



**Survivors Speak OUT (SSO) network response to the House of Lords Select Committee Inquiry into the Prevention of Sexual Violence in Conflict, September 2015**

## Introduction

1. This submission to the House of Lords Select Committee on Sexual Violence in Conflict contains the views and experiences of Survivors Speak OUT (SSO) network members. Five members of the network, both male and female and survivors of torture including sexual violence, came together to provide evidence for this inquiry.
2. Survivors Speak OUT is the UK's only torture survivor-led activist network and is actively engaged in speaking out against torture and about its impacts. Set up by survivors of torture, for survivors of torture, SSO uses first-hand experience to speak with authority for the rights of torture survivors. The network is supported and facilitated by Freedom from Torture and all network members are former Freedom from Torture clients.
3. Based on our first-hand experiences, rape and sexual violence are acts of torture when committed as acts of punishment, oppression, intimidation or discrimination and at the instigation of, or with the consent of, a person acting in an official capacity, in and outside of conflict, in state detention and beyond.
4. The evidence contained in this paper is taken from the varied personal experiences of network members but also our direct experience of working with the Preventing Sexual Violence Initiative (PSVI) team since 2012. It focuses on an area that we can speak about with authority: the needs of survivors of torture including sexual torture.
5. The following evidence was guided by three questions from your Terms of Reference:
  - a) Prevention: *What evidence is there on the effectiveness of the Government's support, assistance and reparation for survivors of sexual violence in conflict?*
  - b) The needs of survivors: *How can the UK best assist with the gathering of evidence and dissemination of good practice in this area?*
  - c) *What can be done to lessen the stigma that is often experienced by survivors of sexual violence in conflict?*

## SSO engagement with the PSVI

6. SSO has engaged with the PSVI since 2012. An SSO speaker stood alongside the then UK Foreign Secretary William Hague MP to launch and promote this initiative at the 2012 and 2013 Conservative Party conferences. In September 2013 an SSO speaker addressed over 500 state representatives at

the United Nations General Assembly to launch the "Declaration of Commitment to End Sexual Violence in Conflict." The following year at the June 2014 Global Summit, an SSO member spoke at the official launch of the International Protocol for the Documentation and Investigation of Sexual Violence in Conflict alongside William Hague and Angelina Jolie-Pitt. In July 2015, the Survivor Advocate and SSO Network Coordinator was invited to join the external Steering Board for the Prime Minister's Special Representative (PMSR) on Preventing Sexual Violence in Conflict. But perhaps most importantly, SSO contributed to the development of the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict by commenting on the draft and having many of those comments included in the final protocol.

7. We believe that we have been instrumental in inserting SSO into the PSVI both in public work and in the development of the Protocol. There has been a positive shift from the PSVI team in response - the team is now much faster to think about survivor participation at the outset in its work and recognises survivors not as 'victims' who are only there to share their personal testimony, but as vital voices in shaping solutions.

*What evidence is there on the effectiveness of the Government's support, assistance and reparation for survivors of sexual violence in conflict?*

8. As survivors we feel that the PSVI is important because it shows that at least something is being done to expose and address the issue of sexual violence. Trips by William Hague MP and Angelina Jolie-Pitt to conflict zones to meet with survivors of sexual violence highlight their ability to bring attention to these issues on a global scale and the willingness of States to sign the Declaration itself offers hope and encouragement to survivors that States consider the issue of sexual violence important and will address it. There is clearly an intention to move beyond awareness-raising and symbolic gestures to help survivors receive justice and reparation, but it is unclear yet how much has been achieved for survivors in these concrete terms.
9. The signing of the Declaration at the UN General Assembly in 2013 in New York and the further commitments made at the Global Summit in 2014 in London are a good first step in a global commitment made by signatory States to uphold protections and support for survivors - however so much more needs to be done to make a signature action meaningful on the ground.
10. The engagement of SSO with the PSVI, including now via the PMSR's Steering Board, highlights willingness to include survivors' input but more should be done to include survivors in decision-making processes and solutions.

#### SSO Recommendations

11. SSO believes that signatory States need to establish systems and institutions that effectively address the needs of survivors and align closely with the

PSVI, offering means of rehabilitation, health services, protection, welfare, and reparations.

12. States must be held accountable to their Summit commitments and a framework for monitoring and evaluating initiatives and holding to account States that fail to comply with their commitment is essential. Signatory States should allow outside organisations with expertise on working with survivors to provide an independent and objective report on the country's treatment of survivors of sexual violence, and enact changes recommended by survivors and these organisations to state policies and practices. This could include giving the Special Representative of the United Nations Secretary General on Sexual Violence in Conflict greater access to areas of conflict in order to produce accurate reports and create effective mechanisms to ensure accountability.
13. SSO recommends that the UK government use its political powers to pressure States to deliver on their commitments, including by partnering with them on practical initiatives and seeking alliances with other post-conflict countries that are not signatory of the declaration. This should begin with the Sri Lankan government. This is a real opportunity for the UK to encourage Sri Lanka to become an active stakeholder in the PSVI. This should include an effort by both governments to tackle impunity for sexual torture as well as including survivors of torture in an expert capacity in these efforts.
14. SSO recommends that governments engage more with survivors in the implementation of the PSVI. A survivor-centred approach will best reflect the needs of those the PSVI is trying to help, as survivors are the only ones who truly know what is best for them. States that have signed the Declaration need to follow emerging good practice from the PSVI team in including survivors in relevant decision-making processes.
15. For the Summit to be judged a success there needs to be long-term funding for initiatives aimed at addressing sexual violence.
16. At times the PSVI has felt like an individual commitment, driven by former Foreign Secretary William Hague MP, rather than a government cause. With the transfer of leadership to Baroness Anelay, including welcome ongoing involvement by Mr Hague and other key architects of the initiative such as Baroness Helic, there is an opportunity to address this.
17. The domestic policies of the Home Office towards survivors of sexual violence seeking asylum in the UK need to be aligned in a way that reflects the policies of the PSVI. We feel that this is one of the most important recommendations we can make as a network of survivors who have struggled to be believed and treated with dignity and respect within the UK asylum system. SSO calls for cross-departmental consistency so that survivors of sexual torture who seek safety in the UK are no longer disbelieved, detained, forcibly removed and denied treatment, protection or justice.

18. In order to align Home Office practices with the policies of the PSVI, we recommend that the Home Office be invited to join the PSVI Steering Board in order to better understand the policies of the Protocol and how best to implement them domestically. In addition, the Home Office should be invited to address this issue of contradictory domestic treatment of victims of sexual violence and international commitments by the FCO of the PSVI before the House of Lords Select Committee on Sexual Violence in Conflict.
19. The issue of sexual violence and approaches to tackle it must be seen through a gendered lens. This means, for example, that the PSVI should be careful always to consider that men and boys are also affected by sexual violence as demonstrated by Freedom from Torture research reports (to which SSO contributes) on torture practices connected with conflicts and their aftermath.<sup>1</sup>
20. It is important to consider sexual violence outside of direct conflict zones. SSO is concerned that by limiting resources and focusing initiatives on only the conflict zone itself, wider, more systemic issues that lead to sexual violence, including sexual violence amounting to torture, may not be addressed.

*How can the UK best assist with the gathering of evidence and dissemination of good practice in this area?*

21. The PSVI Protocol is an important tool in the eradication of sexual violence in conflict. Its focus is on establishing basic principles for documenting sexual violence as an international crime so that more survivors speak out and give evidence that leads to justice, which in turn leads to prevention.
22. SSO welcomes the Protocol's acceptance of the principle that a survivor's participation in the documentation process should be an empowering experience that enables them to achieve justice, rather than causing further harm to them, their family and community.
23. SSO also welcomes the Protocol's clarity regarding how vital survivor participation is in the risk-assessment process. We welcome the recognition of how significant and complex a survivor's decision to give informed consent is, and that sufficient time must be given for survivors to appreciate the risk involved in this engagement. SSO also welcomes the survivor centred practice the Protocol recommends regarding referrals, confidentiality, interpretation, and intermediaries.
24. SSO engaged in the drafting of the Protocol, highlighting the importance of a survivor centred approach to documentation. It is essential that the Protocol remains an evolving document so that more work can be done on it to reflect expert opinion and survivor experience.

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<sup>1</sup> See for example 'Tainted Peace: Torture in Sri Lanka Since May 2009' (August 2015) available at <http://www.freedomfromtorture.org/features/8481>. Two thirds of the men in the research study (83 out of 125) disclosed sexual torture.

## SSO Recommendations

25. The FCO and the international community must continue to seek the involvement of survivors in the development of the Protocol as it evolves and in any other initiatives aimed at tackling the issue of sexual violence in conflict. This involvement of survivors should be done in a sensitive way, ensuring both safety and accessibility through strict anonymity and confidentiality of participants.
26. The UK government should make sure survivors feel both safe and empowered so they feel that they can engage confidently throughout the evidence gathering process. SSO believes that governments must provide better means of protection and reassurance in a way that encourages survivors to come forward without fear of persecution. This could be done through heightened confidentiality and witness protection.
27. A survivor-centred approach is vital to continue the development and implementation of the Protocol, to address the risks and challenges of this process and to meet both the needs of survivors and the needs of international justice. By survivors working together with expert service providers and States we can shift the shame and stigma from survivors to perpetrators. But, because SSO believes that both the experts and the survivors are users of the protocol, it is equally important for both groups to be informed on how to use the Protocol and how they can benefit from it.
28. A survivor-centred approach should also be applied to methods of prevention of sexual violence. The training of police and military forces should be informed by survivor experiences and expertise, and efforts at changing cultural perceptions regarding victims and perpetrators and shifting the understanding that rape can be used as a weapon should be heavily influenced by survivors themselves.
29. SSO believes that the UK should also focus on future development of the Protocol and further encourage other States to implement it. We believe that international pressure will force States to publicly re-evaluate their treatment of survivors and open up a dialogue surrounding the resources, support, and protection that should be made available to them.

### *What can be done to lessen the stigma that is often experienced by survivors of sexual violence in conflict?*

30. Survivors of sexual violence face a number of complex and painful issues that affect not only their existence within their communities and relationships with their families but also their health and livelihoods. The long-term health consequences of sexual violence include reproductive health problems, surgical problems and psychological health problems. Other profound impacts on physical and mental health include HIV and other infections, death as a result of suicide, forced pregnancy, elevated rates of trauma, Hepatitis B, rejection of children conceived through rape, and stigma and rejection from their community and family.

31. To adequately address the physical and mental health issues of survivors of sexual violence, emergency screening and treatment to prevent HIV and pregnancy, separate camps to protect children, women, and other vulnerable refugees such as gay men and lesbian women, and access to mental health professionals are viable options. In addition, medical staff who is not already equipped to assist survivors of sexual violence should be trained by experts in the field in order to provide the best possible care.
32. In many instances, the survivors' family and community are complicit in creating a hostile environment for the survivor; therefore it is imperative that the community as a whole is educated on the role of both the survivor and the perpetrator. This education is aimed at raising awareness in order to shift the stigma from the survivor to the perpetrator. Not only will this increase support and assistance for the survivor, but it will act as a deterrent in the future.
33. This education should also be extended to state actors, including the police and government officials, as well as peacekeepers and other outside organisations. This will go a long way in changing public views regarding survivors of sexual violence, and enable more effective rehabilitation within the community itself.
34. SSO strongly believes that survivors of both sexual and other forms of torture should not be detained at any point during the asylum-seeking process in the UK or elsewhere. The detainment of survivors further supports the stigma that likens being a survivor to criminality.
35. The perpetrator should be criminalized, not the survivor, and support and assistance to survivors from governments sends a strong message to the community that survivors are not at fault.
36. Survivors working together with expert service providers and States can also shift the shame and stigma from survivors to perpetrators. Survivors lending their knowledge not only gives States and experts a better understanding of the issues and obstacles survivors face, but also changes the public image and perception of the survivors themselves. Their positive alignment with the government shifts the blame and stigma onto the perpetrators instead.
37. SSO believes that national legislation must provide a legal framework that recognises all forms of sexual violence as crimes. This framework must include independent investigations and should take account of learning from good practice elsewhere in investigating and prosecuting abuses.
38. Prosecutions must consider the needs of the survivors including reparations and financial compensation, and holistic rehabilitation of survivors of sexual violence must be provided so that the feelings of shame and guilt are reversed.

**SSO would be very pleased to have an opportunity to expand on our ideas via oral evidence to the Committee.**

**Evidence submitted 07/10/2015 on behalf of Survivors Speak OUT Network**

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