



HOUSE OF LORDS

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The Select Committee on Sexual Violence in Conflict

Inquiry on

SEXUAL VIOLENCE IN CONFLICT

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Questions 33 - 39

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Witness: Madame Zainab Hawa Bangura

USE OF THE TRANSCRIPT

This is a corrected transcript of evidence taken in public and webcast on
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Members present

Baroness Nicholson of Winterbourne (Chairman)
 Lord Black of Brentwood
 Bishop of Derby
 Baroness Goudie
 Baroness Hilton of Eggardon
 Baroness Hodgson of Abinger
 Baroness Hussein-Ece
 Baroness Kinnock of Holyhead
 Lord Sterling of Plaistow
 Baroness Warsi
 Lord Williams of Elvel
 Baroness Young of Hornsey

Examination of Witness

Madame Zainab Hawa Bangura, Special Representative of the United Nations Secretary General for Sexual Violence in Conflict, United Nations (via videolink)

Q33 The Chairman: Good afternoon, Ms Bangura. I wonder if you can hear us.

Madame Zainab Hawa Bangura: Yes, thank you.

The Chairman: Excellent. Thank you very much indeed for joining us. We are immensely grateful to you and thoroughly appreciative.

Madame Zainab Hawa Bangura: Thank you.

The Chairman: Just as a reminder, this is a formal evidence-taking session of our Committee and we are taking a full shorthand note. That will go on the public record in printed form and on the parliamentary website, and we will send a copy of the transcript to you in case you want to correct any minor mistakes. The whole session is on the record and it is being webcast live, and that will then be accessible via the parliamentary website. It is perfectly possible that we may not get through everything that you would like to tell us and we would be most grateful for any supplementary written information or evidence that you care to give us afterwards. That would be hugely helpful.

Would you like to make any brief opening or introductory remarks about the topic of our session? Then I will go on to some questions from the members.

Madame Zainab Hawa Bangura: Thank you very much. I want to say good morning to everybody. I want to thank you all for giving me this opportunity to engage with you.

My office was established as a result of a United Nations Security Council Resolution that requested that the Secretary-General appoint a high-level individual at the rank of Under-Secretary General to provide coherent and strategic leadership on the issue of sexual violence in conflict. The Security Council meeting that adopted this Resolution a year earlier, in 2008, had adopted another Resolution to recognise sexual violence as an international

peace and security issue that requires a service, justice and peacekeeping response. I am the second holder of this office. The first occupant was Margot Wallström, who is now the Foreign Minister of Sweden. She held the office for two years. I am now just starting my fourth year. I will just give that brief background and then I will answer questions. Thank you very much.

The Chairman: Thank you. You have a huge background of knowledge and information. We have put together a few questions. We would be very appreciative if you could answer them.

Q34 Baroness Hussein-Ece: Thank you very much, Madam Bangura. It is a pleasure for us to hear from you. My question is going to be about how effective early-warning systems are for sexual violence in conflict. I particularly reference here what is happening in South Sudan. The Red Cross mission has reported, for example, that the scale of sexual violence in the last two years there has been unprecedented. Sadly, it has not been reported enough here in the United Kingdom—or perhaps not as much it could be. From your experience, given that this is a new country in which the UN has been quite heavily involved, where have the early-warning systems been most effective and how they can be more effective, given what we have seen in South Sudan?

Madame Zainab Hawa Bangura: Thank you very much. South Sudan happens to be one of the countries in which we are working. At the beginning, one of the biggest problems with sexual violence is the culture of silence and denial. That is one problem. The second problem is the capacity and the ability of the government to deal with this problem. When I visited South Sudan a couple of months back, I realised that one of the biggest problems we have to deal with in South Sudan is not only, as I said, the culture of denial or the political will that you need from the government to be able to turn Security Council resolutions into solutions, but the ability of the government to do any work on it.

South Sudan, as you know and as I observed, is a country that has been frozen right from the beginning. The country never took off. They have very few institutions and structures. Even though at independence they adopted the common law, because most of the judiciary was trained in Sharia law, most of the judges and the lawyers in South Sudan have very little knowledge with regards to the common law. The issues of sexual violence and issues relating to women's rights of inheritance are dealt with through cultural law. I had that discussion with the Minister of Justice. So, we had to start from scratch with regard to South Sudan. We succeeded in trying to get the government to acknowledge that sexual violence is taking place. We have a huge challenge in terms of accessibility. I visited Bentiu and I said to myself, and in the statement I made to the world, that what I saw in South Sudan was unprecedented.

The challenge that the UN has—they reduce the mandates of the governments. The government cannot do anything in terms of fighting impunity. They just do not have the capacity. Human rights has to do with the rule of law. You cannot try people when you do not have the right laws, when you do not have a court system, and when the police are not properly trained and they do not have the ability to investigate and the capacity to even collect evidence and protect it. We have a huge challenge with regards to South Sudan. Therefore, we have signed an agreement with the government. We are working on that. We just recently had an implementation plan with the SPLM-in-Opposition.

South Sudan is going to be a huge challenge for us. We have to start from scratch. I was extremely happy when the British High Commissioner in South Sudan made a statement and spoke about the issue of the judiciary. We must support and work with the judiciary. I called him on the phone and I congratulated him, because that is one of the biggest challenges we have in South Sudan.

South Sudan is a huge problem. The laws are not in place. The personnel are not there. They do not have the capacity. The government do not have control over the military. I spoke with the President about it when I met him at the African Union summit. So we have to go back to the drawing board and really work with them in a very comprehensive way.

Baroness Hussein-Ece: That is a pretty depressing overview of what is happening there. I hear what you are saying, but what you have outlined is pretty long term. In terms of bringing any of these people to justice at all and gathering evidence, is there any work being done to train people from outside to go in and perhaps assist or work alongside the judiciary there, or the military, to try to bring some of these people to justice?

Madame Zainab Hawa Bangura: For the UN to do that, the mandate of the mission has to change. When I came back from South Sudan, I spoke to all the PRs—the ambassadors in the Security Council—and I said to them, “There is very little we can do if the mandate of the mission in South Sudan is the protection of civilians”. All capacity-building mandates have been withdrawn. With the peace agreement that has been signed, we hope that most of these mandates will be reinstated and the different components and bodies in the UN can come together and be able to work with South Sudan, but now it is extremely challenging and we are very limited in what we can do.

The Chairman: Madam Bangura, just to tie up the ends of what you have just said, what were the mechanisms by which the sexual violence was reported? Were there any early-warning systems in place in South Sudan?

Madame Zainab Hawa Bangura: With regards to South Sudan, a lot of work has been done in trying to create the opportunity for early warning. The peacekeepers who were trained in South Sudan were trained to be able to detect when there are challenges of sexual violence. The African Union Commission of Inquiry on South Sudan, in its report, came up with a lot of information. Unfortunately, the report has still not been released. I have been to Ethiopia a couple of times. I have spoken to the Foreign Minister in Ethiopia and the IGAD and asked for those reports to be released.

Mechanisms have been created for early warning, but I have to be honest with you: the parties to the conflict have no respect for all of those rules. I have to be extremely honest. That is the biggest challenge we have. That is the reason why the Sanctions Committee Concerning South Sudan was set up. We have to ensure accountability. We have to hold responsible the command structure who have perpetrated these crimes. There is no way we can deal with this problem if we do not ensure accountability in South Sudan.

The Chairman: Can you tell us when the African Union report will be released and why they have held it back? Is it just that it is not quite ready?

Madame Zainab Hawa Bangura: When I spoke to the African Union at the time the report was prepared, there were indications that a peace agreement was going to be signed. The African Union members—the IGAD—thought that releasing the report would affect the political will in terms of implementing the peace agreement. Unfortunately for them, they

did not release the report and the peace agreement collapsed. There is a now lot more pressure on them, especially since the UN took very strong action, led by the UK and the US, in terms of holding the leadership accountable and ensuring that these people will pursue a peace agreement, or they will have sanctions on them.

Q35 Baroness Hilton of Eggardon: Madam Bangura, I am interested in the causes of sexual violence. Most of the attention has been on women and girls, but men and boys are also assaulted and raped. I wonder whether you see the causes of that gender difference as distinct. Does it vary from one country to another?

Madame Zainab Hawa Bangura: Thank you very much. Each conflict is different; each is unique. The important issue that we have taken into consideration is that because the nature of conflicts has changed, you now have conflicts more within countries, as a result of bad governance or of marginalisation—there are so many reasons within a country. As a result of that, parties to the conflict try to access and dehumanise their opponents. They target the most vulnerable: the people who hold the communities together or the fabric of the community. Because the respect for women and children is extremely important to a father—for his daughter—they target women and children more. But in countries like Syria, where you have a lot of detention, house-to-house searches and checkpoints, we find that men have been targeted. The nature of sexual violence committed against men is mostly in detention facilities to solicit information from them, to interrogate them and to punish opponents of the government. We see it more in countries like Syria, mostly in detention facilities.

Because women are seen as the fabric that holds society together and a woman is like the ambassador of a family—she is the pride of the family, as well as the daughter—they target them more and punish them. The third reason is that most of the men go out to fight. The people who stay behind are mostly women. What I have seen—whether it is in Colombia, the DRC or Somalia—is that the lower the status of a woman, the less education and the less economic opportunity she has, the greater the chances are for her to be sexually abused. You find a lot of sexual abuse takes places in rural communities. This crime is one that is shrouded in secrecy, so a lot of the victims of sexual violence are people who live in far-away communities, where they cannot access the police or the justice system and they find it very difficult to report the cases.

The Chairman: Thank you. That is extremely interesting.

Q36 Lord Black of Brentwood: Thank you very much, Madam Bangura. One of the things that came out of 2106 was a requirement for the Secretary General to report annually on sexual violence in conflict, and it is a very useful summary. In the last report, there were 19 countries covered. How is it decided which countries are going to be covered in that report? What criteria can you use?

Madame Zainab Hawa Bangura: A lot of the time, we look at countries that are on the Security Council agenda. We also solicit information from UN entities under the United Nations Action against Sexual Violence in Conflict, which comprises 13 UN entities including the DPKO and the Department of Political Affairs, and the UN agencies—UNDP, UNICEF, UNFPA and UN Women. We send the information out to countries where there are conflicts. Depending on the quality of information we get, we put it together and we assess it. We do not have to say we are limited to 19 countries. If this year we were able to have

concrete information and evidence—UN evidence—that sexual violence had taken place, we definitely would include that country.

Lord Black of Brentwood: So, it is very much driven by the quality of the information. I see that.

Q37 Baroness Warsi: Good afternoon, Zainab. It is good to speak to you again. I wanted to ask a question in relation to the distinction between sexual violence committed by State actors and sexual violence committed in conflict by non-State actors. I would like to hear your thoughts on the difference between the two. One of the roles this Committee has is to come forward with practical suggestions as to how we can progress this agenda of preventing sexual violence in conflict. Your views on this would help us in understanding where our focus should be.

Madame Zainab Hawa Bangura: Thank you very much. Since the UN was created, it has developed mechanisms and tools to engage State actors—military, police and intelligence. We know who they are, we know where they work and we work very well with them, so it is much easier for us to determine when they commit sexual violence and engage them. Unfortunately, we do not seem to have a policy on non-State actors. The challenge we have with non-State actors is that their size varies. For example, in the Democratic Republic of Congo, you have non-State actors—from local militias to foreign groups, and then to big groups. The challenge we have had within the last two years is how we can broaden our knowledge of non-State actors. Within the last year, we have seen a growth in non-State actors and some of them becoming even bigger than States—for example, ISIL. Unfortunately, accessibility is very difficult in their areas. That is one of the biggest challenges we have. Secondly, a lot of them have very limited contact with NGOs and UN entities. They are within the sanctions committee. You cannot deal exactly and directly with ISIS. We have started building our capacity and our work in engaging non-State actors' understanding.

We just did our first engagement with the SPLM-in-Opposition. Some of my colleagues just came back from Addis, having sat down with them and drawn up an implementation plan and asked them to make specific commitments. Next weekend, the same colleagues will be going to the border of South Sudan where the SPLM-in-Opposition leader is assembling all of his commanders, to brief them. The challenge is about giving the command order. They do not have the same structures and institutions that State actors have. For example, the military has a military justice system. They have units that collect information. It is a huge challenge.

The fact that most non-State actors are committing sexual violence means that we have to find ways and means of engaging them—the ones that we can engage. In our report last year, as you can see, of the 45 listed parties to the conflicts, only five of them were State actors. That is a huge challenge we have, and we must find a way to deal with them and engage them. We must be able to understand them. We must understand their command structure and command order. We must know who the leaders are and what institutional structures they have in place and how we can work with them. We do not have the mandate to be able to build their capacity. How can you build the capability of a rebel group? How can you hold them accountable? How would they even know that they are committing a crime? A lot of them have no respect for international law. That is the problem we are finding. They have no respect for international borders. It is an extreme

challenge, but this is something we are looking at and talking about. This year's report is definitely going to concentrate a little bit on it. It is important for us to concentrate on that.

Baroness Warsi: Could I ask a supplementary in response to that? The cases of sexual violence by non-State actors that we hear about in the United Kingdom are not so much in relation to Ethiopia, Sudan or the DRC but are mainly in relation to ISIL. What I would like to hear is your opinion on what can—if anything—be done about the sexual violence that is being perpetrated by ISIL.

Madame Zainab Hawa Bangura: Thank you very much. I came back from the Middle East in early May. I visited Damascus in Syria, I visited Lebanon, I went to Baghdad and Erbil in Iraq, and I went to Turkey and Jordan. I have to tell you that when I visited Lalish, which is about 50km from Mosul, where I had detailed discussions and engagement with victims of sexual violence—girls who had just returned from captivity—what came out very clearly to me was that, as far as ISIL is concerned, sexual violence is not accidental. It is part of their strategic objective to build a caliphate. They use sexual violence to entice young men. They raise money from sexual violence. They sell these women in open markets; they auction them. They give them back to their parents if a ransom is paid. It has become the political economy of ISIL; it is a currency with which they are working. They are especially targeting minorities in terms of ethnicity, religion and sexual orientation. If you look at the way they operate, when they capture a village they separate the men from the women. They execute all the men. They separate the women into three categories: the older and married women with children, the married women without children, and the virgins—the young girls. These young girls are kept in houses where they are examined and people come from across the region to buy them at different prices. They sell as many as they can before they give the rest to the fighters.

Coming out of that visit, I decided that we have to be able to develop a strategy with regard to sexual violence in the Middle East, to mobilise political commitment, support and resources to advance the mandates. I have written letters to all of the parties—to Kerry and everybody, including your Foreign Secretary—to make sure that in their counterterrorism strategies they include the protection of women. Sexual violence is key to ISIS's strategy in terms of building a new caliphate. Unfortunately, the strategies that are working right now are more focused on the military. We do not have access to ISIS-controlled areas, but we have to create a mechanism to ensure the 40,000 or so fighters from 100 countries will be held accountable. I visited The Hague and I spoke to the ICC. Unfortunately, Syria and Iraq are not parties to the Rome Statute. There is the issue of accountability; we must be able to see what needs to be done and we have to be able to generate more information. The challenge we have is access to information. We are deploying somebody in November for two to three months in Iraq to get us more information that we can include in the report that is coming out next year.

There are a lot of challenges, I have to tell you, but the world needs to focus on this. It is a very sophisticated group. We have underestimated them and they are still ahead of us. I have to be extremely honest: we need to put in a lot more effort and resources to be able to understand them more and to move ahead of them. For now, they are moving ahead of us, because they are using against us the tools we have developed as an international community to ease our means of communication. We are engaging ISIS on our own international standards, yet ISIS does not respect international law. When we talk about the issue of freedom of expression, freedom of expression is being used to protect people; ISIS is

using that freedom to terrorise people and kill people. We still have to think outside of the box. We cannot use the tools we have developed, such as sanctions and travel bans. They cannot work with ISIS. We have to control and change the areas where they get their resources. We have to suffocate them in terms of social media, which they are using against us. It is about putting together a more robust and comprehensive strategy to address them. Those are the conclusions I came out with about ISIS.

The Chairman: Madam Bangura, what can the international community do to assist you in developing tools that will help you in your work on this, and in the other countries where there are non-State actors?

Madame Zainab Hawa Bangura: What we have been doing within the last couple of years—this is where the PSVI has helped us—is breaking down the culture of silence. Raising the visibility of this crime is making sure that countries where these crimes are being committed accept that these crimes are being committed and take the necessary action. The United Nations Security Council has developed almost all the tools you need to be able to deal with this crime. The challenge we have is how you turn those resolutions and tools into solutions on the ground, where the crimes are being committed. How do you hold these people accountable? How do you support their justice system? How do you build their capacity? How do you make sure a policeman in Côte d'Ivoire or Somalia knows that, first, this is a crime and, secondly, he needs to investigate it? How do you make sure he knows how to investigate it, he can collect the evidence, he can protect the evidence and he can present the evidence in a court of law to be able to make sure that there is a prosecution?

It is not only with Member States. I visited the International Crisis Group. One of the discussions I had with them, with all the 15 judges, was about the fact that even though the ICC has succeeded in including sexual violence in all their indictments and they have had successful indictments, they have not been able so far to have a successful prosecution. Evidence and information that is collected by us, by Amnesty International and by Human Rights Watch is information for publication and reporting; it is not information for prosecution. Sexual violence is a very complex and difficult crime to prosecute. We need to work much harder with groups on the ground, with countries and with NGOs to be able to make sure the evidence they collect can be presented successfully in a court of law and we can have successful prosecution. That is what we are working on and that is what we hope will happen.

Q38 Lord Williams of Elvel: Ms Bangura, speaking of State actors, are you satisfied that what happened in the former Yugoslavia, where Serbia quite clearly engaged in sexual conflict in order to establish their ethnicity, has now been satisfactorily cleared up under international law or is there more to come out? Secondly, on non-State actors, you have referred to ISIS. We had a witness from Australia not very long ago and we discussed this. He said that, when you come to organisations such as ISIS, there is no peaceful solution; you have to “remove them from the equation”. Those were his words. Would you agree with that?

Madame Zainab Hawa Bangura: With Bosnia, I have to be extremely honest with you: when I visited Bosnia, it was very disappointing that, after over 20 years since the end of the conflict, we have not been able to have even 30 prosecutions. I came to the conclusion that there is no way we are going to have justice for all of the women in Bosnia. Some 40,000 to 50,000 women who were raped during the Bosnia conflict have not been able to bring

closure. One of the women I spoke to said to me, “They took away my life without killing me”. What I did—I engaged the then Foreign Secretary—was develop a programme that would provide medical support, psychosocial support and livelihood support for the women of Bosnia. We prepared a proposal together in consultation with the UN entities in Bosnia and the proposal was for \$4 million within a period of three years. The UK was very generous and put in resources, as did the Canadian government and UN Action. The programme is in its second year.

There is no way, to be honest with you—because the people who committed the crimes in Bosnia are in the police, the military, and the government. They are schoolteachers. Those women see them on a daily basis. The war in Bosnia was frozen; the conflict was never concluded. The biggest losers are the victims of sexual violence. The best I can do in my capacity is to ask countries how we can support those women to move on with their lives and be able to go to the next phase. We will never completely have justice in Bosnia.

On the ISIS question, we cannot start the process of dealing with ISIS and of addressing accountability if we do not militarily defeat ISIS. It is not possible. ISIS’s concept is about building a new State. In its process of building a new State, it is destroying the existing States. They are dismantling the structures and everything that reminds them of the old States. Their philosophy is completely different. There is no way we can engage ISIS. That is impossible. You cannot have a political dialogue with them, so the most important thing is to be able to defeat them. The challenge we have is that, by the time they are defeated, I can assure you there will be very little left of the States of Iraq and Syria where ISIS had been present.

Q39 Baroness Kinnock of Holyhead: Zainab, thank you very much. There is no doubt at all in any of our minds about your total commitment to the issues you have been discussing with us here today. We are very well aware of the solidarity and the political will you show, and the commitment you show to women. That is really paying dividends and that is much to be appreciated. Another point, which is part of my admiration for the work that you do, is that you talk about an increase in commitment from Member States. You call upon Member States to show more understanding and accept sexual violence as a crime, which of course it is. I wondered how that kind of engagement is working, because I know you say it very clearly. In terms of that and in terms of the resources needed by you and the work you do, how much success have you had in getting a decent, good response from Member States of the UN?

Madame Zainab Hawa Bangura: Thank you very much. First and foremost, I have to say, interestingly, that my mandate in the Security Council, because it was created by the Security Council, has been able to have unanimous support and consensus across the board. I really appreciate the leadership that is being provided by the UK and by the United States. I will give you one typical example of the kind of support that I mean when I talk about support. When we started working in Somalia, 70% of the women in the camps in Mogadishu had been subjected to sexual violence and they had been divorced by their husbands. A woman was raped by a police officer, and the government, in response, arrested her, her husband, the lawyer defending her, the human rights officer and the social worker, and sent them to prison. I did a broadcast and a press release. I got the Secretary-General to make a press release against it. The President did not say anything about it. At that time, interestingly, he was making his tour around the world. He was going to

Washington; he was going to London; he was going to Brussels. This was his first public relations tour. With the support of the United States mission, when he arrived at the State Department, the first question Hillary asked him was, “What happened to that woman and all the people you arrested on sexual violence?”. He dismissed it and he said, “This has to do with the judiciary; the case is in court”. It was raised at the White House. At that time, he did not realise that we had built a political momentum. He went to the UK. When he arrived in Downing Street, that was the first question he was asked. All of a sudden, he realised that this was not just something he could dismiss. He promised he would look into it and try to do as much as he could. By the time he left and went to Brussels, the first question he was asked by the Commissioners was, “What has happened to this lady?” He straightaway realised that this is something he had to deal with and that sexual violence is an issue he needed to address. He released the woman. I then decided I was going to visit. He refused to accept me. When I arrived there, the President was not there, the Foreign Minister was not there and the Prime Minister was not there, because they did not want to discuss the issue. The British High Commissioner flew from Kenya. He came and supported me and we had a discussion with one minister who at that time was the Minister for Human Development. What the then Foreign Secretary did was to make sure that, at the donor conference in London, there was a side event on sexual violence. The President could not escape it. He had to sign an agreement with the Deputy Secretary General of the United Nations. That made sure the issue of sexual violence was dealt with.

When I went to visit Somalia, the Chief Justice said to me, “We do not have sexual violence here, because as Muslims we marry four wives. The population is 60% women. Why do we need to go and rape them?”. It just tells you the way they are and what they believe in. Even though I was in London, the President still called me and said, “You know what? I am signing this agreement, but some of the victims want visas to go overseas; they want to claim asylum. That is why”. Without the pressure of the international community—the UK, the European Union and the US—we could never have had a programme in Somalia.

Today we have a new law. We are working with the military. We are working with the police. We have gender measures.

Within the last three years since I took this job, I have received support in terms of resources and commitment. The most important thing is the political commitment behind you—making the countries where these crimes are happening understand that you have the support of their donors and that their donors ask questions about sexual violence. I have tremendous support in terms of resources. Even in my office—I am a very small office—I have a JPO from the UK. I have one from Germany and one from Norway. I am negotiating with Japan and the Netherlands. In the DRC, where we were trying to configure the mission to be able to have a very senior person, because it was our biggest challenge, the UN said, “We do not have the resources to have a D1 at that level”. For the last two years, the Dutch government has provided a D1 senior person from the Dutch Ministry of Foreign Affairs to represent us and bring all of the parties together: the Minister of Defence, the Minister of Gender, the Senate and the President’s Office of Personal Representative. I have to be honest: we have tremendous support and capacity. Yes, there are a lot of challenges. We are dealing with a lot of countries. For example, now, in the Middle East, we are mobilising help. We need people who are familiar with Sharia law. We have to deal with that. We are building and strengthening our capacity within the Middle East to be able to address the enormous problem we have in Syria and Iraq.

It is an ongoing challenge, but the response has always been very good, whether it is from Japan or Sweden. The Japanese are the biggest funding partner now for my office; the Swedish are the second. There is a lot of momentum.

The Chairman: Madam Bangura, thank you very much indeed for giving us such a rich and full exposition, which is just a fraction, we can tell, of the enormous work that you and your office are doing. You have our warmest support and warmest congratulations on everything. Thank you immensely. We had another six or eight questions, but I hope you will allow us to put those in writing to you and that we can hear from you, because your evidence is crucial for us to have in your report. Thank you very much indeed.

Madame Zainab Hawa Bangura: Thank you very much. I look forward to receiving the questions and I will respond to them immediately. Thank you so much.

The Chairman: Thank you.