



Report on the work of Commission C:

Joint action on the prevention of and response to sexual and gender-based violence

8 December 2015, 3 p.m. – 5 p.m. and 9 December 2015, 10 a.m. – 12 p.m.

Chair: Ambassador Nazhat Shameem Khan, Permanent Mission of Fiji to the UN in Geneva

Rapporteurs: Coline Rapneau, International Committee of the Red Cross (ICRC) and Siobhán Foran, the International Federation of Red Cross and Red Crescent Societies (International Federation)

Summary

Invisibility of sexual and gender-based violence (SGBV)

- Victims/survivors of SGBV are still invisible and face barriers to speaking up about their experiences owing to taboos/stigma/shame, culture and tradition, and the lack of an adequate and appropriate response when incidences are reported.
- It has taken a long time to develop a sense that SGBV prevention and response in armed conflict and disaster should be proactive and a priority; progress has been made but it needs to be accelerated.
- Collecting and analysing sex- and age-disaggregated data and information regarding risks and needs are of critical importance.
- Although SGBV increases during and/or following disasters, there is little recognition and awareness of this and little proactivity in the collection and analysis of data.

Intersecting forms of discrimination

Groups that are subject to more than one form of discrimination are particularly vulnerable to SGBV. Forms of discrimination that could intersect include gender and age (both young people – male and female – and elderly people) and gender and minority status. Analysing vulnerability factors to determine who is most at risk is critically important.

Gender inequality and discrimination underpin SGBV and are exacerbated during emergencies. Solutions must therefore address gender equality, women's empowerment and enlisting men and boys as agents of change.

Support services

The availability of appropriate and comprehensive health services, including mental-health and sexual- and reproductive-health services and other essential support services (e.g. legal, physical-rehabilitation, economic and social support) is critical. The challenge is how to keep facilities and services open and available without disruption and indeed strengthen them in emergencies.

Legal frameworks

In many cases, appropriate legal frameworks do exist, but significant barriers to their implementation remain. The focus on awareness-raising and implementation must continue.

Panel presentations

Ambassador Nazhat Shameem Khan, Permanent Mission of Fiji to the UN in Geneva

Ambassador Khan introduced the topic. She emphasized that the specific vulnerabilities of women and children in times of peace are exacerbated in crises, in particular because support systems are jeopardized. The Ambassador also noted the importance of recognizing men and boys as victims/survivors of sexual violence, particularly as a form of torture and humiliation. She stressed the importance of ensuring that existing legal frameworks are implemented and cultural, institutional and regional barriers are broken down so that victims/survivors can report cases of SGBV and get access to care.

Ambassador Vesna Batistic Kos, Permanent Mission of Croatia to the UN in Geneva

In her presentation, Ambassador Kos focused on sexual violence in armed conflict, which remains a feature – often characterized by its invisibility – of many conflicts, despite increasing awareness and advancements through UN resolutions, International Criminal Court judgments and legal frameworks. Conviction also remains difficult. The Ambassador expressed the Croatian government's support for the International Conference resolution on SGBV. She then focused on Croatia's approach to redress for survivors. Following a study carried out to better understand the needs of victims/survivors, Croatia now focuses on three forms of redress: rehabilitation programmes (physical and mental health and legal aid), satisfaction (recognition of the status of victim and prosecution of perpetrators) and material/financial compensation. Not requiring a criminal conviction and simplified legal procedures have encouraged victims/survivors to speak up. Such measures will help the society as a whole to learn and to reconcile effectively.

Professor Moamena Kamel, Secretary-General, Egyptian Red Crescent Society

Professor Kamel recalled that SGBV occurs against women, girls, men and boys everywhere (poor and wealthy countries, during peacetime, armed conflict, and disaster) and takes various forms. She described the development of the Egyptian legal framework on sexual violence since 2011 (sentencing for perpetrators, compensation for victims/survivors), which has helped with the recognition of the issue of SGBV. She also emphasized the Egyptian Red Crescent's collaboration with the Egyptian government (e.g. the ministries of education and health) and detailed the National Society's ongoing programmes/training sessions (e.g. first-aid training, programmes for emergency and rescue services), which all include components on SGBV. Professor Kamel also emphasized the importance of impact assessment and of addressing child protection issues.

Ms Soyata Maïga, Special Rapporteur on Rights of Women in Africa of the African Commission on Human and Peoples' Rights (9 December only)

After briefly highlighting the factors that contribute to SGBV (e.g. low social status and discrimination against women in times of peace, breakdown of institutions in times of war, insufficient political will and action, legal vacuums, etc.), Ms Maïga listed concrete solutions for States, NGOs and UN agencies and the International Red Cross and Red Crescent Movement. *Further details under guiding question 1 below.*

Discussion highlights

Guiding question 1: How can we further improve victims'/survivors' access to services, and the quality of those services? How can we provide a holistic response, while also crafting effective prevention strategies to combat SGBV in situations such as armed conflicts and disasters?

- There is growing evidence of SGBV in humanitarian crises, but barriers remain to investigation and prosecution. There is a disconnect between the legislation on the books and implementation.

- There is still a need to break down structural, institutional and cultural barriers.
- It is important to identify the distinct needs of different groups of victims/survivors (women, girls, boys and men of different ages and backgrounds).
- Prevention is essential to ending SGBV.
- Concrete solutions were provided by Special Rapporteur Maïga and echoed by others: ensuring access to free legal aid for victims/survivors; financial support; facilities to receive victims/survivors and provide them with care; simplified legal procedures with compensation/redress laws; ensuring civil society can represent victims/survivors before tribunals; reinforcing the complementary roles and collaboration between NGOs, UN agencies, the Movement and the African Union by having a common plan of action; and involving influential people and organizations (e.g. traditional/religious leaders, local media).

Guiding question 2: *How can we better harness the complementarity of the Movement components and partnerships with States and other stakeholders?*

- Some National Societies and States noted the importance of better coordination and collaboration within the Movement and between the Movement, States, and international, regional and national organizations.
- The recent International Federation study on SGBV in disasters was welcomed and commended.
- The Canadian and Kenyan Red Cross Societies shared good practices and encouraged International Federation, the ICRC and other National Societies to share good practices across the Movement and with States.

Guiding question 3: *How can we ensure better implementation of the existing international legal frameworks prohibiting acts of sexual and gender-based violence by, for example, strengthening domestic legal frameworks?*

- There is an abundance of international treaties and local legal frameworks, but the challenge lies in implementation; it is important that the international community does not just pay lip service to the issue.
- The Italian delegation shared its experience of including a gender perspective in national policies and in IHL training for peacekeeping forces and national military missions.
- The Kenyan Red Cross Society highlighted the newly adopted Sexual Offences Act, which should help prevent sexual violence in Kenya; its “gender desks” and those at police stations to assist victims/survivors; and the training of law enforcement with support from the ICRC.
- The Croatian Ambassador officially offered support to other States willing to develop their domestic legal frameworks on the basis of Croatia’s new legislation on sexual violence.

Conclusions and recommendations

- It is important to make the occurrence of SGBV more visible while also respecting the “do no harm” principle.
- Given that gender inequality and discrimination are root causes of SGBV, gender equality and women’s empowerment should underpin all SGBV prevention and response initiatives.
- Victims/survivors must have access to care (health care and psychosocial support) at all times and be aware of their rights so as to be encouraged to come forward.
- Prevention activities should be reinforced, including improving access to the justice system to deter perpetrators and putting in place comprehensive legal systems to enable reporting and compensation for victims/survivors.
- Education, awareness-raising and training aimed at young people, the authorities, national disaster-management authorities, armed and security forces, and communities must be put in place or, where they already exist, strengthened.

- SGBV prevention and response should be mainstreamed as much as possible through multiple forums, in order to find synergies and complementarities and break down taboos.
- Global coordination and collaboration (among actors of influence, UN agencies, NGOs, States, and the Movement) should be systematically strengthened.
- Many participants supported the initiative launched by the UK in 2013 – the Call to Action for Protection of Women and Girls against GBV (now the Call to Action on Protection from Gender-Based Violence in Emergencies) – and recommended further mobilization and increased commitment to its action plans and objectives.
- Many also supported the International Conference resolution, the pledges and the commission, and encouraged the International Federation and the ICRC to continue their work on SGBV in disasters and armed conflict.