



Parliamentary Update (DROI Subcommittee 4 March 2010)

ISIS Europe regularly provides updates of Committee sittings in the European Parliament. On Thursday, 4 March DROI held an exchange of views on violence against women in armed conflicts. The discussion mainly focussed on sexual violence against women in war zones, with particular focus on DRC, and practical examples of support for these women. Guest speakers included Dr. Monika Hauser, Medica Mondiale; Ms. Jeannine Tshimpambu Mukanirwa, Promotion and Support for Women's Initiatives, DRC; Ms. Beatriz Lorenzo, Human Rights Office, Spanish Presidency; and Ms. Véronique Arnault, DG Multilateral Relations and Human Rights, European Commission.

Exchange of views on Violence against Women in armed conflicts

Dr. Monika Hauser from medica mondiale emphasised that the subject of women traumatized in armed conflict should not only be visited on the occasion of International Women's Day, but should be high on agendas throughout the year. Introducing her organisation, she stated that medica mondiale¹ was established 17 years ago in Bosnia with the aim of assisting female survivors of armed conflict. Especially active in Afghanistan, Liberia and the Democratic Republic of Congo (DRC), the organisation provides what assistance it can to traumatized women, engages in advocacy activities and has worked with the war crimes tribunal in The Hague since 1994. Hauser went on to lament that although numerous resolutions had been passed on violence against women (VAW) in international bodies throughout the world, little concrete work has been achieved on the world stage; VAW continues to destroy lives, families and communities. Hauser mentioned that although United Nations Security Council Resolution 1820 was passed in 2008, giving the UN a mandate to intervene in the event of war-time rape, over 100,000 women were raped in DRC in 2009, many of whom contracted HIV. Attributing a large number of these attacks to Congolese army and police units, she argued that rape in wartime is not analyzed correctly, that it "is not a woman issue, but rather a man issue", and that rape in wartime represented a clear security threat.

Hauser continued by questioning why the United Nations mission in the DRC (MONUC) did not address rape in its core protection policy, even though it is one of the most wide-spread crimes in the country. She advanced that there remained a lack of a strong women's police unit in MONUC, and suggested that there was much to be learnt from a "best practice" established by the UN Mission in Liberia, where 600 female Indian police officers assisted in delivering perpetrators to courts and providing support to victims.

In suggesting improvements, Hauser deplored the refusal of the UN and the EU to help in evacuating women currently at risk in camps to safety. Furthermore, she urged the EU to put more pressure on the DRC government to protect human rights defenders, in line with the EU's "Guidelines on Human Right Defenders".² Hauser insisted that it was vital that donor money find its way to smaller women's groups working under constant threat at the grassroots level, as these groups do very important work in assisting rape survivors.

¹ www.medicamondiale.org

² <http://www.consilium.europa.eu/showPage.aspx?id=1706&lang=EN>

Hauser issued a strong call for ending impunity of perpetrators. While she commended the EU's work on Security Sector Reform in the DRC,³ she suggested that the EU could contribute further by establishing a roadmap for the development of Security and Judicial Sector Reform programs in the country that emphasise the apprehension and successful prosecution of offenders.

Hauser also called for the creation of the post of EU Special Representative for gender-based violence attached to the office of the High Representative of the Union for Foreign Affairs and Security Policy / Vice President of the European Commission, Baroness Catherine Ashton.

She closed by stating that in 2009, 10 rapists were sentenced in Goma, chiefly due to pressure from the UN, constant awareness-raising by local NGOs and testimonials from survivors and that these successes could be built on.

Ms. Jeannine Tshimpambu Mukanirwa from the DRC, stated that violence against women in armed conflict – especially rape and sexual enslavement - is present wherever there is war, and not just in DRC. However, even if DRC has emerged from war, “women’s bodies have become battlefields” in the east of the country and women remain targets of armed groups in North and South Kivu Province. Emphasising Hauser’s comments, she underlined that this violence undermines society as a whole. Tshimpambu lamented that although 10 years have now passed since the passing of United Nations Security Council Resolution (UNSCR) 1325 and that UNSCR 1820 was passed in 2008, impunity persists and crimes against women remain unpunished.

While she allowed that the responses of the international community have been humanitarian and urgent in nature, many challenges remain. Survivors of rape are victimized twice over- during the actual attack and again when they suffer stigmatization from their local community. Many of the funds donated to combat this scourge and assist survivors do not reach the victims, as there is often a dearth of healthcare infrastructures where levels of violence are highest. Likewise, there is a lack of courts to try perpetrators in and prisons to hold them. Thus, there is a need for a lasting and sustained response, not only short-term remedies.

Tshimpambu qualified the response to date as focused on the consequences, not the root cause of violence against women in DRC, which she identified as insecurity in the country. She therefore called for the EU to increase its efforts to foster security. She also called for internal improvements to mechanisms dealing with compensation and reparation for victims – “women whose bodies have been destroyed and whose reproductive organs have been removed, need to have their rights restored.”

Tshimpambu called for increased inclusion of women in conflict resolution mechanisms, citing one of the recommendations of UNSCR 1325. While current negotiations between armed groups in DRC largely exclude women, bringing them onboard “often changes the direction and tone of negotiations” in a positive direction. She ended by stating that although all countries in the Great Lakes region had embraced national plans to implement UNSCR 1325, what was needed for adequate implementation was increased funding from international donors.

Ms. Beatriz Lorenzo, representing the Spanish EU Presidency, stated that it was essential to ensure gender equality, in both the public and private sphere. She advanced that violence against women in armed conflict was the most widespread, least punished crime in the world.

³ See also Gya, Isaksson and Martinelli, *Report on ESDP missions in the Democratic Republic of the Congo (DRC)*, Commissioned by UNIFEM for the French EU Presidency, 2008, updated January 2009. http://www.isis-europe.org/pdf/2009_artrel_242_esdp&drc-gender-report.pdf

She highlighted the EU Guidelines on Human Right Defenders, saying that Spain was the third country to implement them after the Czech Republic and Sweden and emphasising the importance that Spain attributed to informing its embassies of the guidelines, as well as working with local, national and international authorities on their implementation.

Summarizing the priorities of the Spanish Presidency of the EU, she listed cooperation and coordination with the incoming Belgian EU Presidency (especially in light of the 10 year anniversary of UNSCR 1325); consideration in the Political and Security Committee of the implementation of UNSCR 1325 in Common Foreign and Security Policy; and the implementation of UNSCR 1325 in the framework of NATO.⁴ She concluded by emphasising that in the view of the Spanish Presidency, the fight against violence affecting women and children must be a priority for the EU.

Ms. Véronique Arnault from the European Commission recalled that it had now been a decade since the UNSC focused for the first time on violence against women, in the form of UNSCR 1325. Expressing worry that there had been a “time lag” and lack of progress on the issue within the body since, she said that the EU wanted a “1325 review conference”; not just a declaration but focussing on practical progress.

According to Arnault, The EU has a wide variety of instruments that it can draw upon in preventing and responding to the problem, but must strive for increased coherence in their application.⁵ Above all, she said there is a need for differentiation between short-term and long-term efforts; the implementation of national action plans (she added that a vast majority of countries currently possessing action plans in this area are EU Member States),⁶ and the need for political will.

She called for an EU early warning mechanism with more specific indicators, and a need for increased outreach in policy dialogue, qualifying the EU’s work with the African Union as insufficient. Also, she praised the work of gender advisors deployed as part of CSDP missions and cited this as example to build on.

In conclusion, she reminded the Parliament that children are also victims of rape, and that there needs to be increased coordination between NGOs that deal with different populations on the ground. Arnault also repeated calls made by Hauser and Tshimpambu for increased efforts in combating impunity and in delivering aid and assistance to people on the ground, where health and judicial infrastructures are lacking.

In response, MEP Ana-Maria Gomes (S&D) took the floor, stating that rape was being used increasingly as a weapon of war, not only in DRC, but also in the Darfur region of Sudan. She decried that this “flies in the face of the EU for not getting its act together!” The current need is not just for “blabla, but for action”.

Gomes lamented that the EU’s Artemis Operation in DRC in 2003⁷ did not focus on the problem of violence against women, and suggested that the European Parliament demand a more cohesive and efficient approach from the EU. Elaborating on this point, she said that the European Parliament should consider a joint mission involving all relevant Parliament Committees (DEV, SEDE, DROI, AFET) to observe the current situation on the ground in the worst affected areas of DRC, and thus to be better positioned to demand action from the European Commission and Council.

⁴ See NATO Watch’s gender pages here: <http://www.natowatch.org/gender>

⁵ See study for the European Parliament on *Gender Mainstreaming and Empowerment of Women in the EU's External Relations Instruments*, June 2009 http://www.isis-europe.org/pdf/2009_artrel_306_09-04-epstudy-gender-ext-rel-gya.pdf

⁶ See list of NAPs in ISIS Europe’s regularly updated *Gender Peace and Security Documents resource* <http://www.isis-europe.org/index.php?page=gender>

⁷ For detail on CSDP missions, see CSDP Mission Analysis Partnership www.csdpmap.eu

She repeated Tshimpambu's call for increased participation of women in conflict, stating that there was an urgent need to empower women and put them at table during negotiations. She ended by calling for "naming and shaming" campaigns against companies (especially mining companies) that employ local militias, members of which are responsible for many of the rapes. Finally, "the responsibility to protect (R2P) needs to be high on the EU's agenda, not just blabla conferences".

MEP Barbara Lochbihler then took the floor, expressing her support for Gomes' proposal of a joint Parliamentary mission to rural areas of DRC. She commended the efforts being undertaken by the Spanish Presidency, and hoped that Belgium would follow Spain's lead. She underlined how crucial the work of small, local NGOs is, as well as the importance of protecting these human rights defenders. She closed by calling for a resolution that sets minimum standards for the implementation of UNSCR 1325.

Chair of the Subcommittee on Human Rights MEP Heidi Hautala dwelled on the mandate limitations of the UN Secretary General's Special Representative on Sexual Violence in Conflict, Margot Wallstrom.

In response to MEPs comments, Hauser supported Tshimpambu's appeal for increased involvement of women in local processes,⁸ asserting that female political candidates need to be supported. She suggested that one possible way for the EU to show its support would be by inviting these female candidates to Brussels for consultation and encouragement.

Hauser repeated that what is "written on paper" is not often implemented in the field and that there was an urgent requirement for minimum standards of implementation – monitoring and control are most important. She reiterated the need for an EU Special Representative on violence against women in armed conflict who would be able to focus the EU's collective knowledge and instruments in a coherent and effective manner.

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⁸ ISIS Europe, medica mondiale and Promotion et Appui aux Initiatives Féminines (PAIF) are undertaking a 3 year project which is funded by the European Commission on "Political Participation of Women and Girls in Afghanistan, Liberia and the Democratic Republic of Congo", through peacebuilding and advocacy skills to participate in security policy. See here: <http://www.medicamondiale.org/en/themen/title51/>