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**Statement by Rhoda Misaka
At the UN Security Council Open Debate
on Sexual Violence in Conflict
25^h April 2014**

Madam President, UN Secretary-General, Excellencies, Ladies and Gentlemen,

Good Morning,

Thank you for the opportunity to address the Security Council at the debate on women, peace and security from a civil society perspective. I speak today on behalf of the NGO Working Group on Women, Peace and Security.¹ I am also here in my capacity as the founder of South Sudanese Women for Peace USA and member of EVE Organization for Women Development, which is an organization based in Juba, South Sudan and is committed to empowering women and raising awareness about women, peace and security issues including sexual and gender-based violence during conflict.

The conflict in my country, South Sudan, has resulted in devastating sexual violence including rape used as a tactic of war. Civil society groups continue to receive reports and respond to girls and women, men and boys, and communities impacted by these horrific crimes. The alleged perpetrators span the opposition and government forces and beyond. Women are systematically targeted.

I speak here today with a heavy heart, as I continue to receive reports from my family, friends and the civil society Organization in South Sudan that the violence in our country has continued to escalate. Women in the UNMISS IDP camp in Bor, which was attacked last week are traumatized and devastated and say they feel like they are sitting there waiting to die. I am here, but I live in fear of what will happen next in my country and to my family. Last week in Bentiu, hundreds of men, women and children were massacred, and men are being urged to rape women of a different ethnicity. This was catalyzed by hate speech on the radio telling youths to find and rape women of a specific ethnicity.²

The sexual violence we have experienced in South Sudan is indicative of the larger systemic crisis throughout the world in countries such as Afghanistan, Central African Republic, Colombia, the DRC, Syria and Myanmar. I want to acknowledge the work of civil society groups who are not present here that are fighting every day to prevent, document, and respond to such crimes. I am also deeply honored to acknowledge the civil society groups who are here today including Ms. Naw K'nyaw Paw, another women's human rights defender working with sexual violence survivors in Myanmar.

¹The NGOWG is comprised of Amnesty International; Consortium on Gender, Security and Human Rights; Femmes Africa Solidarité; Global Action to Prevent War; Global Justice Center; Human Rights Watch; The Institute for Inclusive Security; International Action Network on Small Arms; International Alert; International Rescue Committee; Refugees International; International Women's Program of the Open Society Foundations; Social Science Research Council; Women's Refugee Commission; Women's Action for New Directions; Women's International League for Peace and Freedom.

²<http://www.thejournal.ie/united-nations-south-sudan-atrocity-1426017-Apr2014/>

Today, on behalf of a coalition of civil society, we call on the Council and United Nations to take a greater role in the prevention and treatment of this atrocity and threat to international peace and security. I will discuss [6](#) areas of serious concern related to the situation in South Sudan and sexual violence in all conflicts, including in those situations that are not in the focus of the international community.

Ending Impunity, Investigation, Documentation and Accountability

We urge the Security Council to play a leading role in ensuring the investigation and prosecution of sexual violence. In South Sudan, mechanisms are being erected to investigate atrocities, including the Monitoring and Verification Mechanism of the Cessation and Hostilities Agreement and the African Union Commission of Inquiry. It is vital that sexual violence be included in the list of violations to be documented. Without listing, there will be no documentation. Without documentation, there will be no accountability. Additionally, weak judicial systems lead to low rate of arrests and convictions. Alleged perpetrators must be prosecuted including those responsible for command responsibility. Victims are entitled to reparations for violations of international human rights and international humanitarian law. Without accountability, there will be no prevention and no realization of the commitments in your Resolutions. The Security Council, member states and UN must take on leadership roles and actively advocate for ending impunity, and promoting investigation, documentation and accountability.

Additionally, Security Council Resolution 2106, adopted last year, calls on relevant stakeholders to assist national authorities in strengthening justice sector reform initiatives. This includes not only making relevant legislative and policy reforms, but also providing security and judicial professionals with stronger training on SGBV as well as ensuring that women are active agents in judicial processes and sectors. In South Sudan, women are discriminated against in laws that do not suffice internationally accepted standards of human and individual rights.

Comprehensive Services for Survivors

We call on Member States and UN agencies to ensure survivors of sexual violence can access, in a timely manner, non-discriminatory and comprehensive health services including the full range of sexual and reproductive health services and access to safe abortion in accordance with international humanitarian law, HIV awareness and response. We applaud in this respect the Security Council's recent adoption of Resolution 2122 which for the first time in history noted the need to access services regarding pregnancies resulting from rape and addresses the sad realities of girls and women who become pregnant of rape. Equally important are psychosocial, legal, livelihood assistance and other multi-sectoral services, and to ensure differentiated and appropriate services specifically for adolescent girls. In South Sudan, survivors of sexual violence face many barriers to these services. A big challenge is that survivors do not report abuses early enough due to fear and stigma. In addition, some laws discriminate against women and accord them few legal rights. They also face systematic barriers such as lack of infrastructure and services provisions.

Prohibition of any Amnesties for Sexual Violence Crimes

We call on the Security Council to implement the prohibition on amnesties for crimes of sexual violence as stipulated in numerous Security Council resolutions and condemn parties to conflict that provide such amnesties in ceasefire agreements, conflict resolution processes or legal mechanisms outside of conflict, including legislative and constitutional provisions. For example, ensuring that there are no amnesties for sexual violence in cease fire agreements does little when the respective country in conflict gives amnesty for all war crimes in their Constitution. Amnesty provisions make any accountability for sexual violence crimes

impossible, breach international law and provide a “jail free” card for perpetrators of sexual violence. Any party to conflict committing rape and other forms of sexual violence after signing a peace deal must be met with the same disciplinary actions as committing other forms of violence.

Women’s Meaningful Participation in Peace Negotiations

Participation cannot be separated from protection. We ask member states to ensure women’s participation in conflict resolution and political processes [SCRs 2122, 1889, 1325] as well as the participation of independent civil society organizations that promote the women, peace and security agenda. The exclusion of women and civil society leads to a failure to adequately address peace, and women’s rights and concerns, including sexual and gender-based violence. All women, including those displaced and those with disabilities - two groups who are at increased risk of being targeted for conflict-related sexual violence - must have the opportunity to participate and to have their views and needs represented. While women continue to lead the call for peace, they are still underrepresented in the peace process in South Sudan. Although there are six women in the formal negotiations, a result of heavy advocacy by women's groups and the international community alike, women must be central in efforts to cease the fighting and ensure accountability. It should not be the case that you should first have to commit violence, to be able to get a seat at the peace table. This is why my organization has developed a statement to the Intergovernmental Authority on Development (IGAD), with signatories from across South Sudan and Africa, calling for women’s networks and organizations to be part of the peace process. perpetrators of sexual violence are the only ones tasked with penning agreements .

Mission Mandates

We call on the Security Council to ensure that all UN mission mandates include strong and comprehensive language on women, peace and security including on prevention of sexual violence and compliance with the UN zero tolerance policy on sexual exploitation and abuse.

The Security Council should urge UN missions to erect reporting and monitoring mechanisms in IDP camps, and for area troops that are providing protection, to receive and/or address complaints of sexual violence not only by combatant troops in or around areas of refuge for civilians but also by peacekeeping troops themselves. In particular, the March 2014 renewal of the UN Mission in South Sudan’s mandate shifted UNMISS’s focus from peace building to such activities as civilian protection and the monitoring and reporting of human rights abuses. Given this renewal of the mandate and the large number of women seeking refuge in UNMISS compounds and IDP camps, UNMISS must take full measures to guarantee the rights of South Sudanese women, promote their participation and ensure their protection. In this vein, the Security Council should urge UNMISS to ensure vetting, pre or post-deployment training/sensitization of all troops on gender-based violence and protection.

In addition, we recognize that UN Bodies and international humanitarian organizations need unhindered access to conflict areas. We cannot let the denial of access serve as an excuse for perpetrators and governments escape their accountability for crimes of sexual violence.

Root Causes/Prevention of Conflict/Demilitarization We urge the Security Council and UN system to address with urgency the root causes of sexual violence in particular the need for the prevention of conflict and demilitarization. In South Sudan, all we want is peace. The prevention of conflict and its underlying causes must be given priority rather than waiting until it’s often too late. The proliferation of arms and light weapons, which as pointed out in the Secretary General’s report, adds to the insecurity of girls and women. This is the case in villages and communities across South Sudan and in many other situations discussed by

the Council. A Congolese women's rights advocate recently stated: "A man with a machete in a village can rape one woman. Two men with a gun can rape the whole village." We therefore call on the Security Council to focus on gender-sensitive disarmament and conflict prevention including early warning. Member States should ratify and fully implement the Arms Trade Treaty particularly in relation to the prevention of GBV.

We also remind member states of the importance of creating space and support for an independent civil society. Civil society plays a crucial role in prevention. Local women's rights groups are often the only ones who have the strategic and political knowledge to end sexual violence and are the first responders to victims. Also too often, civil society is also the only voice to address ongoing sexual violence in forgotten and neglected conflicts. We need you to work with us in South Sudan. Do not forget our country, our people, and our women.

Sexual violence leaves survivors and communities traumatized for decades through physical and psychological damage. Survivors are left with exclusion, shame and stigmatization. There must be a more comprehensive approach to prevention, services and accountability.

Thank you for your attention.