



**Statement by the Special Representative of the Secretary-General on
Sexual Violence in Conflict Margot Wallström**

Statement to the UN Security Council

(14th April 2011)

Check against delivery

Mr. President, members of the Security Council,

There is no question that this Council has adopted historic resolutions to combat the scourge of conflict-related sexual violence. But the question could be asked: *What do these resolutions mean for women, right now, in Libya?* If a Libyan woman had been in this Chamber last December, when resolution 1960 was passed, *what would it lead her to expect?*

In one word, the promise of 1960 is: *prevention*. Resolution 1960 is – rightly – oriented towards deterrence. In that respect, it marks a political commitment to bring all of the Council's tools to bear, in preventing and addressing the atrocity of wartime rape. It sets out the elements of an accountability regime to influence the conduct of perpetrators, and *would-be perpetrators*.

And yet, resolutions 1970 and 1973 on Libya, make no mention of the risk of sexual violence – a risk that is all-too-real in contexts of escalating unrest and mass displacement. In its Preamble, resolution 1970 lists a range of human rights concerns: arbitrary detention, enforced disappearance, torture, summary execution, forced refugee flight, and repression of peaceful demonstrations. Experience attests that such conditions often signal spikes in sexual violence. However, when it is not explicitly included in mandates and the related political discussions, the question is unlikely to be asked. Leveraging the credible threat of consequences for rape, can make a difference. 1970 was thus an opportunity for the Council to raise a “red flag” – to give effect to the intention expressed so powerfully last December.

Sexual violence has emerged despite the robust action of the international community to protect civilians in Libya. Although reports of rape remain unconfirmed – and even brutally silenced – they have arrested the attention of the world. The name of Eman al Obeidi is known to all. Reports from transit camps on the Libya-Tunisia border, from surgeons, doctors and international media representatives, suggest that it is not plausible to consider her case an isolated incident.

As a political or security situation deteriorates, events unfold rapidly, and sexual violence often becomes part of the repertoire of repression. Its inclusion in peacekeeping and other Chapter VII resolutions sends a strong signal that sexual violence – like other grave violations – will be subject to scrutiny. It tells the women of Libya, Côte d'Ivoire or the DRC, that the promise of 1960 will translate into practice; that thematic resolutions are, in fact, a prelude to country-level action. From the way sexual violence spans the history of war, it should be *automatically* and *systematically* included in protection measures. This Council has recognized that sexual violence is used by political and military leaders to advance political, military and economic ends. As a consequence, it warrants *continuous consideration*. Otherwise, interventions on the *frontlines*, may relegate women's security to the *sidelines*. If we allow the lack of hard data to justify inaction, it will *always* be too late.

But I am optimistic that resolution 1960 will shift the terms of the debate from *reacting* to sexual violence like any other tragedy, to *preventing* sexual violence like any other threat. Indeed, when resolution 1975 was adopted on 30 March, imposing targeted sanctions in response to surging violence in Côte d'Ivoire, sexual violence was duly mentioned. This is an encouraging sign that such violence is taken seriously and increasingly integrated into the Council's core business. Shocking reports of sexual violence have emerged as part of the post-electoral crisis in Côte d'Ivoire. Preliminary information suggests that sexual assaults may have been politically targeted, as previously witnessed in Kenya and Guinea-Conakry. These incidents demand a swift and thorough investigation. They should also be taken into account when the Council considers the mandate of UNOCI in the coming weeks.

You will recall that resolution 1820 demands the "*immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians*" and stresses the exclusion of such crimes from amnesty provisions. Accordingly, I urge the Council to use its influence to ensure that any ceasefire agreement reached in relation to Libya or Côte d'Ivoire will also entail the cessation of sexual violence as a tactic of war. Moreover, Commissions of Inquiry must include dedicated expertise on this issue.

Almost daily, cases of sexual violence against vulnerable communities in the DRC continue to be reported. On 31 December 2010 and 1 January 2011, 47 women were raped in the villages of Bushani and Kalambahiro in Masisi territory, eastern DRC. The perpetrators were alleged to be FARDC (ex-CNDP) soldiers participating in a joint MONUSCO/FARDC operation. Yet, the past several months have also shown that *where there is political will, there is a way*. The Government of the DRC ensured a swift and open investigation into the rapes that occurred in Fizi Territory in December 2010. This led to the trials and convictions by the Military Court in Baraka of Lieutenant Colonel Mutware Kibibi and ten other officers of the FARDC. These perpetrators will serve sentences of between 10 and 20 years. In February, Callixte Mbarushimana, affiliated with the FDLR, was transferred from France to the ICC in The Hague.

While these are exemplary actions, it is essential that all perpetrators are consistently and relentlessly pursued. This will raise the cost of committing, commanding or condoning sexual violence, and thereby serve as a deterrent to others.

In February, I visited the DRC for the third time and was able to discuss the issue of impunity with President Kabila and senior members of the Government. The President acknowledged the importance of ensuring rigorous investigation and prosecution of perpetrators as a key element of prevention. There seems to be a new awareness among the political leadership in this regard. There is also a new trend of convictions of senior FARDC officers – including commanders – for crimes of sexual violence. In March 2011, we witnessed the prosecution of General Jérôme Kakwavu, the highest ranking national army officer ever to be tried for crimes of sexual violence. He was, as you know, one of the five officers “blacklisted” by this Council.

These are positive signs that I hope can be sustained and reinforced. Since the mass rapes in Walikale, there has also been a marked evolution in MONUSCO’s protection response, including the initiation of Community Alert Networks for early-warning.

In February, I also visited Kamako in Western Kasai province on the DRC-Angola border to look into reports of sexual violence against Congolese women and girls in the context of on-going expulsions from Angola. Local administrators and UN agencies recorded 185 such rapes in January 2011. I met with nearly 70 of these women and girls in Kamako. One woman described being abducted while at market and raped repeatedly by multiple assailants over the course of several days, before being expelled from Angolan territory. I saw the rope burns on the arms of a woman who said that she had been gang-raped, tied to a tree and left for dead. Many of the women said that they were desperate to find their children who had remained in Angola after their expulsions. Angolan security forces were implicated in many of these cases.

I then visited Angola from 10 to 14 March to take this issue up with the authorities. I travelled to Lunda Norte province on the Angola-DRC border, where I visited the Chissanda border crossing and the Cajamba refugee settlement. Serious and legitimate concerns exist regarding sexual

violence against Congolese women and girls in the context of illegal diamond mining activities and expulsions. Women are acutely vulnerable in this context. They are in the minority of illegal migrants, and at risk of rape and sexual intimidation by armed men. There are also concerns of trafficking of women and girls from the DRC to diamond mining areas for prostitution and forced labour.

The visit resulted in a joint communiqué of the Government of Angola and the United Nations, outlining a proactive approach to put in place prevention measures. The Angolan authorities make specific commitments which include:

- Reiterating through the Police and Army chains of command the orders prohibiting sexual abuse;
- Reinforcing the commitment for „zero-tolerance“ of such violations in Army and Police Codes of Conduct;
- Undertaking investigations of alleged violations on the basis of credible information, and ensuring punishment of perpetrators; and
- Facilitating the assessment missions of the UN and IOM to areas of concern, and granting UN protection actors regular access to detention centers or similar locations.

In practical terms, it is essential that the previously established Angola-DRC Mixed Commission is invigorated as the formal framework under which cross-border concerns related to illegal migration are addressed. The Mixed Commission should function at both national and provincial level, and should focus particular attention on the vulnerability of women and girls. Regular information exchange and coordination between the UN presence in Angola and the DRC is imperative.

Once again, this reflects the prevention approach envisioned by resolution 1960, and affirms that practical solutions are possible.

Cross-border and regional level cooperation is critical to address a problem which often carries regional implications. It is in this context that I have prioritized strategic engagement with the African Union. On 28 March, I addressed the African Union Peace and Security Council on the occasion of its open session on „Women and children in armed conflicts“. The AU Peace and Security Council adopted a communiqué which emphasizes a joint AU-UN response to conflict-related sexual violence, and stresses in particular the need to investigate crimes committed against women and children, launch preventive campaigns aimed at the armed forces and the police, and to ensure that perpetrators are brought to justice. The AU Peace and Security Council also expressed support for the decision of the Chairperson of the AU Commission to appoint an AU Special Representative on Women, Peace and Security.

Cooperation between the United Nations and the African Union can be enhanced in a number of areas, such as the training of peacekeepers, and ensuring that sexual violence concerns are

consistently reflected in UN and AU-led mediation and conflict-resolution processes. The UN Security Council and the AU Peace and Security Council should consider the inclusion of sexual violence as an agenda item in future meetings.

My Office is looking at the issue of sexual violence with a wide-range of partners, and from *all angles*, including from the ground-up. Last week, I attended a workshop in India where we discussed the practical challenges facing peacekeepers on the frontlines. For these peacekeepers, sexual violence mandates are *operational*, not just *aspirational*. We must give them the financial and political support, and all the tools they need to succeed. In this respect, my Office has collaborated with DPKO and UN Women to develop innovative, scenario-based training resources, which have also been piloted in Bangladesh. My interactions with Troop Contributing Countries affirm that addressing sexual violence is recognized as a core “protection of civilians” challenge.

My Office is also developing a number of tools to accelerate the implementation of 1960. These include: establishing monitoring, analysis and reporting arrangements for improved information-flow; compiling a matrix of early-warning signs to help field personnel predict spikes in sexual violence; and building an accountability regime with real-world impact in the fight against impunity. Better data is not an end in itself, but serves to inform better responses. We anticipate that guidance to the field on the implementation of resolution 1960 will be disseminated by the end of May. This will include an operational concept and Terms of Reference for Women Protection Advisers. It is envisioned that WPAs will advise senior UN leadership on the implementation of key aspects of the Women, Peace and Security resolutions. As part of our efforts to enhance accountability, at the end of May I hope to brief the DRC Sanctions Committee. My Office also remains at the disposal of the Council as you prepare the Terms of Reference for your next visit to Africa.

In addition, the Team of Experts on the Rule of Law is due to be deployed to Liberia later this month to support “Criminal Court E”, which was specifically established to hear cases of sexual violence. The Team will then visit the DRC in May to reinforce the capacity of investigators and prosecutors through Prosecution Support Cells in North and South Kivu, and to mentor women magistrates who have been trained to handle cases of sexual violence. It will also deploy to South Sudan in May, to contribute to the development of new legal frameworks.

Mr. President,

War is a context of lethal violence. In such an environment, it is tempting to see sexual violence as a “lesser evil”. That is not how women see it. That is not the experience of a rape camp survivor from Bosnia who told me: “*They have taken my life without killing me*”. Or of the woman from Liberia who described rape as: “*A kind of slow murder*”. Sexual violence maims the survivor not only physically, but psychologically and socially – turning *victims* into *outcasts*. And yet, this war tactic requires no weapon greater than an individual’s cruel intent. As one

Indian peacekeeper so aptly stated last week: “*A rape is an irreversible violation*”. We cannot reverse the irreversible. But we can reinforce efforts to prevent and prosecute.

In that respect, resolution 1960 is seen by many women as a message of hope. One woman I met in eastern DRC in March, grabbed my hand as I was leaving our meeting and said: “*The fact that you have come all the way from New York means we are not alone, after all*”. So even in the “tyranny of the emergency”, before hard evidence emerges, and though it may not be obvious what gender has to do with “arms embargoes” or “no-fly zones”, *we must remember women*. Our endeavors to uphold international security will not be comprehensive unless they include efforts to end sexual violence *before* it has begun.

Thank you, Mr. President.