

## 13<sup>th</sup> Virtual Summit of Women Speakers of Parliament

### Inter-Parliamentary Union

#### Remarks by Ms. Pramila Patten, United Nations Special Representative of the Secretary-General on Sexual Violence in Conflict

18 August 2020, 2 pm CET/8 am EST

We began 2020 anticipating a jubilee year for the Women, Peace and Security agenda, with the **20<sup>th</sup> anniversary of resolution 1325 (2000)**, the **25<sup>th</sup> anniversary of the Beijing Declaration and Platform for Action (1995)**, and the **75<sup>th</sup> anniversary of the UN Charter (1945)**, with its founding promise of gender equality. Instead, we find ourselves fighting to prevent the *rollback* and *reversal* of hard-won gains.

I thank the Inter-Parliamentary Union for this opportunity to discuss a shadow pandemic - **violence against women and girls** -, one of the most pervasive violation of human rights in the world, rooted in gender inequality, discrimination and harmful cultural and social norms.

This discussion is timely as **COVID-19 alters perceptions of safety and security for millions of women and girls in social isolation**. As communities around the world are forced to stay at home, women and girls are particularly at a heightened risk of domestic violence, child abuse and other forms of gender-based violence. In addition to causing an unprecedented crisis that is disrupting lives, healthcare systems, economies and societies, COVID-19 is providing an enabling environment for diverse forms of violence against women and girls, including sexual violence.

I will focus my remarks on sexual violence in conflict, and the role parliamentarians can play in the prevention of this heinous crime and the provision of protection and redress to survivors.

In 2009, recognizing the widespread and systematic use of sexual violence as a weapon or tactic of war and the impunity enjoyed by perpetrators, the Security Council adopted **Resolution 1888** which establishes the mandate of Special Representative of the Secretary General on Sexual Violence in Conflict to provide global, coherent and strategic leadership to address this scourge. With Resolution 1888, the international community not only recognizes the detrimental impact that sexual violence has on survivors and communities but also acknowledges that this crime is **not** an inevitable by-product of war, but rather, **a crime that is preventable and punishable under international law**.

While significant normative progress has since been achieved through a series of Security Council resolutions, including last year's ground-breaking resolution 2467, which recognizes the critical need for a **holistic, survivor-centered approach** in the prevention and response to sexual violence, it is clear that words on paper are not yet matched by facts on the ground. Instead, the rise or resurgence of conflict and violent extremism, with the ensuing proliferation of

arms, mass displacement and collapse of the rule of law, continue to trigger patterns of sexual violence.

The 2019 annual report of the UN Secretary-General, debated before the Security Council last month, **paints a harrowing picture of sexual violence used as a tactic of war, torture and terror, and a tool of political repression, to dehumanize, destabilize, and forcibly displace populations.** The report documents **almost 3,000 UN-verified cases** of conflict-related sexual violence committed over the course of a single year. **89 per cent of cases were against** women and girls.

**Conflict-related sexual violence is a biological weapon; a psychological weapon; an expression of male dominance over women, and of one group over another.** It is a crime that **sets back the cause of gender equality and the cause of peace.**

Sexual and gender-based violence is a hidden consequence of the COVID-19 pandemic which is further exacerbated in the contexts of conflict, violent extremism, terrorism, displacement and migration. My Office is monitoring with concern some negative impacts such as on the **reporting** of cases; on **service provision to survivors**; and on **justice and accountability** due to a paralysis of rule of law response. In a number of countries, my Senior Women Protection Advisors have signaled the heightened risks of forced and early marriage faced by adolescent girls as families seek to mitigate dire economic consequences of COVID-19; the increased shrinking space for women civil society organizations; the continued operations of non-state actors; as well as the diversion of resources for SGBV assistance.

The impact of COVID-19 will be wide scale, longstanding, and likely generational. How we respond today, presents a unique opportunity to course-correct and to tackle the root causes of discrimination and widespread inequalities that have been harmful for so many women and girls, made more vulnerable both to the disease and to the economic and social impact of the response.

**Parliamentarians can play a critical role in this regard.** You have the influence and the power to initiate change.

First and foremost, you can **enact comprehensive legislation** that criminalizes all forms of sexual and gender-based violence, including in the context of terrorism and trafficking in persons for sexual exploitation, in line with international standards and due process of law.

Currently, in many countries covered by my mandate, the legislative framework remains grossly inadequate with no comprehensive definition of sexual violence; a lack of victim and witness protection laws as well as provisions for reparations to survivors; or a legal framework to protect children born of wartime rape.

As we are speaking, the Somali Federal Parliament is advancing a deeply flawed bill that breaches international and regional standards for criminal legislation relating to rape and other forms of sexual violence. In a process that may have deviated from established law and legislative procedures, a comprehensive Sexual Offences Bill was returned to Cabinet by the Speaker of the House of the People with an alternative piece of legislation entitled the ‘Sexual

Intercourse Related Crimes Bill’ instead put forward by the Somali Federal Parliament. An outcry is rising against this new bill which contains many flawed definitions of offences, a lack of clearly defined terms, absence of numerous substantive offences, weak procedural provisions, inadequate protection of victims and witnesses and a range of very disturbing provisions, such as one which allows for marriage of minors at the maturation of the individual’s reproductive organs.

Secondly, you can ensure that **these laws are survivor-centered** and recognize survivors as rights holders that require dignity and respect, physical and legal protection, holistic medical and psychosocial support, reintegration and rehabilitation services by the State, as well as restitution by perpetrators. In addition, they must provide for accessible and quality services for families of survivors, including children born of rape, and the survivors’ communities. Witnesses, human rights defenders, judicial officials and parliamentarians must also be protected by law.

Other actions that Parliamentarians can take include:

- Ratification and implementation of international instruments such as the Convention on the Elimination of All Forms of Discrimination against Women;
- Harmonization of national and international law;
- Mobilization of appropriate financial resources including a reparations fund for survivors of conflict-related sexual violence; and
- Exercise of Parliamentary supervisory functions.

In order to meet these challenges, **cooperation** is necessary. The women Speakers and Parliamentarians assembled here represent different constituencies, constitutional and legal systems, geographies, and different ways in which sexual and gender-based violence, including conflict-related sexual violence, has manifested. Cooperation allows us to identify good practices and address challenges, while also presenting a unified voice to protect all survivors of sexual violence. Allow me to emphasize how my Office fully recognizes the importance of working with national parliaments.

It is time to recognize that if we are to break the vicious cycle of war and sexual violence—once and for all—we must dig deeper to tackle the root causes of structural gender inequality and militarization. We must convert political economies of war into political economies of peacebuilding, and cultures of impunity into cultures of deterrence.

I thank you for this opportunity to speak today. My mandate stands ready to cooperate with the IPU in breaking the silence in our Parliaments and resolutely combat conflict-related sexual violence.