

Sexual Violence as a Weapon of War: Call for an International Protocol on Conflict-Related Sexual Violence | Statement Submitted to the Sixty-Ninth Session of the Commission on the Status of Women

Introduction: The Israel Women's Network, Hadassah, The Women's Zionist Organization of America, and the International Council of Jewish Women submit this statement to the Commission on the Status of Women to express our profound concern regarding the widespread and systematic use of conflict-related sexual violence, particularly in light of the horrific events of October 7, 2023. We would also like to acknowledge our allies, The Dina Project, Jewish Women International, and National Council of Jewish Women, who contributed to the preparation of this statement. In regard to the section on Women in Armed Conflict in the Beijing platform of action, this statement aims to shed light on the brutal reality of conflict-related sexual violence, its use as a weapon of war, and the existing gaps in international law that hinder effective prevention and response. Ultimately, this statement advocates for a robust international response, including the development of an international protocol specifically addressing conflict-related sexual violence and ensuring legal actions against the perpetrators and justice for survivors.

October 7th, 2023: Sexual Violence Unleashed: The brutal attacks carried out by Hamas on October 7th, 2023, offer a chilling illustration of conflict-related sexual violence. The mission report published by Special Representative of the Secretary-General on Sexual Violence in Conflict, Under-Secretary General Pramila Patten, drawing upon witness testimonies, forensic analysis, and open-source investigations, presents compelling evidence of widespread sexual violence perpetrated against women and children during these attacks. The fact-finding mission led by Patten found a pattern of naked, often bound female bodies, some bearing execution-style gunshot wounds to the head, in multiple locations. These findings strongly suggest a systematic pattern of sexual violence used to terrorize, subjugate, and inflict suffering. The report also confirms acts of rape and sexualized torture against hostages taken by Hamas to Gaza, raising concerns that such atrocities might be ongoing, concerns repeated in Special Representative's statement issued on October 7, 2024.

Sexual Violence as a Global Weapon of War: The horrific events of October 7th, while shocking, are not isolated incidents. We recognize the systematic use of sexual violence as a weapon of war at an extensive proportion across various global conflicts, as highlighted in the Secretary-General's annual reports. Perpetrators, often operating with impunity, exploit the vulnerabilities of mostly women and children, employing sexual violence as a tool to achieve military and political objectives. These acts are often designed to instill fear, displace populations, destroy social fabric, and exert dominance over targeted communities.

The Weaponizing of Social Media Causing Disinformation and Terror: In today's media landscape, where more than half of Americans get their news from social media, terrorists and bad actors use these platforms to spread disinformation, incite violence, and further traumatize their targets. Social media allows them to create narratives that exonerate their acts of terror and falsely depict support for their violence. During the horrific October 7th attacks, Hamas and other terrorists utilized GoPro footage and social media to livestream atrocities, including

executions and torture of civilians, while trying to portray themselves as a dominant resistance movement in the Middle East.

The online environment also complicates efforts to document atrocities and seek justice for survivors. When a survivor of sexual violence in Hamas's captivity came forward, she was met with an online campaign of denial about what had happened to her, making it harder to pursue justice. In her March 2024 mission report, Special Representative Patten highlighted how media scrutiny of those who shared their accounts hindered access to other survivors, including potential victims of sexual violence.

Hamas is not the only group weaponizing social media for terror. The sexual perpetrators from the Ukraine-Russia war skillfully used online platforms to spread disinformation campaigns, employing tactics like fake grassroots campaigns and fake news, in order to cover their brutal sexual violence and other crimes against humanity.

Existing Frameworks and Gaps in International Law: Existing international law contains provisions that address sexual violence in conflict. The Rome Statute of the International Criminal Court, for instance, recognizes rape, sexual slavery, enforced prostitution, enforced sterilization, and other forms of sexual violence as war crimes and crimes against humanity. Additionally, United Nations Security Council Resolutions, such as 1325, 1820, 1888, 1960, 2106, 2122, and 2493, emphasize the need to protect women and girls from gender-based violence in conflict, recognizing sexual violence as a tactic of war and calling for accountability and an end to impunity.

However, despite these existing instruments, a critical gap remains, as highlighted in the Team of Experts on the Rule of Law and Sexual Violence in Conflict 2023 report. The Team of Experts's findings emphasize that progress in achieving accountability for conflict-related sexual violence is not commensurate with the scale of the phenomenon. The Team of Experts attributed this discrepancy to several factors, including: lack of political commitment that hinders the adoption and implementation of law, policies and procedures; lack of resources of national legal institutions to effectively address conflict-related sexual violence that results in falling short of international standards; lack of cooperation between all stake-holders that interferes with the justice-delivering process.

These gaps strengthen the need for **a singular, comprehensive international protocol that explicitly outlines the specific actions states must take in the event of conflict-related sexual violence**. Such a protocol is essential to standardize immediate action and response mechanisms, ensuring that survivors receive timely and appropriate medical care, psychological support, and legal assistance, including access to justice and redress mechanisms. Furthermore, by establishing clear guidelines for the collection, documentation, and preservation of evidence, it would facilitate effective prosecution of perpetrators in both national and international courts.

Call for International Action: we call upon the international community to take decisive action to address the global scourge of conflict-related sexual violence. The atrocities witnessed on October 7th, 2023, and the alarming increase of 50% cases of conflict-related sexual violence documented in the Annual Report of The Secretary General of 2023 reflecting the prevalence of sexual violence as a weapon of war, demand a unified and robust response. To

that end, the Israel Women's Network, Hadassah, The Women's Zionist Organization of America and the International Council of Jewish Women, advocates for the following:

- **An International Protocol on conflict-related sexual violence:** This protocol should establish a clear framework for responding to conflict-related sexual violence, informed by existing standards like those outlined in The Murad Code, outlining specific state obligations regarding:
 - The establishment of clear guidelines for the collection, preservation, and analysis of forensic evidence in cases of conflict-related sexual violence, adhering to international standards and ensuring the admissibility of such evidence in legal proceedings. These guidelines should prioritize survivor consent and control.
 - The steps to integrate the online front into all future investigations of sexual violence. Social media trends use by the perpetrators must be included and considered when investigating conflict-related sexual violence.
 - The creation of effective mechanisms for reporting conflict-related sexual violence, ensuring confidentiality, safety, and support for survivors who come forward. These reporting mechanisms must uphold the principles of confidentiality and data protection.
 - The provision of comprehensive services for survivors, including medical care, psychological support, trauma-informed counseling, legal aid, and access to safe housing.
 - The development and implementation of specialized training programs for law enforcement, military personnel, civilian workers, and humanitarian workers on the immediate response to conflict-related sexual violence. This training should incorporate a trauma-informed approach to interviewing.
- **A UN Resolution validating this international Protocol on conflict-related sexual violence and budgeting for its implementation:**
 - This resolution should call upon all states to incorporate the provisions of the International Protocol on conflict-related sexual violence into their domestic legislation and to cooperate fully with international mechanisms established to investigate and prosecute acts of conflict-related sexual violence.
 - Urge the international community to provide financial and technical assistance to states in their efforts to implement this International Protocol and to support organizations working on the front lines to assist survivors and hold perpetrators accountable.

Conclusion: The need for a comprehensive international response to conflict-related sexual violence is undeniable. The Israel Women's Network, Hadassah, The Women's Zionist Organization of America and the International Council of Jewish Women, believe that the creation of a dedicated robust International Protocol, coupled with a strong UN resolution, is crucial to protecting vulnerable populations, furthering accountability, ensuring justice for survivors, and fostering a world where sexual violence is no longer tolerated as a tactic of war.