of a higher proportion of women in the composition of peacekeeping and civilian policing forces; this should be reflected in UK deployments to South Sudan and Somalia;*
- (g) *A review by the UN of its support for all rape victims and their families in conflict zones and ensure that this is effective and properly funded; and*
- (h) *For the new standards for UN peacekeeping to be applied by regional bodies that carry out peacekeeping operations, such as the African Union (AU), and ensure measures are taken to give effect to them.*

477. *The Government should use the opportunities presented by the forthcoming peacekeeping summit in London to share, discuss and promote the recommendations of this Committee's report.*

CHAPTER 8: MEETINGS WITH SURVIVORS

During the course of our inquiry, we had the opportunity to meet privately with survivors of sexual violence in conflict. We had two such meetings in the UK. Out of sensitivity to those we met, we have included summaries of our discussions with them. On both occasions we received permission from the survivors to include these summaries within our report.

Meeting with Yazidi women

On 1 July 2015 several Members of the Committee met with three young Yazidi women from Iraq who were the victims of sexual violence in conflict. They gave their testimonies at their own request, and was provided via a translator. The following is a summary of the meeting. They requested anonymity and so we have used numbers, rather than publishing their names.

Perhaps you would be kind enough to tell us about your experiences?

Woman #3: She was 15 years old and a Sheik came to the house where she was being held with other Yazidi girls and chose her and raped her. He was a much older person. She managed to escape but was caught and sold to another old man, who again raped her. He too sold her on when he finished with her; the man who bought her raped her too. Basically she was moved from hand to hand whenever they got fed up with her—they just sold her on. She managed to escape from the last one and managed to get through to her family.

During the course of this, they took away her two baby sisters. One was five months old when they took her away from her—she was crying and screaming, begging them, “Do anything, but don’t take away my little sisters”, because she was responsible for them. At the age of 15, she was responsible for her two baby sisters and they disappeared completely. They cannot trace them; they were given away to families.

How were you captured in the first place?

Woman #3: She was in a little village, asleep with her family in her house, and at half past two in the morning there were gunshots and Daesh was attacking the village next to hers. Her mother told her that Daesh were attacking the village. At nine in the morning they got into a car, but her little sister’s formula finished so her brother said “Let’s go towards Duhok”, which is another city in Iraq—but they had to go through the Syrian borders to get back into Iraq; that’s where they were caught.

When Daesh caught them, they separated the family—first they took out the men, they shot them; they killed them in front of their families. Then they separated the women and with the very young baby, the elderly women and then the young girls. The women and children and the girls were then moved on to another place. Buses came and together with her two younger sisters (who she was looking after), were taken to another city, Tal Afar. After 25 days they were moved again, but she was hit and forced to let go of her sisters. All the girls and young women were taken—there was about 700 of them who were taken to a building. One of the Sheikhs of Daesh chose her and another girl and he took them to a house and he raped them both.

The following morning they had a chance to escape, when the house was empty. She managed to escape with her friend, and they got to a road and stopped a taxi

driver. He gave them a mobile, but she had not memorised any of her family's numbers, so she could not call anyone; he hid them in the back of the car and covered them in sheets. He took them to his house. He fed them and gave them water. His daughters gave them clothes so if Daesh came they would not know they were Yazidi girls; so they covered them up with clothing and he kept them there.

Then, because it was unsafe for them to stay there he took them to a friend's house, which was nearer to the border. They stayed there, hidden, for a while and then went to a checkpoint but were caught and taken by Daesh for interrogation. They were punished for trying to escape—put in a basement and beaten up, as a lesson to other girls not to try to escape. They were beaten basically every day until her friend started vomiting blood, and then they were taken to a hospital inside Syria. When her friend stopped vomiting blood, they were taken back to the same house, back into Iraq, into Mosul, to the same house and into the basement again; they were beaten again and then she was taken by a man. She was raped and when he got fed up with her he sold her on to another person, who raped her too.

Do the other two young women have similar stories to tell? Would they like to tell us?

Woman #2: She is from a different village and also woke early in a morning of August 2014 to sounds of shots. They tried to leave their house, but the Peshmerga fighters who were in the area told them “No, stay in your homes, we’re here to protect you”. But when it was fully daylight they discovered the Peshmerga had left them and so the family decided to head in convoy towards the mountains outside Sinjar. They found it in chaos, with everybody trying to do the same thing. They managed to get onto the mountain, and it was very chaotic, because there were lots of cars. Muslim families that used to be their neighbours and friends came and told them, “You’ll be safe if you go back to your homes”, but some of them refused. These people said “We’re going to kill you if you don’t go back”. She witnessed in front of her eyes a child and an elderly man shot dead, as if to warn the rest they were serious about them having to turn back down the mountain and go back to their village.

While they were on the mountain a friend of the family—and supposedly a friend of their brothers—said “You’ve got to come back to Sinjar with us, you’ve got to”. Her brother said “I trust him, he used to be my friend”. They took them back to Sinjar where they were told they had to become Muslims.

They took all the families at this stage to a big building and they separated the men; and kept the women and children outside in the courtyard. Then they picked out the girls and forced them onto buses. She and her sister were manhandled onto the bus. The last thing she saw was her mother run after them and faint.

They took them to Mosul, to a building where there were about 600 women and children. The first night, the Amir, which is the religious leader of the groups, came and said “You must say the Shahada”—to become a Muslim you have to witness, and any girl who did not repeat it immediately was beaten. Then they went around the girls and they took their mobiles, their gold, everything.

She managed to hide her mobile phone. They did not find it and she kept it for 13 days, and in that time she used it to call anyone she could. She knew a police officer from before; she was calling him and updating him what was happening to her. She had two numbers for local TV stations which she called and told them what was happening. She had a friend with her who was doing the same thing. She

had hidden her mobile and was calling her father who was a former officer in the army. When she spoke to the officer he told her that the place was going to be hit; there was going to be an airstrike on that building. Half an hour later it was not hit, but they moved them to another building.

Obviously they caught them out somehow. They picked out 14 girls, and she and her friend were amongst them. They separated them and said “You are going to be interrogated”; they searched them and got their mobiles off them. They made them take off their clothes, take down their hair and stripped searched them. They were beaten every day and they were not given any food or water for three days. They used to put the air conditioning on at night so they froze, and switch it off in the day time when it was boiling hot.

After three days they were going to move the women and the children who were in the next building and they told them that they (the 14 girls who had been separated) were going to be moved as well. They moved them all to another building and they registered them. They registered all of their names, dates of birth and which villages they came from. They separated them and took them to another building. They brought a convoy of girls, young girls from Badush prison; she thought there were about 300 extra girls who came in at this stage.

The Amirs separated the girls. The Amirs of various areas (even one from Syria)—from Mosul, from Sinjar, from Tal Afar, all the religious leaders—came and had a meeting at the house and they herded the girls into one room. Then the Amirs were allowed to come in and pick and choose from the girls in the room. For two days, this went on; people would come in, look at the girls, look them over and tell them to stand up, so that they could look at their body and their hair. Anybody who would not get up was beaten.

After the two days, they came and said they were going to take a group of the girls—they chose about 150 of them—and moved them to another city, a place called Al-Baa’j. When they took them to a house, the guards told them that the Amirs, new Amirs, were going to come and choose from the girls again. At this point her friend from her village went into the bathroom and slit her wrists. She did not die immediately when she slit her wrists, so she slit her throat. They asked Woman #2 to go into the bathroom and identify her because she was from the same village and she said she could not see anything from the blood; she could not look at her. So they rolled her in a blanket and they threw her outside and said “This is rubbish”. They stopped the girls going to the bathroom by themselves after this. They kept them in this room and the men were given the choice and freedom, even the guards, to come and pick two, three, four girls; whatever they wanted.

A former friend of the family came and chose her sister and said “Your sister is for me, and you can come along”. So they took a group of 11 girls to another building where one of them was raped that first night. They stayed about five days in this house and every day they would take one or two girls and rape them; she was so afraid of being raped—she had not been raped at this stage—she decided to commit suicide; she found some pills in the house and she just swallowed whatever she could. One of the guards took her to hospital—apparently he had chosen her for himself at this stage—and then when she had been treated by the doctor with sedatives, he took her home, tied her hands and feet and raped her. At the same time she was being raped, she could hear her sister being raped in the next room and she could not do anything. She could only listen.

Did anybody give any reason why they were doing this to you?

Woman #2: They told them they were infidels, that there should not be any Yazidis left in the world.

Did you feel that they were part of any big system, or were these men acting as individuals—were there instructions from on high?

Woman #2: They used to wait for orders from the Amirs, who were higher up.

After all these terrible events, did you get any people who were able to support you, or try and help you get through this?

Woman #2: No, nobody. No organisation, no group. Dr [name redacted], a Yazidi woman from Iraq, is the one who is trying to help them.

Did any of the girls become pregnant through all these rapes?

Woman #1: She [Woman #1] was pregnant.

What has happened to the children?

Woman #1: There was no help, no doctor, nowhere to go to. She tried to throw herself down the stairs a couple of times because she felt that might help miscarry the baby. Her aunt took her to a doctor where they carried out an abortion.

The way Daesh used to carry out their rapes of girls was to come into the room and make her stand whilst they felt her up. If she had breasts then she was OK to rape; if she did not have breasts they kept her there for another three months and come back to see if she had grown in the meantime; whether she was good for raping then. The men used to rape up to seven girls in one room, so everybody could see what was going on; the screaming was up to the skies. They were all screaming but they could not help each other. They had to watch and go through what was happening.

She tried to escape and her punishment was that they set six of the guards on her. So she was raped by six men for one whole night, in the one room, for punishment. She was raped in every place possible. She was forced to do things that were disgusting to her and they kept her without clothes in this room so that anybody could come at any time and rape her.

They took her to another house; they sold her to two men from Mahmudiyah. She got her period but they put her in the bathroom and were raping her while blood was running down her legs. They sold her on to a guard, and then he sold her on to another person. She said she had opportunities to run away at this stage, but her body was aching so much and she was so tired she could not find the effort to get up and try and run away. She just could not make it.

How did she get away in the end?

Woman #1: As she was sold down the line, she became less interesting for them because she had been used. Eventually after being sold many times, she was owned by only one man, not a group of men, and she had enough strength—when she was left alone one day—to open the door and run away.

She saw girls who had not even had their period yet, who were children born in 2002/2003. They were raped in front of her eyes and returned to the rooms.

All because they were Yazidi, not Muslims. Even women who had three or more children were raped in front of their children. It happened to her sister-in-law. There are thousands of other girls right at this moment, in Iraq, in Syria, going through the same thing or about to go through the same thing. Nobody is talking about them and nobody is doing anything. This is her concern.

Did any of the men try to stop their fellow terrorist fighters? Were there any women around that were not Yazidis? Were there Daesh women around at all?

Woman #1, Woman #2 and Woman #3: No, nobody did. There were Muslim women in the families; in fact some of them were taken to families' houses. The women used to say the same thing to them: "You have to be raped to become a Muslim."

Were these horrendous attacks perpetrated for personal gratification, or were they political?

Woman #1: They were doing this to them because they were Yazidis. They see it as a religious motive; it was not a political motive. When they were trapped in Kojo in the school, the Amir was talking through a microphone saying "Whoever becomes a Muslim can stay in this village. Whoever doesn't become a Muslim will be killed".

Were any Yazidi men raped?

Woman #3: They [the men] were killed immediately.

Did you have the opportunity to ask them "why are you doing this?"

Woman #1: She did and she was told that they were implementing the Prophet Mohammed's law.

Meeting with Ms Polline Akello

On 13 October 2015 several Members of the Committee met with Ms Polline Akello, a former child soldier, sexual violence survivor and global advocate. The following is a summary of the meeting with Ms Akello.

What would you like to tell us about your experiences?

Ms Akello is originally from Uganda and has worked with the NGO, War Child, for seven years. She is grateful to meet different people; visiting people in schools, meeting school children. Previously she talked at the Global Summit on Ending Sexual Violence in Conflict about her own experiences and how children in war areas can be helped. Ms Akello met the Prime Minister, Lord Hague of Richmond and Ms Angelina Jolie Pitt at the Summit. During her current visit she spoke at the Woman of the World Summit about her experiences.

She spent seven years in the bush, and has personally experienced sexual violence during conflict; she knows how it feels to be a survivor. Ms Akello has seen people killed in front of her, including her best friend. She has seen girls and young women being raped. This experience can be hard to understand for someone who has not been through it; those who have experienced it know how it is and have feelings on what can be done to help people out of it.

Uganda currently has peace, but the level of education is extremely low. Because of fear and shame, children who come back from bush feel unable to talk about their experiences. Ms Akello has been told by members of her own community

not to talk about her experiences, but she decided to continue to speak out. If survivors remain silent they will not be helped. Ms Akello wants to be an advocate for other survivors to speak out.

There are children in war right now in other countries, mostly young girls, who are being sexually abused by soldiers and men in the community—they are denied rights to anything, which is the same situation she went through; it is painful to see it repeated.

Do you think one of the key things we should be advocating is talking about sexual violence and bringing it out in the open?

It is very important to bring it out into the open. Only through talking about it will survivors get help from different people coming together. If survivors keep quiet they cannot be helped, as others will not know what is happening. Speaking out makes people question what can be done.

If the UK Government makes a noise about it here, does it help back in Uganda? What is the attitude within the country?

Survivors would be happy about it; currently they feel that even if they talk about it no one will help them. The government in Uganda does not care about these people, and no support is currently given.

When Ms Akello returned from the bush the only support she was given was a mattress and a blanket; whereas she feels education is the best kind of support: “A blanket might keep you warm, but education is building for life.”

The current situation does not build hope and help survivors to strive for the future. Survivors will be happy to see the UK Government talking about this and it will help survivors realise the importance of speaking about it.

Uganda is part of the Commonwealth; what mechanisms and instruments are at our disposal to encourage the UK Government to support countries such as Uganda that go through this?

Private organisations and non-governmental organisations (NGOs) are struggling hard to help these people. People need to raise their voices in support. Individuals decide on their own to come out and help people. The Ugandan government sees these outsiders coming to offer help to their children but does not help or inject any support itself. Help comes from different people, but there is no programme from the Ugandan government (that she is aware of).

Do you think the Ugandan government recognises there is a problem, but pretends this is not happening? Or does it not know what to do?

The government is aware; when people come back from bush they are initially kept under the watch of the government before being reunited with families and communities. It is aware that survivors are in the community, but does nothing to support them. Most people do not like the current government because it is not helping their children. People are taken away and forced to fight for a cause they do not understand, but the government knows why.

How old were you when you were taken?

Ms Akello was 12 years old when she was taken. This interrupted her school studies for seven years. But she did not lose hope. When she returned from the bush, she

was able to pick up her studies with the help of War Child (since 2009). Ms Akello is currently at university. War Child used to visit Ms Akello's school, which had many survivors. Ms Akello was head girl and was personally approached by War Child in the school to be the voice of survivors. Other survivors see Ms Akello and admire her and want to be where she is—but how can they be when they are not supported?

Do families mind when victims talk? Does it warp survivor's recovery if their families put pressure on them not to talk?

When a family puts pressure on a victim not to talk about it, the wound remains fresh. In Ms Akello's personal opinion: "The more you talk, the more you get relief." Sharing pain with someone helps healing; when someone listens you can see that people care. If people stop you talking, it feels as if people do not care. Ms Akello was surprised that families abandon their daughters when they come back from bush—for example, when they come back with children. The families are not prepared to take responsibility for the child because they do not know the father. As a result, people end up on the streets. Communities need to support their children when they come back and encourage them to talk about it.

Where there is peace, is it still important for survivors to talk about their experiences, or might it do damage to bring it back into the public domain?

A friend of Ms Akello's who returned from the bush was sent out of her home by her family. Ms Akello met with the family members and explained their daughter's situation, what she went through in the bush and that it was not her choice to have children, but that they were born of rape. Ms Akello talked to the family and counselled them. They eventually took her friend back and right now they are still happily together.

Families have to take these girls with their children just the way they are. Every day Ms Akello looks for these people that are being abandoned and brings them together with their families. Sometimes, especially parents whose children are still living in the bush, they feel jealous when they see people like Ms Akello talk to the community because their children have not returned.

What happened to the men who fathered the children, who were raping people? What has happened to the perpetrators; have they disappeared into society?

Sometimes when the woman escapes, the man remains in the bush. Sometimes the man also escapes and they go back to live in the community. Men who have impregnated and sexually abused women are not being brought to justice. They are left to live peacefully without being punished. This has a negative effect on survivors who then see them being unpunished every day. Survivors already live with health issues, and the mental/physical effects of rape and forced childbirth.

Ms Akello knows of a commander from the Lord's Resistance Army who was investigated and brought to the ICC. She was interviewed as part of the investigation. Although she personally was not his "wife", she feels he contributed negatively to her life by his acts; it hurt to see him going unpunished. Ms Akello spoke to one of his "wives" who feared that if he returned to community he may take retribution on her if she spoke up.

Some have the attitude that survivors should forgive and let them go free; forgiveness is positive, but survivors would still have to live with seeing the perpetrator going unpunished.

Can you just clarify your use of the word “wife”? Are we looking at rape and abuse of people or within a stable relationship?

The word “wife” is the easiest word to describe it. There are two different cases: a girl is “given” to be a “wife” to a commander and stays with him; or a girl is raped and passed on continually to be raped by someone else.

Who has the right to “give her” to him? Have most of the girls like you been kidnapped, taken away and given to someone? How does that work?

Girls do not have the right to choose which man they stay with. All the girls are brought before a commander together who then decides who they are to go with. They are given by force, and have no choice. Men, on the other hand, have a voice to say “No, I’m not interested” in a particular girl.

Is any reason or justification given for this behaviour?

The perpetrators do not give any reason. Ms Akello believes the main reasons are for women to serve as housewives and to fulfil sexual desires as men continue to fight. Young girls and women do not fight and do not have guns; it is mainly men who fight and have guns, which means they have all the power. It is like “slavery ownership”.

What would you like us to put in our report? What is the most important thing?

In Uganda, if you can advise the government to help children as a national government, before other countries come in. Local help is more important than international help. Other countries look and say “Why should we come in and help if their own government won’t help?”

Do you think the victims would feel stronger and more powerful if their own government was helping them?

Definitely, they would. People would be happy with the government if it visibly helped.

How can we stop these things before they start?

Sometimes, by the time the community realises something is about to happen, it finds out it has already happened. Because these things happen in the community, they think they can silence them. If something is happening to raise awareness, the occurrences might reduce.

Legislation needs to be strengthened. People need to know that “If you do this, you will be punished.” The law scares people, and acts as a deterrent as people do not want to go to prison. You need legislation that requires perpetrators to be punished so that others can see the law is being implemented and works. If law and punishment is not followed through, perpetrators see they can continue without being punished.

Do you feel this is an equality issue? Is the way you were treated a dramatic version of how people are treated in your society anyway?

In the community in the bush, girls do not have any rights. Sometimes if they refuse to have sex they are killed. There is discrimination in that boys are favoured and girls are not: “Why is a girl not given a choice over a man?” Families differ in the community. Some are educated and women have rights, whereas in some

villages, women are treated harshly and can be beaten. Women are not given rights to own property. Cultural norms do matter, and there is domestic violence in most families. Men are seen as head of the family. If a man sees this as a cultural norm, women cannot change it. If cultural leaders come together and change it, that is where women could obtain rights.

Do you think from these acts that have been carried out there has been a desire for change, or have attitudes continued as normal?

Some people who come back are afraid to take action because there is too much pain. They are unable to make the right decisions. The community might have positive change if people talk about it; eyes have already been opened, and both victims and the community want to see people punished. Their own children and neighbours are the victims; unfortunately this is not the attitude in all communities.

APPENDIX 1: LIST OF MEMBERS AND DECLARATIONS OF INTEREST

Members

Lord Black of Brentwood
 Bishop of Derby
 Baroness Goudie
 Lord Hannay of Chiswick
 Baroness Hilton of Eggardon
 Baroness Hodgson of Abinger
 Baroness Hussein-Ece
 Baroness Kinnock of Holyhead
 Baroness Nicholson of Winterbourne (Chairman)
 Lord Sterling of Plaistow
 Baroness Warsi
 Lord Williams of Elvel
 Baroness Young of Hornsey

Declared Interests

Lord Black of Brentwood
Chairman, Commonwealth Press Union Trust
Former Chairman, Somaliland Health For All Trust (SHiFAT), 2013–March 2015

Bishop of Derby
Trustee, Christian Aid
Chair, Multi-faith Centre, Derby

Baroness Goudie
None relevant to inquiry

Lord Hannay of Chiswick
Joint Chair, All-Party Parliamentary Group on the United Nations
Joint Chair, All-Party Parliamentary Group on Global Security and Non-Proliferation

Baroness Hilton of Eggardon
None relevant to inquiry

Baroness Hodgson of Abinger
Member, External Steering Board of the Preventing Sexual Violence Initiative
Chair, Advisory Board of Gender Action for Peace and Security
Co-Chair, All-Party Parliamentary Group on Women, Peace and Security
Member, Oxfam Association

Baroness Hussein-Ece
None relevant to inquiry

Baroness Kinnock of Holyhead
None relevant to inquiry

Baroness Nicholson of Winterbourne
Chairman, AMAR International Charitable Foundation
UK Delegate to International Parliamentary Network “Women Free from Violence”
Interests of staff: Mr Richard Crow, Chief Executive AMAR International Charitable Foundation

Lord Sterling of Plaistow
Honorary Vice Admiral

Baroness Warsi

None relevant to inquiry

Lord Williams of Elvel

None relevant to inquiry

Baroness Young of Hornsey

Patron, Anti-Slavery International

A full list of Members' interests can be found in the Register of Lords' Interests: <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

Professor Christine Chinkin, Specialist Adviser

Director, Centre on Women, Peace and Security, London School of Economics and Political Science. The Centre received £1 million seed money from the Ministry of Defence. The Centre has a further £1 million from the Department for International Development, which is dependent on matched funding from non-Government sources. Since the creation of the Centre, Professor Chinkin's salary has been paid from the seed money provided by the Ministry of Defence.

Member, External Steering Board of the Preventing Sexual Violence Initiative

Member, Advisory Board of Gender Action for Peace and Security

Trustee, Sisters for Change (non-governmental organisation which works on violence against women in non-conflict situations)

APPENDIX 2: LIST OF WITNESSES

Evidence is published online at www.parliament.uk/svc-committee and available for inspection at the Parliamentary Archives (020 7219 5314).

Evidence received by the Committee is listed below in chronological order of oral evidence session and in alphabetical order. Those witnesses marked with ** gave both oral evidence and written evidence. Those marked with * gave oral evidence and did not submit any written evidence. All other witnesses submitted written evidence only.

Oral evidence in chronological order

- | | | |
|----|---|--------------------------|
| * | Lord Hague of Richmond, former Foreign Secretary and co-founder of the Preventing Sexual Violence Initiative | QQ 1–9 |
| * | Baroness Helic, former Special Adviser to William Hague | |
| * | Ms Angelina Jolie Pitt, Special Envoy to the United Nations High Commissioner for Refugees and co-founder of the Preventing Sexual Violence Initiative | |
| * | Ms Widney Brown, Director of Programs, Physicians for Human Rights | QQ 10–17 |
| ** | His Honour Judge Jonathan Carroll, civilian member of the UK Team of Experts ⁶⁹⁹ | |
| ** | Ms Rosy Cave, Head of Conflict and Stabilisation Team, Stabilisation Unit, Department for International Development and member of the UK Team of Experts | |
| ** | Mr Dan Chugg, Head of HMG Daesh Task Force (formerly known as the ISIL Task Force) and Head of Iraq Department, Foreign and Commonwealth Office | |
| ** | Mr Michael Howells, member of HMG Daesh Task Force (formerly known as the ISIL Task Force) and Head of Near East Department, Foreign and Commonwealth Office | |
| * | Professor Lisa Davis, Human Rights Advocacy Director, MADRE and Clinical Professor of Law, International Human Rights Clinic, City University of New York School of Law | |
| * | Lieutenant-General (ret.) David Morrison, former Chief of the Australian Army | QQ 18–25 |
| * | Major (retired) Philip Lancaster, former Canadian Military | QQ 26–32 |
| * | Lieutenant Colonel Alcuin Johnson, Ministry of Defence | |

⁶⁹⁹ Judge Carroll appeared in his capacity as a former civilian member of the UK Team of Experts rather than as a serving judge. He did not appear in a representative capacity in respect of the judiciary.

- Madame Zainab Hawa Bangura, Special Representative of the United Nations Secretary-General for Sexual Violence in Conflict, United Nations [QQ 33–39](#)
- * Ms Chitra Nagarajan, Gender and Conflict Adviser, Nigeria Stability and Reconciliation Programme and former Director, Gender Action for Peace and Security [QQ 40–41](#)
- * Ms Pramila Patten, Member, Committee on the Elimination of all Forms of Discrimination Against Women [QQ 42–47](#)
- * Ms Madeleine Rees, Secretary-General, Women’s International League for Peace and Freedom
- ** Lieutenant-General (ret.) David Leakey, Gentleman Usher of the Black Rod [QQ 48–52](#)
- ** Ms Paula Donovan, Co-Director, AIDS-Free World [QQ 53–62](#)
- ** Ms Carla Ferstman, Director, REDRESS
- ** Mr David Mepham, UK Director, Human Rights Watch [QQ 63–72](#)
- * Ms Lauren Wolfe, Journalist and Director, Women Under Siege Project
- * Ms Yanar Mohammed, President, Organization of Women’s Freedom in Iraq [QQ 73–78](#)
- * Madame Bineta Diop, Special Envoy for Women, Peace and Security, African Union [QQ 79–88](#)
- * Dr Chaloka Beyani, Special Rapporteur on the Human Rights of Internally Displaced Persons, Office of the High Commissioner on Human Rights [QQ 89–100](#)
- ** Ms Anna Musgrave, Women’s Advocacy Manager, Refugee Council
- ** Dr Chris Dolan, Director, Refugee Law Project [QQ 101–109](#)
- * Professor Doris Schopper, Director, Center for Education and Research in Humanitarian Action
- * Ms Josephine Wambui, Programme Officer Somalia, Oxfam Novib
- ** Ms Niamh Hayes, Head of Office, Institute for International Criminal Investigations [QQ 110–117](#)
- * Judge Mary McGowan Davis, former acting Justice of the Supreme Court of New York
- * Ms Shana Swiss, Founder and Director, Women’s Rights International
- ** Mr Paul Williams, Director, Multilateral Policy Directorate, Foreign and Commonwealth Office [QQ 118–125](#)

- ★★ Mr Tom Woodroffe, Head, Office of the Prime Minister's Representative on Preventing Sexual Violence in Conflict, Conflict Department, Foreign and Commonwealth Office
- ★ Mrs Fatou Bensouda, Chief Prosecutor, International Criminal Court [QQ 126–131](#)
- ★ Dr Kirsten Campbell, Principal Investigator, Gender of Justice: Prosecution of Sexual Violence in Armed Conflict research project, Goldsmiths, University of London [QQ 132–138](#)
- ★ Professor Patricia Sellers, Special Adviser, International Criminal Court and Visiting Fellow, University of Oxford
- ★★ Ms Elizabeth Wilmshurst, Distinguished Fellow, International Law, Chatham House
- ★ Sir Simon McDonald, Permanent Under-Secretary and Head of Diplomatic Service, Foreign and Commonwealth Office [QQ 139–146](#)
- ★★ Ms Lindy Cameron, Director of Middle East, Humanitarian and Conflict, Department for International Development [QQ 147–156](#)
- ★★ Lieutenant-General Gordon Messenger, Deputy Chief of Staff (Military Strategy and Operations) and Ministry of Defence Champion for Women Peace and Security and the Preventing Sexual Violence Initiative, Ministry of Defence
- ★★ Baroness Anelay, Minister of State and Prime Minister's Special Representative on Preventing Sexual Violence in Conflict, Foreign and Commonwealth Office [QQ 157–168](#)

Alphabetical list of all witnesses

- ABColumbia [SVC0033](#)
- ★ African Union (QQ 79–88)
- ★★ AIDS-Free World (QQ 53–62) [SVC0057](#)
- AMAR International Charitable Foundation [SVC0068](#)
- Amnesty International UK [SVC0048](#)
- Article 1 [SVC0065](#)
- Asylum Aid [SVC0004](#)
- ★ Madame Zainab Hawa Bangura (QQ 33–39)
- ★ Mrs Fatou Bensouda (QQ 126–131)
- ★ Dr Chaloka Beyani (QQ 89–100)
- Burma Campaign UK [SVC0023](#)
- ★★ Dr Kirsten Campbell (QQ 132–138) [SVC0069](#)

	CARE International UK	<u>SVC0029</u>
**	His Honour Judge Jonathan Carroll (QQ 10–17)	<u>SVC0046</u>
*	Center for Education and Research in Humanitarian Action (QQ 101–109)	
**	Department for International Development (QQ 10–17) (QQ 147–156)	<u>SVC0019</u>
		<u>SVC0056</u>
		<u>SVC0061</u>
		<u>SVC0062</u>
		<u>SVC0066</u>
	Dr Ingrid Elliott	<u>SVC0026</u>
**	Foreign and Commonwealth Office (QQ 10–17) (QQ118–125) (QQ 157–168)	<u>SVC0011</u>
		<u>SVC0062</u>
		<u>SVC0067</u>
	Gender Action for Peace and Security	<u>SVC0043</u>
	Gender and Development Network	<u>SVC0034</u>
	Global Justice Center	<u>SVC0044</u>
	Goldsmiths, University of London	<u>SVC0015</u>
*	Lord Hague of Richmond (QQ 1–9)	
	Mr David Hammond	<u>SVC0001</u>
*	Baroness Helic (QQ 1–9)	
	Home Office	<u>SVC0072</u>
**	Human Rights Watch (QQ 63–72)	<u>SVC0049</u>
**	Institute for International Criminal Investigations (QQ 110–117)	<u>SVC0070</u>
	Institute of Development Studies	<u>SVC0045</u>
	International Alert	<u>SVC0017</u>
	The International Rescue Committee	<u>SVC0035</u>
		<u>SVC0063</u>
	International Truth and Justice Project—Sri Lanka	<u>SVC0024</u>
*	Ms Angelina Jolie Pitt (QQ 1–9)	
	Kachin Women’s Association Thailand	<u>SVC0016</u>
	Dr Michael Korzinski	<u>SVC0039</u>
*	Major (ret.) Philip Lancaster (QQ 26–32)	
	Dr Jacqueline Troy Lavers	<u>SVC0013</u>
**	Lieutenant-General (ret.) David Leakey (QQ 48–52)	<u>SVC0054</u>
*	MADRE (QQ 10–17)	
	Mansfield Chambers	<u>SVC0036</u>

	Marie Stopes International	<u>SVC0040</u>
*	Sir Simon McDonald (QQ 139–146)	
*	Judge Mary McGowan Davis (QQ 110–117)	
	Dr Emilie Medeiros	<u>SVC0042</u>
	Medica Mondiale	<u>SVC0058</u>
**	Ministry of Defence (QQ 26–32) (QQ 147–156)	<u>SVC0053</u>
		<u>SVC0055</u>
		<u>SVC0071</u>
*	Lieutenant-General (ret.) David Morrison (QQ 18–25)	
	Ms Harriet Moynihan	<u>SVC0059</u>
*	Ms Chitra Nagarajan (QQ 40–41)	
	Opens Doors UK & Ireland	<u>SVC0020</u>
	Organization of Women’s Freedom in Iraq (QQ 73–78)	
	The Overseas Development Institute	<u>SVC0038</u>
*	Physicians for Human Rights (QQ 10–17)	
*	Ms Pramila Patten (QQ 42–47)	
	Promundo US	<u>SVC0041</u>
	Dr Noëlle Quénivet	<u>SVC0012</u>
**	REDRESS (QQ 53–62)	<u>SVC0022</u>
*	Ms Madeleine Rees (QQ 42–47)	
**	Refugee Council (QQ 89–100)	<u>SVC0050</u>
**	Refugee Law Project (QQ 101–109)	<u>SVC0037</u>
	Saferworld	<u>SVC0009</u>
	Scottish Refugee Council	<u>SVC0050</u>
*	Professor Patricia Sellers (QQ 132–138)	
	Shan Human Rights Foundation	<u>SVC0014</u>
	SOFEPADI	<u>SVC0051</u>
	Soroptomist International of Great Britain and Ireland	<u>SVC0007</u>
	Dr Jill Steans	<u>SVC0060</u>
	Survivors Speak OUT	<u>SVC0052</u>
	Tearfund	<u>SVC0031</u>
	Track Impunity Always (TRIAL)	<u>SVC0002</u>
	Vital Voices Global Partnership	<u>SVC0025</u>
	Waging Peace	<u>SVC0065</u>
	War Child UK	<u>SVC0032</u>
	Widows for Peace through Democracy	<u>SVC0003</u>

**	Ms Elizabeth Wilmshurst (QQ 132–138)	<u>SVC0059</u>
*	Ms Lauren Wolfe (QQ 63–72)	
	Womankind Worldwide	<u>SVC0008</u>
		<u>SVC0064</u>
	Women for Refugee Women	<u>SVC0021</u>
	Women for Women International UK	<u>SVC0018</u>
	Women’s International League for Peace and Freedom	<u>SVC0015</u>
*	Women’s Rights International (QQ 110–117)	
	World Vision UK	<u>SVC0006</u>

APPENDIX 3: CALL FOR EVIDENCE

The Sexual Violence in Conflict Committee of the House of Lords, chaired by Baroness Nicholson of Winterbourne, is conducting an inquiry into preventing sexual violence in conflict. The Committee invites interested individuals and organisations to submit evidence to this inquiry.

Written evidence is sought by 18 September 2015. The submissions we receive will guide the Committee's deliberations in oral evidence sessions later this year, and also inform the Committee's final conclusions and recommendations. Public hearings will begin in early September and will continue until early December. The report will receive a response from the Government, and may be debated in the House.

Background

The terms of reference for the inquiry are “to consider the United Kingdom's policy and practice of preventing sexual violence in conflict”. We have been instructed to report by 23 March 2016.

The Foreign & Commonwealth Office (FCO) is the lead department on preventing sexual violence in conflict. Its work in this area is branded under the Preventing Sexual Violence Initiative (PVSI). High-profile manifestations of the FCO's campaign include: the G8 Declaration on Preventing Sexual Violence in Conflict; the United Nations (UN) General Assembly Declaration of Commitment to End Sexual Violence in Conflict; and the Global Summit to End Sexual Violence in Conflict in London in 2014. There is a general consensus that these initiatives have raised the international profile of the issue of sexual violence in conflict. The Department for International Development (DfID) leads the Government's work on violence against women and girls overseas (VAWG), including addressing behavioural change, security sector and justice reform programmes and responding to humanitarian emergencies.

The Committee will be looking at UK Government policy and practice on preventing sexual violence in conflict to see whether this is effective. It will consider whether the legal, military and political aspects of these are satisfactory and what further might usefully be done to prevent and mitigate sexual violence in conflict. As such the Committee will focus its inquiry on three overarching themes:

- The international policy agenda;
- Prevention; and
- The needs of survivors.

The experiences of those who have suffered sexual violence in conflict are valuable and welcome. But the Committee will not be in a position to review or comment on individual cases, nor to forward them elsewhere. If you consider that your experiences may involve the commission of a criminal offence under the law of any part of the UK, you should refer the matter to a police force with jurisdiction in that part of the UK.

Issues

The Committee seeks evidence on any aspect of this topic, and particularly on the following questions. Please answer only those questions that are pertinent to you or your organisation's areas of interest and expertise.

The international policy agenda

1. What evidence is there on the effectiveness of the UK's engagement to date, with the global policy agenda on preventing sexual violence in conflict?
 - (a) How can the commitments and aspirations set out in documents such as the G8 Declaration on Preventing Sexual Violence in Conflict and the UN General Assembly Declaration of Commitment to End Sexual Violence in Conflict be coordinated and monitored?
 - (b) How can states be held accountable to the commitments they made at the 2014 Global Summit to End Sexual Violence in Conflict?
 - (c) How can the UK use its position as a Permanent Member of the UN Security Council to advance the global policy agenda on preventing sexual violence in conflict, for example, through the UK's input to the Security Council's High-Level Review of Resolution 1325?
 - (d) How might the UK use the World Humanitarian Summit that will take place in May 2016 to further the prevention of sexual violence in conflict? What other fora might the UK use to advance its objectives?
2. What evidence is there on the effectiveness of the UK's work with other states, multinational, regional and international bodies to prevent sexual violence in conflict?
 - (a) What more could the Government do to ensure international and multilateral organisations prioritise the prevention of sexual violence in conflict and embed this into their policies and practice?

Causes of sexual violence in conflict

3. What evidence is there as to the causes of sexual violence in conflict?
 - (a) To what extent are cultural and societal factors responsible for sexual violence in conflict and how effective has the Government's response to these been?
 - (b) To what extent is sexual violence in conflict used as a deliberate tactic?
 - (c) To what extent is inequality a factor underlying sexual violence in conflict? How effective has the Government been in ensuring compliance with the obligations under the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and how effective is the UK National Action Plan (NAP) on Women, Peace and Security (WPS)?

Prevention

4. Preventing conflict is the best single way of preventing sexual violence in conflict. Is enough being done in this respect?
 - (a) What measures to prevent sexual violence in conflict have been shown to work and how can such measures be disseminated and scaled?
 - (b) PSVI recognised that men and boys can be victims as well as perpetrators of sexual violence in conflict. To what extent are prevention programmes targeted at men and boys, and are existing approaches effective?
 - (c) What evidence is there on the effectiveness of the Government's policy and practice in relation to preventing sexual violence in conflict as

committed by non-state actors? What more might usefully be done to prevent and mitigate the actions of such groups?

- (d) What can the Government and the international community do to support human rights defenders and civil society in their work to prevent and mitigate sexual violence in conflict?
- (e) How can early warning of potential outbreaks of sexual violence in conflict best be achieved?
- (f) Are there further measures that the UK might usefully take? Should, for example, the Government consider ratifying the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence (the 'Istanbul Convention')?

The needs of survivors

- 5. What evidence is there on the effectiveness of the Government's support, assistance and reparation for survivors of sexual violence in conflict? How can the UK best assist with the gathering of evidence and dissemination of good practice in this area?
 - (a) What can be done to lessen the stigma that is often experienced by survivors of sexual violence in conflict?

Participation

- 6. How can the UK best use its influence to promote and increase the participation of women in conflict prevention and resolution?
 - (a) What are the barriers to the implementation of the WPS Agenda and how can the UK assist in tackling these?

The role of the military

- 7. Does UK military doctrine and training adequately support the prevention and response to sexual violence in conflict?
 - (a) What is military good practice in this area and how can this be scaled and implemented?
 - (b) What evidence is there on the effectiveness of the UK-led training and support provided to the forces of other states, how can this be scaled and monitored?
 - (c) How can the UK best work with the EU, NATO and other bodies to ensure the prevention of sexual violence in conflict is appropriately incorporated into training programmes, missions and multilateral defence policy?

Peacekeeping

- 8. How do we ensure that international peacekeepers are held to the highest standards and that any perpetrators of sexual violence and/or exploitation are held to account?

Accountability

- 9. The Government is seeking to address the culture of impunity that exists for crimes of sexual violence in conflict and increase the number of perpetrators held to account. What progress has been made, what remains to be done and what are the barriers to achieving these goals?

- (a) What evidence is there on the effectiveness of the UK's contribution to the reform of national justice programmes and, going forward, what are the priority areas to address?
- (b) How can the UK best support the gathering and utilisation of data in this area?
- (c) To date, there have been no convictions at the International Criminal Court (ICC) for crimes of sexual violence in conflict situations. Why is this and how could it be addressed? What lessons can be learned from the prosecutions of sexual violence at the International Criminal Tribunal of the former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL)?
- (d) The UK Team of Experts (ToE) has carried out 65 deployments since its creation in 2012. How important are these kind of interventions and what should their future role be?
- (e) What evidence is there on the effectiveness and usage of the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict? How can the dissemination and usage of the Protocol best be supported?

22 July 2015

APPENDIX 4: ACRONYMS AND GLOSSARY

AGAP	Asylum Gender Action Plan
Asylum seeker	An asylum seeker is a person who has applied for asylum under the 1951 Refugee Convention on the ground that if he or she is returned to their country of origin they have a well-founded fear of persecution on account of race, religion, nationality, political belief or membership of a particular social group. A refugee, on the other hand, has already received a positive decision from the authorities on his or her asylum claim.
AU	African Union
BPST-EA	British Peace Support Team Eastern Africa
BSOS	Building Stability Overseas Strategy
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CSSF	Conflict, Stability and Security Fund
Daesh	Dawlat al-Islamiyah f'al-Iraq wa al-Sham
DfID	Department for International Development
DRC	Democratic Republic of Congo
ECCC	Extraordinary Chambers in the Courts of Cambodia
ECOWAS	Economic Community Of West African States
FCO	Foreign and Commonwealth Office
FGM	female genital mutilation
GAI	Global Acceleration Instrument
GBV	gender-based violence
HMG	Her Majesty's Government
Honour killing	An honour killing (or shame killing) is the homicide of a member of a family by other members, due to the perpetrators' belief that the victim has brought shame or dishonour upon the family. Reasons can include: refusing to enter an arranged marriage; being in a relationship that is disapproved by their family; having sex outside marriage; becoming the victim of rape; dressing in ways which are deemed inappropriate; engaging in non-heterosexual relations; or renouncing a faith.
HRD	human rights defender
ICC	International Criminal Court
ICL	international criminal law
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia

IDPs	internally displaced persons: Unlike refugees, IDPs have not crossed an international border to find sanctuary but have remained inside their home countries. Even if they have fled for similar reasons as refugees (for example, armed conflict, generalised violence or human rights violations), IDPs legally remain under the protection of their own government—even though that government might be the cause of their flight.
IHL	international humanitarian law
IHRL	international human rights law
ISIL	Islamic State in Iraq and the Levant
LGBTI	lesbian, gay, bisexual, transgender and intersex
MARA	Monitoring, Analysis and Reporting Arrangements
MINURSO	United Nations Mission for the Referendum in Western Sahara
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
MINUSTAH	United Nations Stabilization Mission in Haiti
MLC	Mouvement de libération du Congo
MoD	Ministry of Defence
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
MoU	memorandum of understanding
NAP	National Action Plan
NGO	non-governmental organisations
OHCHR	Office of the UN High Commissioner for Human Rights
Permanent Member	Refers to the UN Security Council. The Permanent Members of the UN Security Council—also known as the Permanent Five, Big Five, or P5—are: China, France, Russia, the UK and the US. If any one of the five Permanent Members casts a negative vote on non-procedural matters in the 15-member Security Council, a resolution or decision is not approved.
PFA	Platform for Action
PPs	Partnership Principles
Principle of complementarity	In relation to the ICC, this principle asserts that the ICC is a court of ‘last resort’ and will step in only where national jurisdictions are unable or unwilling to address international crimes.
PSVI	Preventing Sexual Violence Initiative

Refugee	Refugees are people who are outside the country of their nationality “owing to a well-founded fear of being persecuted” (1951 Refugee Convention on the Status of Refugees). In its broader context refugee can mean a person fleeing—for example from a civil war or natural disaster—but not necessarily fearing persecution as defined by the 1951 Refugee Convention.
Responsibility to Protect (R2P)	R2P is a proposed norm that sovereignty is not an absolute right, and that states forfeit aspects of their sovereignty when they fail to protect their populations from mass atrocity crimes and human rights violations (namely genocide, crimes against humanity, war crimes, and ethnic cleansing).
S&J	security and justice
SCSL	Special Court for Sierra Leone
SEA	sexual exploitation and abuse: The UN defines sexual exploitation as “any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another”. Sexual abuse is defined as “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”.
SGBV	sexual and gender-based violence
Survival sex	Survival sex is prostitution engaged in by a person because of their extreme need. For example, trading sex for food or other basic needs.
SVC	sexual violence in conflict
TCCs	troop-contributing countries
ToE	Team of Experts
TRCs	truth and reconciliation commissions
UKVI	UK Visas and Immigration
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNAMI	United Nations Assistance Mission for Iraq
UNAMID	United Nations Mission in Darfur
UNDOF	United Nations Disengagement Observer Force
UNFICYP	United Nations Peacekeeping Force in Cyprus
UNIFIL	United Nations Interim Force In Lebanon
UNISFA	United Nations Interim Security Force for Abyei
Universal jurisdiction	Universal jurisdiction is the legal principle allowing or requiring a state to bring criminal proceedings in respect of certain crimes irrespective of the location of the crime and the nationality of the perpetrator or the victim.

UNMIK	United Nations Interim Administration Mission in Kosovo
UNMIL	United Nations Mission in Liberia
UNMISS	United Nations Mission in the Republic of South Sudan
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNOCI	United Nations Operation in Côte d'Ivoire
UNSCR	United Nations Security Council Resolution
UNSOM	United Nations Assistance Mission in Somalia
UNTSO	United Nations Truce Supervision Organization
VAWG	violence against women and girls
VNSGs	violent non-state groups
WHS	World Humanitarian Summit
WPS	Women, Peace and Security

APPENDIX 5: TIMELINE OF MAJOR INTERNATIONAL AND NATIONAL POLICY DEVELOPMENTS

The table below provides a timeline of major international and national policy developments related to the issue of sexual violence in conflict.

Date	Policy/legal development	Description
June 1946	Commission on the Status of Women ⁷⁰⁰	Established by the United Nations (UN) Economic and Social Council to monitor the status of women and promote women's rights.
Dec 1979	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) ⁷⁰¹	International human rights treaty which acknowledged that "extensive discrimination against women continues to exist" and set out an agenda to address this.
Nov 1989	UN Convention on the Rights of the Child ⁷⁰²	The Convention recognised the human rights of children (defined as persons up to the age of 18 years). Specific provisions within the Convention related to protecting children from sexual exploitation and abuse (Articles 19 and 34) and armed conflict (Articles 38 and 39).
May 1993	International Criminal Tribunal for the former Yugoslavia (ICTY) ⁷⁰³	The first war crimes court created by the UN, established to deal with war crimes and crimes against humanity committed in the territory of the former Yugoslavia since 1991.
Dec 1993	UN Declaration on the Elimination of Violence Against Women ⁷⁰⁴	Adopted by the UN General Assembly to strengthen CEDAW in respect of the threat to women's human rights arising from gender-based violence (GBV).
Nov 1994	International Criminal Tribunal for Rwanda (ICTR) ⁷⁰⁵	Established by the UN to prosecute those responsible for genocide and violations of international humanitarian law committed in Rwanda and neighbouring states between 1 January and 31 December 1994.

700 UN Women, 'Commission on the Status of Women': <http://www.unwomen.org/en/csw> [accessed 14 March 2016]

701 UN, 'Convention on the Elimination of All Forms of Discrimination Against Women': <http://www.un.org/womenwatch/daw/cedaw/> [accessed 14 March 2016]

702 Office of the High Commissioner for Human Rights, *Convention on the Rights of the Child* (1989): <http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf> [accessed 14 March 2016]

703 International Criminal Tribunal for the former Yugoslavia: <http://www.icty.org/> [accessed 14 March 2016]

704 UN General Assembly, *Declaration on the Elimination of Violence Against Women* (20 December 1993): <http://www.un.org/documents/ga/res/48/a48r104.htm> [accessed 14 March 2016]

705 International Criminal Tribunal for Rwanda: <http://unictr.unmict.org/> [accessed 14 March 2016]

Date	Policy/legal development	Description
Sept 1995	Beijing Declaration and Platform for Action (PFA) ⁷⁰⁶	Adopted by the UN at the end of the Fourth World Conference on Women, the PFA reaffirmed “that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights”. The PFA sought to promote and protect women’s full enjoyment of human rights and fundamental freedoms.
Aug 1999	UN Security Council Resolution (UNSCR) 1261 ⁷⁰⁷	Strongly condemned and called for an end to the targeting of children in armed conflict, including: killing, maiming, sexual violence, abduction and forced displacement and [military] recruitment.
Oct 2000	UNSCR 1325 ⁷⁰⁸	Landmark Resolution that set out to address the impact of war on women through the pillars of ‘participation’, ‘protection’, ‘prevention’ and ‘relief and recovery’. UNSCR 1325 is credited with establishing the Women, Peace and Security (WPS) Agenda.
Jan 2002	Special Court for Sierra Leone (SCSL) ⁷⁰⁹	The UN and Sierra Leone agreed the establishment of a hybrid international criminal tribunal to try those responsible for crimes committed in Sierra Leone after 30 November 1996.
July 2002	Rome Statute ⁷¹⁰	Statute establishing the International Criminal Court (ICC) came into effect. The crimes of sexual violence in conflict are listed under Article 7 (Crimes Against Humanity) and Article 8 (War Crimes).
June 2003	Extraordinary Chambers in the Courts of Cambodia (ECCC) ⁷¹¹	The UN and the Cambodian government agreed the establishment of the ECCC to prosecute senior leaders of the Khmer Rouge.

706 UN, *Beijing Declaration and Platform for Action* (September 1995): <http://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf> [accessed 14 March 2016]

707 UN Security Council, *Resolution 1261* (30 August 1999): <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20SRES%201261.pdf> [accessed 14 March 2016]

708 UN Security Council, *Resolution 1325* (31 October 2000): <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20SRES1325%20.pdf> [accessed 14 March 2016]

709 Special Court for Sierra Leone: <http://www.rscsl.org/index.html> [accessed 14 March 2016]

710 International Criminal Court, *Rome Statute of the International Criminal Court* (July 2002): https://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf [accessed 14 March 2016]

711 Extraordinary Chambers in the Courts of Cambodia: <http://www.eccc.gov.kh/en> [accessed 14 March 2016]

Date	Policy/legal development	Description
May 2005	Truth and Reconciliation Commission of Liberia ⁷¹²	The Commission was mandated to “promote national peace, security, unity and reconciliation” by investigating the human rights abuses and violations of international law (including sexual violence) that were committed in Liberia during the period January 1979 to October 2003.
June 2008	UNSCR 1820 ⁷¹³	Condemned the use of sexual violence as a tool of war; demanded its immediate cessation; and declared that “rape and other forms of sexual violence can constitute war crimes, crimes against humanity or a constitute act with respect to genocide”.
Sept 2009	UNSCR 1888 ⁷¹⁴	Mandated peacekeeping missions to protect women and girls from sexual violence during armed conflict; requested the UN Secretary-General appoint a ‘Special Representative’; and requested systematic reporting on sexual violence in conflict to the Security Council.
Oct 2009	UNSCR 1889 ⁷¹⁵	Urged Member States and other bodies to ensure the participation of women at all stages of peace processes.
Dec 2010	UNSCR 1960 ⁷¹⁶	Provided a system of accountability for the implementation of UNSCRs 1820 and 1888. Mandated the ‘naming and shaming’ of parties suspected of committing sexual violence in conflict.
Nov 2010	UK Call to end violence against women and girls ⁷¹⁷	Cross-Government initiative launched by the Home Office (with annual action plans thereafter).

712 Truth and Reconciliation Commission of Liberia: <http://trcofliberia.org> [accessed 14 March 2016]

713 UN Security Council, *Resolution 1820* (19 June 2008): <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CAC%20S%20RES%201820.pdf> [accessed 14 March 2016]

714 UN Security Council, *Resolution 1888* (30 September 2009): <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20SRES%201888.pdf> [accessed 14 March 2016]

715 UN Security Council, *Resolution 1889* (5 October 2009): [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1889\(2009\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1889(2009)) [accessed 14 March 2016]

716 UN Security Council, *Resolution 1960* (16 December 2010): <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20SRES%201960.pdf> [accessed 14 March 2016]

717 Home Office, ‘Policy paper: Call to end violence against women and girls’, 25 November 2010: <https://www.gov.uk/government/publications/call-to-end-violence-against-women-and-girls> [accessed 14 March 2016]

Date	Policy/legal development	Description
May 2012	Preventing Sexual Violence Initiative (PSVI) ⁷¹⁸	Foreign and Commonwealth Office-led initiative to end rape as a weapon. Aimed to end impunity for perpetrators; deter and prevent sexual violence; support survivors; and change global attitudes to these crimes.
April 2013	G8 Declaration on Preventing Sexual Violence in Conflict ⁷¹⁹	Signed during the UK's Presidency, G8 Foreign Ministers pledged to work together to end sexual violence in conflict. Declared sexual violence in conflict as a grave breach of the Geneva Conventions and as a war crime; committed to develop a protocol for investigation; and rejected amnesties for perpetrators.
June 2013	UNSCR 2106 ⁷²⁰	Reaffirmed previous UNSCRs on sexual violence in conflict; sought the expanded use of targeted sanctions; repeated the 'zero tolerance' policy on sexual violence by UN forces; and explicitly mentioned men and boys as victims.
Sept 2013	Declaration of Commitment to End Sexual in Conflict ⁷²¹	Parties committed to a series of actions to: end impunity; support victims; and support national and international efforts to deter and prevent sexual violence in conflict. Endorsed by 155 states.
Oct 2013	UNSCR 2122 ⁷²²	Recognised that the impact of conflict on women is exacerbated as a result of inequalities and set out to remove barriers to women's participation in conflict prevention, resolution and recovery.

718 Foreign & Commonwealth Office, 'Foreign Secretary launches new Government initiative to prevent sexual violence in conflict', 29 May 2012: <https://www.gov.uk/government/speeches/foreign-secretary-launches-new-government-initiative-to-prevent-sexual-violence-in-conflict> [accessed 14 March 2016]

719 Foreign & Commonwealth Office, *Declaration on Preventing Sexual Violence in Conflict* (11 April 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/185008/G8_PS_VI_Declaration_-_FINAL.pdf [accessed 14 March 2016]

720 UN Security Council, *Resolution 2106* (24 June 2013): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2106.pdf [accessed 14 March 2016]

721 HM Government, *Declaration of Commitment to End Sexual Violence in Conflict* (September 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/274724/A_DECLARATION_OF_COMMITMENT_TO_END_SEXUAL_VIOLENCE_IN_CONFLICT.pdf [accessed 14 March 2016]

722 UN Security Council, *Resolution 2122* (18 October 2013): [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2122\(2013\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2122(2013)) [accessed 14 March 2016]

Date	Policy/legal development	Description
Oct 2013	CEDAW General Recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations ⁷²³	Outlined the measures states could take to ensure women's human rights are protected before, during and after a conflict, and implement obligations under the Convention.
Nov 2013	International 'Keep Her Safe' Summit (to prevent violence against women and girls in emergencies and humanitarian crises) ⁷²⁴	Co-hosted by the UK (Department for International Development) and Sweden, and developed in response to the G8 Declaration on Preventing Sexual Violence in Conflict. In the resulting communiqué ⁷²⁵ , humanitarian agencies and donors committed to prevent violence against women and girls from the start humanitarian emergencies.
June 2014	UK's National Action Plan (NAP) on Women, Peace and Security (WPS) (2014–17) ⁷²⁶	NAP for the implementation of UNSCRs on WPS; and a framework to ensure provisions of UNSCR 1325 were incorporated into the UK Government's work on violent conflict.
June 2014	Global Summit to End Sexual Violence in Conflict ⁷²⁷	Aimed to shatter the culture of impunity around sexual violence in conflict. Somalia and the Democratic Republic of Congo (DRC) were among countries who made policy commitments. The International Protocol on the Documentation and Investigation of Sexual Violence in Conflict ⁷²⁸ was launched at the Summit.

723 Committee on the Elimination of Discrimination against Women, *General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations* (18 October 2013): http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_33_7767_E.pdf [accessed 14 March 2016]

724 Department for International Development, 'Keep Her Safe: protecting girls and women in emergencies': <https://www.gov.uk/government/speeches/keep-her-safe-protecting-girls-and-women-in-emergencies> [accessed 14 March 2016]

725 Keep Her Safe—Protecting girls and women in emergencies, *Communiqué* (13 November 2013): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256872/Final_Communique_v_11_Nov_4.pdf [accessed 14 March 2016]

726 UN Security Council, *Resolution 2242* (13 October 2005): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2242.pdf [accessed 14 March 2016]

727 UN Women, *Preventing Conflict, Transforming Justice and Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325* (14 October 2015): <http://wps.unwomen.org/~media/files/un%20women/wps/highlights/unw-global-study-1325-2015.pdf> [accessed 14 March 2016]

728 UN Women, 'Global Study on UNSC resolution 1325': <http://wps.unwomen.org/en/high-level-review> [accessed 14 March 2016]

Date	Policy/legal development	Description
Sept 2015	The Office of the UN High Commissioner for Human Rights (OHCHR) recommended the establishment of a hybrid special court to try war crimes and crimes against humanity allegedly committed during the civil war in Sri Lanka ⁷²⁹	The OHCHR accused both government and Tamil Tiger forces of committing war crimes during the Sri Lankan civil war. The report said sexual violence was used extensively during the period 2002 and 2011. The Sri Lankan government rejected the proposed hybrid court and promised instead a local inquiry. ⁷³⁰
Oct 2015	High-Level Review of UNSCR 1325 ⁷³¹	Established to assess the progress at global, regional and national levels in implementing UNSCR 1325. The Review was marked by a Global Study on the implementation of UNSCR 1325, ⁷³² a UN General Assembly debate and the Security Council agreeing the eighth WPS Resolution, UNSCR 2242.
Oct 2015	UNSCR 2242 ⁷³³	Integrated WPS concerns across all country-specific situations on the Security Council's agenda.

729 'UN Human Rights Council urges Sri Lanka war crimes court', *BBC News* (16 September 2015): <http://www.bbc.co.uk/news/world-asia-34266471> [accessed 14 March 2016]

730 UN General Assembly, *Promoting reconciliation, accountability and human rights in Sri Lanka—Report of the UN High Commissioner for Human Rights, A/HRC/30/61* (28 September 2015): <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Pages/ListReports.aspx> [accessed 14 March 2016]

731 Foreign & Commonwealth Office, *International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Basic Standards of Best Practice on the Documentation of Sexual Violence as a Crime under International Law* (June 2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319054/PSVI_protocol_web.pdf [accessed 14 March 2016]

732 HM Government, 'Global Summit to End Sexual Violence in Conflict': <https://www.gov.uk/government/topical-events/sexual-violence-in-conflict> [accessed 14 March 2016]

733 Foreign & Commonwealth Office, *United Kingdom National Action Plan on Women, Peace and Security 2014–17* (2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319870/FCO643_NAP_Printing_final3.pdf [accessed 14 March 2016]

APPENDIX 6: COMMITTEE VISIT TO THE DEMOCRATIC REPUBLIC OF CONGO AND RWANDA

Visit overview

A delegation of Committee Members visited the Democratic Republic of Congo (DRC) and Rwanda between 12-15 November. During the visit, the delegation met with a variety of individuals and organisations, including: a government minister; parliamentarians; local activists and non-governmental organisations (NGOs); United Nations (UN) personnel; and representatives of other countries.

Kinshasa, DRC

The Committee met with the Minister of Justice, Mr Alexis Thambwe Mwamba, to discuss the DRC's efforts in tackling sexual violence, and where more work was needed. This meeting focused on the efforts the DRC had made—and the challenges it had experienced—in ensuring perpetrators were being held to account. The meeting was followed by a short 'doorstep' interview with the local press (subsequently broadcast on the DRC national television station).

The Committee then visited the Department for International Development (DfID)-funded Kinshasa-based research and mentoring programme for adolescent girls, 'La Pépinière'.⁷³⁴ Project implementers and four of the young women on the programme informed Members about the programme, the lives of adolescent girls in the DRC, and the context in which some of the sexual violence in the DRC took place. Young women and adolescent girls in the DRC faced particular challenges. Half the female population aged 15-24 was illiterate (three quarters in poorer households) and less than a third of girls attended secondary school. Women and girls exercised very little influence over decision-making in the home or the public sphere, and also suffered high rates of violence. Many socio-cultural norms—such as early marriage and pregnancy—discriminated against women and girls, preventing their education and often forced them into high-risk livelihoods. Responding to these challenges, DfID DRC launched La Pépinière, a programme with the overall objective of promoting the economic empowerment of adolescent girls and young women. Following preliminary studies commissioned by DfID in 2013–2014, the first phase of the programme was launched in 2015, which focused on Kinshasa and aimed to generate robust evidence to underpin a second, scaled-up phase to be implemented from late 2017.

Members then held a working lunch with local activists, NGOs and church representatives engaged in tackling sexual violence, some of whom had attended the Global Summit to End Sexual Violence in Conflict in London in 2014. The Committee learnt more about the challenges in the DRC and what more needed to be done. The Committee was also able to hear civil society views on the UK's contribution to their efforts in the DRC.

In the afternoon the Committee met their counterparts in the DRC Senate, and heard from the Commission on Sexual Violence about its priorities. Senators highlighted the Commission's mission: to look at the overview of the situation of sexual violence in the provinces; to interact with the UN peacekeeping mission

734 Social Development Direct, 'DfID La Pépinière: DRC's Programme for Adolescent Girls': <http://www.sddirect.org.uk/our-work/projects/dfid-la-pépinère-drc-s-programme-for-adolescent-girls/> [accessed 14 March 2016]. See also HM Government, 'La Pepiniere: Programme for adolescent girls in the Democratic Republic of Congo': <https://devtracker.dfid.gov.uk/projects/GB-1-203823/> [accessed 14 March 2016]

in the DRC (The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)), NGOs and key ministries; to go into the field and collect data from the grassroots level (which was something no other committees did); to launch a campaign of stabilisation and sensitisation, including for the police and security sector; to lobby the judiciary and legal authorities to take strong measures against impunity; to engage with the government and international community to support victims of sexual violence; to lobby for the end of conflict (armed and non-armed) in the DRC; and to call on the government to put in place socio-economic empowerment projects for victims of sexual violence in affected provinces. The Senators stressed that during field visits, they would speak directly to victims. They would also listen to their carers and the wider community, with a desire to find short-, medium- and long-term solutions. It was also commonplace for them to speak with teams who fought against sexual violence on the ground—this involved engaging at the top official level of provinces and working their way down and compare what they had been told.

Over dinner with local ambassadors from embassies closely involved in tackling sexual violence, and the UN Deputy Special Representative and Head of the UN Human Rights Office in the DRC, the Committee learnt more about international and DRC government efforts. Following the dinner, Mr Jean-Michel Dumond, the EU's Head of Delegation in the DRC, provided us with a description of the EU's programme on tackling sexual violence in the DRC (see Box 8).

Box 8: The EU's programme to fight against gender violence in the DRC

The EU's programme, 'Women and Men Forward Together', was an initiative that took a long-term approach aimed at changing mentalities.

The programme identified the root causes of gender-based violence (GBV) specific to the DRC as: widespread poverty; harmful traditional practices; persistence of a perception of inequality; and injustices vis-à-vis status and opportunities offered to men and women respectively. Violence occurred in areas of conflict and non-conflict.

The DRC had adopted international legal instruments such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), and had a National Gender Policy and National Strategy for the fight against GBV. However, the application of the DRC's laws remained a challenge because of social attitudes and access to resources.

The principles of the EU's programme were: to act on all forms of GBV and its root causes; to implement a high-impact pilot intervention in targeted provinces; to articulate interventions around the communities; to integrate men and women in the proposed approaches; to support state and civil society structures; and to strengthen coordination.

The programme aimed to support the Congolese government and local communities to adopt a new approach to relations between men and women for a more harmonious and prosperous society to effectively fight against GBV. Its four main objectives were:

- To contribute to changing social norms, and individual and collective behaviour to promote a new perception of masculinity and femininity in Kinshasa and Bandundu;

- To contribute to a better distribution of economic power and social roles for men and women in Kinshasa and Bandundu (in partnership with the UN Food and Agriculture Organization);
- To strengthen the actors in the fight against GBV (state and civil society) and the coordination structures in Kinshasa and Bandundu; and
- To press the security sector (the police) and judiciary to provide an improved protective environment for victims of GBV in Kinshasa, Bandundu and Maniema.

The DRC Minister of Gender, Family and Children would provide leadership to the programme. The Steering Committee for the programme would be chaired by the Minister and be composed of representatives of the government, the EU and partner agencies. Technical groups at the provincial level would be involved with the programme's implementation.

Goma, DRC

Upon arriving in Goma, Members had a working lunch with Congolese and international activists from international organisations, covering prevention, treatment for survivors, justice and peacekeeping. The discussions focused on the range of social, technical, security and legal challenges to ending sexual violence. The Committee met activists, lawyers from the American Bar Association helping survivors access justice, and MONUSCO peacekeepers deployed to stabilise eastern DRC to allow security and the rule of law to take hold.

The Committee then visited Heal Africa hospital, where Members were escorted by the hospital's Director and co-founder, Dr Kasereka 'Jo' Lusi. Heal Africa worked extensively on sexual and gender-based violence (SGBV) issues, particularly on medical response. It was a key stakeholder in raising awareness of SGBV in the DRC and implementing a direct medical response. The Committee learnt about the vital surgery, psycho-social support and legal counselling it provided. Members also visited the arts and crafts workshop where women made handicrafts; this was both therapeutic and allowed for fundraising. The Members were also able to meet women affected by sexual violence and hear their testimony.

The Committee met with the North Kivu Province Chief of Police, General Awachnago Vital, to learn more about how sexual violence was addressed by the police and the current situation in North Kivu and eastern DRC. General Vital told the Committee that the police had benefited from UK support in the DRC—although North Kivu had not benefited directly, he said that there was cross-fertilisation from support provided elsewhere. He said addressing violence (particularly against women) was regarded as important throughout the police hierarchy and that women were the highest priority. General Vital noted that special units had been established across the province to fight against rape and sexual violence—and he was particularly grateful to international organisations for supporting the establishment of these units. Although the numbers of reported rape had increased, he believed this was a result of women becoming increasingly confident to come forward.

Members then visited a special police unit for responding to victims of SGBV, where Congolese, UN and other members of the international community were working together to improve long-term mechanisms. The unit was set up in 2002 due to the rise of sexual violence flowing from the second Congo war. It existed only in Goma at first, but with international support this increased to 11 units

across the province (of North Kivu), each with around 20 officers. Women headed several of these units. The main work of the unit was to carry out investigations and gather evidence. The proper recording of crimes had been a benefit to state prosecutors and the NGOs who helped to build cases for war crimes and crimes against humanity. After receiving a presentation about the work of the unit, the Committee received a tour from its former head, High Commissioner Françoise Munya Kabundi.

Over dinner with UN leads and relevant individuals from the international community, the Committee learnt more about the wider effort for peace and stability in the DRC, as well as targeted efforts to prevent sexual violence in conflict and respond to survivors.

On the final day in the DRC, the Committee visited a Preventing Sexual Violence Initiative (PSVI)-funded project with Tearfund at Kibumba village.⁷³⁵ Engaging with faith leaders and groups, this project worked to change attitudes towards victims and survivors of rape, cultivated ‘positive masculinity’, provided training to enable women to earn an income and improved security for women in local communities. Through the PSVI, a Community Action Group was set up in 2014, which had been trained and equipped to tackle incidences of sexual violence in Kibumba. Its function was to advocate against sexual violence, mobilising faith and community leaders to speak out against sexual violence, support victims and survivors of sexual violence and work with men and boys to promote the idea of positive masculinity. Members came from different strata within the community and included a pastor, members of local civil society, a Muslim and a representative of the Catholic community. Members were able to meet local residents and representatives from the Community Action Group. Members also met women and men affected by sexual violence and heard about their experiences. Kibumba was just one of a number of communities in the DRC where Tearfund was implementing this project (see Box 9).

Box 9: Tearfund’s project in the DRC

Conflict-related sexual violence is one of the most critical challenges in the DRC, particularly in the east. It is estimated that approximately 1.8 million Congolese women have been raped in their lifetime.⁷³⁶ Sexual violence is not just a weapon of war—perpetrators are often intimate partners. Harmful social norms and gender inequality, influenced and justified by religious beliefs, are recognised as root causes of sexual violence. Addressing these underlying factors in communities is therefore seen as vital for effective prevention. Faith leaders are key opinion leaders, but the government and other agencies struggle to reach faith groups in remote, conflict-affected communities.

735 The town of Kibumba is situated about 20km north-east of Goma, on the edge of Virunga National Park and close to the Rwanda border. Since 2004, this area of North Kivu has been the battleground for conflict between rebel groups and the DRC government forces. In 2008, the rebels chose to use the Park as their base, and MONUSCO was drawn in to support the government forces. The community of Kibumba found themselves caught in the crossfire. In 2012 when the rebel group ‘M23’ took hold of the city of Goma, the community was affected by the conflict. In 2015, offensives against the FDLR (Democratic Forces for the Liberation of Rwanda) by the DRC government forces took place in the Park, adding to the sense of instability in the region.

736 Amber Peterman, Tia Palermo and Caryn Bredenkamp, ‘Estimates and Determinants of Sexual Violence Against Women in the Democratic Republic of Congo’, *American Journal of Public Health*, vol. 101 no. 6 (June 2011), pp 1,060–1,067: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3093289/> [accessed 14 March 2016]

The purpose of Tearfund's project in the DRC was to enhance community-level prevention, protection and response to sexual violence in conflict-affected communities. It wanted to work with faith leaders across conflict-affected communities in eastern DRC. For the last three years the Foreign and Commonwealth Office (FCO) has supported Tearfund in its work in the DRC to engage local faith leaders in helping prevent and respond to sexual violence in conflict within their communities.

At the time of our visit, the project had worked with 125 faith leaders to help them better understand sexual violence and survivors' needs, including the basic principles of psycho-social care support, as well the local legal framework and how to access justice. The project also included sessions on gender and social attitudes, including concepts of masculinity, from a faith perspective. Since the beginning of the project over 1,300 people had participated in these. In addition, 225 survivors received counselling and advice from faith leaders—between January 2014 and February 2015, 142 of these were helped to access medical services, 43 were referred to the local police or for judicial follow-up, and 12 benefited from family mediation. Legal training on sexual violence was provided to 453 people.

Across the 25 communities where this project had been implemented, there were functioning Community Action Groups which included faith leaders from different faiths. These faith leaders were engaged in speaking out against sexual violence and accompanying survivors to access services, including, in some cases, formal justice procedures.

Kigali, Rwanda

Before departing, the Committee met with Mr Andre Grobblear, the Police Adviser to the UK's British Peace Support Team Eastern Africa (BPST-EA). Mr Grobblear provided Members with a presentation on the training activities undertaken in the current and previous financial year across the Eastern Africa region, as well as his aspirations for how the training programme might develop in the future. The main aim of the training was to prepare soldiers, police and civilians for their deployments to the region. The second aim was to build capacity and raise awareness of the PSVI, SGBV, sexual exploitation and abuse (SEA) and protection of civilians and children in peace support operations. The BPST-EA engaged with the following countries: Burundi, Comoros, Djibouti, Ethiopia, Kenya, Rwanda, Seychelles, Sierra Leone, Somalia, South Sudan, Sudan, Tanzania and Uganda.

APPENDIX 7: UN GENDER STATISTICS BY MISSION

The table below provides statistics on the gender composition of UN missions. Please note that these figures only pertain to the military experts and troops, and police components of the missions.

Mission	Military						Police										Grand total
	Military Experts			Troops			Military total	Individual Police			Formed Police Units			Police total			
	M	F	Total	M	F	Total		M	F	Total	M	F	Total				
MINURSO	211	5	216	21	5	26	242	-	-	-	-	-	-	-	-	242	
MINUSCA	158	6	164	9,518	121	9,639	9,803	316	42	358	1,444	81	1,525	1,883	11,686		
MINUSMA	36	3	39	10,460	185	10,645	10,684	239	18	257	799	41	840	1,097	11,781		
MINUSTAH	-	-	-	2,264	104	2,368	2,368	622	107	729	1,518	135	1,653	2,382	4,750		
MONUSCO	436	18	454	16,397	541	16,938	17,392	292	64	356	767	103	870	1,226	18,618		
UNAMA	12	0	12	-	-	-	12	4	1	5	-	-	-	5	17		
UNAMI	-	-	-	230	15	245	245	-	-	-	-	-	-	-	245		
UNAMID	171	8	179	13,808	537	14,345	14,524	903	221	1,124	1,772	33	1,805	2,929	17,453		
UNDOF	-	-	-	765	23	788	788	-	-	-	-	-	-	-	788		
UNFICYP	-	-	-	802	59	861	861	46	9	55	-	-	-	55	916		
UNIFIL	-	-	-	10,136	385	10,521	10,521	-	-	-	-	-	-	-	10,521		
UNISFA	116	19	135	4,115	295	4,410	4,545	14	3	17	-	-	-	17	4,562		
UNMIK	8	0	8	-	-	-	8	5	3	8	-	-	-	8	16		
UNMIL	73	4	77	2,518	108	2,626	2,703	210	53	263	872	44	916	1,179	3,882		
UNMISS	181	4	185	11,316	466	11,782	11,967	354	95	449	560	96	656	1,105	13,072		
UNMOGIP	42	2	44	-	-	-	44	-	-	-	-	-	-	-	44		

APPENDIX 8: UN TROOP AND POLICE CONTRIBUTIONS

The table below provides a ranking of military and police contributions to UN operations by country. It also includes a breakdown of the gender composition of each country's contribution. The figures provided are for February 2016.

Rank	Country	Male	Female	Totals
1	Ethiopia	7,766	558	8,324
2	India	7,659	39	7,695
3	Bangladesh	7,320	205	7,525
4	Pakistan	7,480	21	7,501
5	Rwanda	5,736	265	6,001
6	Nepal	5,138	185	5,323
7	Senegal	3,648	69	3,717
8	China	2,994	78	3,072
9	Burkina Faso	2,805	116	2,921
10	Indonesia	2,809	34	2,843
11	Nigeria	2,595	236	2,831
12	Egypt	2,776	0	2,776
13	Ghana	2,482	277	2,759
14	Tanzania	2,226	116	2,342
15	Morocco	2,301	0	2,301
16	South Africa	1,724	348	2,072
17	Niger	2,011	35	2,046
18	Togo	1,760	53	1,813
19	Jordan	1,576	5	1,581
20	Benin	1,488	64	1,552
21	Chad	1,490	3	1,493
22	Uruguay	1,346	86	1,432
23	Kenya	994	236	1,232
24	Brazil	1,201	24	1,225
25	Burundi	1,183	31	1,214
26	Cameroon	1,093	79	1,172
27	Italy	1,051	42	1,093
28	Malawi	872	90	962
29	Mongolia	871	76	947
30	France	885	52	937
31	Zambia	877	31	908
32	Guinea	887	13	900

Rank	Country	Male	Female	Totals
33	Malaysia	867	18	885
34	Cambodia	823	41	864
35	Congo	780	15	795
36	Mauritania	752	0	752
37	Fiji	606	29	635
38	Spain	580	38	618
39	Uganda	541	48	589
40	Netherlands	506	38	544
41	Ukraine	498	7	505
42	Sri Lanka	497	4	501
43	Republic of Korea	445	19	464
44	Gabon	430	0	430
45	Chile	417	10	427
46	Peru	384	10	394
47	Ireland	348	20	368
48	Argentina	319	46	365
49	Finland	323	17	340
50	Serbia	280	37	317
51	Gambia	270	30	300
52	United Kingdom	272	18	290
53	Yemen	285	0	285
54	Sweden	233	42	275
55	Japan	268	4	272
56	Tunisia	224	9	233
57	Guatemala	208	17	225
58	El Salvador	205	5	210
59	Germany	186	15	201
60	Austria	191	5	196
61	Philippines	158	14	172
62	Slovakia	161	10	171
63	Turkey	167	3	170
64	Djibouti	143	0	143
65	Norway	123	20	143
66	Paraguay	108	5	113
67	Canada	90	19	109
68	Sierra Leone	51	49	100

Rank	Country	Male	Female	Totals
69	Romania	88	11	99
70	Zimbabwe	65	34	99
71	Hungary	82	11	93
72	Mali	87	5	92
73	Russian Federation	74	4	78
74	Namibia	53	18	71
75	United States of America	67	4	71
76	Honduras	64	0	64
77	Greece	58	0	58
78	Liberia	47	2	49
79	Bosnia and Herzegovina	35	9	44
80	Estonia	42	1	43
81	Madagascar	34	8	42
82	Denmark	41	1	42
83	Australia	35	5	40
84	Armenia	35	0	35
85	Switzerland	33	1	34
86	Thailand	22	10	32
87	Brunei	29	0	29
88	Bhutan	25	1	26
89	Bolivia	21	0	21
90	Kyrgyzstan	16	3	19
91	Slovenia	17	0	17
92	Croatia	14	3	17
93	Democratic Republic of Congo	15	1	16
94	Czech Republic	12	1	13
95	Belgium	12	1	13
96	Poland	12	0	12
97	Vanuatu	12	0	12
98	Moldova	11	1	12
99	Mexico	12	0	12
100	Ecuador	9	0	9
101	Samoa	7	1	8
102	New Zealand	7	1	8
103	Kazakhstan	7	0	7
104	Cote d'Ivoire	6	0	6

Rank	Country	Male	Female	Totals
105	Algeria	5	0	5
106	Belarus	3	2	5
107	Vietnam	5	0	5
108	Colombia	4	1	5
109	Papua New Guinea	4	0	4
110	Myanmar (Burma)	4	0	4
111	Montenegro	3	1	4
112	Iran	4	0	4
113	Bulgaria	2	1	3
114	Portugal	3	0	3
115	Qatar	3	0	3
116	Georgia	3	0	3
117	East-Timor (Timor-Leste)	3	0	3
118	Lithuania	2	0	2
119	Cyprus	2	0	2
120	Latvia	1	0	1
121	Jamaica	1	0	1
122	The former Yugoslav Republic of Macedonia	1	0	1
123	Guinea-Bissau	1	0	1
124	Mozambique	1	0	1
Grand Total:				105,314

Source: UN, 'Ranking of Military and Police Contributions to UN Operations—Month of Report: 29-Feb-16': http://www.un.org/en/peacekeeping/contributors/2016/feb16_2.pdf [accessed 21 March 2016]

APPENDIX 9: VARIATIONS IN CONFLICT-RELATED SEXUAL VIOLENCE: SELECTED CASES

The following table includes examples of conflicts where sexual violence has been committed, together with an estimation of the number of offences (committed during the conflict, or a period of it). The nature of the conflicts, prevalence and type of sexual violence vary. Establishing the extent of sexual violence is challenging; often data has not been collected and there can be many impediments to victims reporting attacks. Various methodologies have been employed to estimate the prevalence of sexual violence in conflict. In the absence of large-scale, national surveys, figures are often derived by extrapolating from data from police or health authorities, which may lead to estimates that are lower, or indeed higher than the true prevalence.⁷³⁷

Conflict	Sample/methodology	Estimation
<i>Sierra Leone (1991–2002)</i> During the civil war thousands of women and girls were subjected to widespread and systemic violence, including rape and sexual slavery.	Survey of 991 female heads of household, extrapolated to the female population. ⁷³⁸	215,000–257,000 ⁷³⁹
<i>Rwanda (1994)</i> Rape was used as a form of ethnic cleansing prior to and during the genocide that took place in Rwanda. Mutilation, forced marriage and sexual slavery was commonplace. The UN Special Rapporteur on Rwanda wrote that “rape was the rule and its absence the exception”.	Estimates were extrapolated from the number of recorded pregnancies resulting from rape (approximately 2,000–5,000). It was estimated that one pregnancy would result from every 100 rapes. ⁷⁴⁰	250,000–500,000 ⁷⁴¹

737 World Health Organisation, ‘Bulletin of the World Health Organisation: Undercounting, overcounting, and the longevity of flawed estimates: statistics on sexual violence in conflict’, 26 July 2011: <http://www.who.int/bulletin/volumes/89/12/11-089888/en/> [accessed 14 March 2016]

738 Physicians for Human Rights, *War-Related Sexual Violence in Sierra Leone: A Population-Based Assessment* (2002): https://s3.amazonaws.com/PHR_Reports/sierra-leone-sexual-violence-2002.pdf [accessed 14 March 2016]

739 *Ibid.*

740 UN Economic and Social Council, *Report on the situation of human rights in Rwanda submitted by Mr René Degni-Ségui, Special Rapporteur of the Commission on Human Rights, under paragraph 20 of resolution S-3/1 of 25 May 1994*, E/CN.4/1996/68 (29 January 1996): <https://www1.umn.edu/humanrts/commission/country52/68-rwa.htm> [accessed 14 March 2016]

741 It is suggested this may be a low estimate “since the medical literature suggests that a single act of unprotected intercourse will result in a pregnancy in 2–4% of cases”. See World Health Organisation, ‘Bulletin of the World Health Organisation: Undercounting, overcounting, and the longevity of flawed estimates: statistics on sexual violence in conflict’, 26 July 2011: <http://www.who.int/bulletin/volumes/89/12/11-089888/en/> [accessed 14 March 2016]

Conflict	Sample/methodology	Estimation
<p><i>Bosnia (1992–1995)</i></p> <p>Rape and other sexual atrocities were deliberate and systematic elements of this secessionist ethnic conflict. Sexual slavery featured prominently, with many victims held in detention camps. The UN Commission of Experts stated that the “vast majority of victims are Bosnian Muslim and the great majority of alleged perpetrators are Bosnian Serb”.⁷⁴²</p>	<p>Many sources state that numbers are too hard to determine. Reports range from 20,000 to 60,000.⁷⁴³ The UN commonly uses the figure of 50,000.</p>	<p>20,000⁷⁴⁴– 60,000⁷⁴⁵</p>

742 UN Security Council, *Final report of the United Nations Commission of Experts established pursuant to security council resolution 780 (1992)*, Annex IX: Rape and sexual assault, S/1994/674/Add.2 (Vol. V), 28 December 1994

743 ‘UN envoy welcomes conviction for rape and murder during Bosnian conflict’, *UN* (9 November 2011): <http://www.un.org/apps/news/story.asp?NewsID=40348#.VtciPspWKDY> [accessed 14 March 2016]

744 WomenAid International, *Warburton Mission II Report: EC Investigation into the Treatment of Muslim Women in the Former Yugoslavia: Report to EC Foreign Ministers* (February 1993): <http://www.womenaid.org/press/info/humanrights/warburtonfull.htm> [accessed 14 March 2016]. It is likely to be an underestimate as the conflict continued for three years after the Warburton Report was conducted.

745 Women Under Siege, ‘Conflict profiles: Bosnia’: <http://www.womenundersiegeproject.org/conflicts/profile/bosnia#patterns> [accessed 14 March 2016]

APPENDIX 10: GLOBAL SPREAD OF SEXUAL VIOLENCE IN CONFLICT SINCE 1945

The following are the countries and regions highlighted on the map on page 25 as places where conflict-related sexual violence has been reported since 1945:

Afghanistan;⁷⁴⁶ Algeria;⁷⁴⁷ Angola;⁷⁴⁸ Argentina;⁷⁴⁹ Azerbaijan;⁷⁵⁰ Bangladesh;⁷⁵¹ Bosnia and Herzegovina;⁷⁵² Burundi;⁷⁵³ Cambodia;⁷⁵⁴ Central African Republic;⁷⁵⁵ Chad;⁷⁵⁶ Chile;⁷⁵⁷ Colombia;⁷⁵⁸ Côte d'Ivoire;⁷⁵⁹ Croatia;⁷⁶⁰ the Democratic Republic of Congo (DRC);⁷⁶¹ El Salvador;⁷⁶² Eritrea;⁷⁶³ East Timor (Timor-

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- 746 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 747 Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (2007): http://www.essex.ac.uk/armedcon/story_id/sexualviolence_conflict_full%5B1%5D.pdf [accessed 14 March 2016]
- 748 *Ibid.*
- 749 Dr Chris Dolan, *Into the mainstream: Addressing sexual violence against men and boys in conflict* (May 2014): <https://www.warchild.org.uk/sites/default/files/Into-the-Mainstream.pdf> [accessed 14 March 2016]
- 750 Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (2007): http://www.essex.ac.uk/armedcon/story_id/sexualviolence_conflict_full%5B1%5D.pdf [accessed 14 March 2016]
- 751 Yasmin Saikia, 'War as History, Humanity in Violence: Women, Men, and Memories of 1971, East Pakistan/Bangladesh' in Elizabeth D. Heineman (ed.), *Sexual Violence in Conflict Zones: From the Ancient World to the Era of Human Rights* (Philadelphia: University of Pennsylvania Press, 2011), pp 152–170
- 752 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 753 Human Rights Watch, *Everyday victims: Civilian in the Burundian civil war* (2003): https://www.hrw.org/reports/2003/burundi1203/7.htm#_Toc59011441 [accessed 14 March 2016]; Nobel Women's Initiative, 'UN Reports: Security Forces commit sexual violence in Burundi', 20 February 2016: <http://nobelwomensinitiative.org/2016/02/un-reports-security-forces-commit-sexual-violence-in-burundi/> [accessed 14 March 2016]
- 754 International Bar Association, 'Cambodia, war crimes and sexual violence': <http://www.ibanet.org/Article/Detail.aspx?ArticleUid=d8d37ca5-64a9-4891-a810-35decf13f1b9> [accessed 14 March 2016]
- 755 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 756 Amnesty International, *Chad: Hope Betrayed*, 1997 [not available online]
- 757 Sandesh Sivakumaran, 'Sexual Violence Against Men in Armed Conflict', *The European Journal of International Law*, vol. 18 no. 2 (2007), pp 253–276: <http://ejil.org/pdfs/18/2/224.pdf> [accessed 14 March 2016]
- 758 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 759 *Ibid.*
- 760 United Nations Development Programme in Croatia, 'Surviving wartime sexual violence': http://www.hr.undp.org/content/croatia/en/home/ourwork/povertyreduction/successstories/sexual_violence.html [accessed 14 March 2016]
- 761 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 762 Nobel Women's Initiative, *War on Women: Time for action to end sexual violence in conflict* (May 2011): <http://nobelwomensinitiative.org/wp-content/uploads/2013/09/war-on-women-web.pdf> [accessed 14 March 2016]
- 763 World Organisation Against Torture, *Violence against Girls in Eritrea: A report to the Committee on the Rights of the Child* (2003): http://www.omct.org/files/2004/07/2409/eng_2003_05_eritrea.pdf [accessed 14 March 2016]

Leste);⁷⁶⁴ Egypt;⁷⁶⁵ Ethiopia;⁷⁶⁶ Georgia (Abkhazia);⁷⁶⁷ Germany (Berlin);⁷⁶⁸ Greece;⁷⁶⁹ Guatemala;⁷⁷⁰ Guinea;⁷⁷¹ Guinea-Bissau;⁷⁷² Haiti;⁷⁷³ India (Jammu and Kashmir);⁷⁷⁴ Indonesia;⁷⁷⁵ Iran;⁷⁷⁶ Iraq;⁷⁷⁷ Kenya;⁷⁷⁸ Korea;⁷⁷⁹ Kosovo;⁷⁸⁰ Kuwait;⁷⁸¹

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- 764 Timor-Leste Commission for Reception, Truth and Reconciliation, *Chega! The CAVR Report* (October 2005): <http://www.cavr-timorleste.org/en/cheгаReport.htm> [accessed 14 March 2016]
- 765 UN General Assembly and Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, A/66/657-S/2015/203 (13 January 2012): <http://www.refworld.org/pdfid/4fbf5b382.pdf> [accessed 14 March 2016]
- 766 Human Rights Watch, *Collective Punishment: War Crimes and Crimes Against Humanity in the Ogaden Area of Ethiopia's Somali Region* (June 2008): <https://www.hrw.org/reports/2008/ethiopia0608/> [accessed 14 March 2016]
- 767 International Committee of the Red Cross, *Country Report: Georgia/Abkhazia* (November 1999): <https://www.icrc.org/eng/assets/files/other/georgia.pdf> [accessed 14 March 2016]
- 768 Elisabeth J. Wood, 'Variation in Sexual Violence During War', *Politics and Society*, vol. 34 no. 3, (September 2006), pp 307–341: <http://home.iscte-iul.pt/~apad/MSV/text%20violencia/sexo%20e%20guerra.pdf> [accessed 14 March 2016]
- 769 Katherine Stefos, 'The Victimisation of the Body and the Body Politic During the Greek Civil War, 1946–49' in Raphaëlle Branche and Fabrice Virgili (eds.), *Rape in Wartime* (Basingstoke: Palgrave Macmillan, 2012) pp 47–66
- 770 Michele Leiby, 'Wartime sexual violence in Guatemala and Peru', *International Studies Quarterly*, vol. 53, (2009), pp 445–468: http://www.micheleleiby.com/downloads/isq_wartime_sexual_violence.pdf [accessed 14 March 2016]
- 771 UN General Assembly and Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, A/66/657-S/2015/203 (13 January 2012): <http://www.refworld.org/pdfid/4fbf5b382.pdf> [accessed 14 March 2016]
- 772 Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (2007): http://www.essex.ac.uk/armedcon/story_id/sexualviolence_conflict_full%5B1%5D.pdf [accessed 14 March 2016]
- 773 *Ibid.*
- 774 *Ibid.*
- 775 *Ibid.*
- 776 Dr Chris Dolan, *Into the mainstream: Addressing sexual violence against men and boys in conflict* (May 2014): <https://www.warchild.org.uk/sites/default/files/Into-the-Mainstream.pdf>
- 777 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 778 UN General Assembly and Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, A/66/657-S/2015/203 (13 January 2012): <http://www.refworld.org/pdfid/4fbf5b382.pdf> [accessed 14 March 2016]
- 779 Chunghee S. Soh, *The Comfort Women: Sexual Violence and Postcolonial Memory in Korea and Japan* (Chicago: University of Chicago Press, 2008)
- 780 Office of the High Commissioner for Human Rights, *Healing the spirit: Reparations for survivors of sexual violence related to the armed conflict in Kosovo* (2013): <http://www.ohchr.org/Documents/Issues/Women/WRGS/PeaceAndSecurity/StudyHealingTheSpirit.pdf>
- 781 Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (2007): http://www.essex.ac.uk/armedcon/story_id/sexualviolence_conflict_full%5B1%5D.pdf [accessed 14 March 2016]

Liberia;⁷⁸² Libya;⁷⁸³ Mali;⁷⁸⁴ Mozambique;⁷⁸⁵ Myanmar;⁷⁸⁶ Nepal;⁷⁸⁷ Nicaragua;⁷⁸⁸ Papua New Guinea;⁷⁸⁹ Peru;⁷⁹⁰ Philippines (Mindano);⁷⁹¹ Russia (Chechnya);⁷⁹² Rwanda;⁷⁹³ Serbia;⁷⁹⁴ Solomon Islands;⁷⁹⁵ Somalia;⁷⁹⁶ Sierra Leone;⁷⁹⁷ South Africa;⁷⁹⁸ South Sudan;⁷⁹⁹ Sudan (Darfur);⁸⁰⁰ Sri Lanka;⁸⁰¹ Syria;⁸⁰² Tajikistan;⁸⁰³

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- 783 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 784 *Ibid.*
- 785 Meredith Turshen, 'The Political Economy of Rape: An Analysis of Systematic Rape and Sexual Abuse of Women During Armed Conflict in Africa' in Caroline Moser and Fiona Clarke (eds.), *Victors, Perpetrators or Actors: Gender, Armed Conflict and Political Violence* (London: Zed Books, 2001) pp 55–68
- 786 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 787 *Ibid.*
- 788 Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (2007): http://www.essex.ac.uk/armedcon/story_id/sexualviolence_conflict_full%5B1%5D.pdf [accessed 14 March 2016]
- 789 *Ibid.*
- 790 Michele Leiby, 'Wartime sexual violence in Guatemala and Peru', *International Studies Quarterly*, vol. 53 (2009), pp 445–468: http://www.micheleleiby.com/downloads/isq_wartime_sexual_violence.pdf [accessed 14 March 2016]
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- 792 Valentina Rousseva, 'Rape and sexual assault in Chechnya', *CS&P*, vol. 1 no.3 (November 2004), pp 64–67: http://www.peacewomen.org/sites/default/files/vaw_rapeandsexualassaultinchechnya_march2003_0.pdf [accessed 14 March 2016]
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- 796 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 797 Physicians for Human Rights, *War-Related Sexual Violence in Sierra Leone: A Population-Based Assessment* (2002): https://s3.amazonaws.com/PHR_Reports/sierra-leone-sexual-violence-2002.pdf [accessed 14 March 2016]
- 798 Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (2007): http://www.essex.ac.uk/armedcon/story_id/sexualviolence_conflict_full%5B1%5D.pdf [accessed 14 March 2016]
- 799 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 800 *Ibid.*
- 801 *Ibid.*
- 802 *Ibid.*
- 803 Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (2007): http://www.essex.ac.uk/armedcon/story_id/sexualviolence_conflict_full%5B1%5D.pdf [accessed 14 March 2016]

Turkey;⁸⁰⁴ Ukraine (Donetsk and Luhansk regions);⁸⁰⁵ Uganda;⁸⁰⁶ the UK (Northern Ireland);⁸⁰⁷ the US (Guantanamo Bay);⁸⁰⁸ Vietnam;⁸⁰⁹ Yemen;⁸¹⁰ and Zimbabwe.⁸¹¹

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- 804 Dr Chris Dolan, *Into the mainstream: Addressing sexual violence against men and boys in conflict* (May 2014): <https://www.warchild.org.uk/sites/default/files/Into-the-Mainstream.pdf> [accessed 14 March 2016]
- 805 Office of the United Nations Commissioner for Human Rights, *Report on the human rights situation in Ukraine* (November 2014): http://www.ohchr.org/Documents/Countries/UA/OHCHR_seventh_reportUkraine20.11.14.pdf [accessed 14 March 2016]
- 806 Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (2007): http://www.essex.ac.uk/armedcon/story_id/sexualviolence_conflict_full%5B1%5D.pdf [accessed 14 March 2016]
- 807 Dr Chris Dolan, *Into the mainstream: Addressing sexual violence against men and boys in conflict* (May 2014): <https://www.warchild.org.uk/sites/default/files/Into-the-Mainstream.pdf> [accessed 14 March 2016]; Amnesty International UK, 'Process on Northern Ireland's past must deal with gender violence', 15 October 2014: <https://www.amnesty.org.uk/press-releases/process-northern-irelands-past-must-deal-gender-violence> [accessed 14 March 2016]
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- 810 UN Security Council, *Conflict-related sexual violence: Report of the Secretary-General*, S/2015/203 (23 March 2015): http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf [accessed 14 March 2016]
- 811 Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (2007): http://www.essex.ac.uk/armedcon/story_id/sexualviolence_conflict_full%5B1%5D.pdf [accessed 14 March 2016]