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HEARING ON VIOLENCE AGAINST WOMEN:

STRATEGIES AND RESPONSES

Thursday, April 15, 2010

House of Representatives,

Tom Lantos Human Rights Commission,

Washington, D.C.

The Commission met, pursuant to call, at 2:10 p.m., in Room B-318, Rayburn House Office Building, Hon. James P. McGovern [cochairman of the Commission] presiding.

Mr. McGovern. The hearing will come to order. I want to welcome everyone to this very important hearing on violence against women and how Congress and the administration can best respond to this global crisis. I would first like to thank Allison McGuire, a fellow with the Tom Lantos Human Rights Commission, for her work on coordinating today's hearing and an excellent set of witnesses.

I doubt that there is anyone in this room who hasn't had some personal experience with violence against women. It is a serious problem, often a crisis, in every single country of the world, including here in the United States. Who here does not know at least one woman or girl who has experienced sexual, physical, or emotional abuse by a family member, intimate partner, authority figure, friend, neighbor or even a stranger. We can add to that list the crimes of human trafficking for sexual purposes or forced labor.

Around the world we find cultural practices such as female genital mutilation, child marriages, forced marriage, dowry-related violence, and so-called honor killings. And often women are met with violence simply for wanting to go to school, earn an honest living, marry where they choose or retain custody of their children or obtain a separation or divorce from a spouse. Women and girls within already vulnerable populations find themselves in even greater peril.

In the past 10 years, I have been a frequent visitor to Colombia. I have paid special attention to and have come to know a great deal about the humanitarian crisis of the internally displaced inside Colombia and the Colombian refugee crisis in neighboring countries. In 2007 Colombia's ombudsman office, the Defensoria, found that nearly one in five of displaced women identified sexual violence as a direct cause of displacement. Nearly 16 percent of displaced women said they had suffered sexual violence and nearly 40 percent of the reported victims are girls younger than 14 years old.

Last November Refugees International released a new report, "Colombia: Displaced Women Demand Their Rights." Based on field research and personal interviews, it brought to light shocking information about how Colombian women and girls are targeted by armed groups for sexual violence and forced recruitment. They found incident after incident of rapes and attempted rape of indigenous women in front of their communities. Threats of sexual violence are a major factor, leading families with adolescent girls to flee their homes. Lack of income, especially by Colombian refugees in neighboring countries, make women and girls especially vulnerable to exploitation and trafficking, including prostitution or being forced to engage in other illegal activity.

In Colombia where impunity reigns supreme, crimes of sexual violence are rarely reported to the legal system, particularly when the official armed forces or illegal armed groups are the

perpetrators because survivors or witnesses have no faith that they will receive protection, especially in areas where the legal system and local officials are heavily infiltrated or have been corrupted by armed groups.

And like so much of the world, in Colombia officials in the legal and medical system treat victims of rape and other violence badly, leaving them double victimized, and without the social or psychological support that survivors need just to deal with and recover from the stress of the trauma of the violent act, let alone to go through the court proceedings.

With great courage in reacting to a landmark decision by the constitutional court of the rights of displaced women, Colombia's women's organizations organized themselves and collected information on 600 cases of sexual violence against displaced women, which has begun to change the landscape of government, international and nongovernmental response to the violence affecting Colombia's displaced women and girls.

But Colombia is hardly unique. Today Oxfam America released a report on sexual violence in the eastern region of the Democratic Republic of Congo, particularly in South Kivu. This study, carried out by the Harvard Humanitarian Initiative, shows 60 percent of rape victims were gang raped by armed men and more than half these assaults took place in the supposed safety of the family home at night, often in the presence of the victim's husband and children. In the eastern DRC, we find rape as a

wartime weapon. It is extraordinarily brutal, it is systematic, and it is used by official armed forces and militias to shame, demoralize and humiliate communities of people who are viewed as the enemy. So we find violence against women, especially all forms of sexual violence, even greater in regions of conflict and even greater in its brutality.

I am especially pleased to welcome my House colleagues, Congressman Bill Delahunt and Congressman Ted Poe, who have taken the lead on these issues by introducing the International Violence Against Women Act. I welcome the leadership of Ambassador Rapp, the U.S. Special Ambassador for War Crimes, in his efforts to focus on crimes against women and girls carried out under the cover of armed conflict, and our distinguished group of NGO witnesses who are on the front lines of confronting and addressing violence against women and supporting the victims and survivors of violence. We appreciate all their incredible work.

I look forward to the hearing today and to hear about your direct experiences in investigating and working on these issues and, most importantly, I look forward to hearing and discussing your recommendations on how we can address and ultimately reduce and put a stop to the global crisis of violence against women and girls.

At this point I would like to yield to my colleague from New Jersey Congressman Chris Smith for any opening comments he has.

Mr. Smith. Chairman McGovern, thank you very much for

convening this important hearing. I would like to welcome our colleagues.

Just on one of the last points you made, I have visited Goma. I have been to clinics where women have been raped and, unfortunately, some even raped by U.N. peacekeepers. So I think it is very important that we keep the focus on violence committed by armed forces front and center at all times because it is a heinous crime. And when U.N. Blue Helmets are in any way connected or have complicity in such crimes -- in fact, you might recall this, Mr. Chairman. I actually chaired three hearings on that kind of abuse. And like I said, I have actually gone there to look at it myself, and it was very sobering, very distressing, although there are people pushing back and pushing back hard.

I would like to just mention a couple of areas of interest. I have many interests obviously that I would like to raise today and during the course of the hearing will. I would note for the record I have sponsored several laws related to the issue of violence against women, most particularly the victims of Trafficking Violence Protection Act of 2000, which included both the Trafficking Victims Protection Act and reauthorization of the Violence Against Women Act. In the interest of time, I would like to limit my comments to three areas of violence against women that I find to be of particular concern and in need of greater attention.

Many people are unaware that there is a country in the world

where approximately 500 women commit suicide each day, a rate that is three times higher than that for males in the same country. It is not a country ravaged by war or economic crime or crises or disease. It is the country of China, which subjects women and girls to the draconian measures and horrific consequences of its coercive population control policies.

Since couples are allowed to have only one child and there is a traditional preference for males, many girls -- well over 100 million girls are missing in China since 1979, when the one-child-per-couple policy was first enacted. They have been destroyed through sex selection abortions, forced abortions, female infanticide, and the abandonment and neglect of baby girls. The girls who survive these widespread assaults in their lives are later subjected to population control abuses as women.

The State Department Country Reports on Human Rights Practices for China chronicles how women and family members are being detained and beaten and their homes and property are being confiscated if it is learned that a woman is carrying a child that has not been preapproved by the state. But the worst violence that women suffer under these coercive policies is the experience of having their unborn baby forcibly poisoned through a needle pierced into their abdomen or being subjected to other physical abuse to destroy their child.

This Commission held a hearing just a few months ago on China's one-child-per-couple policy and heard the testimony of a

courageous Chinese woman named Wujian who was subjected to such a forced abortion. After describing how her unborn baby was killed through an injection of poison, she stated that she was put in a room with several other women. "The room was full of moms," she said, "who had just gone through a forced abortion. Some moms were crying, some moms were mourning, some moms were screaming, and one mom was rolling on the floor with unbearable pain."

I would encourage everyone who cares about violence against women to read the full transcript of that Tom Lantos Commission hearing. It is deeply troubling and an indictment of one of the worse forms of government sanctioned violence against women in the world's history.

The Economist published a front page story just last month on the gendercide occurring in China and its devastating impact on women and Chinese society in general. The article ends with a call for an end to the one-child limit. Our administration and this Congress should also be aggressively and persistently denouncing these atrocities to the Chinese regime and making every effort to stop this outrageous form of violence against women and girls.

One of the consequences, of course, of a population control policy and the extraordinary number of missing girls has been the rise in trafficking of women from neighboring countries into China for forced marriages and sexual slavery. For this as well as other major problems with human trafficking, China has been ranked

as a Tier II watchlist country in the State Department's annual Trafficking in Persons Report for the past 5 years. I and many others have questioned why China has not been classified as a Tier III country and therefore subject to sanctions that may motivate it to take effective action to end this major crime which affects women in particular.

The tier rankings and the negative ramifications that a country could face for failure to meet minimum standards to combat trafficking are part of the Trafficking Protection Act. Our government needs to take this form of violence against women more seriously and use the legislative tools at its disposal to pressure China as well as the other 68 Tier II watchlist countries and Tier III countries to end it.

I would note parenthetically that when Fiji gets classified as a Tier III country and it has major trafficking problems, China -- which unfortunately in pervasiveness, in scope, and in brutality far exceeds Fiji -- ought to be a Tier III country.

A third form of violence against women and girls I would like to address is a form that has devastating impacts on our own country and which our own government is promoting and supporting financially through the lifting of the Mexico City Policy around the world. It is the violence of abortion. It is time to recognize that abortion is violence. Abortion methods dismember, poison, and starve to death a baby, a baby who, if she isn't aborted, is just as alive a day or a week or a month before birth

as after. Birth is only a life event, a change of address. If the baby is a girl, then abortion is the killing of a woman before she is born.

Safe abortion is the ultimate oxymoron. I would challenge anyone to deny that child dismemberment, forced premature expulsion from the safety of the womb, chemical poisoning or deliberate starvation and, as we know, one of the chemicals in RU-486 actually denies nourishment to an unborn child, is anything other than an act of violence.

It is bewildernig to me how anyone can fail to understand that abortion is by definition infant mortality. Abortion destroys children. Abortion also has a devastating though still unacknowledged impact on the mother. At least 102 studies show significant psychological harm, major depression, and elevated suicide risk in women who abort. At least 28 studies, including three in 2009, show that abortion increases the risk of breast cancer by some 30 to 40 percent or more, yet the abortion industry has largely succeeded in suppressing these facts.

So-called safe abortion inflicts other deleterious consequences on women as well as including hemorrhage perforation of the uterus, sterility, and even death. Just a few months ago, a woman from my home State of New Jersey died from a legal abortion, leaving behind four children.

Finally, women should be informed of the significant association between abortion and subsequent premature births as

shown in at least 113 studies. For example, a study by researchers Shaw and Zoey showed a 36 percent increase risk for preterm birth after one abortion and a staggering 93 percent increased risk after two. Similarly, the risk of subsequent children being born with low birth weight increases by 35 percent after one abortion and 72 percent after two or more. Another study shows the risk increases nine times after a woman has three abortions.

What does this mean for her children? Preterm birth is the leading cause of infant mortality in the industrialized world after congenital anomalies. Preterm infants have a greater risk of suffering chronic lung disease, sensory deficit, cerebral palsy, cognitive impairments and behavioral problems. Low birth weight is similarly associated with neonatal mortality as well as morbidity. Any strategy to respond to violence against women that is serious about addressing the issue must honestly confront and address these latent forms of violence as well.

I look forward to hearing from our distinguished colleagues.

Mr. McGovern. We now welcome our distinguished witnesses, the Honorable Bill Delahunt of Massachusetts and the Honorable Ted Poe of Texas. We appreciate your leadership on this issue and we look forward to your testimony.

STATEMENT OF THE HON. BILL DELAHUNT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. Delahunt. Good afternoon, Chairman McGovern and Congressman Smith. I am pleased to testify before you today on this pressing issue of international violence against women and girls.

This issue has been a particular concern of mine for some time. Before coming to Congress, I was the elected D.A., the State's attorney if you will, in the metropolitan Boston area, and in that capacity initiated the first domestic violence program or violence against women and sexual assault unit in the United States. It was motivated by the historical reality that violence against women has been implicitly sanctioned and not punished in this society.

Remember the so-called rule of thumb. According to that rule, a husband was permitted to beat his wife as long as the stick did not exceed the circumference of his thumb.

And clearly we have had a history of bias against women in this country. One only has to look at our property laws. It was only early in the last century that women received the right to vote. And violence against women has been a hidden tragedy here in this country until the late 1970s, early 1980s. It is my belief that that reality encouraged violent behavior and was a

major factor in the high incidence of all crimes of violence, not just violence directed against women but violence directed in any way, shape or form in our society. Violence is a learned behavior. Young males don't simply parachute into our society and begin to beat women. It is something that they learn.

Now the results of our efforts back in Massachusetts were remarkable. Prior to creating this program, some five or six women would be murdered every year in my jurisdiction by either their spouse or a male partner. After implementation of this program, not a single domestic violence homicide occurred over a 12-year span. I would suggest to you for a moment, reflect on how many lives were saved because of this initiative. And this initiative has been replicated all over the country, in every jurisdiction I think in the United States. And what we have seen is the incidence of all crimes of violence has declined in these United States.

Now we have seen statistics nationally that when we make a serious concerted effort to eradicate violence against women, crimes of violence decline. Recently, USA Today indicated that the rate of reported rapes in the United States has hit a 22-year low, and violent crime as a whole -- despite the scourge of illegal narcotics in this country -- is decreasing. That is remarkable. And I believe that this is partially due to the more aggressive response that we, as a society, have taken towards violence against women.

There is an incredible benefit to the entire society, not just to those traditional victims of male violence, and there is no reason why these positive results cannot be replicated internationally. The time is now to act.

Globally, nearly a billion women around the world will be beaten, raped or otherwise abused in their lifetime. Rape is routinely used as a tactic of law. In some countries, up to 70 percent of women and girls are affected by violence, 70 percent in some countries. Recently in Guinea, The New York Times referred to women as being prey -- that is p-r-e-y -- and reported that armed soldiers beat, raped and killed women in broad daylight without any impunity.

Chairman McGovern, as you indicated, in Colombia displaced women are particularly vulnerable to abuse. According to a study conducted in four cities, 39 percent of displaced women who fell victims to sexual violence are younger than 14 years. And I just recently read an article about a 13-year-old girl in Yemen who was married off to an older man and ultimately died from injuries she sustained when he raped her. Last year, a 12-year-old child bride in the same country died while attempting to give birth.

Although I have pointed to a few specific examples, this is an issue that knows no boundaries; it is not an issue of the developing versus the developed world or a question of one culture over another. The bottom line is, every human person deserves to lead a life free of violence.

These atrocities affect more than women suffering abuse. Secretary Clinton said that acts of violence against women don't just harm a single individual or a single family or a village or a group. They shed the fabric that weaves us together as human beings. It endangers families and communities, erodes social and political stability, and undermines economic progress. Those are Secretary Clinton's words, and I can't agree more.

The United States Government must do something to end this violence not only because it is the right thing to do but because our own national security interest is implicated. Speaking recently at the United Nations, Secretary Clinton noted that both she and President Obama believe that the subjugation to women is a threat to the national security interests of the United States and it is also a threat to the common security of our world because the suffering and denial of the rights of women and the instability of nations goes hand in hand.

The fact is we need to invest our resources now to bettering the lives of women so that they, in turn, can better their own societies, their own nations. There is no doubt that our future is tied to the fate of these women.

The Joint Chiefs of Staff have emphasized that one of the most effective forces for defeating extremists is female education. I have no doubt that we can address this issue successfully and in time see dramatic and even unexpected results but we need to make this a priority. We need to systematically

integrate gender concerns into our foreign policy and make the safety and betterment of women a central concern.

Because of this, Congressman Poe and I have introduced the International Violence Against Women Act. We don't see this as a partisan issue or a male or female issue. Simply put, this is a human rights issue that has long-lasting, important consequences for this country. I sincerely hope that our colleagues will join us and we will see this particular legislation enacted into law.

As I said, at the domestic level it had an impact on violence. It changed attitudes in the United States about the acceptability of violence, and I daresay making violence against women a priority and a component of our foreign policy that over time -- and it won't happen overnight -- but that we will begin to impact and influence the attitude of the world not just against violence against women but about violence in all forms, and we will see the kind of results that we have seen in this country elsewhere and not just among individuals but among the family of nations.

Before I conclude, I think this is interesting. This is today, Associated Press, April 15, Rape skyrockets in Congo, the study finds. The number of rapes carried out by civilians in East Congo has increased 17-fold in the past few years, according to a study released today, that finds sexual assaults long perpetrated by armed groups are spreading across the population because it became accepted. It was the norm, and we know that it is a tool

that is used in war. But now because it has been accepted and it has become a norm, we have a 17-fold increase in the number of rapes committed by civilians against females in the Congo.

Mr. McGovern. Thank you very much, Mr. Delahunt. Mr. Poe.

STATEMENT OF THE HON. TED POE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. Poe. Thank you, Mr. Chairman, Congressman Smith. I appreciate the opportunity to be here today. Before I came to Congress, I spent most of my life advocating for victims' rights, first as a prosecutor back in the dark ages. Congressman Delahunt doesn't remember this, but that is when we met in Massachusetts. We couldn't communicate then very well and we still have a language barrier to some extent.

Mr. Delahunt. I pick up pieces along the way.

Mr. Poe. But in the last 22 years before coming to Congress, I saw about 25,000 felony cases as a criminal court judge in Houston, Texas. I have seen every type of case possible, and some of those it was hard to believe actually would occur, and many of those had to do with people in a family unit assaulting each other, committing very serious crimes against each other and sometimes even homicide. There are many of those cases. I would just mention two of those.

A recent immigrant family had moved to Texas, and not long after coming into the United States the husband was charged with a domestic violence case against his spouse for attempted murder, and he didn't know that he had almost murdered her but he beat her severely. And in the courtroom before sentencing, as all judges

do, we asked him those questions that wise defendants would never answer, Is there anything you have to say before sentence is pronounced? And he said -- well, he didn't understand why he was being brought to court because in his culture it is okay to beat up your wife if she doesn't obey you. And he actually believed that. He had brought that philosophy from where he had been to the United States, a philosophy that is unfortunately in many of our countries worldwide. This individual, like many throughout the world, needed to understand that it is socially unacceptable and criminally irresponsible to treat women as property.

I have had cases of young girls wanting to be married in an arranged marriage situation and refused to accept that marriage situation, the arranged marriage, and have been murdered for failure to obey the father and having that marriage arranged. Attitudes like these have fostered dangerous levels of domestic and gender-based violence around the world. And the problems of violence is varied and extreme.

In some countries, 70 percent of the women will face some form of abuse in their lifetimes, 70 percent to me is a staggering number. And it can include anything from beatings, gang rape, honor killings, or mutilation. Extreme violence is not a problem that can be easily solved by mandates or diplomatic overtures. Any solution that seeks to seriously address this issue requires a comprehensive approach to target many facets and faces of global violence against women.

At a time of soaring national deficits and multiple commitments, some may be asking, why are we insisting upon making the United States the leader in opposing violence against women abroad? In spite of the fiscal concerns, the United States should be the leader in human rights throughout the world, whether it is on this issue or other issues. Human rights is what we do in this country. This issue carries great weight, but it is unacceptable to have any type of violence against women persist throughout the world, and the United States cannot just turn a blind eye to what takes place in other countries because it does affect us in many ways.

I agree with my colleague, Mr. Delahunt, that it affects us because of domestic national security issues as well. A country whose women are oppressed and intimidated by violence is usually not a fully functioning democracy. Afghanistan under the Taliban and the current climate in Iran are two examples of this. Having traveled to Afghanistan, as many Members of Congress have, I have heard these horror stories about how women were treated under the Taliban. It is unacceptable, and this international crime against women must stop, and the United States should be the leader.

Given the opportunity to participate in a free society, women have a stabilizing impact. They devote far more resources to peace building, invest in foreign assistance more effectively, and they are less susceptible to extremist political thought. Women are essential partners for promoting conflict resolution and

sustaining development and their safety internationally is critical to our safety here at home.

My grandmother, who was the most influential person in my life -- and as Mr. Delahunt was proud of my grandmother, he was also proud of the fact that she was a yellow dog Democrat. She never forgave me for being a Republican.

Mr. Delahunt. She is a brilliant woman.

Mr. Poe. But she did teach me quite a few things that I learned and believed. One thing that she said that was true many years ago and is true today is that you never hurt somebody you claim you love, and that is true. In domestic situations, when spouses -- especially males -- claim they care about somebody and love their spouse, they are not supposed to hurt them. That is, I think, an international philosophy that all grandmothers teach and one that I agree with.

So as a leader in the free world, we cannot turn a blind eye to the abuse that is perpetrated against women who could be easily our mothers or our daughters. It transcends political boundaries, and I am proud to be working with my friend Mr. Delahunt on this issue.

I know there are some concerns that have been brought to my attention by Congressman Smith. I hope under section 202 of the bill we have addressed those concerns. If not, we will be glad to discuss those at a later time with Congressman Smith and others who are concerned about that.

I yield back my time.

Mr. McGovern. Well, thank you both very much for your leadership.

Mr. Smith?

Mr. Smith. I too want to thank you for your testimony and for the work you do.

Mr. McGovern. And Mr. Cao, do you have anything?

Mr. Cao. Thank you very much. In the interest of time, I would like for unanimous consent to submit my remarks into the Record.

Mr. McGovern. Without objection.

[The statement of Mr. Cao follows:]

******** COMMITTEE INSERT ********

Mr. McGovern. Thank you both very much. I just wanted to say one thing. Mr. Delahunt mentioned the importance of education in terms of empowering women and also in terms of civilizing a society. You know, one of the things that I think is where the United States could play a leadership role is committing itself to universal education across the globe. One way to encourage more people to send girls to school in particular is to expand our school feeding programs all across the world because oftentimes girls are denied an education deliberately because their parents don't think it is important for them to go to school. But if you introduce a meal in a school setting, all of a sudden, they send their kids to school because their kids will be fed.

We talk about Afghanistan. I read a statistic, I think Kristof wrote it in one of his pieces, that for the cost of one American soldier in Afghanistan you could build 30 schools in Afghanistan. And it just seems to me that as part of this effort to combat violence against women and violence in general, I mean education I think is key.

Mr. Delahunt. I don't think you will get any disagreement, Chairman McGovern. But there is another aspect of education, too. It is critical to educate men --

Mr. McGovern. Absolutely.

Mr. Delahunt. -- men that violence against women, whether they be, as Ted Poe indicates, a spouse, someone that they love,

or any woman, is cowardly, it is unacceptable, and it has no place in any society. If we can just carry that message and encourage other societies that this is a priority not just for the United States but for universal human rights, women's rights should be enshrined by men.

Mr. McGovern. I like your grandmother's quotation. She is a smart woman.

Mr. Smith. Mr. Chairman, just very briefly, in my opening, I mentioned the brutality of the one-child-per-couple policy. Earlier today -- I serve as ranking on the African Subcommittee. I used to chair the African Subcommittee. I chaired for 8 years the Human Rights Committee at the House of Representatives. We talked about global climate change and especially how it might impact Africa. And I brought out some information that I hope that this Commission will consider and certainly our distinguished witnesses and those who will follow. And that is the model of the one-child-per-couple policy is being aggressively pushed by many in the population control community, in the abortion rights community, and the impact on the girl child is irrefutable. It is a crime against women that has no parallel in terms of the number of people -- young girls, girl child -- who have been slaughtered.

That model is now being looked at very seriously by some in Africa under the pretext that as carbon breathers, children, babies, add to climate change. Even though a place like Africa has about 12 percent of the world's population, only 6 percent of

greenhouse gases emanates from Africa. So they hardly are contributing. It is the United States and other countries that certainly bear the brunt of that burden and pollution. But African children are now going to be put at very serious risk.

The editor-in-chief of The Canadian Post wrote a piece in which he talks about the world replicating the one-child-per-couple policy where brothers and sisters are illegal and where you get a disproportionate number of boys. Now if that is not a crime against women, if that is not a crime against the girl child, and if that doesn't impose grave injury on women when the State says when and if you have a child, monitors the menstrual cycle of each woman, and then if she is found without a birth-authorized permit, is then forcibly aborted, I don't know what is.

At the Nuremberg War Crimes Tribunal, forced abortion was properly construed to be a crime against women, against Polish women in particular where it was used. It is being used today very efficaciously today by the Chinese Government. It is being picked up on.

So I would hope that this Commission and every effort we make in combating violence -- you said, Mr. Delahunt, violence in all of its forms -- this is one of those forms that often gets a pass. And people look at it and say, oh, well, it keeps the population down and the editor-in-chief of The Canadian Post, like many others, she said, We need to get to a 3.75 billion world by 2075.

I mean, cut it in half right now. It will lead inextricably to the slaughter of children but especially the girl child.

Mr. McGovern. Thank you very much, Mr. Delahunt and Mr. Poe.

We now welcome Ambassador Stephen Rapp from the Office of War Crimes Issues.

Ambassador, thank you so much for being here. We welcome your presence, and we look forward to your remarks.

STATEMENT OF AMBASSADOR STEPHEN RAPP, OFFICE OF WAR CRIMES ISSUES

Ambassador Rapp. Well, thank you very much, Mr. Chairman, Congressman Smith. It is good to see you again, Congressman Cao. I welcome this opportunity to appear before the Tom Lantos Human Rights Commission to discuss accountability for violence against women around the world.

I think several have noted already that in several international armed conflicts, violence against women and girls has become a major tactic, if not the dominant tactic, of war, part of a larger strategy to target groups and communities. In many of these conflict zones it is, indeed, more dangerous to be a civilian woman or girl than it is to be a soldier or other combatant. This tactic is consciously chosen by commanders because it is effective in rewarding fighters while at the same time eliminating the will and the capacity of populations to resist victimization. Its consequences to individuals are devastating. They are the permanent physical injuries, the mutilations, the disfiguring scars, the diseases acquired, including HIV/AIDS, the effects on the ability to bear children or even to control bodily functions.

There is also the longer-term psychological impact female victims face. Not only must they live and continually cope with having been victims, but they also must confront the additional

psychological burden of being stigmatized or, sadly, ostracized sometimes by their own families or communities. In almost all cases, they must also live with the reality that the perpetrators of the violence are walking free, fully able to commit these crimes again because there is so little real possibility of investigation and prosecution.

My own work on these issues builds upon almost 9 years of experience as an international prosecutor, pursuing justice in cases of mass atrocity. Sadly, I witnessed all too often how pervasive sex crimes and crimes of sexual violence have become in conflict, particularly noninternational armed conflict. Despite the long history of using sexual violence as a tool of war and ethnic cleansing, there is widespread impunity for such crimes, and indeed for a long time there were really no words or legal norms by which to define and punish sexually violent war crimes. It is only in the past decade and a half that rape and sexual slavery and armed conflict have been recognized as distinct crimes and prosecuted on that basis.

When I was chief prosecutor for the special court for Sierra Leone, our office made it a priority to give voice and justice to female victims by prosecuting those who are responsible for subjecting, indeed, in the case of Sierra Leone hundreds of thousands of women to sexual violence. The results there were historic convictions of national leaders of armed groups for rape as a war crime and as a crime against humanity, for sexual slavery

as a war crime and also as a crime against humanity, and for forced marriage as a crime against humanity -- the last offense never before recognized in any court of the world.

Beyond the moral imperative to vindicate the abused and sanction the perpetrator, promoting accountability for sexual violence also helps establish peace and security. When sexually violent perpetrators are not held to account for their actions, it signals not only that their behavior is a norm society is willing to accept but also that women are not valued as highly as men.

As Secretary Clinton has said, you cannot have a vibrant civil society if half the population is left behind. Women's participation is a prerequisite for good governance, for rule of law, for economic prosperity. Gender-based violence and the threat of that violence prevents women's participation, full participation in all sectors of society.

While we know the trials alone cannot end widespread violence, they can play an important part in not only re-establishing the rule of law in an environment of insecurity and impunity but also in preventing and deterring would-be perpetrators from committing further atrocities.

As many have mentioned already today and as Congressman Delahunt mentioned the report of the 17-fold increase of sexual violence in the DRC, one of the places that we do face the greatest epidemic of sexual and gender-based violence and its use as a tactic of war is in the Democratic Republic of Congo. In the

civil conflicts that continue to exist in the eastern DRC, without question thousands of women and girls are being raped each year, hundreds, well in excess of 1,000, perhaps more, are being murdered and their family members are being abducted.

Following Secretary Clinton's visit to Goma last August, I traveled to Kinshasa twice and then also to the eastern region of the Democratic Republic of Congo. In Kawanga, north of Goma, about 70 miles north of Goma, I met with victims of the November 2008 massacre there, including a woman whose husband and children were killed before her eyes.

Unfortunately, Kawanga is by no means an isolated event. Survivors of such massacres still suffer from the effects today. They have lost their families, their homes, their property, their ability to work. Securing justice for those who survive such soul-shattering violence is essential not only for its own sake but also to secure a sustainable peace. It is crucial that the people who commit such atrocities are held to account and not put into positions of power. A particularly vital step to ending the cycle of impunity is to hold senior-level military commanders to account and to bring perpetrators to justice without regard for their rank or their political connections.

Thus far, although there has been some progress in bringing justice in lower-level cases, of lower-level officers -- senior commanders continue to act with impunity. While the International Criminal Court has selected and can select a few of those accused,

of being responsible for the most gross atrocities and bringing those individuals to trial, the vast majority must be tried in domestic courts in the Democratic Republic of Congo. However, after decades of civil war, the domestic courts of the DRC are severely under resourced, lacking basic equipment, training, infrastructure and adequate personnel. In order to ensure that no one is immune from investigation and prosecution, no matter how senior, the Congolese judiciary must be strengthened so that it can ensure both reliable protection of human rights and accountability for those who perpetrate violations of those rights, including by commission of sexual and gender-based violence.

The United States Government is committed to continuing to provide assistance to ensure that domestic courts are effective in this regard. But this will require a sustained commitment and will, at best, be the work of a generation.

Building on our solid positive partnership with the government of the Democratic Republic of Congo, the United States supports its efforts to emerge from conflict and realize a just and lasting peace based on democratic principles.

A number of U.S. Government programs, both through the State Department and the U.S. Agency for International Development, work to develop the capacity of the judiciary, democracy and governance programs, support nascent institutions such as the national and provincial parliaments and judicial institutions, they advance

electoral reforms, promote an independent and effective judicial system, increase access to the judicial system through mobile courts and legal clinics, peace and security programs, include strong human rights and anti-gender-based violence training, conflict prevention and reconciliation efforts and community-based programs to improve livelihoods for vulnerable populations. Additional programs promote reforms to strengthen military payment and justice systems and professionalized officers, which increases discipline within the military.

We have also insisted on greater human rights and civilian protection, conditionality on U.N. peacekeeping, on the MONUC forces and their assistance to operations conducted by the DRC military. Those operations are ongoing at the moment against the FDLR in the east under the name Amani Leo. A sustained commitment to all kinds of justice sector reform efforts, ranging from building an independent judiciary to encouraging the establishment of domestic jurisdiction over international crimes, to assisting the DRC in training investigators, prosecutors and judges, to ensuring that DRC prisons are secure and adequately staffed, all these steps are necessary to end the cycle of impunity.

Finally, accountability must be pursued not just through judicial mechanisms but also through revising the processes by which soldiers are integrated into the DRC military. As you know, there have been some 53 rebel groups integrated within the army of the Democratic Republic of Congo. Reintegration methods must

include thorough investigations and vetting of soldiers prior to integration as well as suspensions, punishment and, when appropriate, prosecutions when soldiers abuse their power. This is a challenge but a challenge that must be met one soldier at a time.

These are not simple issues, and the DRC and the international community need to rise to the challenge, and other governments and other places need to rise to the challenge. Those who treat women as targets in battle must be held accountable.

The international community must also work not just to prevent these crimes, but also to develop constructive ways to reintegrate and destigmatize victims of sexual violence within their home communities. Silence is acceptance. And as Secretary Clinton has stated, the United States will not tolerate the continuation of wanton, senseless, brutal violence perpetrated against civilians.

I am deeply committed, as is Secretary Clinton and President Obama, to pursuing peace by fighting for accountability and justice for these crimes.

Thank you, Mr. Chairman.

Mr. McGovern. Thank you very much, Mr. Ambassador.

Mr. Smith.

Mr. Smith. Thank you. Mr. Ambassador, thank you for the wonderful job you do as the Special Coordinator in Sierra Leone and for your testimony today, and for David Crane for the great

work that he did as well over there. It was extraordinary, under great duress and to risk to yourselves. So I certainly applaud that.

Let me just ask a couple of questions. Back in the 1990s, I actually chaired a hearing where we had two women -- and Bianca Jagger, who was an advocate for the sexually abused victims in the Yugoslav war, actually brought two women who came and presented testimony and it was perhaps the most riveted testimony, heartbreaking, sorrowful, and the cruelty that they suffered was beyond reproach. They were repeatedly raped by soldiers, and yet they came and told Congress their story, which was heroic, I believe.

In your view, did the court in Yugoslavia adequately deal with those issues of rape? Because we know there were anywhere between 20,000 and 40,000 Bosnian women who were subjected to this treatment.

Ambassador Rapp. Well, first of all, I think it needs to be noted that the prosecution at the International Criminal Tribunal for the former Yugoslavia did obtain historic convictions in early 2001 based upon the raping of women at Foshay. That really was a wake-up call to the international community about this crime.

Earlier of course in the Rwanda court, we had obtained convictions against Jean Paul Akayesu for rape as a crime against humanity and the commission of genocide through the act of rape. But these were important legal developments. Other cases have

followed.

One of the challenges, of course, of an international court is one deals with high-level individuals, and proving the responsibility of high-level individuals for the rape committed on the ground has always been a challenge. There has been an impression that, you know -- and perhaps a dismissive altitude that these are often acts of sort of combatants on a frolic of their own. You know, men out of control and the crime is really that they are not being controlled. I know at the Rwanda tribunal we had challenges holding high-level individuals. But I think as we were able to develop finally the clear evidence that this was part of a strategy of destroying communities, destroying an ethnic group, humiliating and degrading and eliminating opposition, it was possible to hold people to account, and that has been done, and this is, in these tribunals, still ongoing.

Some of the major trials which have now concluded, we are waiting for what I hope will be further historic judgments, holding top-level people to account. It is important to note, however, that when it comes to often the individual perpetrators, these courts were not designed to go down to that level, and the obligation for prosecuting those cases has fallen to the national systems, and there have been follow-on cases now in Bosnia in particular in the state court there. And there are hundreds of cases that yet need to be prosecuted and cases as well that need to be prosecuted by local prosecutors in Belgrade and in Zagreb,

and we are working to ensure that that continues. This process is not done. But because of the historic work I think that was done at the tribunals and paving the way legally, it is possible now for it to succeed, and we should demand its success.

Mr. Smith. One final question. With regards to Goma, which you have been to, I have been to, many Members of Congress have been to and have seen the results of this cruel policy of allowing or even promoting the rape of women as a part of warfare, the peacekeepers -- and what is so disturbing is we have known about this for years now. I actually held three hearings on this, Mr. Chairman. We had Jane Hall Lute come and testify, who was the walking point for the U.N. and now she is back at the administration with regards to the zero tolerance policy among the peacekeepers, and yet the OIOS investigators have been redeployed out of Goma. So if someone has a charge against an individual peacekeeper, good luck. Who are you going to bring it to? They are out of town now except for one person. I have asked repeatedly that the administration put all due pressure to bring those investigators back. But with the government of the DR Congo, why are they seemingly so unresponsive? And what would be your recommendations on what we could do to really -- zero tolerance with the U.N. should be zero tolerance for all militaries and for civilians as well.

Ambassador Rapp. Well, and to deal with the peacekeeper system -- and General Cammaert is here and is experienced in this

issue particularly. And having been involved within the U.N. system at least when I was at the Rwanda tribunal and then at a U.N.-backed court with also a peacekeeping and peace building force in Sierra Leone, I followed the efforts of the United Nations to develop a zero tolerance policy and to take certain action in this area which I think was positive. Obviously, however, as you say, it is only as good as your ability to have investigators on the ground to follow up these cases, and I agree with you that that remains important work and must be done.

With regard to the Democratic Republic of Congo, you know, I cite one particular example. There were five officers of the FARDC, the army of the RDC, of the Republic of Congo, that were identified specifically as having been responsible for gender violence either directly under their command with their knowledge, strong criminal cases, or themselves responsible, including a general, three colonels, and a major. These cases were presented to DRC authorities last May when during the Security Council visit they were brought up again when Secretary Clinton was there in August. We are yet to make solid progress on having these cases move. Three of the individuals are now under judicial supervision, two in jail, but actually moving forward with cases is not yet there, though we are hopeful -- because of some international assistance -- that we will finally get progress on those cases.

But that is not all. There are others -- people in the area

that have followed, that have identified at least 15 other commanders that have played a key role in gender violence, including those that are fighting on the government's side. And so it is important to follow up those cases. And let's not forget Bosco Ntaganda, who is wanted by the ICC. As you know, as we announced a few weeks ago, even though we are not joining the ICC, we believe in supporting its efforts and bringing accountability in places where it has jurisdiction, where it has gained it by reason of the referral by the government of the Democratic Republic of Congo. It is important that Bosco Ntaganda, whose units were responsible for this incident in Kawanga that I just mentioned when he was with the CNDP, whose units have also been identified as responsible for ongoing violence in Human Rights Watch reports and other reports by human rights groups. So this case may expand beyond what it was originally charged to be, that he be brought to justice, and he is wanted on an international arrest warrant but he has been reintegrated within the army.

So those are things that need to be done, and they are being raised by us with the DRC. I understand there are substantial capacity problems there. There are challenges for that country in terms of its ability to police and enforce. But we have built a partnership, and we are pressing ahead. And it is not for us that we are doing it. We are doing it for those victims and we are doing it for that 17-fold increase in victims, which only stands to get worse unless there is really decisive action against these

crimes.

Mr. Smith. Thank you.

Mr. McGovern. Ms. Edwards of Maryland.

Ms. Edwards. I don't have any questions.

Mr. McGovern. Mr. Cao?

Mr. Cao. No questions.

Mr. McGovern. I have raised the issue of Colombia. I have been reading, as I mentioned before, this new report out from Oxfam on the issue of the Democratic Republic of Congo. So I really appreciate your remarks on that. This is something we are all very much concerned about. But in Colombia, there are a number of reported cases of sexual violence being used against women to displace communities and sexual violence being used to displace women by various armed actors, including Colombian security forces which is something that -- every time I am down there, I get more and more reports of that.

What are the prospects of prosecutions for war crimes or crimes against humanity in some of these cases?

Ambassador Rapp. Well with Colombia, they are going through a peace and justice process, as you know, in which paramilitaries who are implicated in murders, in rapes, et cetera, are being encouraged to come forth and to confess and in return for that potentially have a sentence reduction. Hundreds have, and we are hoping that there will be prosecutions to follow that.

But our position in Colombia, as in so many other states, is

to do all we can to push them and to work with them to deal with these problems at the national level. It is certainly a high priority of my office to make sure that that is done.

Mr. McGovern. My concern is, we can argue about whether the demobilization process is working or not. But that deals mostly with kind of the illegal armed actors, the paramilitaries and the guerilla forces. But one of the problems has been this issue of crimes committed by members of the security forces. And one of the concerns has been that it is sort of culture impunity where nothing ever happens. These people aren't being held accountable.

You know, I would say again, when I have gone to displaced persons communities, Colombia is the second largest number of internally displaced people behind the Sudan. I bet you most people in Congress have no clue that that is the case. There is an incredible amount of violence and discrimination against women in those communities. On the border of Colombia and Ecuador, we have the biggest refugee crisis in the hemisphere. Yet I bet you very few people here even know that.

There is a lot happening there that is not particularly positive, notwithstanding the peace and justice law. But I would just hope that our administration would continue to keep pressure on making sure that some of these crimes by official security forces are, in fact, followed through and prosecuted.

Ambassador Rapp. Well, I agree with you completely. And as we have indicated, in the DRC where we have crimes committed by

people that are part of the uniformed military, they need to be held to account just as much as the militia or rebel or regular forces. And it is a crucial part of sending that message, and it is an expectation that the countries do this.

Mr. McGovern. And do you have any comment? We have been picking up that the administration is trying to kind of re-engage Kopassus. That is another force that has had a terrible human rights record and a terrible record against women, violence against women as well. Do you have any opinion on the reengagement of Kopassus considering their past violence? Some of us are concerned. We are hearing that we may be re-engaging with them. I don't know if you have any --

Ambassador Rapp. Well, my colleague, the Assistant Secretary for Democracy, Human Rights and Labor, Assistant Secretary Posner, has been working on that issue closely to make sure that the Indonesian forces, including Kopassus, need to meet high international standards. I direct any questions about that -- because I know he has been deeply involved and can answer those questions if you want to supplement and direct that to him.

Mr. McGovern. I appreciate that. I guess I had the concern that I sometimes have when we talk about human rights in general is that we don't always kind of adhere to the same set of standards in every country, and as a result we lack credibility in some cases when we look the other way. I am very concerned about the possible reengagement of Kopassus.

But anyway, I appreciate very much you being here, and we appreciate your testimony. Thank you very much.

Ms. Edwards. I have one question.

Mr. McGovern. I will yield to my colleague from Maryland, Donna Edwards.

Ms. Edwards. Thank you. I apologize that I was late for your full testimony. I have a question regarding -- you know, for the big bad actors, I mean, obviously we want to go after them in terms of war crimes and it is about accountability for our globe and not just individual accountability. But there are a lot of little actors. So I wonder what role there is to be played in terms of, you know, training up a local judiciary, training up local law enforcement to actually identify, you know, the firsthand offenses against women and to take those seriously and what role, if any, we would have in instituting those kinds of training modules.

Then the other question I have is, you know, has to do with, you know, how we engage in our military to military operations engage in training other militaries. Because frankly, you know, a lot of the bad acting actually takes place over a period of a decade or whatever from some generation of people that the United States, frankly, has trained in their military capacity. So what is it that we can do that would at least ensure in our delivery through DOD of training capacity, that that incorporates these issues of concern about violence against women.

Ambassador Rapp. Well, that is a very good question. And though we can be doing much, much more, there are things that the United States is doing. Even the Department of Defense, if you have been to the DRC, you will know that one of the -- that all of their prosecutions of war crimes cases, whether it is by the uniformed military of the government or of rebels is done in military courts. Their civilian courts don't have jurisdiction of those crimes. We think the civilian courts should. That was one of the issues that I raised there because it would expand their capacity. But we are providing direct assistance to our DLs, our defense legal program, to those courts. There are French-speaking American officers working directly with the courts, working in Kinshasa and the mobile courts on the road in prosecuting cases of gender violence committed by both rebel forces and by soldiers. And those programs I think really need to be expanded. But our commitment to the sort of rule of law on the ground and toward what has been a standard in our military, which is that we will prosecute people who commit these crimes, we will hold folks to account.

Sort of spreading that ethic I think is a very important part of our policy. It obviously needs to be extended and strengthened. But it is also to be noted that to some extent going after the individual perpetrator, the low-level individual who may not have any friends or connections is relatively easy. And the harder challenge is as you move up the scale -- and

obviously we are not talking about moving up the scale to some case that is going to be tried at the Hague, but talking about majors or colonels or others -- that making those cases and establishing the responsibility of those individuals I think is the real challenge. And that is where I think even more international assistance is necessary in prosecution, support cells, in investigation, even in international participation as part of the judicial process in order to ensure independence, so that there doesn't have to be dominant international but some international presence can help ensure that case aren't swept under the rug when they involve high-level individuals.

So there is a great deal that needs to be done. And in the DRC and elsewhere, this is really the focus of our attention is providing that assistance, that capacity and that independence to make possible the decisive action against these crimes that really does send a signal that if you do the crime you will do the time, and we will begin to cut back on this increasing amount of victimization.

Ms. Edwards. Let me just follow that up because one of the projects that I worked on before I came into Congress was a project related to training up both women judges but others in the local judiciary to understand these issues of gender violence, how they could be prosecuted and then try to share information with other judges because I think what happens in an awful lot of places is that the way toward a successful prosecution is not

often shared. And so you have judges who sometimes can operate in isolation and in isolation of international law and even isolation of their own domestic internal law to handle these cases. And so I get a little troubled when I hear that, you know, for example in Afghanistan -- when I was there last year a group of women judges said that their chapter of sort of International Association of Women Judges was essentially sort of not allowed to operate and function and it was a way actually for those judges to share information training and strategies around prosecuting gender-based violence. This is not an unusual case that happened in Afghanistan but it happens all over the place. I think it is a way, again, to disable women from seeking redress for some of these crimes.

Ambassador Rapp. Well, I certainly agree with you. This is vital to have this sort of mix from national to international level. I have seen it in my own experience, the way those of us that went -- and I was in Africa for 9 years -- benefited from the experience and the traditions of the people that we were working with or came from those countries. At the same time, we were able to share information about international law and our own experience with our own systems in holding high-level individuals to account.

So to the greatest extent possible, you want these kinds of exchanges, you want this kind of training. And as I have indicated, some of the models that are the most exciting -- we had

the Bosnia court, for instance, I was discussing with Mr. Smith, has benefited from a large number of largely women judges from the United States who serve in that court at the moment with Bosnian counterparts, and they are sitting there with them dealing with these rape cases and other cases. They are a whole lot more understanding of how this happened because they have got Bosnian judges sitting with them but they also provide support and give confidence to the victims that are coming forward. So I think that kind of mixing together in a cooperative way -- not in a patronizing way where we know everything and they need to learn from us but where we can work together for the benefit of the victimized groups in those countries I think is the way forward.

But as you noted in the Afghanistan situation, it is challenging. It is a challenging problem that requires all of our efforts every day.

Mr. McGovern. Thank you very much, Mr. Ambassador. We appreciate you being here and your great work.

Ambassador Rapp. Thank you.

Mr. McGovern. I will call our next panel. Dr. Lydia Mungherera, who is the founder of Mama's Club. V. Humaira Shahid of Pakistan, former member of the Punjab Provincial Assembly. Retired Major General Patrick Cammaert, former U.N. Force Commander. Gary Barker, Ph.D., Director of Gender, Violence and Rights at the International Center for Research on Women.

Doctor, we will begin with you. We will make sure we get

everybody seated in the right place.

STATEMENTS OF DR. LYDIA MUNGHERERA OF UGANDA, FOUNDER OF MAMA'S CLUB; V. HUMAIRA SHAHID OF PAKISTAN, FORMER MEMBER OF THE PUNJAB PROVINCIAL ASSEMBLY; RET. MAJOR GENERAL PATRICK CAMMAERT, FORMER U.N. FORCE COMMANDER; AND GARY BARKER, PH.D., DIRECTOR OF GENDER, VIOLENCE AND RIGHTS AT THE INTERNATIONAL CENTER FOR RESEARCH ON WOMEN

STATEMENT OF DR. LYDIA MUNGHERERA

Ms. Mungherera. Thank you very much, Chairman McGovern and distinguished members of the Commission, for providing me the opportunity to speak to you today about such an important issue. Before I begin, I would like to submit for the record two statements on behalf of my partners here in Washington. The first is from the Global AIDS Alliance, an advocacy organization that works on the role of violence against women in the global HIV/AIDS pandemic. I am proud to be a board member of the Global AIDS Alliance. The second is a statement from Amnesty International USA, a leading organization on universal human rights.

I am here today representing the AIDS Support Organization chapter in Uganda, the Athena Network, the NGO delegation of the UNAIDS Program Coordinating Board, but most importantly, the international community of women living with HIV/AIDS to speak about an important issue that pervades the life of so many women and girls.

Unfortunately, I know all too well the devastating impacts of violence against women, that women and girls have, particularly on their health and overall well-being. My testimony will focus on three major themes: The impact of violence against women and girls on health, particularly HIV and AIDS; school-related violence and its impact on the health and well-being of girls; and

the importance of the United States support for tackling our own cultural norms that perpetuate violence against women and girls.

I would also like to call on you, Members of the House of Representatives, to put your full weight behind the International Violence Against Women Act. As I will describe, this bill responds to the reality of so many women and girls. If this becomes U.S. law, it will most certainly be for the good of U.S. foreign assistance programs and, most importantly, for the good of women and girls in Uganda and elsewhere.

Violence against women and girls is both a cause and a consequence of HIV and AIDS and an integral component of our fight to end the pandemic. As the HIV/AIDS pandemic progresses, its consequences for women and girls become more extreme. Women and girls are at greater risk of acquiring HIV/AIDS than men and a major reason for this discrepancy is violence.

In my country, Uganda, the disparity between the number of men and women with HIV/AIDS is greatest for young adults aged 20 to 24. In this age group, there are two infected women for every one infected man. This is true in many other parts of Africa.

It is easy to feel as though there are no explanations for why women are so much more impacted by HIV/AIDS than men, but many women and girls lack the safety to be tested, counseled, and treated for HIV. Violence or the fear of violence can prevent women from negotiating safer sex and from seeking health services or information, including HIV testing, care, and treatment.

Violence, or the fear of violence, can have concrete impacts on HIV transmission, behaviors that increase vulnerability to HIV and a lack of access to HIV/AIDS care and treatment services.

Violence against women and girls is a barrier to the success of all HIV/AIDS programs. In fact, unless we address global violence, the world's multibillion-dollar fight against HIV/AIDS is sure to fail.

Violence against women also has an impact on education because of sexual harassment and violence. This comes from teachers and fellow male students. When we stand by and ignore the role that violence against girls play in their ability to succeed at school, we risk eliminating one of our best chances for an AIDS-free generation.

There are deep-rooted cultural issues that make African women and girls more likely to experience violence and, therefore, to acquire HIV and more likely to go without education.

Married women are not even safe because marital rape is considered the norm in many parts of Africa. The group with the highest HIV prevalence rate in Uganda today is married couples, and the biggest cause is their partners have multiple concurrent partners and women have no say. Young girls as young as 3 years old are raped because older men are told by witch doctors that if they do that it will increase their sexual power.

Recent laws in many African countries criminalizing transmission of HIV women are leading to women being blamed by

their spouses and the community at large for spreading HIV/AIDS. In fact, recently a woman was cut up into pieces by her husband and he is blaming her for spreading the infection to him.

Meanwhile, there are few, if any, legal protections against violence against women and girls in much of Africa, and those protections that are in place are not enforced.

There has been a 20-year raging war in the northern part of Uganda, and the rebel leader some years ago abducted about 100 young girls as young as 11, 12 years, 13 years, and took them to the bush to become sex slaves.

A draft bill that would provide these protections was submitted to Parliament several years ago, yet we, as Ugandan women, still live with no laws to prevent marital or any form of rape.

We know that women who endure violence also endure the most stigma, especially women who are HIV-positive and positive women's organizations and networks like Athena are working fighting to fight this. This is why the International Violence Against Women Act is so important. It recognizes that there are many people in countries around the world who see the abuse that women and girls are subjected to and are working hard to ensure that there are strong laws in place that protect human rates rather than violating them.

There is a young girl in Uganda who walks around with a veil over her face. She cannot remove the veil because some years ago

when her parents died a certain gentleman declaring to be an uncle took over care of this young girl. And when he was caring for her, he raped her every single day from one week after taking her in, and she was 13 years old. And then after some time, a group of supporters took this man to prison. But after 3 days the man was let loose. He is still walking and this girl fears him so she puts the veil over her face so that she does not need to look at him.

This International Violence Against Women Act applies some important moral and political authority of the United States to support these lifesaving changes in tandem and with the work of the country level. The violence against women and girls that I have described must be addressed immediately. Women and girls cannot wait another year, another political cycle or another budget cycle.

And speaking as a board member of the program coordinating board of UNAIDS representing Africa, under the visionary leadership of the new Executive Director, Michel Sidibe, UNAIDS is now operationalizing its strategies to address violence against women and girls to help prevent, treat and provide care for women and girls who would otherwise go without. Now is the time for the U.S. to work with UNAIDS to make this happen. This act must be part of this comprehensive approach. This act also provides a space for local civil society groups in Africa and elsewhere to receive funding to implement violence prevention and response

programming. This is truly commendable.

In my view, the only way to halt and reverse the damage done by violence against women and girls is by learning from those who live it every single day.

I have seen the power that violence prevention and response programs have in changing the attitudes and behaviors of communities and protecting the health and well-being of women and girls. After learning about the main pillars of this act and the important programs that would result, I know that the U.S. is on the verge of a more effective, efficient, coordinated and impactful response to international violence against women and girls and, therefore, to all U.S. foreign assistance programs.

I thank you again for inviting me to testify before you, and I look forward to your questions.

[The statement of Ms. Mungherera follows:]

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Mr. McGovern. Thank you.

STATEMENT OF V. HUMAIRA SHAHID

Ms. Shahid. Thank you to the honorable members of the Commission and especially to cochairs Representative McGovern and Representatives Delahunt, Poe, Edwards and Schakowsky for their leadership in ending violence against women and girls globally.

It is a complete life-changing experience to hold the hand of a dying woman who has been burned alive by her own blood and kin. More than 80 percent of her body is burned and the face that was once an epitome of beauty and youth is now skinless from burned charcoal. Her voice gradually fading but her eyes questioning the cruelty she suffered. I hold her hand, knowing that these are her final moments and she is just drifting away in pain, very intense pain.

Her last whispers come out, "Give me justice" and "Will someone take care of my kids?" And I bend over her and I whisper, "Live, live for the sake of her children." And she says, "I don't want to live in this cruel world, not even for my children. I can't bear this pain anymore."

I remain haunted by these painful memories and I have seen countless such victims. Some survived, some died. The words "Give me justice" hardly ever escape the victim's lips. Even if

they do, they are smothered. It is very rare that such a voice reaches the Parliament.

I was elected and served for 5 years as a member of the Punjab Provincial Assembly. I call myself that voice because that voice is concentrated from impressions from all these victims and carry the pain and sufferings of the atrocities they endured in the name of honor, tradition, norms, violation, or sheer, evil propensity. I moved two resolutions to the Parliament, one that demanded acid attacks to be recognized as murder attempt and the other against Vani, which is the custom of bartering of women to evade punishment on crimes committed by the male family members. The resolutions were passed unanimously by the Punjab Parliament even though it encountered opposition from the conservative, literalist, patriarchal, and feudal members. The resolution on Vani and its recommendations were included in Criminal Law Amendment Act 2005 while the legislation proposed for acid attacks remains referred to the Federal Law Department and has been awaiting action for more than 5 years now.

The most difficult legislation was a law to prohibit private usury or money lending. Private usury is controlled by criminal mafia who through money lending business control the lives of the impoverished people. When they were unable to pay the high interest rates of over 140 percent on the debts, their daughters were forced into prostitution, sold into marriages. Their pensions were usurped and farmers' harvests went into debt. Such

a reform was not welcomed but was strongly opposed by the political leaderships, cabinet members, and administrative departments.

To mobilize such a Parliament to vote on its conscience took me 4 years of strenuous effort against severe resistance and intimidation. The bill was finally passed in the Punjab Parliament, and within 15 days, it was replicated and adopted by the North-West Frontier Province Parliament. A lot of violence that today takes place in our lives is because it is allowed to happen, because it is condoned and because it is permitted.

Gender-based violence is mostly a crime not based on religion or culture, but these sociocultural norms and customs are used for justification and evasion. But when women are empowered and mobilized they play vital roles in averting violence, resolving conflict and helping rebuild societies.

Evidence from around the world has proven that if women have the opportunity to become primary implementers they sustain governance, facilitate communications, create peace building bridges and transform security structures. And the best results came from empowering the community-level women organizations.

In Pakistan and Afghanistan, civil society women working closely with women communities are successfully dissuading their children and husbands from joining extremist forces. Pakistan's Women Parliamentarians have made extraordinary progress, and we have been able to repeal some extremely controversial laws like

the Hadood Ordinance and replace this legislation with Protection of Women Act 2006 and amendments in Pakistan's Penal Code and the Code of Criminal Procedure.

Change of public attitudes and traditional mindsets is not something that will evolve on its own. This needs a strategy that produces a comprehensive and holistic plan of action that engages media, public, forums and local communities to create awareness and an open debate.

In my successful personal experience in the Parliament, I was able to mobilize rigid, feudalistic, and dogmatic mindsets and make the Punjab Parliament vote above party lines for human issues and make them vote on the basis of conscience, and today the Punjab Parliament is proud of it.

The International Violence Against Women Act proposes a comprehensive policy to protect and empower women by prioritizing health, education, and economic opportunities. It lays down preventive measures to respond to violence against women and creates preemptive mechanisms in conflict and post-conflict regions. IVAWA allocates resources to local community organizations that play an essential role to increase societal well-being and in the long term decrease the conditions that breed extremism and violence.

I would also like to take this opportunity to submit for the record a letter from 16 faith-based organizations in support of passage of IVAWA and additional written material from Women Thrive

Worldwide on the link between violence against women and women's economic opportunities.

IVAWA has reached you after fighting countless hurdles and barriers and rests today in your hands, demanding protection and security for millions of women across the globe. It takes decades of effort to reach here and has the sweat and blood of many, many women like me who are fighting this on the individual level. You have the power through IVAWA to transform our efforts into a consolidated policy and a strategy to combat violence against women worldwide.

Thank you.

[The statement of Ms. Shadid follows:]

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[The information follows:]

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Mr. McGovern. Thank you very much.

STATEMENT OF PATRICK CAMMAERT

General Cammaert. Mr. Chairman and all members of the Human Rights Commission, thank you for inviting me here today and taking the time to talk about this important issue.

I retired in 2007 as a Major General after 39 years in service. Operating in conflict zones have been large parts of my career and, most importantly, during the years I served in the United Nations Department of Peacekeeping Operations.

I have witnessed that violence directed at women and girls can be a particularly important tool of war. The weapon of rape can be considered as an efficient form of biological warfare that is inexpensive to implement, effective over large areas and does not particularly endanger the attackers.

Its effectiveness relies on the perception deeply embedded in patriarchal societies that women's sexuality is a prefecture of male ownership, and it is linked to the persistence of unequal gender relations and particularly to the way women's bodies are regarded. Its impact is multiplied when the woman becomes pregnant and the attack is then passed on to the next generation.

In the eastern part of the Democratic Republic of Congo, I have seen the perpetrators of these crimes, foreign and national

armed groups and members of the government army and police, who are believed to be single largest group of perpetrators. I have also seen the victims, women and girls sometimes as young as 9. The doctor told me that some of them had their inside being blown apart by rifle blasts. The level of brutality is shocking, even by the twisted standards of a place haunted by warlords and drug-crazed child soldiers.

On any given night in the eastern DRC armed groups of men will overrun a village and divide in bands of three to five, forcing themselves into houses where they seize and serially rape women and young girls. A majority of the women reported that they were tortured during the rape itself.

I will never forget the three girls we found in the facility of an internally displaced people camp naked. A group of militias had raped them in front of their family before killing their parents, aunts, uncles, brothers, and sisters. The girls pretended to be dead and survived. We covered them with our shirts. That was the least we could do for them.

Sexual violence has been identified as a tactic of modern warfare in several conflicts, most importantly in the eastern part of the DRC and in Darfur. It is also identified as a war crime, a crime against humanity in the form of genocide. Recognition has not been a very effective deterrent. This form of atrocity continues and if anything is intensifying in brutality and frequency. Doctors in Panzi hospital in Bukavu and in the South

Kivu province in the DRC who have been treating sexual violence survivors for a decade told me about an emergent pattern of destructive and sadistic behavior by the perpetrators which they classify as a new pathology called rape with extreme violence. Violence against women and particularly sexual violence has special characteristics that have kept it off the radar of national, regional, and international security institutions.

Ladies and gentlemen, sexual violence is not a gender or women's issue. It is a security issue. And let me give you six reasons.

First, organized rape undermines public order. Sexual violence is a remarkably efficient means of severing family and community bonds, tearing apart families and whole communities. Sexual terror targeting women and children has forced countless families to flee their homes, daring never never to return.

Second, sexual violence prolongs conflict. Rape and pillage is often the only incentive arms bearers have to continue fighting. Or as a colleague of mine, the former United Nations Special Representative in Bosnia-Herzegovina, was told by a former commander "How can you expect us to tell subordinate commanders that our troops can't rape when it is the only thing they have to offer them?"

Third, sexual violence undermines chances for an inclusive sustainable peace because it precludes women's participation through intimidation. It also hampers sustainable development.

No nation can achieve development while raping its greatest resource.

Fourth, if perpetrators are not prosecuted and they rarely are because of inadequate response to sexual violence and international transitional judicial systems, it is very difficult to rebuild these systems and respect for the rule of law. Impunity for perpetrators and those responsible for these criminal acts higher up in the chain of command means that known human rights abusers go free, often to assume positions of national and local leadership.

Fifth, rampant sexual violence increases the spread of HIV/AIDS, which the Security Council of the United Nations has recognized as a threat to international security.

And last, sexual violence is an inexpensive and highly destructive weapon that effectively destabilizes societies and creates conditions ripe for terrorism.

Ladies and gentlemen, strong military and security sector responses are needed from the Apex Global Security Institution to the United Nations Security Council as well as from regional and national security institutions.

In a meeting with the leaders of the top troop contributing countries, President Obama acknowledged that -- and I quote -- "United Nations peacekeeping can deliver important results by protecting civilians and helping to rebuild security and advancing peace around the world. To succeed, the United Nations missions

and contributors need to be better equipped and supported to fulfill ambitious mandates, be it securing territory or protecting civilians from violence including sexual and gender-based violence."

It might be true that it is extremely difficult to find effective military and security responses to sexual violence. However, there is no doubt that there are actions that can make a difference. The United States can take a lead position to encourage the Security Council and other security institutions to take urgent steps to reverse a global culture of impunity for sexual violence. Peacekeepers, police and military could help in prevention and in apprehension of perpetrators and support for prosecutions. A stronger focus on encouraging the participation of women and military and police by true police contributing countries, including by the United States, is a positive sign.

The International Violence Against Women Act is an opportunity to offer a comprehensive approach for this critical issue and to formulate new policy that places a priority on addressing the security threat. Sexual violence as a weapon of war creates instability and fosters terror. It must be addressed as a serious element of foreign policy and conflict intervention.

Thank you.

Mr. McGovern. Thank you.

Dr. Barker.

STATEMENT OF GARY BARKER

Mr. Barker. Chairman McGovern and members of the Commission, thank you for holding a hearing on this important issue. I would also like to submit a written statement on behalf of our coalition partner.

Mr. McGovern. Without objection, so ordered.

[The information follows:]

******** COMMITTEE INSERT ********

Mr. Barker. We have heard the statistics on the extent of violence against women. You have heard many stats already presented by other panel members here. I come representing the International Center for Research on Women and also come with my experience as an activist and researcher in trying to engage men and boys in ending violence against women. As you likely know within IVAWA the specific language, need to engage men and boys in ending violence against women. And I would like to offer you four points in thinking about why that is important and why we need to scale that up immediately and how to do that.

The first point I would like to make is that we must go far beyond the legal response that we have spent a lot of time talking about today. While we know that it is key to do that, we also know that this is a behavior of not a handful of men but an awful lot of men. We know that worldwide about 30 percent of women will experience physical violence during the course of their lives and in some settings that goes up to 70 percent. Even countries that are not at war, not in conflict, have trouble processing and prosecuting the number of men involved in this.

I will give you an example from South Africa. A recent study household sample that was carried out there, 28 percent of South African men had carried out rape at least once in their life. We know that about one in nine victims of rape in South Africa actually brings charges of some kind. And of those, we know that

about one in 10 is actually successfully prosecuted. That is, a man is convicted of rape. We can find examples from other countries of numbers similar to that.

The issue is that in terms of impunity we are barely making a dent. Of course we have got to enhance the ability of legal sectors and judicial sectors to hold men accountable for it, but if we truly believe in prevention we have got to figure out ways that go far beyond that low level of prosecution. And that is where issues of understanding where this violence comes from comes into play.

And that takes me to my second point. There is no mystery where this violence comes from. We know a lot from research where it comes from and what causes it. First and foremost is the issue of women's subordinate economic and social status worldwide. We know also from sample survey research with men what is going on and which men it is that are using these particular forms of violence.

ICRW has been coordinating a global survey called the International Men and Gender Equality Survey, or IMAGES, carried out household data in studies now in more than six countries and looking at the factors associated with men's use of violence against women. Four factors stand out. One, men's and boys' experience with violence growing up. Men and boys are learning this because they see it at home, they experience it on the playground and in other places.

Second, they believe in these norms that men have more rights and more power than women. Men who buy into those ideas that violence is okay, that women sometimes deserve to be beaten.

Third we have got alcohol use and fourth we have got economic stress.

That potent combination of four things is unfortunately too common in too many men's lives and we see how much it drives men's use of violence against women.

The important thing in this research as well is that we are finding lots of men who don't use violence. We have talked a lot about men in DRC, in Uganda, Pakistan, other parts of the world. There are lots of men using violence, but there are men out there who don't believe in it. And our work is always starting with those men in these settings who say, wait a minute, I don't believe in this violence, this is not what manhood is about. To be a Pakistani man does not mean that I have to use violence. There are other ways out there.

And that takes me to my third point. We have got evidence of what works at the program level. We are not making this up from scratch. They are interventions we have been able to see and rigorous impact evaluation data that they can in fact make a difference. We see changes in men's attitudes, changes in their behaviors, and when we ask women as well, we often hear from women that they are reporting that men are changing their behaviors as a result.

These are interventions like one that ICRW and the Family Violence Prevention Fund implements in India using cricket. It is an intervention called Coaching Boys Into Men, using the national pastime in India of coaching to identify teachable moments to reach boys with messages about ending violence against women, that it is not acceptable.

We know with school-based efforts that we collaborate with, with CARE in the Balkans, for example, that we are able to see differences in the way that men and boys view women, their use of violence against women as we implement these interventions. We have got not just data from those programs but from programs from around the world.

And that takes me to my fourth point, which is they are not enough. These have been tiny programs reaching 750, sometimes 1,200, sometimes 2,000 men. If we know that on an annual basis in India some 15 percent of women will experience physical violence from a male partner, 750 men or boys is not enough to make a difference in this. And that is where IVAWA comes in as key. We know that if these interventions are working we have got evidence base that they do, how can we build on these approaches? How can we make sure that they are reaching men and boys in all kinds of places: The military, the police, sports, the workplace, everywhere we hang out? And that is the message that I would like to leave the Commission with. We know what works. We have got to be much more aggressive about getting it out there, particularly

if we believe that prevention is possible. Not only prosecuting after it has happened but looking at how can we work from the very earliest ages with boys to change their views of women, to change their views about the acceptability of violence against women.

Thank you.

Mr. McGovern. Thank you very much. I appreciate all the testimony here. Those buzzers mean there is a vote on. So I am going to go right now to Congresswoman Schakowsky from Illinois.

Ms. Schakowsky. Thank you, Congressman McGovern. I really want to thank the panel. I am one of the chief sponsors of IVAWA, and I agree with its -- certainly with its potential and reach. But I want to talk to you a little bit about what I have been struggling with. It seems as if we often separate and even marginalize violence when it comes to women as a separate thing. I have been really grappling with this notion about violence as where that interjects national and international security.

General, you talked a bit about that and I took notes on how you see rape as a security issue. But how we understand violence against women as a threat to our own national security and international security, which broadens I think the kind of approaches that we take and our understanding of how central this issue is to -- let me give you an example. We put a lot of money into drug interdiction. We see the international drug trade as a problem and billions of dollars are spent. Compare that to what we do with the trafficking of women. It is, you know, much

smaller, it is a women's issue. It is separated, women and girls.

So I don't know if you wanted to elaborate any more, this idea of violence against women being a destabilizing factor in the world and one that has to be treated as a serious and central security issue. I don't know if anyone else wants to comment on that.

General Cammaert. As I said in my statement, one can see the rape and gang rape sexual violence as a weapon of war. That means that we have it even on tape. Just recently a film out, which is called Weapon of War, which addresses only the perpetrators, why are those guys doing it and who are doing it. And it is very clear that those people testified in that film.

Ms. Schakowsky. Weapon of War?

General Cammaert. Weapon of War, made by twin sisters, Dutch twin sisters. They have just launched this film. They are coming to Washington in May, very interesting. And the aim of the perpetrators is to destroy the community, to completely destroy the fabric of the community, of the society which creates instability in a province, an area, which creates instability in the region. The neighbors, the neighboring countries are involved, and therefore, it is a breeding ground of terrorism, of further instability in the whole region.

If you look at the DRC in particular, we are talking about the DRC, it takes the whole area down the drain. Therefore, I think you can say in a few words, it is certainly of importance to

international security.

Ms. Schakowsky. Humaira, did you want to add?

Ms. Shahid. I want to say that women are the key agents of counterinsurgency. And if you provide security, power and protection -- there are gradual levels of how you can improve the condition of women. And I think it starts with security and protecting and empowering women. All that we have seen against such atrocities and violence in the form of rape and harassment and burning them, it is always women supporting each other. And that is why I believe that community, local-level community organizations are the best way to deal with it. It is the best way to equip them by economically empowering them. You are actually taking the woman from a passive role to an active role, becoming the major decision maker in the family.

Ms. Schakowsky. Let me ask you to expand on this idea. I mean, if we could sell the notion that women are a key agent of counterinsurgency, if that were accepted as fact, then from that should flow an investment in women. So if you could just stretch that out a little. What do you mean?

Mr. Shahid. I can give you a very concrete example of this. A friend of mine who is running in June the tribal areas, she was approached by a woman and she said, my son has joined the extremists and don't be surprised if he ends up in some suicide bombings. So my friend traveled all the way to that tribal area. She sat there with her son and she opened up the Koran and she

reinterpreted the jihad and how those boys or young men are, you know, brainwashed. So I am telling you about the power of that woman who has the capacity to reinterpret Koran and, honestly speaking, the tribal areas are very, very private. The four walls -- nobody can enter those four walls. You can only use a local Pashtun woman to approach another Pashtun woman. United Nations, UNDP, Amnesty International are not relevant there.

So one way is organizing and empowering those local community women and engaging them with other tribal women ON how they can counter this ideology extremism.

The second recommendation that I have and I have been advocating about is that the U.N. Declaration of Human Rights are not applicable or relevant in the tribal areas, in these rural areas. What you can do is that there are six basic rights in Islam which are not disputable, which are not controversial. Number one, your right to choose to marry. Your right to divorce without evidence. Number three, the widow does not need the consent of the family to get married -- remarried. Number four, your fixed financial inheritance. Number five, the management and the control over your financial assets and property. And number six, there is no concept of dowry in Islam. A lot of violence out of my experience as a journalist and legislator revolves around these issues. We can actually use this humanistic, ethical side of Islam. Because in the end you know what you are fighting is an ideology and an ideology that has political motives, that has

their own feudalistic motives.

So I believe that there are ways to reach out to these local communities. Islam could be one big way. The regional tribal women and their local organizations in small towns, small areas can be empowered and they can be trained.

And the third recommendation that I have for you is of course the training of judiciary, police and parliament. Law making, law enforcing, and law providing. And they are long-term goals but they are worth investing in.

Ms. Schakowsky. Yeah. I would like to pursue this at another time because I am really interested in trying to figure out, as a member of the Intelligence Committee, as head of the co-chair of the Women's Caucus, how we move this notion of women as counterinsurgency, as peace makers.

Thank you.

Mr. McGovern. We have 4 minutes left but we are fast runners. I want to yield for questions to my colleague from Maryland, Donna Edwards.

Ms. Edwards. I just wanted to make sure we put one thing on the record. I know with Congresswoman Schakowsky and others, as a cosponsor of the International Violence Against Women Act, and I think it is so important, I think it is also important for us to acknowledge here in the United States obviously we have issues around violence against women. This is not about dictating to the world, but it is actually demonstrating to the world that in our

work on violence against women and work around the globe that when women live without violence they want to achieve economic success, build communities, build strong families, and, as you describe, provide for security and sustainability.

I think that is the message really for the international community and for our government. I mean, I think one of the challenges has been -- and perhaps Dr. Barker, you could answer this. I mean one of the challenges has been how the United States Government and our foreign aid and policy can identify appropriate metrics by which to measure improvements in the lives of women in terms of violence and use those metrics to make determinations about where we deploy resources, how we deploy resources. I think that the Department of State in some of its newer efforts is really trying to do that. But we don't have the metrics quite yet so that we can apply them across the board in terms of measuring the improvement in women's lives. In working on these traditional efforts around conflict resolution strategies, I have never felt that they actually fully embrace conflict resolution that actually incorporates this idea of ending violence against women. It is sort of like everybody else at the table when it comes to conflict resolution but not women I think, General, as you described.

So I think we have to rethink in conflict zones in particular those strategies and those models that we have just used for decades that really are not appropriate to address the security and sustainability issues that all of you describe. And so if you

have some quick comments about that, I would appreciate it. And then we are going to run.

Mr. Barker. First on the question of metrics, I mean I think there are two ways to answer that. One is simply the countries have in place legal mechanisms for protection. Are they taking seriously women's accounts and reports of and prosecuting those? We have the mechanism set up with CEDAW, and it would be great for the members of this Commission to work with your colleagues in the Senate as well to get the U.S. to be a member of nations that has also ratified CEDAW. So there is that mechanism that does say countries need to have in place those laws.

In terms of measurement, we know a lot about how to ask women about it. We know how to measure prevalence now. We have only got a few success stories out there of countries able to measure prevalence declining. But we do know how to measure that, ask men about it, about attitudes related to it, knowledge about laws and attitudes towards existing laws. So we do have ways of measuring it. What we have to do is convince countries to measure that in a systematic way and to really make sense of are they making progress on it so that perhaps we can come back in 5 and 10 years and say in country X and city Y, we have actually been able to reduce this violence.

Ms. Mungherera. We do have ways of measuring the long-term effects of violence against women and what it does to the family structure because that is very important because a woman who has

had violence and you see the replication because it affects the children, it affects the whole family nucleus. So we do have ways of measuring that as well.

Mr. McGovern. Let me thank you all. I apologize that we have to abruptly cut it short because we have to go vote. This has been an incredible panel discussion, and I appreciate not only your being here but your work. This is an issue that this Commission is going to spend a lot of time on, and we look forward to a continued conversation in the future. But thank you so much for your incredible and eloquent testimony.

Thank you.

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[Whereupon, at 4:05 p.m., the Commission was adjourned.]