

Briefing of Ms. Pramila Patten, Special Representative on Sexual Violence in Conflict to the Security Council

6 June 2022

Mr. President, Distinguished Members of the
Security Council

I wish to thank the Albanian Presidency for organizing
this meeting and for inviting me to brief.

In April, on the occasion of the annual Open Debate of
the Security Council on Sexual Violence in Conflict, I
posed a question:

‘What do the ten resolutions on Women, Peace and
Security – five of which focus squarely on preventing and
addressing conflict-related sexual violence – mean right
now for a woman in Ukraine?’

This was the question which compelled me to visit
Ukraine in early May. Painfully, my visit cast into stark
relief the gap that still exists between the aspiration of
prevention expressed by this Council through the robust
normative framework that has been established over the
past decade, and the reality on the ground for the most
vulnerable.

The commitment of the Security Council is unequivocal, to bring all tools to bear to break the seemingly endless cycles of sexual violence and impunity. The resolutions on sexual violence articulate the elements of a compliance regime to influence the conduct of perpetrators, and potential perpetrators. The resolutions reinforce International Humanitarian Law, which makes it clear that even wars have limits, and sexual violence is beyond the scope of acceptable conduct, even in the midst of battle. These limits have been universally agreed upon and must be universally respected. They include a categorical prohibition on all forms of sexual violence, which can never be excused, justified, or amnestied.

Yet, as the conflict in Ukraine passes the 100 day mark, we are faced with mounting allegations of sexual violence.

I have issued 3 public statements on Ukraine since February, to ensure that this issue is not shrouded in silence or normalized by impunity. I have urged all parties to the conflict to ensure the protection of civilians from sexual violence, including those displaced internally and across borders following the largest and fastest population flight this century. I have called for swift and rigorous investigations, to ensure accountability as a central pillar of deterrence, prevention, and non-repetition, because the failure to acknowledge and investigate such crimes is the

surest sign that violations will continue unabated. At the same time, it is essential that we prioritize support for survivors of sexual and gender-based violence as a life-saving component of the overall humanitarian response.

Due to active hostilities, mass internal displacement, the breakdown of referral pathways for services and stigma associated with sexual violence, alleged victims have often been unable or unwilling to report to law enforcement authorities or service providers. Referral pathways for relevant services are not functioning in many places, especially in eastern Ukraine. For example, prior to 24 February, 20 medical service delivery points and maternity hospitals were providing assistance to survivors of gender-based violence, with the support of UNFPA. As of 18 April, only nine such facilities were operational due to damage from hostilities and staffing shortages. In the current context, many allegations of conflict-related sexual violence are difficult if not impossible to verify, making it challenging to assess prevalence.

As of 3 June, the Human Rights Monitoring Team of the United Nations High Commissioner for Human Rights has received reports of 124 alleged acts of conflict-related sexual violence, occurring against women, girls, men and boys in Chernihiv, Dnipropetrovsk, Donetsk, Kharkiv,

Kherson, Kyiv, Luhansk, Mykolaiv, Vinnytsia, Zaporizhzhia, Zakarpattia, and Zhytomyr regions.

Women constitute most of the alleged victims (56 of 124 allegations concern women and girls). 49 of the allegations are against children (41 against girls, 7 against boys, 1 gender unknown). 19 of the allegations are against men, including rape, attempted rape, forced public stripping and threat of sexual violence.

Verification of cases is on-going.

During my visit to Kyiv, the Prosecutor General of Ukraine informed me that between 24 February and 12 April, a national hotline on domestic violence, human trafficking, and gender-based discrimination reported the following forms of conflict-related sexual violence, based on calls received: rape, gang rape, pregnancy following rape, attempted rape, threats of rape, coercion to watch an act of sexual violence committed against a partner or a child, and forced nudity.

From our experience of conflicts the world over, we know that sexual violence is the most consistently and massively under-reported violation, and that available data only represents the tip of the iceberg. An active battle-ground is never conducive to accurate 'book-keeping'. But if we wait for hard data and statistics, it will

always be too late. This is why we must mobilize immediately on the basis of our common conviction that even one case of sexual violence is unacceptable. We do not need hard data for a scaled-up humanitarian response, nor for all parties to put in place preventive measures.

In this regard I wish to acknowledge and commend the ‘leadership-by-example’ of the Ukrainian authorities in their agreement of a Framework of Cooperation with the United Nations on the Prevention and Response to Conflict related Sexual Violence that was signed by Deputy Prime Minister Olha Stefanishyna on 3 May in Kyiv as an outcome of my visit. This Framework will serve as the basis for a comprehensive and multi-faceted preventive and service response and more effective coordination of all stakeholders, including the United Nations agencies in Ukraine and neighboring countries.

Allow me, Mr President, to emphasize five critical areas of the Framework:

First, **strengthening rule of law and accountability** as a central aspect of deterrence and prevention of crimes of sexual violence.

Second, **strengthening the capacity of the security and defense sector** to prevent sexual violence. This will require specific action plans by the military, police, border

guards and other government security and defense forces, encompassing also over 100,000 volunteer forces;

Third, ensuring that survivors of sexual violence, as well as their children, have **access to comprehensive services, including sexual and reproductive health, psychological, legal, socioeconomic services and reintegration support.** This will entail support to Ukraine's national health and social services systems.

Fourth, even as we deal with the immediate challenge of conflict unabated, we must cast ahead to on-going and future negotiations for cessation of hostilities, and ensure that **sexual violence is addressed in the framework of a ceasefire agreement, and that such crimes are ultimately reflected in specific provisions of any peace agreement,** including those related to security arrangements and transitional justice mechanisms. This includes ensuring that amnesties for sexual violence crimes are explicitly prohibited. Furthermore, it is essential that we ensure the full, equal and meaningful participation of women in all political processes, including negotiations for peace. Ukrainian women-led organizations are active on the frontlines of the sexual and gender-based violence

response, yet women have been conspicuously absent from the negotiating table thus far.

Fifth, addressing **conflict-related trafficking in persons for the purposes of sexual exploitation/prostitution**. This will entail awareness-raising and training of military personnel, Border Guards, Police and immigration officials, and will require action of neighboring and receiving countries, and the institutions of the European Union.

Too often have the needs of women and girls in conflict settings been sidelined and treated as an afterthought. This Framework of Cooperation makes them an explicit priority, and I call on the solidarity of this Council and the international donor community to support the Ukrainian authorities and relevant United Nations entities to implement the Framework. Fundamentally this is as important for Ukraine's future as the defense and security sector expenditures for which billions of dollars have already been mobilized.

I also wish to note that last week I had the opportunity to debrief the Mission of the Russian Federation to the United Nations on my visit to Ukraine. I emphasized that my Office is at the disposal of all parties to the conflict, to

support the implementation of preventive measures that mitigate the acute risks of conflict-related sexual violence. Resolutions 1820, 1888, 1960, 2106 and 2467 provide a clear and unanimously agreed preventive framework, which includes issuance of clear orders through military chains of command that reinforce zero-tolerance for sexual violence, and the designation of high-level civilian and military focal points to engage with my Office and other relevant United Nations actors, among other measures. I look forward to further consultation with the Mission of the Russian Federation to the United Nations on possible modalities for cooperation in this sphere, including the facilitation of access to areas not under Ukrainian government control.

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I wish to bring particular attention to the trafficking dimension. As the Secretary-General stated in March, “For predators and human traffickers, war is not a tragedy. It is an opportunity”. Women and children fleeing the conflict are being targeted for trafficking and exploitation – in some cases facing further exposure to rape and other risks while seeking refuge.

In addition to my engagement with Polish and Moldovan local and State authorities, I visited reception centers at

border crossing points in both countries. We must acknowledge and commend the outpouring of financial and moral support for the Ukrainian people by national and local authorities as well as private citizens, which is perhaps unprecedented in modern times. Yet the protection challenges related to the displacement in the past 100 days of close to 14 million people, mostly women and children, 6.8 million of whom have fled across borders, is also unprecedented.

From the outset of this conflict, heightened risks of trafficking in persons including for purposes of sexual exploitation and prostitution have been alarmingly evident.

The lack of consistent vetting of accommodation offers and transportation arrangements is a serious concern, as well as the limited capacity of protection services to address the velocity and volume of displacement. There are also concerns regarding the multiplicity of volunteers, with limited vetting, and little or no training or experience.

In Przemysl (Che-Mi-Chow), Poland, my team and I visited the site of the Tesco Supermarket that has been

converted into a receiving center for Ukrainian refugees. While the range of services being provided is exemplary, there are grave security and protection concerns in a facility run by volunteers, and with only a ‘bare-bones presence’ of United Nations agencies.

For example, we heard a number of credible anecdotal accounts from humanitarian staff:

- With minimal security screening a man registers as a volunteer at the Tesco center in the afternoon, and enters the ‘French room’ where refugees are waiting for transport to France. At that time, he makes contact with a 19 year old woman, whom he later wakes up in the sleeping hall at 2:00am, offering a ride to France. Another volunteer becomes suspicious of this individual roaming the sleeping quarters in the early morning hours, and intervenes.
- Another man, wearing a yellow volunteer’s vest and standing with a sign at the Przemysl (Che-Mi-Chow) train station hall, is offering free transport from Poland to Germany. Other volunteers became suspicious and inform local law enforcement when they notice that the man was selecting only young women for transportation in his minivan.

In Warsaw, during a meeting with officials from the Ministry of Justice, a Judge of the Criminal Court shared with me how while she was in the Rzeszow (Che-chov) reception center, she was personally approached by a man who sought her help to have access to 8 young women and adolescent girls whom he had identified and wanted to offer transportation to Germany. She told me that even as a Judge, she was not initially suspicious, until a volunteer intervened and informed her that the same man had been coming every two days to handpick young women and girls. The judge made an urgent appeal for awareness raising and training of law enforcement officials and other relevant actors.

Within the humanitarian response architecture in Ukraine, a temporary task force on human trafficking has been established to strengthen coordination and foster cross-border cooperation, including among criminal justice actors. However, it is critical to ensure that effective protection systems are in place in all transit and destination countries, and at all border crossings.

Strengthening the overall response to trafficking is a critical aspect of the Framework of Cooperation, which will also require a coherent and coordinated response at the level of European institutions. This is of utmost urgency as I believe that this humanitarian crisis is turning into a human trafficking crisis. This requires a concerted, integrated and holistic cross-border response by

humanitarian partners, law enforcement agencies, border forces, immigration officials and political leaders. A regional compact is urgently required.

In this regard, I am encouraged that His Excellency Charles Michel, President of the European Council, is in the Security Council chamber today, as I believe it will require European leadership at the highest levels to address this problem.

It will also require the continued focus and leadership of the United Nations Security Council, in line with resolution 2331 (2016), which articulates the nexus of conflict-related human trafficking and conflict-related sexual violence. I consider this dimension as a core aspect of the CRSV mandate, and the Ukraine crisis as a critical litmus test for the implementation of key aspects of resolution 2331.

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Like all of us around the world, I have watched with awe the resilience and fortitude shown by the communities affected by this conflict, including the women forced to flee their homes with their children, with nothing but the clothes on their back, and the bag of belongings they were

able to carry by hand. Many survivors have braved the risk of reprisals and backlash to tell their stories. We owe them more than solidarity; we owe them a swift and serious response.

The prevalence of sexual violence in conflicts throughout history teaches us that reinforcing prevention, protection, and service-delivery is critical from the onset of any armed conflict. The Framework of Cooperation to which I have referred, paves the way politically for tangible support and technical advice and assistance from my Office and the wider United Nations system, and will also serve as a platform for the mobilization of resources.

To address this challenge, it is crucial to ensure that the level of political focus as well as the allocation of resources for a comprehensive response, is commensurate with the scale and complexity of the problem.



Finally, I wish to acknowledge that even as we focus on Ukraine, the ripple effects of this conflict are also being felt by women and girls in other warzones around the world, who risk becoming ‘forgotten victims of forgotten conflicts. From Yemen to the Central African Republic, from Afghanistan, to Myanmar, or Tigray in Northern

Ethiopia, resources are being drained and attention diverted. As other crises escalate behind the scenes, we must reassure all populations at risk that they are not forgotten, and that international law is not an empty promise.

Thank you.