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# Sexual Violence as a Weapon of War

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A Report from the  
Conservative Party  
Human Rights  
Commission

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November 2008

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*National Injustice is the surest way to national downfall*

William Ewart Gladstone

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## INTRODUCTION

Sexual violence is always wrong, never excusable and, far too often, still suffered in silence. But when sexual violence is used as a widespread, systematic and deliberate weapon of war the international community has a moral responsibility to protect the victims and prosecute the perpetrators. The crimes of sexual violence recorded in conflicts ranging from the Former Yugoslavia and Peru to Rwanda, Liberia and currently Darfur and the DRC are amongst the most horrific war crimes ever committed. We urgently need to find more and better ways to bring an end to this epidemic of conflict-based sexual violence and the UK has a vital role to play in formulating, promoting and implementing such policy.

Sexual and gender-based violence (SGBV) is 95% more likely to affect women than men but despite numerous NGO- and Government-led campaigns to end violence against women, a culture of violence persists worldwide with at least one in three women experiencing some form of physical or sexual abuse during her lifetime.<sup>1</sup>

In recent years, sexual violence as a weapon of war has emerged as one of the most intractable manifestations of what is now understood to be a global phenomenon. Poor reporting systems, the stigma that most cultures still attach to rape and other forms of sexual assault, limitations of national justice mechanisms and an almost complete absence of witness protection in the majority of conflict and post-conflict zones mean that data on gender-based violence is woefully inadequate. But while accurate statistics remain elusive, recent work by multilateral organizations and advocacy groups mean the scope and gravity of the situation are beyond doubt. The Alliance for Direct Action Against Rape in Conflicts and Crises (*AllianceDARC*) estimates that between 1990 and 2006 a minimum of 2 million women in conflict zones were raped or otherwise subjected to sexual violence.<sup>2</sup> Indeed, reports suggest that in certain circumstances the *majority* of women, families and communities are victims of sexual violence.<sup>3</sup>

Despite the fact that both at UN and national level women's role is peacekeeping and the serious threat of SGBV is recognized, the elaborate framework of international and national political and legal instruments are stumbling at the point of implementation and falling short of fulfilling their promise of protecting women.<sup>4</sup>

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<sup>1</sup> PopulationReports: *Ending Violence Against Women* (1999).

<sup>2</sup> *AllianceDarc* Concept (2006), p. 1: [http://www.alliancedarc.org/downloads/alliancedarc\\_concept\\_2006\\_11.pdf](http://www.alliancedarc.org/downloads/alliancedarc_concept_2006_11.pdf)

<sup>3</sup> Van Woudenberg, Anneke: 'There are very few families in Eastern Congo who have not been touched by the issue of rape,' Oral Evidence to CPHRC: *Sexual Violence as a Weapon of War* (March 2008); *AllianceDarc*, *ibid*.

<sup>4</sup> For a more detailed analysis see Annalise Moser: *Women Building Peace and Preventing Sexual Violence in Conflict-Affected Contexts: A Review of Community-Based Approaches* (UNIFEM Research Paper: 2007), pp. 1-2.

The Conservative Party Human Rights Commission considers that this state of affairs is both morally reprehensible and a direct threat to global security and believes that a Conservative Government should take urgent action to bring an end to the culture of impunity that allows perpetrators of sexual violence to flourish in conflict and post-conflict situations.

On 25 March 2008, our Commission held a public hearing at the House of Commons to take evidence on the subject of 'Sexual Violence as a Weapon of War'. The panel of expert witnesses comprised Sue Turrell, CEO of Womankind; Anneke van Woudenberg, Senior Researcher with Human Rights Watch for the DRC; Dr James Smith, CEO of the Aegis Trust; and Ikhlass Mohammed, a Darfuri Survivor and Campaigner.<sup>5</sup>

This report is primarily informed by the contributions of the panelists at the hearing in March and by other written evidence subsequently received.<sup>6</sup> The recommendations that follow are to be submitted to the Shadow Foreign Secretary with the express purpose of helping a future Conservative Government play a leading role in the fight against Sexual and Gender-Based Violence.

Certain fundamental principles form the foundation of the arguments and conclusions of this report. Firstly, that human rights violations are not only consequences of conflict but are also early warning signs of instability, potentially indicating or even catalyzing impending conflict. That as such, the campaign against human rights abuses is not only an international development concern but also a key security priority. Secondly, that 'no country can boast of being free unless its women are free.'<sup>7</sup> And finally, that women play a pivotal role in conflict resolution and peacebuilding.

This submission is prepared in anticipation of a Conservative Government that puts human rights at the heart of its foreign policy and of a Britain that seizes every opportunity to lead the International Community in promoting liberty, the rule of law and social justice for all.

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<sup>5</sup> See Appendix for biographical details.

<sup>6</sup> Transcripts of the hearing can be found on the Commission website: [www.conservativehumanrights.com](http://www.conservativehumanrights.com)

<sup>7</sup> Tambo, Oliver, former president of the ANC, South Africa quoted in speech by Dr Nkosazana Dlamini-Zuma, then South African Health Minister, to the 4<sup>th</sup> World Conference on Women in Beijing, 6 Sept 1995: <http://www.un.org/esa/gopher-data/conf/fwcw/conf/gov/950910174126.txt>

## RECOMMENDATIONS

- 1. A Conservative Government must recognize sexual violence against women as a weapon of war and a serious threat to national and international security and use the UK's position as a Permanent Member of the UNSC to ensure that the International Community takes this into account in all resolutions and peacekeeping missions.**
- 2. A Conservative Government needs to lead the International Community in finding solutions to the obstacles to proper data gathering and reporting of SGBC so that future policy decision can be based on better evidence and situation modeling. Only then can there be hope of effective containment of the phenomenon.**
- 3. A Conservative Government should immediately commission a joint FCO, DFID and MOD study on Sexual Violence as a Weapon of War to produce a platform for policy development on the subject and especially to address the challenges of In Country data collection, monitoring and reporting.**
- 4. A Conservative Government should adopt and improve UK National Action Plan to Implement UNSCR 1325. Specifically a Conservative National Action Plan should include measureable indicators, goals and best practice so that progress can be transparently assessed and policy continually refined. A Conservative Government should establish a National Action Plan for the Implementation of UNSCR 1325 that is focused on outcomes and not processes.**
- 5. A Conservative Government should be committed to the mainstreaming of 1325 in every aspect of SC, DPKO, UNDP and other UN Agencies' proceedings. In particular, noting the inconsistency of language to date should work to ensure that all mandates for UNPKOs, including their terms of reference, and standard reporting procedures mandated for these missions incorporate regular and adequate monitoring on the implementation of SCR 1325 in the field.**
- 6. A Conservative Government should urgently call for, and lobby other Member States to support, a UNSC Monitoring Mechanism for the Implementation of 1325.**
- 7. A Conservative Government should seek to end the culture of impunity surrounding crimes of sexual violence by adopting a zero tolerance attitude to perpetrators. The UK should actively support the ICC investigation into Jean-Pierre Bemba Gombo and seek convictions of similarly high profile perpetrators of sexual violence as a war crime, crime of genocide, and crime against humanity, to establish an international deterrent.**
- 8. A Conservative Government should seek to strengthen justice systems of fragile states before, during and after conflict through training, diplomatic measures and aid. In particular, through**

**promoting more effective vetting mechanisms in the post-conflict reconstruction of democratic, judicial, law enforcement and military institutions.**

- 9. A Conservative Government should actively develop more and better ways to support victims and witnesses to crimes of sexual violence so that prosecutions can proceed to successful convictions. Measures to be investigated should include an international advocacy and witness protection fund for the victims of sexual violence.**
- 10. A Conservative Government needs to acknowledge the right of women to participate fully in the processes of conflict prevention and peacebuilding and actively seek to promote their involvement at the negotiating table.**
- 11. A Conservative Government should seek to increase the number of women deployed on UN Peacekeeping Operations and Country Missions, to senior decision-making FCO and DFID overseas posts and on all training, expertise sharing and in-country support programmes.**
- 12. A Conservative Government should offer training on gender issues, in particular sexual violence, to UN Member States, prioritising Troop Contributing Countries, as well as to democratic, military, judicial and other law enforcement representatives in conflict prevention and resolution situations.**
- 13. A Conservative Government should place SGBV training and justice mechanisms at the heart of all post-conflict reconstruction programmes.**

# The Strategy of Sexual Violence

## How a Private Crime Becomes a Weapon of War

*'It is rape as an instrument of forced exile, rape to be seen and heard and watched and told to others: rape as spectacle. It is rape to drive a wedge through a community, to shatter a society, to destroy a people, it is rape as genocide'*

**Catherine A Mackinnon:**

*Rape, Genocide and Women's Human Rights*, 107 Harv Women's LJ 5 11-12 (1994).

War and peace have traditionally been considered men's work. In the 1990s, however, horrifying reports of widespread war crimes committed on the basis of gender began to emerge and the International Community was forced to reassess the role of women in conflict.

Women have always suffered in war. Often unaccompanied while their male relatives are fighting, have fled, are detained or missing, usually unarmed and unable to resist their armed attackers women in conflict-affected areas have always been vulnerable but this was seen as collateral damage; the unfortunate by-

product that accompanies the real business of the war that men were fighting nearby. But conflicts in the Former Yugoslavia, Rwanda, Sierra Leone and Liberia among others brought a new dimension: all were characterized by a seemingly strategic victimization of women *because* they were women.

In these circumstances, sexual violence becomes a deliberate strategy – a weapon of mass destruction that targets the most vulnerable members of the civilian population.

### Sexual Violence Defined

The UN defines sexual violence as rape, sexual mutilation, purposeful infection with HIV/AIDS and other sexually transmitted infections (STI), forced impregnation, forced abortion, female genital mutilation (FGM), sexual harassment, trafficking, forced prostitution, dowry-related violence, domestic violence, battering, and marital rape. The CPHRC take the gravest possible view of SGBV and choose therefore, in line with *AllianceDARC*, to further expand this definition to include other forms of sexual exploitation and slavery, forced maternity, enforced sterilisation, indecent assault, and inappropriate medical examinations and strip searches.

### What makes SGBV different from other violent crimes?

95-99% of victims of sexual and gender-based violence are women and with one in three women in the world suffering some form of abuse in their lifetime, it is clear that the International Community is

failing to halt the proliferation of gender-based crimes.<sup>8</sup> It is also clear that this is a phenomenon that is far from confined to conflict zones. Unlike other violent crimes, victims of SGBV still face a global culture that resists the changes needed to implement effective measures for prevention, identification and prosecution.

Displaced guilt, denial, lack of awareness about or access to services, fear of not being believed or of retribution, and concerns about children are just a few of the reasons why women fail to report gender-based crimes and so far policy, legislation, and repeated awareness campaigns have made little impact on what are, in effect, cultural barriers to justice for women.

Inevitably, both the frequency and intensity of gender-based violence increases exponentially in countries that have descended into lawlessness – and the obstacles to victims even seeking basic medical attention, let alone justice and reparations, multiply by every conceivable measure – leaving behind broken communities and effectively limiting a country's capacity for post-conflict recovery.

## What happens in conflict?

There are currently no accurate data sources about the scope and gravity of SGBV in conflict zones.<sup>9</sup> *AllianceDARC* estimates that between 1990 and 2006 over 2 million women in conflict zones have been raped or otherwise sexually assaulted<sup>10</sup> and various case studies and country reports produced by NGOs indicate that in extreme situations the *majority* of

### ***Our Little Girls Are Being Raped...***

*'I was in Tawhila town when a girls' primary school was attacked. The little girls in the school were raped, some in front of their families. Many were less than ten years old. How do you stand being made to watch while someone rapes your daughter or mother or sister? It is better to die than that. They use rape as a weapon.'*

*'Now the women who are raped are pregnant. They are unacceptable in their families. Most girls didn't tell anyone they had been raped because of the stigma.'*

*'The UN force must come as quickly as possible, for all the people who have been forced to leave their homes and are living in camps. The Janjawid still attacks people in camps, especially women. Women and children are the most affected by the war in Sudan. They need urgent protection.'*

*'If there is no justice, if there is no law, everything's collapsed. We cannot stop women's violence, we cannot stop rape, we cannot stop any kind of sexual violence towards the women. We need justice. I am a representative of Darfurian women, we are looking for justice.'*

***Ikhlass Mohammed  
Statement to CPHRC: 2008***

<sup>8</sup> *AllianceDARC* op. cit.; Médecins Sans Frontières: *The Crushing Burden of Rape: Sexual Violence in Darfur* (2005), p. 3.

<sup>9</sup> For an in depth analysis of the problems associated with recording and reporting SGBV see Alyn Smith: *Sexual Violence in Conflict: Making Data Work for Change* (Discussion Paper, DCAF & *AllianceDARC*, Geneva: 2006).

<sup>10</sup> Of this 2 million the Aegis Trust estimate that 250,000-500,000 women were victims of rape in Rwanda while Human Rights Watch put the figure of victims of sexual violence in the DRC at approximately 60,000.

women and girls with the affected community will have been victims of SGBV.<sup>11</sup>

Rape as a tool of war is not new nor is it confined to particular conflicts or regions but to date there has been no conclusive study of the geography of SGBV in conflict so it is impossible to get a clear picture of the precise distribution of this method of warfare.<sup>12</sup> What is clear though is that sexual violence targeting women and girls has been used in the vast majority of recent conflicts, including in the former Yugoslavia, Sierra Leone, India (Kashmir), Peru, Burma, Rwanda, Sri Lanka, the Democratic Republic of Congo (DRC), Angola, Sudan, Côte d'Ivoire, East Timor, Liberia, Algeria, the Russian Federation (Chechnya), and northern Uganda.<sup>13</sup> While it is not feasible to cover all of these conflicts in detail in a study of this length it is worth noting that many, if not all, of the characteristics and challenges of SGBV as a weapon of war are consistent from conflict to conflict. So while this report is primarily African focused in response to the evidence of the panel of experts, the issues raised here are representative of sexual violence as a weapon of war as a global phenomenon and a distinguishing feature of the significant majority of modern – especially inter-ethnic and inter-religious – conflicts.

### ***This is what they do to them...***

#### ***Recorded methods of SGBV in conflict include the following:***

- ***Gang Rape;***
- ***Multiple rape either by single or multiple assailants;***
- ***Abduction into sexual slavery;***
- ***Women beaten with sticks, whips or axes;***
- ***Women marked, tortured and mutilated; including, grave injury due to objects inserted into the vagina, mutilation of sexual organs with such weapons as knives or razor blades, gunshot wounds to the genitalia;***
- ***Forced abortion through the insertion of sharp objects into the vagina;***
- ***Forcing members of a family or community to rape each other.***
- ***Rape of children as young as 3 years old to avoid HIV***

<sup>11</sup> One of the best examples of such a study is Human Rights Watch Report: *Seeking Justice: The Prosecution of Sexual Violence in the Congo War*, Vol. 17, No. 1/A (2007).

<sup>12</sup> The CPHRC welcomes also the UNSC's decision in Res 1820 to ask the Secretary-General to provide an in-depth report by 30 June 2009 on ways to reduce sexual violence against women and girls. This could be an important tool towards reducing the use of such violence.

<sup>13</sup> See also: Jefferson, LawShawn R. "War as in Peace: Sexual Violence and Women's Status." In *Human Rights Watch World Report 2004*, p. 325. <http://www.hrw.org/wr2k4/download/wr2k4.pdf>

These crimes, often involving multiple attackers, are acts of great brutality. Victims suffer trauma of the most unimaginable depravity, often while neighbours and family members are forced to watch – at times even to participate.<sup>14</sup>

There seems to be no consistent pattern about *where* these attacks take place. Recorded incidents include the rape of 120 women by soldiers in the town square,<sup>15</sup> the rape of young girls by soldiers at a primary school,<sup>16</sup> women and girls raped in their homes both during periods of active conflict and while pursuing ordinary activities, attacks also commonly happen where women have left the relative security of populated areas (villages or camps) to travel to school, collect water or firewood.<sup>17</sup> This contextual variation reflects the different kinds of attacks that occur, ranging from rape as a public spectacle directed at the community collectively to soldiers targeting family houses or isolated individuals. As these different manifestations of SGBV tend to occur during the same time period in the *same* conflict zones, though, they do not represent different uses of SGBV but rather a normalization of SGBV as a method of warfare which is as likely to be used in an *ad hoc* manner by the individual soldier as in an organized manner during active conflict.

It is important to note that where sexual violence has escalated into a weapon of war, the primary impetus ceases to be sexual gratification. Sexual violence as a weapon of war is a power-seeking behaviour designed to humiliate and de-humanise the civilian population.

## The Purpose and Consequences of Sexual Violence in Conflict

When sexual violence ceases to be a private crime and moves into the public arena as a deliberate military strategy, certain characteristic purposes and consequences are observable. SGBV is a means of warfare when used to torture, injure, extract information, degrade, intimidate and punish individuals, families, and communities, in the context of an armed conflict. Sexual violence has also been used to clear territory by spreading fear in order to catalyse an exodus or to violate not only territory but also bloodlines through impregnation by invading forces or by hindering the ability of the enemy to re-

*My husband was forced to hold one of my legs when four men were raping me. He did not divorce me because he felt he participated in the rape somehow. We are not sharing the bed. He doesn't even touch me. He said I am a whore, he goes with young women now.*

**Survivor Testimony**  
**AllianceDARC**

<sup>14</sup> For a representative situation report see *The War Within the War: Sexual Violence Against Women and Girls in the Eastern Congo* (Human Rights Watch: 2002), pp. 54-61.

<sup>15</sup> Van Woudenberg, Anneke: Oral Evidence, CPHRC Hearing on Sexual Violence as a Weapon of War (March 2008).

<sup>16</sup> Mohammed, Ikhlass: Written Evidence, CPHRC Hearing on Sexual Violence as a Weapon of War (March 2008).

<sup>17</sup> Médecins Sans Frontières: *The Crushing Burden of Rape: Sexual Violence in Darfur* (2005).

populate by forced sterilisation, forced abortion, intentional infection with HIV and the inducement of other forms of long term damage to women's ability to reproduce.<sup>18</sup>

It is important that the cultural and psychological effects on both victim and community are taken as seriously as the physical ones: rape victims are often devalued as future brides due to cultural traditions while a raped woman can often expect her husband, family, and community to abandon or even abuse her. This is sexual violence as ethnic cleansing: the act of a warrior, endorsed by his commanders.

Furthermore, there is increasing evidence that when sexual violence is allowed to continue unchecked in a conflict context, when it is seen as a 'normal by-product of war', it becomes ingrained in societal behaviour patterns through a process of normalisation. This is observed even before peacetime with civilians committing sexual crimes in situations not involving active conflict or enemy forces. This has been identified as the direct result of de-sensitisation to acts of sexual violence arising from exposure and from the absence of normal social restraints that accompanies the breakdown of law and order.<sup>19</sup>

Especially devastating in a civilian population where religious and cultural traditional shame and ostracise victim, sexual violence causes long term societal damage that can rarely be repaired and constitutes a fundamental barrier to peace and reconciliation efforts.

## The Great Data Gap

While acknowledging the huge distance that individual testimony and local studies – each and every one of which represents a catalogue of bravery in the face of every kind of intimidation – have brought us, we are even now working from an incomplete picture and it is time for a change. Inadequate evidence makes for poor policy and without accurate and systematic data gathering and reporting procedures the best intentions of the International Community will consistently fail to deliver policies that translate into real protection for women on the ground.

The NGO Working Group on Women Peace and Security (NGOWG) used the recent UNSC open

### ***We Count the Victims Once They're Dead...***

*'Now, counting statistics in these societies is difficult, it is difficult in any society to be able to adequately do this. But the UN Security Council...the international community has not done enough to focus on collecting this information.'*

*'Why is it that we talk about the tens of thousands of women who have been raped? We don't know exactly, yet I can tell you that 4 million people have died. They're collecting that information, it's just that there isn't enough attention focused on this.'*

**Anneke van Woudenberg  
Statement to CPHRC, March 2008**

<sup>18</sup> It is estimated that during the Rwandan Genocide over 70% of women sexually assaulted were infected with HIV. Dr James Smith: Written Evidence to CPHRC: Sexual Violence as a Weapon of War (March 2008).

<sup>19</sup> Turrell, Sue and Anneke van Woudenberg: op. cit.

debate on women, peace and security<sup>20</sup> which marked the seventh anniversary of UNSCR 1325 to call for greater accountability and specifically identified ‘inadequate information and limited capacity to collect data and evidence’ as one of the persistent challenges to effective implementation of 1325.<sup>21</sup> UN Missions and Security Council reports need ‘improved collection, analysis and inclusion of information on women and gender issues, including sexual violence, as part of conflict prevention and early warning efforts.’<sup>22</sup>

## What Can Be Done?

### The UK and the Need for Action

The UK National Action Plan to Implement UNSCR 1325 is the main instrument for ensuring that gender issues are taken into account in Foreign Policy. While both UNSCR 1325 and the UK National Action Plan will be discussed more thoroughly in the following chapter it is relevant to raise the issue of UK action on the challenge of data collection at this juncture.

Although the UK Action Plan does call for ‘HMG to ensure that gender elements are incorporated in the objectives of Security Council missions and make recommendations relating to women and girls in any follow-up reports (Action Point 1),’ there is no specific mention of the need for better information gathering, reporting and monitoring mechanisms. The CPHRC consider that this should be an urgent priority not only in terms of a report from the Secretary-General on the subject but also in terms of a stand-alone monitoring mechanism within the Security Council.

As such a mechanism will take time to appear, however, the CPHRC propose that the joint FCO, DFID and MOD team tasked with conflict prevention and peacekeeping commission a study on Sexual Violence as a Weapon of War to produce a platform for national policy development on the subject and especially to address the challenges of In Country data collection, monitoring and reporting at a national level.

## Recommendations

- 1. A Conservative Government must recognize sexual violence against women as a weapon of war and a serious threat to national and international security and use the UK’s position as a Permanent Member of the UNSC to ensure that the International Community takes this into account in all resolutions and peacekeeping missions.**

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<sup>20</sup> For transcripts of the debate see [http://www.peacewomen.org/un/7thAnniversary/Open\\_Debate/index.html#opendebate](http://www.peacewomen.org/un/7thAnniversary/Open_Debate/index.html#opendebate)

<sup>21</sup> NGOWG Issue Brief: *Accountability for Implementing Security Council Resolution 1325* (Oct 2007), p. 2. For further information on the progress of this strand of advocacy see <http://www.womenpeacesecurity.org/>

<sup>22</sup> NGOWG to 52nd Session of the Commission on the Status of Women: *SCR 1325 & Financing for Gender Equality* (March 2008).

- 2. A Conservative Government needs to lead the International Community in finding solutions to the obstacles to proper data gathering and reporting of SGBC so that future policy decision can be based on better evidence and situation modeling. Only then can there be hope of effective containment of the phenomenon.**
  
- 3. A Conservative Government should immediately commission a joint FCO, DFID and MOD study on Sexual Violence as a Weapon of War to produce a platform for policy development on the subject and especially to address the challenges of In Country data collection, monitoring and reporting.**

## Where we really are with women's rights A Critique of Action So Far

In order to grasp the scale of the challenge posed by SGBV it is necessary to cut through the flood of discourse on gender issues and establish where we really are with women's rights. Feminist-fatigue set in some time ago now, but the fact is that even though in 2008 we celebrate the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights whose very first article states that 'all human beings are born free and equal in dignity and rights,' even today far too many women in far too many countries find no protection from the international community as their rights are routinely and systematically violated simply because they are women.<sup>23</sup>

### A Bit of History

Modern gender politics began in 1949 when the Geneva Convention stated that women would be protected from rape and any other form of sexual assault. Since then, women's rights and in particular, women's role in conflict, peace and security has received increasing attention from the international community giving rise to several major women's rights instruments the most relevant of which are:

#### **Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW, 1979)**

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.<sup>24</sup> Currently, 185 countries - over ninety percent of the members of the United Nations - are party to the Convention.

<sup>23</sup> Article One: UN Universal Declaration of Human Rights (1948). <http://www.un.org/Overview/rights.html>

<sup>24</sup> <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>

### **And yet women remain far from equal....**

*Women still make up a staggering 70% of the 1.2bn people living in poverty;*

*Women suffer from a disproportionate lack of access to education and health services with two thirds of the world's one billion people who cannot read or write and;*

*There is not one country in the world where women have equal socio-economic and political opportunities as men;*

*There are still countries where women are denied the right to vote and stand for election and in the vast majority of countries in the world women remain underrepresented at senior decision-making levels;*

*At least 80% of a possible 40 million refugees worldwide are women and children;*

*Every day 6,000 girls undergo Female Genital Mutilation (FGM);*

*And, most horrifyingly, amongst women aged between 15-44, violence by a partner or family member causes more death and disability worldwide than war, cancer, malaria and traffic accidents combined.*

## UN Security Council Resolution 1325 on Women and Peace and Security (2000)

Security Council Resolution 1325 was unanimously adopted during the Namibian Presidency of the Security Council on 31 October 2000. It is a watershed political framework that outlines the equal right of women to participate fully in decisions affecting their security, assures women across the globe that their human rights will be protected, and resolves that barriers to their equal participation in conflict prevention and resolution efforts.

The resolution calls on member states to:

- increase the participation of women in conflict resolution and peace processes;
- incorporate gender perspectives in peacekeeping operations and in the training of peacekeepers;
- take special measures to protect women and girls from gender-based violence; and
- take the different needs of male and female ex-combatants into consideration when planning disarmament.<sup>25</sup>

## UN Security Council Resolution 1820 on Sexual Violence in Conflict (2008)

The CPHRC welcomes UNSC 1820 which was unanimously passed while this report was being produced.<sup>26</sup> This is the first Security Council Resolution solely concerned with the battle against sexual violence in conflict and, despite reservations expressed by China, Russia, Indonesia and Vietnam, marks an end to the debate about whether sexual violence as a weapon of war is a security issue and matter for the active consideration of the Security Council. The Resolution:

- Calls for crimes of sexual violence to be excluded from amnesty provisions and for Member States to prosecute such crimes and ensure equal protection and access to justice for victims;
- Requests information and recommendations on the protection of women and girls to be included in the Secretary-General's country-specific reports;
- Recognizes the link between sexual violence and the suppression of women's participation in conflict prevention and peacebuilding;
- Explicitly requests pre-deployment training and urges the development and strengthening of the response capacity of national institutions (including judicial and health systems) and local civil society networks.

In response to the dearth of reliable data on this issue, the resolution also requests the Secretary-General to provide an extensive report on the implementation of Resolution 1820, information on the use of sexual violence (including prevalence and trends), strategies to prevent such violence and

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<sup>25</sup> <http://daccessdds.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>

<sup>26</sup> Security Council Resolution 1820 was adopted unanimously on 19 June 2008 at the Open Debate on Women Peace and Security, presided by US Secretary of State Condoleezza Rice. The resolution was co-sponsored by Security Council members: Belgium, Burkina Faso, Croatia, Costa Rica, France, Italy, Panama, South Africa, UK and USA, as well as some 32 other UN member states. For the full text of the resolution see <http://daccessdds.un.org/doc/UNDOC/GEN/N08/391/44/PDF/N0839144.pdf?OpenElement>

benchmarks for measuring progress. This is a particularly positive step which will hopefully lead to improved implementation of both UNSC 1325 and 1820 but it still falls short of calling for a dedicated monitoring mechanism.

## Critical Gaps in UN Implementation<sup>27</sup>

**Persistent Resistance to Gender Mainstreaming** | UN resolutions and Peacekeeping Mission Mandates still do not consistently incorporate UNSCR 1325 language and promote gender perspectives – despite the fact that the agenda for gender mainstreaming adopted by UN almost 8 years ago now should make this automatic. Regardless of the fact that by its own resolution the UNSC has determined that a gender perspective is relevant to every proceeding of the Security Council, many members are still actively resistant to this position preferring to see gender as a competing agenda issue.

**Constant Challenge of Language** | This ongoing lack of political will on the part of some Member States, combined with a lack of awareness about the complex and integral roles which SGBV and gender issues in general play in the modern conflict context, mean that even now every inclusion of language referring to UNSCR 1325 is the result of intensive lobbying.<sup>28</sup> The NGOWG, in partnership with the Permanent Missions to the UN of Canada, Chile and the UK, have created very useful tool in the form of a checklist for UNSCR 1325 language to be included in Security Council Resolutions.<sup>29</sup> Successful implementation of the rights and protections enshrined in UNSCR 1325 are dependent on this language being included in specific Mission mandates and resolutions and it is unacceptable that we are still battling to get to the first step in the process for each and every situation of concern.

**Inadequate Reporting and Monitoring Mechanisms** | Until there is a dedicated monitoring mechanism *within* the Security Council for the implementation of UNSCR 1325 the mainstreaming of gender perspectives – and specifically the consistent treatment of SGBV as a security threat – will remain an uphill battle and all policy development will be based on an incomplete picture of the true scope and gravity of sexual violence as a weapon of war.

In short, although the battle for awareness of gender is well on the way to being won, and although many countries are fully committed to UNSCR 1325 in words this isn't necessarily translating itself into action.

## The UK: We Need Outcomes not Processes

### UK National Action Plan to Implement UNSCR 1325 (2006)

Six years after 1325 was adopted by the UNSC, and following a report on the situation by the UN Secretary-General in 2004, the UK launched its National Action Plan to Implement UNSCR 1325. The UK

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<sup>27</sup> For a more sophisticated analysis of this issue see *Accountability for Implementing Security Council Resolution 1325* (NGOWG Issue Brief, 2007).

<sup>28</sup> The CPHRC welcome the significant progress made with the recent UNSCR 1807 (2008) on the Situation concerning the Democratic Republic of Congo, which refers to provisions to protect women as resolved in UNSCR 1325 in both the preamble and Article 13 (e) but regrets that this is an unusual victory and should be automatic.

<http://daccessdds.un.org/doc/UNDOC/GEN/N08/288/63/PDF/N0828863.pdf?OpenElement>

<sup>29</sup> Checklist on Women's Participation and Gender Perspectives in Security Council Resolutions (NGOWG, 2004).

<http://www.peacewomen.org/un/ngoadvocacy/1325Tools/checklist.pdf>

Action Plan is jointly administered by the Foreign and Commonwealth Office (FCO), Ministry of Defence (MOD) and Department for International Development (DFID) and its stated aims are:

- ensuring gender perspectives are included in all Security Council mandates for peacekeeping and peacebuilding operations;
- ensuring planning for UN Peace Support Operations includes gender components;
- continuing to deploy UK female military and police personnel in peace support operations;
- auditing of UK armed forces PSO training to ensure it deals adequately with the areas covered by UNSCR 1325; and
- including programming on women's issues in strategies under the Africa and Global Conflict Prevention Pools e.g. in the Democratic Republic of Congo, the UK supports the electoral commission and women's organisations in developing a shared strategy and action plans to ensure women's full participation in the elections as voters, potential leaders, civic educators and election observers.<sup>30</sup>

## Room for Improvement

The CPHRC consider the UK National Action Plan to be a good plan. As one of only nine countries to have a formal implementation mechanism, although some have relevant action points included in broader gender legislation, the UK has shown more will than most to realize the rights enshrined in 1325.

A fairly straightforward 12-point plan, The UK NAP 1325 divided into five areas:

1. UK Support to the United Nations (UN);
2. Training and Policy within Her Majesty's Government (HMG);
3. Gender Justice, including Gender-Based Violence (GBV);
4. Disarmament, Demobilisation and Reintegration (DDR);
5. Working with Non-Governmental Organisations (NGOs).<sup>31</sup>

**No Benchmarks** | The main criticism of this plan echoes concerns about implementation at the UN level – at present there are no benchmarks for implementation. In many ways this is the by-product of what is an aspirational document and the CPHRC would not want to see a target driven, rigid alternative that cannot respond to opportunities or changing situations. However, a complete lack of published mechanisms for monitoring including indicators, measurable rather than qualitative goals and a best practice review process mean that it is difficult to have a transparent process to measure the success of activity or to hold the Government to account. The Austrian National Action Plan published in August 2007 offers a good example of a similar action oriented plan that lays out very clear criteria for coordination, monitoring and reporting.<sup>32</sup>

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<sup>30</sup> [http://www.un.org/womenwatch/feature/wps/UK\\_action\\_plan\\_public\\_version\\_Sept\\_06.pdf](http://www.un.org/womenwatch/feature/wps/UK_action_plan_public_version_Sept_06.pdf)

<sup>31</sup> UK National Action Plan to Implement UNSCR 1325 (2000):

[http://www.un.org/womenwatch/feature/wps/UK\\_action\\_plan\\_public\\_version\\_Sept\\_06.pdf](http://www.un.org/womenwatch/feature/wps/UK_action_plan_public_version_Sept_06.pdf) and Updates To The UK National Action Plan To Implement Unscr 1325 (2007): <http://www.fco.gov.uk/resources/en/pdf/unscr-1325-uk-action-plan>

<sup>32</sup> See *Austrian Action Plan on Implementing UN Security Council Resolution 1325 (2000)*, Federal Ministry for European and International Affairs (Aug 2007). [http://www.bmeia.gv.at/fileadmin/user\\_upload/bmeia/media/2-Aussenpolitik\\_Zentrale/UN\\_Security\\_Council/4328\\_action\\_plan.pdf](http://www.bmeia.gv.at/fileadmin/user_upload/bmeia/media/2-Aussenpolitik_Zentrale/UN_Security_Council/4328_action_plan.pdf)

As the final point in the Action Plan is to engage effectively on gender issues with civil society groups and Parliamentarians, an absence of clear monitoring and reporting processes needs to be addressed in order to meet the purposes laid out within the document itself. But simply in terms of good practices of policy making, the Government need to find better ways of finding out whether money allocated to 1325-related projects is being spent in the most effective manner possible.

**No Gender Budget** | Currently there is no ring-fenced gender budget and all 1325-related projects must compete for funds from the Conflict Prevention Pool.<sup>33</sup> Conflict Prevention Pool is jointly run by the FCO, MOD and DFID with an annual (FY 2007/08) budget of £138.5 million which will rise in 2008-11 to £185 million. The internal “Guidelines and Procedures” for Strategy Managers within the Conflict Prevention Pool (CPP) do refer specifically to SCR 1325 but if the challenge of mainstreaming a gender perspective throughout FCO, DFID and MOD operations is to be met, there should be funds set aside to implement projects and programmes alongside all conflict prevention activities, otherwise, when combined with the lack of objective monitoring criteria, implementation in this area will always be vulnerable.<sup>34</sup>

Further comment and criticism on individual action points within the UK Action Plan will be incorporated into discussion of the challenges of SGBV in the following pages.

## Recommendations

- 4. A Conservative Government should adopt and improve UK National Action Plan to Implement UNSCR 1325. Specifically a Conservative National Action Plan should include measureable indicators, goals and best practice so that progress can be transparently assessed and policy continually refined. A Conservative Government should establish a National Action Plan for the Implementation of UNSCR 1325 that is focused on outcomes and not processes.**
- 5. A Conservative Government should be committed to the mainstreaming of 1325 in every aspect of SC, DPKO, UNDP and other UN Agencies’ proceedings. In particular, noting the inconsistency of language to date should work to ensure that all mandates for UNPKOs, including their terms of reference, and standard reporting procedures mandated for these missions incorporate regular and adequate monitoring on the implementation of SCR 1325 in the field.**
- 6. A Conservative Government should urgently call for, and lobby other Member States to support, a UNSC Monitoring Mechanism for the Implementation of 1325.**

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<sup>33</sup> From 1st April 2008 the Conflict Prevention Pool (CPP) replaced the former Global Conflict Prevention Pool (GCPP) and Africa Conflict Prevention Pool (ACPP). In 2007/08 the total allocated funds for both GCPP and ACPP was £138.5m. The CPP budget is £112m in 2008/09, £109m in 2009/10 and £106m in 2010/11. Post-conflict stabilisation work in Afghanistan and Iraq is now funded separately through the £73m Stabilisation Aid Fund (SAF). In 2008/09 the total allocated funds for both CPP and SAF is £185m. The increase in percentage terms is 33.5%

<sup>34</sup> Updates To The UK National Action Plan To Implement UNSCR 1325 (2007), p. 9:  
<http://www.fco.gov.uk/resources/en/pdf/unscr-1325-uk-action-plan>

## Is There No Justice? Putting an End to the Culture of Impunity

### ***The Rapists are Being Put in Charge of the Peace...***

*One of the Generals in Congo, a General by the name of Jerome Kakwavu... is known for liking to pick the youngest girls at the high school where he is stationed, going to the school himself, picking the prettiest 14 year old, taking her out of the school to his home, raping her over two or three weeks and throwing her on the street, inevitably HIV positive because he is HIV positive. Then he goes to the next one.*

*This has been well documented by the UN – it has been well documented by Congo's own justice system – but because he is a general he is untouchable and rather than being held to account he was promoted. Today he is responsible for the Social Services and the Veterans Programme of the Congolese Army.*

*What army can ever adequately protect its people when it has individuals like that in its upper ranks?*

**Anneke van Woudenberg  
Human Rights Watch**

In the UK we have a proud tradition of the rule of law and the independence of the judiciary and yet not only does our conviction rate for rape hover at a pitiful 6% but convictions have actually plummeted in the last quarter of a century.<sup>35</sup> These statistics serve as a sobering reminder of the inherent challenges of prosecuting sexual crimes in non-conflict countries with well established national justice and law enforcement systems let alone in countries where legal systems range from non-existent to actively hostile to the prosecution of crimes against women. Nevertheless, all the political will in the world will have no impact whatsoever if it does not result in an effective deterrent to those who choose to see sexual and gender-based violence as a legitimate weapon of war.

It is up to the International Community to make it perfectly clear that sexual violence as a weapon of war is a war crime – a crime against humanity – and will not be tolerated.<sup>36</sup> The only way for such a message to be communicated is through the successful prosecution of highly visible perpetrators in an international context. Women will never be safe until we put an end to the culture of impunity that allows sex crimes to continue unchecked and rapists to go free.

Where national justice systems are unable to fulfill this role we need to be looking for other forms of transitional and international justice solutions. We cannot allow cultural sensitivity to justify moral blindness and we cannot let the *status quo* continue. The ball is in our court.

<sup>35</sup> In 1977 the conviction rate was as high as 33%: *Women in the World*, op. cit.

<sup>36</sup> Article 7 of the Rome Statute defines 'Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity' as a crime against humanity when 'committed as part of a widespread or systematic attack directed against any civilian population.' [http://www.icc-cpi.int/library/about/officialjournal/Rome\\_Statute\\_English.pdf](http://www.icc-cpi.int/library/about/officialjournal/Rome_Statute_English.pdf), pp. 3-4.

## Why is Prosecution So Hard?

**Wall of Silence** | Women are afraid to admit to having been raped or otherwise sexually assaulted, and with good reason. In many cultures admitting to involvement in an extra-marital sex act, consensual or not, can result in abandonment and abuse from family and community at times it can even result in criminal conviction for the victim.

**Poor Policing** | Victims of sex crimes frequently meet lack of sympathy when they do attempt to seek justice. Local law enforcement agencies may not believe the victim or take action on the report. NGOs report that police are often unhelpful, poorly trained in processing sexual violence victims and evidence and even verbally and physically abusive.<sup>37</sup>

**Dangerous Laws** | In many traditional cultures the law itself is a major stumbling block to successful prosecution. A woman's testimony is still viewed with suspicion in many countries and men are reluctant to testify to the rape of a spouse or female family member due to the stigma that falls on the whole family.<sup>38</sup> Indeed, a woman may even risk prosecution for adultery – a crime which can incur the death penalty – if she admits to extra-marital intercourse without witnesses who are willing to testify she withheld her consent.

**No Evidence** | Knowledge and implementation of effective forensic procedures rarely meet international standards, while traditional detection methods such as DNA analysis and other biological evidence gathering are often inaccessible to law enforcement agencies outside major urban centers. In addition to this, even when a woman comes forward she may not have sought medical treatment immediately, whether due to trauma, fear of reprisals or lack of access, so that not even medical reports – frequently the only independent evidence available in the absence of more sophisticated forensics – can be used to build a case for the prosecution.

**Poverty** | The worst cases of sexual violence are most frequently committed in remote, poverty-stricken villages. Even in the rare cases where a woman has the support of her family and community and evidence to support her claim, she is unlikely to have the money to see a claim through from reporting to law enforcement agencies to testifying in the nearest court – travel, food, loss of earnings, legal fees all represent significant barriers to the most vulnerable women seeking justice.

*'Peace without justice is like building a house without foundations; it is a pseudo-peace doomed to collapse at the very first storm'*

**Bishop Macram Max Gassis**  
**Sudanese Exile**  
**Pope John XXIII (Lecture 2001)**

<sup>37</sup> Refugees International: *Laws Without Justice: An Assessment of Sudanese Laws Affecting Survivors of Rape* (June 2007), p. 6.

<sup>38</sup> In Sudan, for example, many judges require the sexual act to have been witnessed by four competent men, verification that is all but impossible to obtain. Others will accept the testimony of a man who swears on the Qur'an that he did not commit rape, but will not accept contrary testimony from a woman that she was indeed raped. Ibid, p. 7.

**Fear of Reprisals** | In countries with non-functioning justice systems it is no surprise that victims – and witnesses – cannot hope for protection from the state. In conflict and post-conflict situations those who speak up are vulnerable to retaliation directed at themselves, their families and communities. In the Congo, seven men convicted of the rape of over 100 women in the village of Songo Mboyo escaped within six weeks of sentencing to return and exact revenge on the victims and lawyers involved.<sup>39</sup>

**Power Protects the Perpetrators** | Many perpetrators benefit from written or unwritten codes of immunity arising from their positions within the Military, Government or law enforcement agencies. Law enforcement personnel are frequently unwilling to testify or prosecute colleagues or those in positions of power. In some countries, those in positions of power may even literally be above the law and protected from prosecution by the national justice system itself.<sup>40</sup>

**Political Resistance** | Finally, and perhaps most worryingly, in many circumstances there is no political will to bring about the changes needed to protect women and prosecute the perpetrators. *AllianceDARC* states that ‘prevalent attitudes range from denial of the magnitude of the problem (*‘it is not that bad’*), to aggressive rejection (*‘it is an outside plot or propaganda’*), disbelief (*‘we don’t do these things in our culture’*), desensitization or resignation (*‘what do you expect – these things happen in wars’*), blame transference (*‘peacekeepers are also doing it’*), helplessness (*‘so what?...we can’t do anything about it while the fighting continues’*) to complete hopelessness or cynicism (*‘they’ll get away with it – they always do’*).’ Indeed, even in the face of extensive documentation President al-Bashir denies that sexual violence is prevalent in the Darfuri Conflict and in doing so, destroys all hope of justice for the victims.<sup>41</sup>

## Options for Transitional and International Justice

In response to evidence of grave failures of national justice systems to implement the rights enshrined within the international legal instruments mentioned in the preceding section, the International Community set about creating an international justice system capable of enforcing international law.

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<sup>39</sup> UN Report: *The Human Rights Situation in the Democratic Republic of Congo (DRC): During the Period of January to June 2006*, MONUC (July 2006), p. 11. [http://www.monuc.org/downloads/HRD\\_6\\_month\\_2006\\_report.pdf](http://www.monuc.org/downloads/HRD_6_month_2006_report.pdf); Yakin Ertürk: *Promotion and Protection of all Human Rights, Civil, Political, Economic, Social and Cultural, Including the Right to Development: Report of the Special Rapporteur on violence against women, its causes and consequences*, Addendum: Mission To The Democratic Republic Of The Congo A/HRC/7/6/Add.4 (Feb 2008), p. 12.

<sup>40</sup> Refugees International: op. cit., p. 10-11.

<sup>41</sup> In an interview with the American NBC television network aired in March 2007, President Bashir denied his government is complicit in ethnic-cleansing, rape and other atrocities in Darfur and accused the United States of fabricating evidence to the contrary. <http://www.globalsecurity.org/military/library/news/2007/03/mil-070320-voa07.htm>. Pre-Trial Chamber I of ICC is currently considering the Prosecutor’s Application for Warrant of Arrest under Article 58 Against President Omar Hassan Ahmad AL BASHIR the crimes of genocide, crimes against humanity and war crimes in Darfur. <http://www.icc-cpi.int/library/organs/otp/ICC-OTP-Summary-20081704-ENG.pdf>

## International and Hybrid Tribunals

During the 1990s, the UNSC authorized international war crimes tribunals for conflicts in the Balkans (International Criminal Tribunal for the Former Yugoslavia, established in 1993)<sup>42</sup> and Rwanda (International Criminal Tribunal for Rwanda, established in 1994).<sup>43</sup> Despite the important developments that these institutions made in international criminal law, however, these courts proved to be limited in their contribution to the long-term capacity of post-conflict states to operate under the rule of law. In response to this, new types of hybrid tribunals, designed to prosecute international crimes in post-conflict states that combined the power and expertise of the international community with the indigenous law and legal community, were set up in Sierra Leone (Special Court for Sierra Leone, established in 2002)<sup>44</sup> and Cambodia (the Extraordinary Chambers in the Courts of Cambodia, also known as the Khmer Rouge Tribunal, established in 1997).<sup>45</sup>

## International Criminal Court

The International Criminal Court (ICC) was created by a treaty called the Rome Statute which was completed in 1998. Finally, in July 2002, the ICC began operations as the primary international institution for the prosecution of war crimes, crimes against humanity and genocide or international crimes. The ICC is an independent institute located in The Hague; it is not part of the UN. The ICC consists of 18 judges, of whom 8 are women – a greater percentage than any previous international court. As of May 2008 105 states are party to the statute.

Early this year, Thomas Lubanga Dyilo, accused of war crimes allegedly committed in the Democratic Republic of Congo, became the first defendant to enter trial at the ICC. A second suspect, Germain Katanga, also accused of crimes against humanity and war crimes committed in Ituri in the DRC, was arrested and transferred to the court in October 2007. A further nine arrest warrants are in existence and four investigations are ongoing – in the Democratic Republic of Congo, Darfur, Uganda and, since May 2007, the Central African Republic.

The ICC has jurisdiction over all states that are party to the Rome Statute and cases can be referred for investigation by any state party or by the UN, EU or other multilateral institution with reference to a situation in any state.<sup>46</sup> Of the four investigations currently underway, the DRC, Uganda and CAR requested an ICC investigation within their own states while the situation in Darfur was referred to the ICC by resolution of the UNSC even though the Sudan was not party to the referral and is not a signatory to the Rome Statute.<sup>47</sup>

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<sup>42</sup> <http://www.un.org/icty/>

<sup>43</sup> <http://www.ictt.org/>

<sup>44</sup> <http://www.sc-sl.org/index.html>

<sup>45</sup> <http://www.eccc.gov.kh/>

<sup>46</sup> Although the UNSC may block an investigation for up to a year in the interests of its peace agenda.

<sup>47</sup> UNSCR 1593 (2005). <http://daccessdds.un.org/doc/UNDOC/GEN/N05/292/73/PDF/N0529273.pdf?OpenElement>

## Legal Basis for the Prosecution of SGBV in International Criminal Law

It is disturbing to note just how little rape was acknowledged just 60 years ago. In the aftermath of WWII, neither rape nor gender-based crimes were included in the Charter for the military trials at Nuremberg, nor for the equivalent trials which occurred in Tokyo. The good news is that there are now precedents for the prosecution of sexual violence as a war crime, a crime against humanity, and a crime of genocide in both International Tribunals and Hybrid Courts.

### Sexual Violence as Genocide: The Akayesu Trial

The first conviction in history of rape as a crime of genocide occurred in the ICTR.<sup>48</sup> Akayesu was Mayor of Taba in Rwanda and referred to the court on charges of genocide, crimes against humanity and other war crimes which did not specifically cite sexual violence. During trial, however, testimony of sexual assault – including one woman who named the men who gang raped her 6-year-old daughter in front of her – led the court to allow charges of sexual violence to be added to the indictment. The court ruled that as the sexual violence was directed exclusively at Tutsi women with the intention of ethnic cleansing, these crimes met the criteria to be considered crimes of genocide and Akayesu was convicted accordingly.<sup>49</sup>

### Sexual Violence as a Crime Against Humanity: the Rome Statute

The Rome Statute filled some long term gaps in international criminal law on sexual violence. For the first time, ‘Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity’ when ‘committed as part of a widespread or systematic attack directed against any civilian population’ are explicitly defined as crimes against humanity and war crimes. Sexual violence can also be prosecuted as the crime against humanity of persecution on the basis of gender, torture, enslavement and other inhuman acts.

These precedents are groundbreaking. Many national legal systems fail to list these crimes in their statutes – including South Africa, a country with the highest incidence of rape in peacetime in the world. This is the first time the victims of sexual violence are being treated as equal to victims of killings, torture and inhuman treatment.

### The Prosecutor v. Jean-Pierre Bemba Gombo

Although charges against other defendants include, the case against Jean-Pierre Bemba Gombo is the first referred to the ICC primarily on the basis of crimes of sexual violence.<sup>50</sup> Jean-Pierre Bemba Gombo is the President and Commander in Chief of the Mouvement de libération du Congo (MLC) and Pre-Trial Chamber III of the ICC found that there are ‘reasonable grounds to believe that in the context of a

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<sup>48</sup> *Prosecutor v. Akayesu*, Judgement, Case No. ICTR-96-4-T, 2 September 1998.

<sup>49</sup> Askin, Kelly D.: *A Decade of the Development of Gender Crimes in International Courts and Tribunals: 1993-2004*, 11 Human Rights Brief 16 (2004).

<sup>50</sup> *Prosecutor v. Jean-Pierre Bemba Gombo*, Case No. ICC-01/05-01/08

protracted armed conflict in the Central African Republic from about 25 October 2002 to 15 March 2003, MLC forces led by Jean-Pierre Bemba Gombo carried out a widespread or systematic attack against a civilian population during which rape, torture, outrages upon personal dignity and pillaging were committed in, but not limited to, the localities of PK 12, Bossongoa and Mongoumba.<sup>51</sup> Although his arrest warrant remains sealed, the ICC press release announcing his arrest on 28 May 2008 states that:

The number of rapes carried out with shocking brutality is a particular feature of this case. *'He had done it before in CAR, he had done it before in the DRC. He had to be stopped...Mr. Bemba's arrest is a warning to all those who commit, who encourage, or who tolerate sexual crimes. There is a new law called the Rome Statute. Under this new law, they will be prosecuted,'* said the Prosecutor.

*'There are no excuses for hundreds of rapes. There are no excuses for the rape of a little girl, with her parents watching. There are no excuses for commanders ordering, authorizing or acquiescing to the commission of rapes and looting by their forces. We have evidence that Mr Bemba committed crimes. With the Rome Statute, nobody is beyond the reach of international criminal justice. Nobody can side with the criminals and against the victims. Bosco Ntaganda, who committed crimes in Ituri and continues to commit crimes today in the Kivus, Joseph Kony of Uganda's Lord's Resistance Army, Ahmed Harun, Minister of Humanitarian Affairs for the Sudan, will also end up in jail.*

*'I went to CAR, I met the victims, those who survived the violence, those who survived AIDS. We cannot erase the scars. But we can give them justice.'*<sup>52</sup>

This case involving crimes of sexual violence in both CAR and DRC has the potential to mark real turning point in the battle against sexual violence as a weapon of war and in the light of current events in the DRC could not be more urgent. A conviction of crimes against humanity and war crimes, brought by a permanent international court, sends a very clear message to perpetrators and victims of sexual violence around the world. A message which says the days of impunity are over, the International Community will not tolerate sexual violence and the systems are now in place to prosecute the criminals and protect the victims. It is up to the UK, the UNSC and ICC State Parties to do all in their power to assist this prosecution, including surrendering, assisting, and where necessary protecting witnesses, as well as bringing diplomatic influence to bear on both CAR and DRC to cooperate in full measure.

## Supporting and Rebuilding National Justice Systems

Obviously the endgame in ending the culture of impunity is to support and rebuild national justice systems from within whether as a form of conflict prevention or post-conflict reconstruction. The challenges facing justice systems in these countries are outlined with reference to sexual violence in the section 'Why is Prosecuting Sexual Violence So Hard?' but the same challenges are relevant to other

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<sup>51</sup> *Jean-Pierre Bemba Gombo arrested for crimes allegedly committed in the Central African Republic*, The Hague, ICC-CPI-20080524-PR315-ENG (24 May 2008).

<sup>52</sup> *ICC Arrest Jean-Pierre Bemba – massive sexual crimes in Central African Republic will not go unpunished*, The Hague, ICC-OTP-20080524-PR316-ENG (24 May 2008): [http://www.icc-cpi.int/pressrelease\\_details?id=371.html](http://www.icc-cpi.int/pressrelease_details?id=371.html)

crimes. Fragile and poorly functioning justice systems, do in fact offer a plethora of opportunities for the International Community to partner with local democratic representatives, law enforcement and judicial personnel, grassroots civic action groups and NGOs to provide training, expertise sharing and aid, whether on a multilateral or bilateral basis.

The key is to try and identify instability within countries *before* they descend into open conflict and strengthen justice systems then. Even if it later proves impossible to prevent conflict, the country will be in a much better position to protect the civilian population and recover post-conflict. One of the problems identified by the CPHRC is the tendency to see justice systems as a post-conflict issue, whereas allowing criminals to act within impunity in a conflict situation only causes more damage in terms of both societal and human cost and creates a cycle of revenge that perpetuates conflict and lawlessness.

## Let Justice be Seen to be Done

Another serious barrier to the creation of an effective deterrent to sexual violence is the very visible impunity enjoyed by high profile perpetrators of sexual violence. As mentioned above, many are protected by written or unwritten codes of immunity within the national legal systems but just as worrying are the repeated failures of vetting systems to sift out these criminals. Examples like General Kakwavu in the DRC are sadly far too common still and post-conflict reconstruction missions need to find better and more effective vetting mechanisms. Such vetting mechanisms must operate a zero tolerance to perpetrators of sexual violence and send a message to other commanders as well as to the civilian population and the victims that the peace being built is one based on justice for all. Only in this way can there be any hope of reconciliation for who would trust a regime run by rapists?

## Where the UK Action Plan needs Improvement

Justice is the weak spot in UK National Action Plan. Action Point 9 intends to ‘to promote justice for women and tackle gender-based violence in post-conflict situations’ but while the CPHRC welcomes this goal, there is no mention of conflict prevention or in-conflict measures to promote justice and there is also no mention of the roles of international, transitional or hybrid justice systems in pursuing any of these aims.

In the 2007 Updates on progress with the UK Action Plan, a number of civic society awareness raising programmes are mentioned along with an excellent project which brought Iraqi officials from the judiciary, police and prison services to the UK for training and expertise exchange. DFID and UNIFEM are also cooperating on a project to support ‘community-based projects to gender-sensitive peacebuilding and preventing sexual and gender-based violence (SGBV) in the contexts of Afghanistan, Haiti, Liberia, Rwanda, Uganda, and Timor-Leste. Activities vary across these contexts, but most of the country-level work includes support for gender-sensitive policing, for improved justice system response to SGBV (including in informal justice institutions).’<sup>53</sup> While these efforts can only be praised, it is disappointing that there are not more direct training, best practice, and even secondment projects being directed at the failings of the formal justice systems of judiciary, police, and prison services – in particular, witness

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<sup>53</sup> Updates to UK NAP, op. cit., p.10.

protection. And there is also no specific reference to supporting vetting mechanisms which prioritise excluding perpetrators of sexual violence from positions in the government, military, judiciary and other law enforcement agencies.

## **Recommendations**

- 1. A Conservative Government should seek to end the culture of impunity surrounding crimes of sexual violence by adopting a zero tolerance attitude to perpetrators. The UK should actively support the ICC investigation into Jean-Pierre Bemba Gombo and seek convictions of similarly high profile perpetrators of sexual violence as a war crime, crime of genocide, and crime against humanity, to establish an international deterrent.**
- 2. A Conservative Government should seek to strengthen justice systems of fragile states before, during and after conflict through training, diplomatic measures and aid. In particular, through promoting more effective vetting mechanisms in the post-conflict reconstruction of democratic, judicial, law enforcement and military institutions.**
- 3. A Conservative Government should actively develop more and better ways to support victims and witnesses to crimes of sexual violence so that prosecutions can proceed to successful convictions. Measures to be investigated should include an international advocacy and witness protection fund for the victims of sexual violence.**

# Why are Women's Rights Abuses a Security Issue?

## The Role of Women in Conflict Prevention and Peacekeeping

Women's roles vary drastically from society to society but one thing remains constant: women and men face different challenges and need different responses when conflict or instability puts them at risk.<sup>54</sup> The impetus for gender mainstreaming which led to UNSCR 1325 arose as it became evident that conflict prevention and peacekeeping protocols were failing to take into account that women were not just by-standers in these conflicts, left at home to care for the children as their men went to war, but that they were at times gender-specific military targets, at times combatants in the conflict, and always partners in society building.

### Women's roles in conflict

We are only just beginning to fully recognize the range of roles that women and girls are playing in modern conflict situations. Often abducted, women are forced to *participate* in warfare by supporting troops as everything from cooks and porters to guards and fighters. Studies have found that in Sierra Leone, for example, the 'wives' of rebel RUF commanders were themselves given responsibility as commanders of small boys units. While, in the Lord's Resistance Army operating in Northern Uganda, 72% of girls reported receiving weapons and military training. Of course, many are also kept as sex slaves and repeatedly assaulted.<sup>55</sup> An indication of the significance of these women and girls to the armed groups is the extreme reluctance to release them; in May 2001, as a sign of their willingness to 'talk peace', the RUF released over

### You'll Need the Women If You Want to Make Peace...

*This tactic [sexual violence] is adopted for a very good reason – it's a destabilising effect on the community at the very local level as well as more nationally. A community's identity, its integrity, its honour is threatened and challenged through this weapon and it can create a cycle of revenge.*

*There are core realities in conflict that men and women experience conflict differently – it's not the same. Women do need protection from gender-specific violence. And also women must participate in peace building in the interest of sustainable peace.*

*Widespread sexual violence is a national and international security issue. It's not just a wrong in and of itself because it abuses an individual woman's rights; it is itself a threat to peace and it's a threat to the upholding of human rights more generally.*

**Sue Turrell**  
**CEO, Womankind**

<sup>54</sup> Turrell, Sue: Written Evidence to CPHRC: Sexual Violence as a Weapon of War (March 2008).

<sup>55</sup> McKay, Susan and Dyan Mazurana: *Where are the Girls? Girls in Fighting Forces in Northern Uganda, Sierra Leone and Mozambique: Their Lives During and After War* (Rights & Democracy: 2004).

1000 boys, but only 15 girls despite the fact that in an army in which child soldiers made up nearly half of the combatants, one third were girls.<sup>56</sup>

## Displaced and in Danger

### Women and children make up at least 80% of a possible 40 million refugees worldwide

Women and children constitute the vast majority of displaced people – internal and international. Women and children forced to flee their homes have often witnessed and experienced appalling atrocities and at the very least, they are driven by fear for their lives to abandon their homes, communities and possessions; to lose everything that defines their cultural identity in a desperate bid for a measure of safety. But refugee and IDP camps are frequently criticized for not responding to the health and security threats women face and consistently fail to offer a safe haven. Although multilaterals, governments and NGOs are working to resolve this issue, failing design and procedures make these camps a threat to women in their own right and constitute a major risk factor in conflict and post-conflict situations that still disproportionately affects women and children.

#### Danger:

#### Risks Women and Girls Face Daily in Refugee/IDP Camps (UNIFEM)

- Increased vulnerability to human rights abuses including sexual harassment, gender-based violence and severe sex discrimination, which are also reasons many women and girls flee their homes in the first place.
- Increased risk of HIV infection as wars and conflicts often force them to flee to areas where the virus is prevalent. Women and girls are also exposed to factors that facilitate transmission when they flee, including poverty, the disruption of health services and social structure and increases in sexual violence.
- The “protection gap” that results from the international aid community’s focus on providing food and shelter to the displaced while largely overlooking their security and protection concerns.
- Obstacles to reintegration and repatriation in the aftermath of a conflict. Abducted women and girls are often forced to serve as sex slaves, porters or soldiers in enemy militias and are therefore seen as accomplices and rejected by the community once the conflict is resolved.

<sup>56</sup> <http://www.womenwarpeace.org/node/4#introduction>

It is unacceptable, that having given up everything to gain some measure of safety for themselves and their children, those who have fled into the arms of the international community should find themselves equally, if not more, at risk – especially from SGBV. Human rights abuses in IDP and refugee camp contexts are very much a security issue but are largely treated as a humanitarian concern. This means that the agencies and NGOs tasked with running the camps lack the funding and the expertise to establish adequate protection and security measures. The UK should work with UNIFEM and UNHCR to find solutions to refugee camp security and should also push for the subject to be included on the Security Council agenda. The people in these camps are the same people who will be called on to rebuild their country and the more traumatized they become, the more unstable that country will remain.

### Abuses by Peacekeeping Forces

The unspeakable truth is that not only are we failing to enforce adequate systems of protection in the camps and elsewhere in conflict zones but far too often this risk is posed from UN troops themselves. Sexual violence and exploitation committed by peacekeepers must be stamped out and better mechanisms of pre-deployment gender training, vetting and disciplining must be put in place to prevent such cases ever occurring again.<sup>57</sup> The international community cannot hope to address the problem of SGBV until they get their own house in order.

### Let the Women Make Peace

The UN Department for Peacekeeping Operations (DPKO) states that ‘women and girls endure untold suffering during armed conflict, yet until recently they have been largely absent from the peace processes that follow.’<sup>58</sup> The international community has taken its time but is now accepting that as participants in all aspects of conflict women have the right to be heard at the negotiating table, that the story that women have to tell needs to be heard at senior decision-making level and that reparations and peace agreements should take into account the suffering of all the victims and combatants regardless of gender.

But there is more to it than that. Continued violence against women risks undermining fragile peace accords in post-conflict situations, at best preventing the recovery of communities and at worst catalyzing a cycle of revenge that can lead to a downward spiral back into full-scale conflict.<sup>59</sup> Where the protection of women and girls is not high on the agenda of peace negotiations, hope for a lasting peace is all but lost.

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<sup>57</sup> For more detailed recommendation in this area, and for UN reform in general see CPHRC Report: *Globalising Human Rights: A Conservative Agenda for UN Reform* (March 2008), p. 6.

<sup>58</sup> <http://www.un.org/Depts/dpko/gender/p2.pdf>

<sup>59</sup> Turrell, Sue: op. cit.

## Grassroots Women's Groups

Grassroots women's organizations and local NGOs have a huge role to play in communicating the true situation on the ground to those engaged in peacebuilding. In many cases, these organizations are the only ones who will have the confidence of local women and can act as vital conduits of information gathering and mediation between the centre and local communities. Even as DFID have moved to a policy of Direct Budgetary Support, which is broadly supported by the CPHRC, it is important to ensure that grassroots organizations still retain support needed – a country cannot be rebuilt simply from the top down, as we see in Iraq, nor simply from the bottom up a pincer action that encompasses both the leaders and the local people is best and most sustainable model.

### Send in the Women (but don't forget the men)...

One action which can be taken is to deploy more women as part of peacekeeping missions and FCO and DFID overseas placements. As yet female representation is extremely limited and needs to be prioritized.<sup>60</sup> Simply the presence of women within the peacekeeping forces acts as a restraining mechanism on SGBV and furthermore is vital at the primary reporting level. Very few victims of sexual violence are prepared to disclose their experiences to the opposite sex and in many countries discussion of intimate matters involved between men and women who are not married or related is a fundamental taboo. If you want to gather accurate data on sexual violence, men in uniform are not really the best vehicle.

But just as important is having female representation at senior decision-making level, SGBV and the wider gender perspective will never have a voice without champions at the top. In the majority of cultures where SGBV becomes endemic, there is already an intransigent male-dominated culture which is reflected at all levels of policy making. In order to redress the balance in favour of the protection of women advocates of gender mainstreaming need to be convincing and convinced. There is nothing to

*I do worry that the changes in aid policy are undermining these grassroots women's organisations by making it hard to access funds. They tend not to be the best organised NGOs and civil society organisations because women haven't had the same education that the men have had, they have less time to organise themselves – I'm talking now about the really local community level.*

*They need support, but they need it at smaller levels. The trend towards bigger grants, fewer grants, operating at a more strategic level, having to demonstrate your impact – that's pretty hard for a group of women in a village somewhere in Afghanistan or DRC. If we're ending up with just big groups who have got all singing, all dancing fancy reports, we're losing smaller groups and I think that's a really dangerous route to go down. I think it needs to be looked at in a more holistic way, how aid is given during conflict times, how we channel it to different levels of society so that each level is properly resourced.*

**Sue Turrell**  
CEO. Womankind

<sup>60</sup> Of the 76,934 UN Peacekeepers deployed on 22 UN Peacekeeping Operations in June 2008, only 1671 are women. That is just 2.17%. For a more detailed breakdown see *Gender Statistics*, UN Department of Peacekeeping (30 June 2008): <http://www.un.org/Depts/dpko/dpko/contributors/gender/2008gender/june08.pdf>

say men cannot fulfill this role, it's just inevitable that a woman will approach a challenge with a woman's perspective and that voice needs to be heard at the decision-making table and as current representation is so low, it is good to work towards a goal of deploying and appointing more women to conflict prevention and resolution posts.

In the final analysis though, the challenge is to end the culture which divides policy up between 'men's issues' and 'women's issues'. Peace will never be achieved without addressing both in equal measure and anyway, they are co-dependent: when a woman is raped her husband and family have also been attacked. Abuse of women's rights has a detrimental and destabilizing effect on the entire community.

So the goal is to bring both men and women to the table, all convinced of the primary importance of ending sexual violence, bringing about justice for the victims and protecting women and children at risk. Through offering training on SGBV to UK, UN and local personnel engaged in conflict prevention and resolution, and by mainstreaming gender issues in all UK policy, we need to create male champions as well as female ones. Only then will a cultural change begin and the conditions for peace and equality be realized.

### Where the UK Action Plan needs Improvement

The UK Action Plan is strongest in this area. Action Point 2 calls for gender perspectives in UN peace agreements, Action Point 3 for gender perspectives in peacekeeping operations and for the provision of funding for gender units/specialists as well as ensuring access to senior decision makers, Action Point 4 makes a funding commitment for gender mainstreaming in the UNDP/Bureau for Crisis Prevention and Recovery and to work with the UNHCR on reducing SGBV against refugees. Action Points 5 to 8 call for various measures to raise awareness of gender issues amongst key programme and project personnel, for MOD to improve their pre-deployment gender training and for the identification and deployment of more female personnel.

Significant activity to achieve these goals has been undertaken and in some cases has had an impact. UK Permanent Mission to UN is vigorous in promoting gender issues and has produced a strong alliance with the NGOWG. The UK offered gender training to other member states – although as yet this has only been taken up by Ghana – and it is to be hoped will continue to press for this offer to be taken up, especially by other Troop Contributing Countries and representatives of Member States currently experiencing unstable, active conflict or post-conflict situations. Activity reported on Action Point 3 seems to have been particularly successful. As yet, however, the effectiveness of all these projects in terms of concrete changes and real rights for women on the ground remains to be seen. In particular there appears to have been no significant increase in the number of women deployed and posted at a senior decision-making level.<sup>61</sup> Some of this is due to lack of applicants, whether because they are not

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<sup>61</sup> The gender ratio of FCO staff posted overseas is actually quite healthy, 1529 male (63.3%): 887 female (36.7%), but as a country breakdown is not available for security reasons it is difficult to assess whether these women are posted to countries where they are most needed. One statistic which is worrying, however, is the gender ratio of those deployed on the Stabilisation Unit. Previously named the Post Conflict Reconstruction Unit (PCRU), the Stabilisation Unit provides specialist,

qualified or do not want to take up these posts is unclear but further steps do need to be taken to ensure that suitable candidates are found and trained.

## Recommendations

- 4. A Conservative Government needs to acknowledge the right of women to participate fully in the processes of conflict prevention and peacebuilding and actively seek to promote their involvement at the negotiating table.**
- 5. A Conservative Government should seek to increase the number of women deployed on UN Peacekeeping Operations and Country Missions, to senior decision-making FCO and DFID overseas posts and on all training, expertise sharing and in-country support programmes.**
- 6. A Conservative Government should offer training on gender issues, in particular sexual violence, to UN Member States, prioritising Troop Contributing Countries, as well as to democratic, military, judicial and other law enforcement representatives in conflict prevention and resolution situations.**
- 7. A Conservative Government should place SGBV training and justice mechanisms at the heart of all post-conflict reconstruction programmes.**

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targeted assistance in countries emerging from violent conflict where the UK is helping to achieve a stable environment that will enable longer term development to take place. A total of 16 people are currently deployed with the Stabilisation Unit - 6 of whom are Core Staff, 5 of whom are Deployed Civilian Experts from the Stabilisation Unit's database, and 5 of whom are deployed through Framework Agreements with Private companies. Of that total, the number of women deployed is 3, giving a gender ration of 3 women to 13 men or 18.75% of all current deployments are women. 11 deployments are in Afghanistan; 4 in Sudan; and 1 in Iraq. This statistic is a cause for concern as Sudan and Afghanistan are exactly the countries where SGBV was and in parts remains endemic within the conflict and where women are traditionally silent in policy making fora. For more information on Stablisation Units see [www.stabilisationunit.gov.uk](http://www.stabilisationunit.gov.uk).

## CONCLUSION

Sexual Violence is an incredibly complex social phenomenon that every culture struggles to come to terms with and few, if any, countries have found effective ways of dealing with it. When sexual violence ceases to be a private crime and metamorphoses into a weapon of war a vicious cycle of abuse and revenge takes hold and becomes an internal driver of hatred and conflict. The manifestations that characterize this form of sexual violence include the most inhumane acts ever committed in a state of war and the consequences for the victims – physical, psychological, and social – are all but impossible to repair. And these consequences have a ripple effect that touches the entire nation. Human rights abuses cause instability and prevent sustainable peace and prosperity.

The CPHRC acknowledge the good intentions members of the UK Government to act on UNSCR 1325 and raise awareness of this issue but believes that inadequate funding, monitoring and patchy political will amongst UK Parliamentarians are hindering delivery. It is time to look at the outcomes, not the processes and so far all the words and promises and gender-awareness courses of the international community are failing to protect women across the world. It is time for a change.

In the midst of the dark horror of this subject there is a ray of hope. And that is that unlike mass executions, sexual violence leaves behind living witnesses. Damaged, fragile, ostracized victims they may be but their testimony has the power to bring about justice, reconciliation and change. Let us listen to the victims. Let us work with them to protect the others.

# Witness Biographies

## SUE TURREL

CEO, Womankind



Women’s rights and equality have been a central theme running through my career so I am excited and thrilled about the opportunity to contribute towards the future development of a fantastic NGO like WOMANKIND. I have worked in the development sector all of my professional life, having been involved in programme management, working with and through partner organisations, advocacy and campaigning. I have lived and worked in the developing world for many years, including regions of the world such as the Gaza Strip where women’s equality was a major challenge. In recent years I worked for Education Action International, where I am now a trustee, and Christian Aid, where I managed large programmes in the Middle East, Afghanistan, Central Asia and Africa. I know some of WOMANKIND’s partners and have witnessed first-hand the excellent work they do to make a difference in women’s lives. I hope you will continue to support WOMANKIND in standing alongside women around the world in their struggle for justice and equality and in achieving the freedom to choose the lives they lead.

## ANNEKE VAN WOUDENBERG

Senior Researcher on the DRC, Human Rights Watch



Anneke Van Woudenberg joined Human Rights Watch in 2002 as the senior researcher on the Democratic Republic of Congo (DRC). Since 1999, Anneke has focused on humanitarian and human rights issues in the DRC working as the Country Director for Oxfam GB during the height of the war. She has provided regular briefings on the situation in the DRC to the United Nations Security Council, U.S. Congress, the British Parliament and the European Parliament. Anneke has written numerous reports and briefing notes on human rights in the DRC and is a regular commentator in the international press. Previously she worked as a researcher in the British and Canadian parliaments, followed by six years in the private sector for a large multinational bank and Andersen Consulting, including assignments in South Africa and Russia. Anneke has a Masters Degree in International Relations from the London School of Economics.

## IKHLASS MOHAMMED

### Darfuri Survivor and Campaigner



Ikhlass came to the UK in December 2004, she has full refugee status. Her ethnicity is Zaghawa. She lived in Kutom which is North West of the Darfur capital, El-Fasher, which was attacked by Janjaweed forces in November 2004. She was working at that time as a psychologist and lecturer at El-Fasher University in Darfur. Her husband is a politician in Darfur and they had strong fears that he and his family would be targeted in any attack. Her husband has gone on to join one of the rebel groups. The cousin and the cousin's three children were killed in the attack. She managed to escape the attack on Kutom with her three children, the eldest, her daughter who is now eleven, and her two sons aged 8 and 5. She escaped by finding transit on a lorry that took her to the Sudanese capital Khartoum and from where she travelled directly to London. She is presently studying English so that she can improve it to the level so that she can take a PHD in psychology.

## DR JAMES SMITH

### CEO, Aegis Trust



James Smith is Chief Executive and co-founder of the Aegis Trust, a UK-based genocide prevention organisation. Aegis undertakes research and policy advice with regard to genocide prevention. It runs genocide education programmes and provides support for survivors and communities where genocide has happened. It is based at the UK Holocaust Centre, which James established with his brother Stephen in 1995. Aegis is responsible for the Kigali Memorial Centre, Rwanda (opened 2004). In 2005, Aegis launched the 'Protect Darfur' campaign and is highly active in lobbying to end the genocide in Darfur. It also coordinates the UK's All-Party Parliamentary Group for Genocide Prevention. For more information on Aegis, see [www.aegistrust.org](http://www.aegistrust.org). During the crisis in Kosovo in 1999, James jointly initiated the East Midlands Kosovo Appeal and worked with the International Medical Corps in Albania and Kosovo as a volunteer physician. He graduated from the University of Leeds School of Medicine in 1993 and continued to work as a doctor until becoming full time Chief Executive of the Aegis Trust, most recently holding a part time position as a Staff Grade Doctor in Emergency Medicine at the Queens Medical Centre, Nottingham. James co-edited 'Will Genocide Ever End?' (Paragon USA) with Professors Carol Rittner and John K. Roth. He has also designed multimedia educational tools including 'The Holocaust and Genocide' (Hodder Murray). James is an occasional contributor to several national papers on issues relating to genocide.

## CONSERVATIVE HUMAN RIGHTS COMMISSION

The Conservative Party Human Rights Commission is a body established by the Shadow Foreign Secretary to highlight international human rights concerns, and to inform, advise and develop the party's foreign policy by making human rights a priority. The CPHRC works on the principle that freedom and human dignity should be at the heart of foreign policy. For further information see [www.conservativehumanrights.com](http://www.conservativehumanrights.com).

### STEPHEN CRABB MP | Chairman



Stephen Crabb MP is Chairman of the Conservative Party Human Rights Commission. Elected to Parliament in 2005 at the age of 32, he is currently the youngest Conservative MP, and has made international human rights and the promotion of democracy around the world a key priority. In October 2006 he introduced a Westminster Hall debate on Burma, and earlier this year he visited the oppressed Dalit communities in India. He also delivered a petition to the North Korean Embassy in London in protest at human rights violations in North Korea. [www.stephencrabb.com](http://www.stephencrabb.com).

### BEN ROGERS | Deputy Chairman



Deputy Chairman of the Conservative Party Human Rights Commission. Ben is a human rights activist and journalist, and stood as the Conservative Parliamentary Candidate in the City of Durham in the General Election in 2005. He is the co-author of *New Ground: Engaging People with the Conservative Party through a bold, principled and imaginative foreign policy* ([www.newground.org.uk](http://www.newground.org.uk)), and author of *A Land Without Evil: Stopping the Genocide of Burma's Karen People* (Monarch, 2004). [www.benrogers.org.uk](http://www.benrogers.org.uk).

### NICOLA BLACKWOOD | Author



Nicola Blackwood is the Parliamentary Candidate for Oxford West & Abingdon and has been a member of the Commission since 2006. Nicola's background is primarily in community and human rights work. In addition to being a former researcher to the Shadow International Development Secretary, Andrew Mitchell MP, and Social Action Manager for the Conservative Party, Nicola has volunteered with international aid organisations from Mozambique and Rwanda to Israel. She previously led the Commission's campaign against Human Trafficking and is now studying for a Graduate Diploma in Law. [www.nicolablackwood.com](http://www.nicolablackwood.com).