

World Humanitarian Summit
Making IHL Work for Women and Girls
Tuesday, May 24, 2016 - Istanbul, Turkey

Introduction

Janet Benshoof, President of the Global Justice Center

Moderator

Charlotte Petri Gornitzka, Director-General, Swedish International Development Cooperation Agency

Panelists

Margot Wallström,
Minister for
Foreign Affairs
of Sweden

Dr. Helen Durham,
Director of
International
Law & Policy,
International
Committee of
the Red Cross

Julienne Lusenge,

President, Female Solidarity for Integrated Peace & Development (Sofepadi)

Janet Benshoof, President, Global Justice Center



Panel at WHS Side Event, "Making IHL Work for Women and Girls"

Participants

Kate Gilmore, United Nations Deputy High Commissioner

Jelte van Wieren, Director for Stability & Humanitarian Affairs, Ministry of Foreign Affairs of the Netherlands

Dick Clomén, Head of Policy & Strategic Advisor to the Secretary General, Swedish Red Cross

Introduction by Janet Benshoof

Welcome distinguished panelists and participants. My name is Janet Benshoof and I am the President of the Global Justice Center.

The topic of this event is one of **singular importance**:

What must States do to uphold women's absolute rights to equal protection of the Geneva Conventions in today's armed conflicts?

Women, whether soldiers or civilians, are rights holders under international humanitarian law, not passive recipients of charitable aid. International humanitarian law explicitly disavows a "gender blind" standard.

Under international humanitarian law, all states **must** accommodate the distinct needs of women and girls in order to ensure that the **outcome for women and girls is no less favorable than the outcome for men and**

boys. Only distinctions **adverse** to women are prohibited. This equality standard applies to **all provisions** of international humanitarian law, in **all circumstances**, without exception. **Neither national laws or restrictive donor policies are a defense to states or humanitarian aid providers breaching the rights of war victims under the Geneva Conventions.**

Upholding women's rights to equal protection of the Geneva Conventions **will be transformational.** Although only a small proportion of humanitarian aid is governed by international humanitarian law, upholding the rights of women in war provides the catalyst for **a global humanitarian regime that transforms the future of victims of all crises.**

We want to thank our co-hosts, the Swedish International Development Cooperation Agency and SOFEPADI, and the Summit organizers for letting us host this side-event.

We are honored to have with us today our distinguished moderator, the Director-General of Sida, Charlotte Petri Gornitzka. Please join me in welcoming her.



Janet Benshoof giving introductory remarks at WHS side event, "Making IHL Work for Women and Girls"

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Thank you, Charlotte and distinguished panelists.

My remarks focus on *how* to make the Geneva Conventions work for women.

International humanitarian law or as I will use interchangeably, the Geneva Conventions, is the oldest, and most accepted of all international laws. *Girls and women raped in war, like all other war victims, have inalienable rights to protection and assistance under the Geneva Conventions.* Neither national laws nor restrictive donor policies are a defense to breaches of women's rights under the Geneva Conventions.



Charlotte Gornitzka and Janet Benshoof talk before panel, "Making IHL Work for Women and Girls" begins.

Over the last twenty years, we have seen enormous advances for women under international humanitarian law including:

- *Eight* Security Council Resolutions on Women Peace and Security affirming and advancing the duties of States and the UN *to ensure women victims of armed conflict are accorded*

However, the lives of women and girls will only be saved by implementation. Until then, this enormous sea change exists only on paper. Participants at this conference, particularly the United States, by lifting the Helms abortion ban on foreign aid, can make this happen.

In my limited time, I want to call to your attention the systemic discrimination against women in how states enforce the IHL prohibitions on the use of certain weapons and tactics of war. There is a consensus that rape is used as an unlawful tactic of war, but rape is not treated like the use of other unlawful tactics. *Why is this so important?*

Banner for IHL Side Event.

Deterrence. The use of unlawful tactics or weapons has never been stopped by prosecuting individual perpetrators, such as the soldiers who embed landmines or use chemical weapons. However, states stigmatizing the use of a heinous tactic or weapon by other states, as was done in response to the use of mustard gas in WWI, has proven effective.

Finally, the most effective way to enforce the rights of girls and women under the Geneva Conventions is to ensure that **local women's groups supporting war victims, and often engaging with local armed groups, are equipped to utilize and engage with IHL in their work.** This includes through the provision of adequate and long-term funding and support to groups like the group my fellow panelist Julienne Lusenge is president of, Female Solidarity for Integrated Peace and Development (Sofepadi), a Congolese organization founded by 24 women to promote women's rights and campaign for an end to sexual violence in the DRC.

Humanitarian actors, including states and the UN, are under a moral and legal imperative to ensure that humanitarian aid providers advance the rights of girls and women under the Geneva Conventions. *Making these rights real will save lives and transform the future of women in war.*