

Testimony submitted to the House Foreign Affairs Committee
by
Representative Chellie Pingree
on
H.R. 3212, the Accountability for Sexual and Gender-based
Violence as a Tool in Conflict Act

Thank you for allowing me the opportunity to testify on behalf of my bill, H.R. 3212, the Accountability for Sexual and Gender-based Violence as a Tool in Conflict Act. I commend it for the Committee's consideration.

Sexual and gender-based violence (SGBV) is one of the most pervasive and yet least-recognized human rights abuses in the world. Far too often, rape and sexual assault are used as tactics of war in conflict zones. In 2008, UN Security Council Resolution 1820 recognized conflict-related sexual violence as a threat to peace and security. Given the lack of prosecution and punishment of perpetrators, UNSC Resolution 1888 established the Special Representative of the Secretary-General on Sexual Violence in Conflict to encourage the expansion of national capacities to identify, combat and promote justice for these abuses.

Likewise, in 2012, Executive Order 13623 established a U.S. Strategy to Prevent and Respond to Gender-based Violence Globally. It created a comprehensive approach for prevention and response to include increased coordination among U.S. government agencies, enhanced integration of SGBV prevention and response efforts into existing U.S. government work, enhanced data collection and analysis, and expanded programming.

This commitment has continued in the Trump Administration. On November 25, 2019, to mark the International Day for the Elimination of Violence Against Women, Secretary of State Mike Pompeo said that gender-based violence “undermines global peace and security and weakens the social fabric that binds families and communities together, preventing countries from achieving social stability and economic development. Ending gender-based violence requires a coordinated effort and the steadfast dedication of governments, the private sector, and civil society to create an enduring impact.”

Congress has responded by increasing resources to address the SGBV crisis. In recent years, the State-Foreign Operations Appropriations bill has designated \$1.75 million for the office of the Special Representative of the Secretary-General on Sexual Violence in Conflict to augment its efforts to tackle conflict-related sexual violence in 19 conflict-afflicted and transitional countries. The House-passed bill for Fiscal Year 2020 also provides \$10 million for SGBV programming in the Northern Triangle Countries, and directs that gender programs incorporate coordinated efforts to combat a variety of forms of gender-based violence.

In addition to these financial investments, Congress can enhance the tools available to promote the U.S. strategy and assist our partners in this collective effort. H.R. 3212 does this in two ways: (1) by adding reporting on SGBV in conflict to the State Department's annual Country Reports on Human Rights Practices, and (2) by specifically listing SGBV as a human rights violation subject to existing sanctions regimes.

The annual human rights reports play a powerful role in elevating the importance of issues and setting norms for human rights work around the world. International organizations, governments, NGOs, activists and researchers all look to the State Department's reports as a gold standard for categorical reporting on human rights conditions in all nations. Adding SGBV to these reports will elevate the issue commensurate with the importance given it by the international community, and provide a useful benchmark for collaborative efforts on prevention and accountability.

Political officers in our embassies are already tasked with pursuing SGBV efforts as part of the national strategy. Requiring reporting on SGBV in the annual human rights report is consistent with the work they are already doing, and should not create an additional burden other than the time it takes to write up the submissions.

Additionally, H.R. 3212 amends the Global Magnitsky Act to add sexual and gender-based violence as a human rights violation that would trigger sanctions under the Act, and amends the Section 7031(c) corruption/human rights authority to add SGBV as a trigger for travel restrictions. These additions will strengthen the potency of these two critical human rights enforcement tools by providing clear direction to relevant U.S. agencies, and a signal that those who violate these norms will be penalized by the U.S. government.

SGBV not only represents crimes against individuals, but is also a weapon of abuse deployed by governments, militias and non-state actors to achieve military and political ends. SGBV is alternately known as "rape as a weapon of war." It is thus consistent with the purpose and intent of both the Magnitsky Act and the 7031(c) authority to combat gross violation of human rights perpetrated by governmental actors to sow conflict and destabilization. Enhancing this tool is clearly in our national security interest.

I appreciate the Committee's review of the Accountability for Sexual and Gender-based Violence as a Tool in Conflict Act, and ask for its favorable consideration. I am happy to provide the Committee with any further information on this important topic that our bill seeks to address.