

TESTIMONY OF ROBERT WARWICK
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BEFORE
THE SENATE COMMITTEE ON FOREIGN RELATIONS'
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND ORGANIZATIONS, HUMAN RIGHTS,
DEMOCRACY AND GLOBAL WOMEN'S ISSUES AND
THE SUBCOMMITTEE ON AFRICAN AFFAIRS
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Mr Chairman, Madam Chairman, Senator Isaakson, Senator Wicker and members of the committee. Please let me begin by saying that I appreciate the opportunity to appear here today, along with my colleagues to testify on the issue of gender based violence in the Democratic Republic of Congo and Sudan. My name is Robert Warwick and I am the former Country Director for the International Rescue Committee in both the Democratic Republic of Congo and Southern Sudan; and I currently run the IRC's office in Baltimore, Maryland that helps resettled refugees adjust to life in the United States. I bring to this hearing today experience working on the issue of violence against women and girls, and the insight gained through two decades living and working on the African continent. I represent and speak from the perspective of a US-based relief agency that has prioritized the problem of violence against women and girls in conflict. We seek to assure that women and girls not only survive conflict, but ultimately thrive in times of peace.

Founded in 1933, the IRC is a global leader in emergency relief, rehabilitation, protection of human rights, post-conflict development, resettlement services and advocacy for those uprooted or affected by violent conflict and oppression. The IRC is on the ground in 42 countries, providing emergency relief, relocating refugees, and rebuilding lives in the wake of disaster. Through 24 regional offices in cities across the United States, we help refugees resettle in the U.S. and become self-sufficient.

In my testimony, I would like to address the issue of sexual and other grave forms of violence against women and girls that occurs during conflict setting as well as afterwards in a post-conflict setting. First, I will provide you with the primary causes and enabling factors for gender-based violence. Second, I will share with you some of IRC's programs combating this problem in DRC. Third, I will discuss IRC's experiences in a post-conflict setting - Southern Sudan. Finally, I will propose key steps the United States must take to address the problem. I will also strive to represent some of the voices and experiences of the hundreds of national and expatriate humanitarian workers devoted to this issue, many of whom are themselves civilian victims of war and displacement.

Primary causes of gender based violence in conflict and post-conflict settings

We all know that women are particularly exposed to certain forms of violence simply because they are women. Violence¹ is directed against women because they have unequal power and status. In most cultures, countries and societies, women are in a disadvantaged position compared to men as the following illustrates:

- ❖ Women perform two-thirds of the world's work
- ❖ Women earn one tenth of the world's income
- ❖ Women are two-thirds of the world's illiterates
- ❖ Women own less than one hundredth of the world's property

Whilst the underlying cause of gender-based violence directed at women and girls is unequal power, other factors perpetuate it. These include systems of traditional authority, cultures of silence, harmful cultural beliefs and practices.

They are at risk if they remain at home, during flight from conflict and in refugee or internally displaced settings. Social dislocation and upheaval means the formal and informal mechanisms that might exist to protect them are often weakened, collapsed or controlled by those who perpetrate the violence.

The perpetration of sexual violence is both a tactic of warfare, and an opportunistic consequence of conflict and displacement. They often go hand-in-hand. Either way, women's bodies become the frontline of an unnecessary and cruel battle.

As a weapon of war, sexual violence seeks to accomplish a larger objective than the specific act of rape itself. The systematic use of rape in war has many purposes, including ethnic cleansing, humiliation, or control and domination of select groups. Groups may be targeted because of their ethnicity, political affiliation, nationality or geographical location – and obviously their gender. Up to a half a million women were raped during the Rwandan genocide. We've seen this tactic or strategy used extensively in eastern Congo, where the national military and numerous rebel groups use brutal forms of sexual violence - in part to secure their own food and provisions from the rural population. It is domination through sexual terror.

This form of warfare is effective. It can be modified based on the whim and depravity of the perpetrators. And while it's the bodies and spirits of women and girls that are directly trampled upon, sexual violence creates deep wounds and schisms within a target community. It destroys the fabric of a community in a way that few weapons can. It produces unwanted children, spreads disease, and leaves an imprint on the individual and collective psyche that is difficult to erase.

¹ Gender-based violence can and does impact men and boys however this is neither the focus, nor an area of expertise of IRC programs at this time

The strategic use of sexual violence is usually accompanied by opportunistic rape. Opportunistic rape is not a weapon of war but a consequence of the breakdown of social norms that occurs during conflict and is perpetrated - not only by armed groups, but also within families and communities. Societal norms that regulate behavior and afford some degree of protection to women break down during war, and give way to an 'anything and everything goes' mentality that can, over time, rub off on the affected population.

Women and children make up the majority of the world's refugees and internally displaced persons. They are often separated from their immediate and extended families. Daily tasks such as firewood and water collection or farming are typically the work of women. These are necessary for survival in areas of insecurity but increase their exposure to sexual violence. Sexual assault of women and girls engaged in foraging for wood or water has become commonplace.

While men and boys are also affected by conflict in many terrible ways, women and girls are the main victims of rape, mutilation, abduction into sexual slavery, and sexual exploitation during times of conflict.

And unfortunately for women and girls, the threat of violence remains long after fighting ends. Violence against women and girls occurs in the family and community before, during and after conflict, where it is relatively hidden and often accepted due to social and cultural attitudes and beliefs that condone and perpetuate it. The neglect, physical and sexual abuse, and rape of girl children and women by family members and other members of the household, as well as spousal and non-spousal abuse, continue to go unreported. Other forms of socially accepted and perpetrated violence include harmful traditional practices, such as female genital mutilation (FGM), early and forced marriage, sex-selective abortion and female infanticide, honor killing, denial of education, food, health care, property rights and opportunities.

The perpetrators will often be the members of the community itself. Crippled, corrupt or destroyed justice systems do little to dissuade civilians from abusing their relative degree of power and control.

Once having escaped the conflict, women may be forced to exchange sex for survival and protection of their children. During protracted humanitarian crises, women also face a growing threat of physical, sexual and economic abuse within their own households.

A study conducted by the IRC and Columbia University in post-war Liberia (August 2007) indicated that violence against women and girls is widespread. In the study population: 55% of the women surveyed had experienced domestic violence; 30% of all women seeking medical attention have experienced domestic violence; 72% of women reported that their husbands had forced them to have sex in the last 18 months; and, 13% of minors² in one county and 11% of minors in another county had been sexually abused in the last 18 months.

² Children younger than 18 years of age

Unfortunately survivors of sexual violence can often wait for weeks, months and sometime years to seek services or tell their story. This delay is a result of a number of things including, a lack of accessible services, fear of stigma, feeling of shame, and actual physical insecurity that prevents women from reaching services.

In times of relative calm, access to services improves and women and girls who have suffered for years as a result of an attack – or multiple attacks - come forward when it becomes possible and safe to do so. Currently, women in eastern Congo have to walk for days to reach health services, and frequently are subjected to attacks again during their journey to seek help. Access to life-saving services is a prevailing problem in rural areas affected by war. In these areas, there may be few doctors, clinics or other resources.

Sexual Violence in the Democratic Republic of Congo

Since August 2008, an estimated 250,000 people have been displaced due to escalating violence in eastern Congo. Civilians have fled their homes in an effort to escape fighting, and have found themselves in internally displaced person (IDP) camps that are still highly militarized and often dangerous.

Congo is one of the cruelest conflict zones in the world for women and girls. A surge in the conflict in late October 2008 in North Kivu was no exception; women and girls were once again in the crosshairs of violence.

In eastern Congo, women continue to take on the burden of caring for families, and face tremendous risks when they search for additional food, firewood and water outside camps and population centers. Civilians tell IRC that these daily chores in isolated forests and fields make women and girls an easy target for rape by armed actors.

IRC has also identified risks linked to women's movement on roads, where armed groups frequently use illegal checkpoints to tax civilians. Women have reported demands for taxes as high as \$10 when they return from their fields across frontlines. In contrast, the crops they spend a day collecting sell for around \$2; other women seek out day labor in the fields of landowners, earning less than \$1 per day. If unable to pay checkpoint taxes when returning from the fields, they are beaten and sometimes raped.

Destruction of homes and livelihoods, widespread displacement and pervasive lawlessness breed violence in eastern Congo. Women increasingly face abuse in their homes and, with no other means of survival, may be forced to exchange sex for food or money.

The myriad risks faced by women and girls in the Democratic Republic of Congo demand the attention and commitment of the international community, as well as a careful and concerted response by humanitarian organizations with the right technical expertise.

IRC Response to Sexual Violence in the Democratic Republic of Congo

IRC programs worldwide aim to meet the safety, health, psychosocial and justice needs of women and girls who are survivors of or vulnerable to gender-based violence. The IRC empowers communities to lead efforts that challenge dangerous beliefs, attitudes and behavior. This is done in partnership with communities and institutions to safeguard the human rights of women and girls and to empower them to enjoy these rights.

In eastern Congo, the IRC has assisted more than 40,000 survivors of sexual violence since 2003. In North Kivu, IRC is responding to the current emergency by carrying out activities to mitigate the risks of violence, ensuring that survivors have access to appropriate medical and psychosocial care, and helping to meet basic health and hygiene needs of women and girls.

Emergency interventions to date have included:

- Distribution of firewood for nearly 20,000 families displaced by recent fighting in order to help women and girls avoid risks faced when they leave populated areas in search of fuel wood;
- Presence of IRC staff trained in gender based violence (gbv) prevention and response in displaced settings to provide women and girls with information about available services, to ensure proper referral and treatment, and to carry out follow-up with survivors;
- Equipping health facilities with essential drugs, supplies and necessary training to manage the medical consequences of sexual violence in the Rwanguba health zone, as well as in and around the city of Goma;
- Distribution of sanitary supplies to 9,000 women and girls of reproductive age in order to ensure women's basic hygiene needs are met; kits distributed also include a battery-operated light for women and girls to use when moving around crowded living conditions after dark.

In South Kivu, IRC works with local civil society groups and other aid agencies in six territories to promote access to quality services for survivors of sexual violence. By providing technical, material and financial support to local service providers, IRC helps survivors gain access to quality medical, psychosocial, family counseling, and legal services.

IRC also partners with more than 20 grassroots women's organizations in North and South Kivu to support community-based initiatives that work toward the healing and empowerment of women and girls affected by sexual violence. IRC works with women's groups and local leaders at the community-level to address the psychological and social consequences of sexual violence, to improve survivors' access to services and promote the safety and well-being of women and girls.

Gender Based Violence in Southern Sudan

Although the signing of the Comprehensive Peace Agreement (CPA) in 2005 brought an end to the fighting in Southern Sudan, violence remains commonplace. Prolonged conflict has exacerbated and created new security risks, especially for women and children. These include the destruction of community and family structures, a breakdown in conflict resolution mechanisms, the presence of arms and vigilantes, prevalent trauma, increased alcohol consumption, weak security institutions, poor law and order and tensions between those who have fled and those who remained during the civil war.

Inequality between women and men - as well as pervasive physical, psychological, and sexual violence, early marriage and few educational and livelihood opportunities for girls and women - represent crucial obstacles to the process of recovery, reconstruction, and sustainable development.

While there are limited studies on the situation of women and girls in Southern Sudan, they have produced evidence of an overwhelming male bias in judicial and social systems as well as widespread domestic violence, early/forced marriages, wife inheritance, inequity in property ownership, unfair child custody, arbitrary incarceration, female genital mutilation and sexual harassment and assault.

Qualitative research conducted by the IRC with Southern Sudanese returnees and host community members, local leaders, government officials, and ordinary women and men revealed:

1. Women and girls were targeted throughout and immediately following the war for violence, and continue to be affected by violence to date
2. There is an entrenched normalization and expectation of violence. Women typically consider domestic violence to be a normal part of a marriage; the only incidents reported to local authorities are those resulting in severe injury or death. However, even in these instances, the use of violence itself is not questioned. Rather, the violent man is characterized as 'losing control'.
3. Early and forced marriage is common. One 14-year-old girl explained how her husband was chosen for her, saying "if you refuse the man that is chosen, you should be beaten and taken to that man, by any means, whether you want it or not." A 16-year-old boy concurred saying that "the girl should be beaten and forced by all means to the man, according to the will of her parents."
4. In the provincial town of Rumbek, spears, guns, and other weapons are commonly used in domestic disputes.
5. Women are not generally perceived to have the right to say no to sexual relations with their husbands with the exception of special cases such as illness or recent childbirth.
6. "Economic violence", in the form of denial of employment opportunities and withholding of money for food and healthcare, is also common within families.

7. Low levels of awareness of human rights in general, and women's rights in particular, persist. Although parents often recognize the right of children to education, in practice this right generally applies only to boys, with parents expressing preferences for marrying daughters to secure bride wealth over sending them to school.³

Those affected by gender-based violence often have no recourse through statutory and customary justice mechanisms. Customary beliefs and attitudes that treat gender-based violence as normal and prevent all but the most serious physical assaults from being treated as crimes.

There are insufficient juvenile and family courts, a lack of female judges and chiefs, and inadequate juvenile justice and family laws. Social stigma and fear of ostracism prevent many women from reporting cases, and the requirement to pay often exorbitant court fees excludes many people, particularly vulnerable members of society, from seeking justice.

Although a wide range of gender based violence-related cases are brought to customary courts, IRC has documented systematic discrimination against women in the handling of claims while monitoring these cases in the capital city of Juba and the provincial town of Rumbek under its Access to Justice Project. For example, many survivors of gender-based violence are brought to courts as defendants accused of having been illegally involved in sexual activity, even in cases when such activity is nonconsensual.

Those who might have the opportunity to report violence and abuse through the justice system often face further harm if they do pursue this recourse. IRC's projects in the state of Northern Bahr el Ghazal, for example, have regularly received reports of local courts imprisoning women as a punishment for seeking to divorce abusive husbands.

Role of Southern Sudanese Women in Peace Building

A preliminary assessment of gender based violence in regions of Southern Sudan commissioned by USAID in 2005 found "almost no programming to date that specifically targets gender based violence", and demonstrated the link between the condition of women and the prospects for a sustainable peace, concluding that "to continue to ignore gender based violence is to do so at South Sudan's peril: as stated in USAID's Fragile States Strategy, 'data shows a strong correlation between state fragility and inequitable treatment of women.'" More than three years later, except for several small scale GBV prevention programs implemented by IRC and colleague agencies, IRC finds these conditions largely unchanged.

³ In 2004, Southern Sudan had the lowest school attendance in the world; more than three years after the signing of the CPA, the situation has barely improved: only Afghanistan has lower primary school enrolment rates. Total adult literacy in Southern Sudan is estimated at just 15%, with significant disparities reported between males and females.

Sudanese women delegates to the April 2005 Oslo Donors Conference identified gender based violence as a key priority area and proposed mechanisms to protect women and girls from exposure to violence.

The Comprehensive Peace Agreement provides for affirmative action and support to women so that they can become part of the reconstruction process. Women and girls are getting new opportunities in the post conflict rebuilding of Southern Sudan; but with those new opportunities, come additional layers of challenges. Southern Sudan has a long history of discriminatory attitudes and practices towards women. Provisions of the CPA mandated that women be placed in key government positions. But the women were given little to no training or experience in these positions before taking office. This opportunity, for women to contribute toward peace building has instead led to 'frustration' by both men and women. Women have to 'catch up' to men and are expected to do so overnight.

Women in high level positions who fail to thrive, are then put forward as 'evidence' or justification that women don't belong in these leadership positions within the Government of Southern Sudan. Building the capacity of women in leadership and management positions is critically needed.

Resources, program and services most needed to assist survivors and protect and empower those at risk of gender-based violence:

1. Protection of women and girls from gender-based violence, especially in war-affected areas.
2. Improved and decentralized health services for survivors of sexual and physical assault including: medical treatment, reducing the likelihood of contracting HIV and other STIs, voluntary HIV/AIDS counseling and testing, primary health care and surgery.
3. Culturally-appropriate counseling, basic emotional and psychological support provided through trained and monitored service providers and community-based structures.
4. Assistance to survivors, families and communities to help facilitate the acceptance, social reintegration and long-term recovery of survivors.
5. Humanitarian assistance, where appropriate, including food distribution, shelter, and non-food items.
6. Provision of legal information and referrals, as requested, to survivors of sexual violence. This includes information about the potential risks and benefits associated with legal action so that survivors can make informed choices about safe actions which appropriately meet their needs.
7. Economic opportunities and training for women to assist with the recovery process as well as to increase their decision-making power within the home and community and to ensure that alternatives exist to commercial sex trade.

8. Education opportunities for women and girls in safe schools. Assistance programs should target efforts to improve educational opportunities for women and girls by providing resources to address violence against women and girls in school settings through teacher training, improved reporting mechanisms, awareness-raising with students, and by ensuring the safety of girls on school grounds and during commutes to school.
9. Systematic advocacy with state institutions, donor governments, UN agencies, NGOs and others to improve the delivery of specialized services and efforts to address and reduce violence against women through policy and legal reform. Advocacy should focus on emerging and chronic protection concerns, the scope and manifestation of violence against women, and gaps in service delivery, and calling for sustained commitment to address sexual and other forms of violence against women and children.

What can the US Government do to address the problem in the Democratic Republic of Congo and Southern Sudan?

The United States has a key role to play in promoting the allocation of resources to stop violence against women in war and post conflict settings and to ease the suffering of its innocent victims. Let me highlight key areas where the US government can make a critical contribution:

1. **Resources for Gender Based Violence Programs:** We thank the US government for the resources provided thus far to address the issue of violence against women and girls. For example, funding from USAID in DRC has allowed us to support 14 Congolese organizations provide service to 40,000 women and girls. Given the scale of the challenge and problem, in order to have a meaningful impact in terms of lives and increased security, much more will be required. Increased resources will translate into improved capacity in being able to hit the ground faster and more effectively to set-up life-saving services and start advocacy efforts at the onset of an emergency.
2. **Best Practices and Accountability:** The US Government should work with the UN system and member states to insist that sexual violence response and prevention programs supported by US funding be carried out according to international standards and best practices, and with utmost concern for the safety and well-being of beneficiaries and their communities.
3. **Efficient and Effective Programming:** The State Department and the Agency for International Development should help ensure that UN agencies (including UNFPA, UNICEF and UNHCR – as well as UN Action) efficiently and effectively coordinate gender based violence programming that is being carried out by multiple actors in the areas of health, psychosocial support, community outreach and prevention.

4. **Do No Harm:** The State Department and the Agency for International Development should help ensure that UN agencies continue to work in collaboration with aid agencies in order to facilitate safe, ethical and targeted analysis of the problem of violence against women and girls. However, this effort should not slow down or distract from the urgent priority of improving the coordinated response and making quality medical and psychosocial services widely available and accessible to women and girls.
5. **Protection:** The US Government should work with the UN system to help UN peacekeepers in Congo fulfill its mandate by taking tangible steps to improve protection of civilians in Eastern Congo, especially in areas occupied by the FDLR.
6. **Safety and Security and the Rule of Law:** The State Department should work with the state actors to re-establish command and control over government soldiers who operate outside the bounds of national and international humanitarian law.
7. **US Leadership in the UN:** The US Government should continue to be a strong leader in the landmark UN Security Council Resolution 1820, to ensure effective implementation. It is vital that the first report on Resolution 1820 address the priority problems of: women's participation, program coordination, high-level leadership, quality care, and unethical information gathering. Civil society groups must be involved in the design, implementation, and evaluation of strategies to address gender-based violence. Accessible services and quality care is a crucial factor for survivors of sexual violence and must be recognized as a priority. Information-gathering at the field level must take into account ethical and safety concerns of survivors and their care-givers. The absence of systematic surveys or irrefutable data of sexual violence prevalence should not be presumed to indicate an absence of violence. The appointment of a high-profile, authoritative, and independent global advocate for women in conflict, such as a UN Special Representative to the Secretary-General for Women, Peace, and Security will help ensure that the Resolution is taken seriously and that there is follow through.
8. **US Legislation:** Violence against women in conflict is now commonly understood by the international community as a violation of basic human rights. The understanding of a state's responsibility to protect women from violence has evolved considerably. In the 110th Congress, Senators Biden and Lugar introduced bipartisan draft legislation - the International Violence Against Women Act (IVAWA, S.2279) - which would make violence against women a key priority in U.S. foreign assistance programs. The draft legislation is of vital importance for the hundreds of thousands of women and girls affected by violence. In recognition of how violence against women is exacerbated by conflict and continues long thereafter, the bill was designed to address the issue in war-torn, post-conflict and development settings. Those of us working day in and day out on this issue support quick passage of a new bill, modeled on the earlier bill; which we hope will be introduced soon by the Senate Foreign Relations Committee.

Conclusion

In conclusion, I again commend both Sub-Committees for bringing the attention of the Senate to bear on this critical issue, and I thank you for the opportunity to present mine and the International Rescue Committees views. Sexual violence and its extreme consequences do not have to be an inevitable component of conflict and displacement.

The women and girls in conflict zones are waiting for the chance to heal and live free from the threat of violence. The US government can help make that hope a reality for women and girls around the world. We look forward to working with both Sub-Committees and the rest of Congress to ensure fulfillment of that hope. I would be happy to answer your questions.