

OSCE side event highlights continuous need to combat violence against women in conflict settings¹

On 2 July 2018, the OSCE Gender Section and the Office for Democratic Institutions and Human Rights (ODIHR) brought together representatives from OSCE and ODIHR, experts from civil society, lawyers, and members of the military to discuss good practices and challenges to combating violence against women in conflict settings. The event took place on the margins of the Supplementary Human Dimension Meeting on ‘countering violence against women’.

In his opening remarks, **Ambassador Marcel Peško, Director of the Conflict Prevention Centre**, set the tone for the discussion: “Violence against women is a global pandemic. Hardly any conflict does *not* see an increase in violence against women. And no conflict can be settled if impunity persists.” But how to end a culture of impunity, increase accountability, and prevent violence in conflict and post-conflict environments, where legal mechanisms are oftentimes weak, dysfunctional or absent? And which role can the OSCE play in strengthening these efforts?

Amarsanaa Darisuren, OSCE Senior Adviser on Gender Issues, argued it was time to close the information gap and end stigmatization of conflict-related violence against women. She presented preliminary findings of a new OSCE survey on the well-being and safety of women, which will be published in early 2019. The survey – the first of its kind conducted across South East and Eastern Europe – will provide insight into the prevalence and types of violence experienced in conflict and its impact on women.

ODIHR Human Rights Officer Graziella Pavone pointed out that OSCE participating States lack mechanisms to enhance the protection of women when conflicts break out. Therefore, she argued, conflict prevention strategies should be informed by measures of prevention of violence against women in peace times and should involve all parties. She also presented ODIHR’s work on UNSCR1325 and focused on measures to make the security sector more gender-sensitive.

International humanitarian law expert Daniela Kravetz outlined how communities, but also prosecutors, have often stuck to deeply entrenched misconceptions about conflict-related gender-based violence. Sexual and gender-based violence tends to be taken less seriously than other war crimes, is often seen as disconnected from the broader context of atrocities, and easily dismissed as a “private matter”. Victims are called into question and fear further repercussions or reprisals when telling their stories.

Kravetz also gave a short introduction to the **documentary “The Prosecutors” by Leslie Thomas**, to which she contributed. The film follows the work of prosecutors and legal representatives of victims in Bosnia and Herzegovina, Columbia, and the Democratic Republic of Congo. The short pre-screening of this yet unreleased documentary vigorously illustrated the meaning of a very high number of survivors facing a very small number of convicted perpetrators.

Amra Hamidović from the OSCE Mission to Bosnia and Herzegovina acknowledged the national judiciary’s commitment in Bosnia and Herzegovina to process war crime cases of sexual violence and its high conviction rate of 77 percent (138 out of a total number of 178 defendants charged with

¹ These statements and recommendations reflect opinions expressed individually by participants in the context of the side event on preventing violence against women in conflict settings on 2 July 2018, and do not necessarily imply an official endorsement or acceptance by OSCE.

sexual violence). Yet, considering that an estimated 20.000 women became victims of wartime sexual violence during war in Bosnia, it is clear that a huge number of perpetrators have gone unpunished. Despite considerable progress in the fight against impunity, Hamidović pointed out that many perpetrators had long before their trial left the country, or were sentenced to very low punishments.

Jamilya Kaparova, founder and head of the public association “Ensan Diamond”, highlighted the lack of preparedness during and after the 2010 mass unrests and riots in Southern Kyrgyzstan. Documentation and reporting on sexual violence was challenging in a context where victims were afraid of raising their voices, and state authorities unwilling to address these issues. Kyrgyzstan is currently preparing its third National Action Plan on 1325, where special emphasis will be put on needs of women in emergencies and conflicts.

Gulnara Shahinian, founder and chair of the NGO “Democracy Today” in Armenia, added that international human rights and women’s rights safeguards still had a long way to go. She made the case for enhanced protection, prosecution and prevention, asking for a strengthening of accountability mechanisms and an end to procedures which are degrading and humiliating for survivors.

Captain Inna Zavorotko shared insights from within the **Ukrainian Armed Forces**. She highlighted that there is a false understanding of the interaction between national and international law, with national authorities often believing that conflict-related sexual and gender-based violence does not fall into their national jurisdiction. Consequently, capacities within the national judicial systems have to be developed. In Ukraine, this was showcased by the work of the “Special Department in the General Prosecutor’s Office for War Crimes and Crimes Against Humanity”. Zavorotko also welcomed the strong cooperation with ODIHR and the recommendations for military commanders to prevent domestic violence.

The following **key recommendations** were made by the expert speakers on how to effectively combat violence against women in conflict settings:

- Put in place legislative frameworks criminalizing gender-based violence and include the prevention of violence against women as part of conflict prevention strategies.
- Increase external oversight of the security sector and opportunities for women in the security and defence sectors, and improve vetting of security sector personnel.
- Strengthen partnerships between security sector institutions and civil society.
- Improve the availability of data and analysis to inform evidence-based policy making on combating gender-based violence in conflict and non-conflict settings.
- Devise opportunities to give voice and agency to victims, for instance by inviting them to testify before court without revealing their identity, or by conducting women-only hearings for survivors of sexual and gender-based violence.
- Judges and prosecutors should ensure the correct application of substantive law on conflict related sexual violence, to guarantee adequate support and protection to vulnerable witnesses, and to investigate non-material compensation claims during criminal proceedings in war crime cases.
- National and international efforts to eliminate impunity and to strengthen legal and non-legal accountability mechanisms should become a priority.

- The OSCE should increase its work on awareness raising of parties involved in conflict in prevention of gender-based violence and to support governments to align national law with international standards, in cooperation with local partners.

Ambassador Peško concluded that the discussions had been eye-opening: “They have clearly demonstrated how important it is to address gender-based violence as an integral part of conflict resolution – but also to avoid the recurrence of such events in the future. Combating violence against women will stay high on our agenda.”