



17 June 2008

To Members of the United Nations Security Council:

We write in advance of the Security Council's June 19, 2008 meeting focusing on Women and Peace and Security to emphasize the urgent need for, first, a resolution endorsing measures to prevent the use of sexual violence against civilians in conflict zones; second, the establishment of stronger mandates on sexual violence for peacekeeping forces and, third, the promotion of initiatives to address gender justice through the prosecution of sexual violence, truth-telling initiatives, reparations, and gender-sensitive institutional reform. We urge the Security Council to give higher priority to the commitments the UN has already made to addressing the needs of women and other vulnerable communities in all conflict contexts.

Numerous recent conflict and post-conflict contexts have been marked by a shocking upsurge in sexual and gender-based violence (SGBV) against women, girls, men, and boys. Sexual violence has been integral to war strategies in many contexts, but the role of armies and non-state actors as perpetrators of gender-based violence is often accepted as nothing more than a consequence of war. Peru, Colombia, Indonesia, Sudan's Darfur region and the DRC are just some of the recent examples where the widespread and systematic sexual abuse of citizens has been a central and often epidemic feature of the conflict. Gender-based violence perpetrated has included but not been limited to mass rape; sexual slavery; abduction; forced pregnancy; intentional transmission of HIV/AIDS and genital mutilation such as forced circumcision. Moreover, impunity for sexual violence in conflicts often results in it being accepted and normalized beyond the end of the conflict.

The International Center for Transitional Justice (ICTJ) assists countries pursuing accountability for past mass atrocities or human rights abuses. One of the ICTJ's fields of expertise is advising on mechanisms to combat impunity for gender crimes. The ICTJ works in societies emerging from repressive rule or armed conflict and has had a field presence in since 2003. Based on our experience in the field of gender and transitional justice, we maintain that:

- Prosecutions are an essential component of any initiative to pursue redress and end impunity;
- Truth-telling initiatives such as truth commissions, whether local or national, can play a key role in accounting for the past and giving voice to victims;

- Reparations initiatives are necessary to aid victims in reconstructing their everyday lives, and should also contribute to the provision of medical care for long-term mental and physical repercussions of SGBV, such as fistula and post-traumatic stress disorder;
- Effective institutional reform is vital to addressing and preventing sexual violence, and must include gender-sensitive strategies for the demilitarization, demobilization, and reintegration of former combatants and for the reform of the military, police, and the judiciary through security sector reform ; and
- An expert monitoring group should be established to function as an early-warning system providing systematic reporting to the Security Council on SGBV in conflict situations.

The Security Council's June 19 meeting, focused on women and war and peace, and the United States-sponsored resolution, which calls for an end to the use of sexual violence as a weapon of war, are important steps in bringing attention to the global humanitarian and moral crisis of SGBV. However, the Security Council must also commit to further action to pressure member states to remedy the problem. It is foremost the responsibility of national governments to end impunity for rape and SGBV by members of their militaries, police, and other militias or security forces operating on their territory. For this to be realized it is the role of the Security Council to ensure national governments undertake concrete initiatives to end impunity for perpetrators of SGBV through the approach outlined above, including legal reforms to facilitate the prosecution of rape and SGBV, truth-telling initiatives, reparations, and gender-sensitive institutional reform.

The ICTJ urges the Security Council to renew and strengthen the mandates of its peacekeeping operations and to engage with regional institutions globally, as its presence plays a pivotal role in containing outbreaks of violent conflict, which in turn alleviates violations against the vulnerable sectors of the civilian population. Additionally, the US-sponsored resolution before the Council should include specific language on accountability for SGBV, with clear lines of reporting and follow-up. We further urge the Security Council to press individual member states, including countries in conflict or post-conflict situations, to undertake concrete measures at the national level to end impunity for sexual and gender-based violence.

Sincerely,

Juan Mendez,
President
International Center for Transitional Justice.