AfP's Peace: We Build It! Podcast

Episode 12, Ending the Silence: How the International Community can Prevent and Bring Accountability for Sexual Violence in Conflict

Transcript

Tanya Domi 00:03
Peace we build it is a podcast about the Alliance for peace building in its network of over 130 organizations working globally in 181 countries to reduce and prevent violent conflict and build sustainable peace hosts Tanya Domi will interview AFPs global partners, expert guests and Policy Advocates on how they tackle the challenging work of Conflict Prevention and peacebuilding in a world riddled by increasing violent conflict and war.

Liz Hume 00:41
My name is Liz Hume, and I'm the Executive Director of the Alliance for peace building. And I will be hosting this episode of the peace we build it podcast today. If you've listened to our podcast before you know that Tanya Domi is the host of this podcast. But I'm going to do it today because we need to interview Tanya, because she is an expert on the topic of sexual violence and war. So on behalf of the Alliance peacebuilding, I want to welcome our distinguished guests to peace we build it. The Russian army in Ukraine is using rape as a weapon of war by targeting Ukrainian women and girls. And there have also been reports of men and boys being raped. The crime of rape is not new during war. But what is different this time is that these atrocities are garnering heightened visibility in the media. And data is tracking these crimes in real time. The Alliance for peace building within the first few days of the Russian invasion of Ukraine in February put out a global call to action urging donors to fund a documentation of human rights violations including sexual mileages. The gathering and submission of real time evidence in Ukraine will play a vital role in prosecuting those responsible. What is also different is that these horrific crimes have been very early on condemned by the Ukrainian government, the International Criminal Court prosecutor the United Nations, European institutions, the United States and other Western allies. However, even with resources and attention, will these crimes be fully prosecuted? Unfortunately, the track record on prosecutions of rapes committed during conflict is weak. nearly 25 years ago, an estimated 20,000 rapes were committed against Kosovar women by Serbian military and police. And to date there has only been one prosecution. Our distinguished guests today will discuss the tragedy of rape as a weapon of war in Ukraine, what can be done to stop it both inside and outside of Ukraine, and how to bring those responsible to justice will also focus on what European institutions US and other institutions like the ICC can effectively do to ensure justice for victims in Ukraine? And also, how do we prevent it from happening again, in the next conflict. So I'm very
pleased to introduce Iryna Venediktova, the state prosecutor of Ukraine. She took office in March 2020. And she is the first woman in Ukraine's history to hold this office. I first want to say that we are all so deeply sorry for the unjustified war in Ukraine, and greatly admire the courage and strength of the people of Ukraine. And we stand with you. But what is happening in Ukraine is beyond horrific. We see the death and destruction being reported out of Ukraine every day. But one atrocity since the invasion that is gaining significant attention by media is rape of Ukrainian women and girls by Russian soldiers. Additionally, this year, the ICC prosecutor said he was expanding the inquiry in Ukraine to include rapes that occurred during the annexation of Crimea in 2013, as well, so Madam Prosecutor, it's also been reported that your office has opened investigations into more than 8000 criminal investigations related to the war, and you've identified over 500 suspects, including Russian ministers and military commanders. Can you tell us specifically what your office is doing to address the fact that rape is being used as a weapon of war? And what do you need to be successful?

Iryna Venediktova 04:28
Thank you very much for this ability to speak on your platform. First of all, I would like to start by expressing my appreciation for the attention to this oversensitive topic, raising awareness and talking loudly about the atrocities that are ongoing in Ukraine daily and hourly since 2014. And especially since the 24th of February is a matter of great importance. Now we live more than 100 days in the very brutal, very aggressive war. Just to provide insight into the current situation to date, we already have initiated more than 17,700 criminal cases. So Moreover, you will see on our website this number more, it will every day it's like, you know, 200 300 cases extra, unfortunately, officially confirmed the deaths of over 5500 civilians and of them 318 children. All the regions of Ukraine are mercilessly burned and artillery fire regularly with ICC Prosecutor Karim Khan today to go and Kharkiv and actually when we go out from the team now we heard very good of these sounds of shelling. Unfortunately, disaster this conflict-related sexual violence is become the predominant method of warfare for Russian force. Rape as a means of terrorizing enemy civilian population and demoralizing enemy troops cannot be seen as an offense on avoidable consequence of war. It is a separate war crime, which is expressly prohibited by the Geneva Convention. From the sub days of the full scale invasion of Ukraine. We have received reports on sexual violence from different regions. This situation became more devastating. After the liberation of Northern Ukraine. Sexual violence in war has catastrophic consequences not only for adults, but for children as well. Law enforcement agencies have documented facts of the rape of women and minors. I feel compelled to tell about this on all fronts. We speak about these concrete possibilities. What we have do here on the ground, actually, it's critical to note that every information or report regarding the alleged facts of sexual violence, including rape, trigger initiation of the criminal investigation, and so much more than under direct supervision in my office, let me also briefly touch upon our approaches with respect to investigation of sexual
violence and treatment of the survivors. To begin with, they continuously monitor reports in the range of social resources as any open source software as the basic for us to initiate investigation. My office has established a hotline through which everyone can report a crime and provide valuable information. We have specialized to walk runs department that not only investigates war crimes, but also overseas in litigation of war crimes by district prosecutors that allows holistic approach in line with international law obligation. Even prior to Russian aggression. We have been in implementation of gender sensitive approaches in costs of investigation. In addition, we have sought assistance from the international experts specialized on sexual and gender based violence, recently established atrocity crimes advisory group that alone was our national colleagues, prepared internal training guides that first define rape and sexual violence as a workaround and violation of international humanitarian law, as well as second prescribed call to particularly implement gender sensitive approaches and cost of investigative activities. For example, taking testimony of the survivor of witnesses. We are familiar with them and planning to incorporate its principles and the work of prosecutors through the train and guidelines I have just mentioned. We do recognize that there is a certain stigma within society with respect to rape and sexual violence that could prevent survivors from being open regarding this incident, be in this system to report or cooperate with the law enforcement authorities. Therefore we establish cooperation with health care institutions and actively cooperate with NGOs in order to timely identify and record cases of sexual or other types of violence against women or children. In addition, we are discussing with all partners and international organizations, potential initiatives measures that would be helpful in overcoming the existing barriers nearby the survivors. Indeed, Prosecutor Khan of the International Criminal Court have extended jurisdiction of the investigation with respect to the events stemming from the annexation of Crimea and occupation of eastern regions of Ukraine. As we close cooperate, my office will provide information on the investigations and prosecutions related to that Region of the Office of the Prosecutor upon their request. With respect to the 2014 events, there have been such an allegation of rape as a form of torture being used in eastern Ukraine. That is the subject matter of domestic investigation.

**Liz Hume 10:35**
Thank you so much for that, and thank you for correcting me 14,000 cases have opened. Now, even during a time of peace, this would be extremely difficult for the most peaceful country. How are you doing this in a time of war? And what resources do you need from the international community?

**Iryna Venediktova 10:58**
Actually, from First Days of War, we understand that it could be very long protest and wishing to overthrow everything correct from 30 days to prepare this strategy. I spoke with big number of Prosecutor General On the contrary, I spoke with President of And we decided that our
international front judicial front is very, very important, and of a novel now we have several approaches. First approach it is our national jurisdiction and our job on the ground to collect together all evidence is what we can have. Again, you see that every day, we will have more and more cases and we should arrange it to investigate it properly. Of course, we do prioritization, it's impossible to investigate everything without access to territory without access to people. That's why we have this prioritization international jurisdictions on the ground. We have a huge number of investigators of National Police Security Service of Ukraine, and even some other law enforcement agencies. For example, 10, broad investigation, national anti-corruption Bureau, all these people on the ground to the cause. When the key region was do debate. We need huge resources, human resources. Now we have six sentences in the court and eight cases in the court. That's why we are successful in the level of national jurisdiction, then our international light 18 clients are now 18 states started their own investigation, which are connected with war crimes in Ukraine. A rubric created a joint investigation team on the pledge from all four era jobs. Ukraine, Lithuania, Poland, Estonia, and Latvia are the members of this joint investigation team. Internet office of Prosecutor of international criminal court joined this investigation team extra it was firstly in the history of ICC. And now we have the most vital joint investigation team, I think which ever been on the platform of, we have our partners on the ground Lithuanian team was in Kharkiv region, Slovakian team was twice in Ukraine, French team have worked in the key region and in Germany coverage from the team of Prosecutor of the International Criminal Court here long periods of time. And even they decided to open their field office here. And so very important, actually, that's why we understand that we should investigate properly, not only war crimes, but as property, non-ordinary crimes, what could be committed in Ukraine, and actually, it's very important for us to because of the safety of our citizens, the normal audit in our days, it's very important, and we should coordinate all these activities and we do it. We go into court with all the cases not only it we speak about war crimes, and we see that we have very trained service, we have very trained team. We finished a reform of prosecutor service during previous two years where we actually stayed to remove all system all level of prosecutor service, the wrong reformed and actually maybe we have such good results because people are professional people are trained and people are patriotic.

Liz Hume 14:55
Thank you for detailing the work that you're doing. I am just going to say we know though how much work this is. And the resources are vital to make sure that the data is collected. So if there are donors listening, I want to be very clear that this all will take significant resources. So I want to make sure that the heads front and center, Madam Prosecutor, will you be prosecuting these crimes in Ukraine? Do you suspect or do you think that the ICC will be taking on a lot of these cases? And how will you coordinate,
Iryna Venediktova 15:35
we understand that the most part of the job should do our law enforcement agencies on the ground more than 90% cases we should investigate and we should do in our Ukrainian force. Very important, but them are all of us this team. It's actually significant. And I am happy and as a citizen of Ukraine and as a prosecutor of Ukraine, that we can have such a cooperation with the team of Prosecutor of International Criminal Court. Now he came to Ukraine third time. He was the first time he came on the third of March. Then he came when Bucha was deactivated, and now he came on to look in Kharkiv region what is going on in Kharkiv region actually, for us very important this cooperation to work closely collaboratoe with the International Criminal Court states in the world to enjoy the litigation team, as well as the South state investigation of war crimes through universal jurisdiction. Let me start with the International Criminal Court is a complementary mechanism to domestic prices. Ukraine has recently adopted a legal amendment that establishes the legal framework for the cooperation of investors. This is an important achievement that allows us to deepen a working relationship with ICC assisting them in the litigation, we understand that the National proceeding would be hindered due to personal immunity enjoyed by certain incumbent high level officials, whereas the ICC is not restricted in similar manner. Hence, this is one group of cases where the ICC would have jurisdiction. Secondly, the investigation team has been presented in Ukraine on several occasions. To withdraw this cooperation will yield results ranging in the near future with respect to specific incidents. Let me also know that we follow closely development before the International Court of Justice and the European Court of Human Rights. My office will stand ready to provide any information and evidence is deemed necessary. Similarly, we are cooperating with the UN Human Rights Council commission of inquiry in Ukraine and already expressed readiness to provide information to the local team on the ground job two days ago. Joining to join litigation team composed of Ukraine, Lithuania, Poland, Estonia, Latvia, and Slovakia with the assistance of were in the Office of the Prosecutor of the ICC is the president of the participant. We view it and effective mechanism not only to gather information and evidence, but also to coordinate proceeding Furthermore, as I mentioned, 18 national jurisdictions initiated criminal precedents regarding international crimes taken place in Ukraine. We believe that prosecution installed on the universal your jurisdiction over the priority if the perpetrator is present within the state or has assets via interest of justice. So dictate, for example, when the evidence is available, in this case, or group of victims are present.

Liz Hume 19:05
So can you tell us what is the hierarchy of justice look like? We know that there's interest by several countries want to prosecute Russian forces, including its leadership all the way up to Vladimir Putin for these crimes. Are you confident that eventually those who have committed these atrocities will be prosecuted? These
Iryna Venediktova 19:33
is our main goal, I think for absolutely the whole prosecutor in the whole world. They always thought it is accountability and justice. And of course, investigators and prosecutors do their job to find all evidence to prove for guilty or for perpetrators, and then to have fair open public court, the trial to take all people form responsibility. That's why, of course, we do our job understanding that it will belong and pretrial processes. Now, as I mentioned, we have six sentences and eight cases in the court. But we have 114 perons who are starting, we started them prosecute, invoke right. And from the other case, in our case about crime of aggression. We have 623 suspects in this case, and we started to prosecute them, too. That's why we are moving forward. We have our roadmap, we have our strategy, of litigation, and our channel strategy in the measures of people in our international strategy with joint investigation team with cooperation of International Criminal Court.

Liz Hume 21:02
So thank you, Madam Prosecutor. And I just want to say, once again, you know, there are no words for what your country is going through. And I know that everyone on this podcast will be working with you to make sure that these crimes are prosecuted. So no other country has to experience this, I just want to ask you, if there's anything else that you want us to know about what we could be doing to support you,

Iryna Venediktova 21:32
thank you very much for these warm words. You know, when you live in war, it's absolutely our the level of wealth use these human relations. For us the very important and professional support? Well, we have experts, investigators, all are the professionals on the ground, very important job of journalists from all other countries, because they're citizens of civilized countries, and they can see and can do the own results and consequences of what's going on actually, in Ukraine, we want to be open country, and we do everything, and fight for our values for our choice. So what we have done in 2014, that's why your support in all, your voice about Ukraine, are very important for us. And I appreciate very much for this possibility to speak. And actually, you mentioned about these first two minutes of conversation, that's very important to start with aggression, and maybe have done some conclusion. Here. We have very experienced persons in such a war crimes and crimes of aggression, and which have and expertise and their own life in such circumstances. That's why I think, for us very important to prevent such possible aggression in other countries, and to prevent to, you know, existing dictators, or regimes, which can start large voter and aggressive activity on the lands of other countries or in the accounts. And we should do everything to protect human rights to prevent such barbarian atrocities.

Liz Hume 23:32
And I just also want to say to you and the people of Ukraine, thank you for reminding the world as we've seen backsliding and democracy, how important it is to fight for democracy. And thank you for leading the world and showing us how important this is as well. Our second guest is Dunja Mijatovic, who was elected as the Commissioner for Human Rights in January 2018, by the Council of Europe parliamentarian assembly. So Dunja, you recently visited Ukraine and Kosovo, Kosovo, our women have had very little access to the justice system and addressing the 20,000 estimated rapes by the Serb military during the 1998 1999 War in Kosovo. So what's in Kosovo are women survivors and their advocates tell you about what is needed to achieve justice for these cases?

Dunja Mijatovic 24:30
Thank you, first of all, for inviting me to take part in this podcast about a topic that is extremely important for all of us for the societies as a whole for the world. Because we said many times, never again, and you said it also in your introduction, but then I asked myself when I see what's happening in Ukraine, so Ukrainian women and girls, but men as well is Something that, you know, leaves an open even more questions in which direction are we heading? And where are we failing, in a way globally, in order to prevent such a horrific crimes I returned from from Ukraine recently, immediately after that I went to Kosovo, discussing many human rights issues, but including also the topic we are discussing today. Already in Ukraine, I heard reports about sexual violence, rapes, but not only in Ukraine, I went the beginning of this horrific war and aggression to the border with Ukraine, where mostly women and girls were leaving, and they were already reported cases of rape. When it comes to my recent trip to Kosovo, that is something that we are facing for decades in the Western Balkans. When I say we, I'm thinking of the Western Balkans, the part of the world that I come from, and if it was not for Kosovo, women and their courage to say not, you know, in our name, you will not put under the carpet, all these crimes, not even this one case that is investigated would happen, it is absolutely essential that we break a silence on sexual violence, whether you know, it is in times of peace, or war. And it is absolutely necessary to create the right conditions for victims to speak out. And this is also an issue I discussed with Iryna, when I was in Kyiv, how to make sure that everyone must be able to feel safe and empowered to denounce these, you know, horrific crimes, and survivors also must feel free to come forward. So even after decades of war, in Kosovo, but also decades of war that happened in former Yugoslavia, you still have this stigma, fear, and people are not ready, or they do not feel safe. They do not trust the system to put it this way, in order to come forward in order to start talking about their cases and the horror that they went through. So I think we have a particular responsibility now, to help Ukrainians even more with all the experience with lessons learned with mistakes made in the process, in order to be sure that those crimes will be investigated in the right way. But at the same time, making sure that there are exposed, but not too overexposed in order to victimize the victims over and over again, because this is not about headlines. This is about investigating
serious crimes. And that's why I'm also working in order to see more coordination, and also more assistance in psychosocial trainings of people who will be dealing with the victims. So all states, they have a duty also to train and sensitize the whole society in order to be able to address these issues. So sometimes, you know, we hear victims are ashamed, we need to work on making sure that they're not the ones that are ashamed, but the perpetrators, because they are the victims. And this is something that needs to be said over and over again, you know, loud and clear,

**Liz Hume 28:35**

I think you just addressed one of the most significant challenges, the shame, the fear of coming forward, you know, the fact that it has taken decades now to get one prosecution in Kosovo against these crimes. So tell me a little bit more about those challenges that women have had to overcome in Kosovo, and how can they be applied in Ukraine, and one of my biggest fears, and you know, from someone who was in the peacekeeping missions in both Bosnia and Kosovo, I spent five years there, Tanya was there, you know, we were senior members of the Organization for Security and Cooperation in Europe. Let's just be honest, men are in charge, and they're going to want to focus in on negotiations, and how do we bring peace? Maybe that's not peace in the sense of an absence of war. How do we make sure that these crimes are fully prosecuted, and not glossed over for the sake of peace, or the absence of war and how do we make sure women are not victimized?

**Dunja Mijatovic 29:47**

I mean, first of all, I mean, for me, you know, any discussion on peace needs to have an element it is absolutely crucial. We cannot talk about building peace or achieving, you know, Peace during the process of negotiations, which is something that nobody will challenge, I mean, it's needed. It's absolutely important. But being in Ukraine, nowadays, victims of the rape, in the former Yugoslavia, there is no peace. If there is no justice, there is no peace. If those crimes are not investigated, there is no peace. If we say, you know, now, we are not going to discuss this, put it under the carpet. And you know, we are now discussing peace in the future, there is no future if justice is not served. And if the perpetrators of this horrifying crimes are not prosecuted, and also exposed, this is also important, and that the message is from the highest level. And you said, mostly, there are men, but there are women as well, that are reluctant to talk about this. And they're also deciding to be silent when we look at these issues, which I think it's also problematic. So victims of these crimes have been failed by justice system in the former Yugoslavia most of the time. And the justice was also in the hands of the international community's hands for a very long period of time until recently, and most perpetrators have gone and punished as we know. And we mentioned this one case in Kosovo, and the first conviction in a case of sexual violence. And victims are losing faith. And they're also feeling frustrated that justice will not be served, we should not allow this to happen now. But even with this kind of frustration, there are still
possibilities to work with the victims and to make sure that some kind of justice is served. Many are also according to, you know, many talks I had many are discouraged by the lack of justice, and also the social stigma, and they are reluctant to come forward and report these crimes. This is also a very important step how to make sure that there is trust there and according to human rights defenders that are working extraordinary job. And Iryna also meant met mentioned sorry, journalists, it is crucial that institutions are working with human rights defenders, and with journalists in order to explain also why it is not needed to have headlines with uh, graphically sort of explained situations of you know, those crimes, we should talk about it, but we should also find a way to talk about it, making sure that the dignity of the victims is something that is preserved. So topic, you know, of the sexual violence will surely also be addressed in my memorandum that is following the my visit to Ukraine in early May, there will be other parts, but this particular issue will also be covered and the messages will be very similar to the one Sam, I'm telling you now, I realized that we are not working enough with the victims, because I also heard, for example, in Kosovo, that there is a commission for verification. And I immediately said, which kind of verification who is going to verify what so we need to be careful when we are discussing these things, because human rights of all people in this process is of a great importance. And that's why I think, you know, in Ukraine, with the work that Iryna is doing together with the civil society organizations, and the help of the international community is on the right way on the right path, but we should not shy away, you know, if we see that the process is going in a wrong direction, or there is nothing happening for all of us to say and to scream, if there is a need and say stop. Now, you know, this cannot be unpunished. You know, these kinds of crimes cannot be pushed away from discussions, even at the highest level, and with the peace is negotiated or whichever sort of high level meetings are happening around the world in order to make sure that we finally see peaceful Ukraine, any kind of crimes, but this crime in particular, taking into account what happened in the Western Balkans and for how long and this is still ongoing, but for how long? This was a topic that was not discussed at all. Now it is in public. And there are different views and societies sensitized to this, but it's not enough.

Liz Hume 34:42
So Dunja and Iryna, I just want to say both of you give me hope, and Dunja I just want to point out for people who don't know that you are a citizen of Bosnia and Herzegovina, so you are deeply aware of these atrocities that happened in your country. In the 1990s, during that destructive war, I want to thank you both for the work that you're doing and focusing in on, as you all said, making sure that these are not swept under the carpet, again, that women and girls will get the justice that they deserve, and will work for how do you apply these lessons and move forward so that it doesn't happen again. I can't thank both of you enough in terms of the hope that you're giving the world as you work on these issues. So our third guest is a senior fellow at AFP, Tanya Dovi. She's a professor of International and Public Affairs at Columbia University's Harriman
Institute. She really is an expert on these issues. So Tanya, I want you to start off and kind of set the scene and tell us what is the history of prosecuting atrocity crimes related to sexual violence during war.

**Tanya Domi 35:57**

Thanks very much, Liz. And I want to thank both Dunja and Iryna for being here. It's very important. It's a very weak track record. And we can go back to 1907 with the first Hague Convention that mentioned the respect for the dignity of individuals rights that must be protected, including family honor, so that was in a way into mentioning rape and sexual violence that time was never applied. Fast forward to World War Two, you had major major sexual violence in the South Asian theatre by the Japanese where they use this horrific term comfort women. What's so tragic about that over it's estimated over 200,000 Women were raped and confined is that some of the last survivors of those crimes have had their claims with the Korean government denied just most recently as last year. So that woman is approximately 93 years old, more than likely, she's going to go to her grave without an opportunity to ever testify. And also, this is coming back up and the Russians have earned their reputation, honestly, because in the liberation of Berlin, during World War Two, they raped over 2 million German women, which was not in fact prosecuted at Nuremberg, the first jurisprudence to ever be generated on sexual violence during conflict actually occurred first in Rwanda, when aka say you was a mayor in Rwanda, who was actually convicted of rape and genocide. And it's the first time in history, that rape was determined to be a component of genocide, that jurisprudence actually was delivered, like in 1998. And then we had the process of prosecuting rape under the international war crimes tribunal for former Yugoslavia. And in that instance, the court actually advanced prosecutions, they actually charged 70 people, they convicted 32. And rape was determined to be torture, rape was determined to be a crime against humanity. There was a charge of enslavement with respect to the crimes and Fauja in eastern Bosnia. And, however, nonetheless, despite the jurisprudence, it was generated by IQ tar rabi was not convicted under a genocide in Bosnia, which I think was an unfortunate lapse by the prosecutors. Because as Iryna's discussing just recently, the new lines Institute in Washington DC actually delivered an independent legal analysis of the Russian Federation's reaches of the Genocide Convention in Ukraine. And I actually made a contribution to that report, using an example in Kosovo, where it was a report issued by Human Rights Watch that serve police and military indicated to women as they are in Ukraine right now that we want to ensure that you never have children again, or you never aspire to have children or be with another man again. And then lastly, I want to say that this jurisprudence is very important and just think about the history of the world. This is relatively recent, this jurisprudence was delivered in the late 90s, early 2000s. And since then, we know about the use Yazidi women, a law was passed last year in Iraq through the help of one of my colleagues, Sandra Orlov, and she's working there for IOM, and there is now a law In the books to prosecute ISIS fighters for enslavement and
trafficking, but the Iraqi government has yet to fund that legislation. So still, the victims there are despondent, I just read a recent report this past week, firming exactly what Dunja is talking about without access to justice, there's great deal of mistrust and despondency. And therefore, it's incumbent that he bring up Kosovo because if there isn't any better example of unfinished business in the Western Balkans. It is, in fact, in Kosovo, estimated 20,000 rapes. And that was, that was actually carried out last year is just unbelievable. We're talking about almost 25 years after the war began. And there was no court to go to, and they're blocked firm in terms of international court. So there is a Kosovo chamber, which operates in The Hague and has an office in Kosovo. And in a piece that I wrote for foreign policy. Earlier this year, we are recommending that the Kosovo chamber jurisdiction be expanded beyond the Deke Marti jurisdiction, which is only que la fighter and expand the jurisdiction of that court so that these victims, the survivors have access to a court. And I think it's imperative and I look forward to hearing various comments, she is going to follow me on this because I've been supporting the efforts of Kosovar women to have their day in court. So that's essentially a short overview of what has happened and mostly not happened.

**Liz Hume 41:44**

Thank you, Tanya, that is an excellent overview. So even if you have a court, though, what is needed, again, even during times of peace, it is difficult to prosecute these cases, you know, look at New York City, and, you know, rape kits sat in warehouses, tell me a couple of the key things that are needed.

**Tanya Domi 42:10**

I do think that the issue of what Dunja is talking about resources, just as an example, this might shock our audience, but the photo case was prosecuted, but there were other perpetrators. And so you have national war crimes courts, in Croatia, Bosnia, and in Serbia. And as a matter of fact, there are perpetrators of the photo crimes that are now in Montenegro. And Bosnia actually transferred the case to Montenegro. And they have indicated that they're going to prosecute that case. Can you imagine this is a this is more than 30 years. So you think about the resources for that. So I've actually mentioned I've had a conversation with Dunja, about this, and also the Council of Europe rep in Belgrade, about what kind of resources could be afforded to Montenegro. So they can effectively bring this case. And I think, you know, the gender sensitivity, that that Iryna is talking about those court, prosecutors have to be trained in how to interview victims, so that they're not re traumatized. And I would also say that the courts need to be properly resourced to bring these cases, including the judges and the prosecutors being effectively trained, and also having psychosocial services available to these witnesses when they are participating in the legal process.
Liz Hume 43:40
I'm gonna stop here for a second because Iryna has told us that she needs to go so. Iryna, is there anything else you would like to say before you have to sign off?

Iryna Venediktova 43:51
I'm very appreciate that you asked about every possibilities. What do you have for you ask about this, please be with us. Stand with us. A look at our fight actually our foremost values. I think that only with this common support, we can fight such huge evil what we have now actually, absolutely our normal not modern situation when civilized vote fight with barbarians. And I think that our values of democratic society should win and we will win. Absolutely. Of course, we need to do it as fast as possible because every day and every night will last our civilians will last military we will have more and more cases about war crimes. Of course we need your support. We need your support, as we mentioned to to work on the ground with professional possibilities support with financial support. For example, our form one hub for gathering evidence which we use which the ICC will use Ministry of Foreign Affairs and ICJ courts will use Ministry of Justice will use in Strasbourg court. Of course, we need modern software, which should analyze all the information, what we have, and interceptions and to delete images. And so a huge number of statements from our citizen Photo Video station. And that's why it's very important to drop out of foster them. These products are expensive and without support of international partners. We will do this job during years and years by source we can do it during the week. Actually, that's why I think we're on the one page and open every time I will be ready to answer all questions, I will be ready to call to you in states, key insights of the region and be in touch, and will do our job as previous speakers mentioned. Unfortunately, these figures of sexual crimes, terrible in other countries, we have this in history, we see this long processes were still how difficult to stop, to investigate, to punish, to protect to prevent it extremely difficult. But it's extremely important, because it is a question of our future generation. And we should save our values, we should save our societies, we should save our soils and hearts only because we need a normal, healthy future for generations. Thank you very much for this platform, for your expertise for your experience. And again, I want to say thank you for your souls for your heart and for your support.

Liz Hume 46:56
Iryna, thank you so much. Please stay safe, and continue this incredible work.

Iryna Venediktova 47:04
Thank you very much be in touch, bye.

Liz Hume 47:06
So Tanya, can I just ask you one additional question? Has the attitude of the international community shifted, since Rwanda and the Balkans and what more could we be doing?

**Tanya Domi  47:18**

Well, it's a good question. And there has been movement. And I have to give some credit to William Hague, former Prime Minister of the UK, who took up sexual violence during the g7 Several years ago. And now the UK has embraced what's called the Murad principles, based upon the work of Nadia Murad who survived the disease. And she was awarded the Nobel laureate for peace two years ago, and has established the Global Fund for sexual violence survivors. I have recently with Vera a met with members of the House Foreign Affairs Committee on the situation in Kosovo. And I've really pushed the members to ask the United States depress the United States government to actually take a lead here, and that we have a historical partnership with the United Kingdom. And in particular, that partnership in the former Yugoslavia is very strong one. And the UK is returned there, I think, in doing some really good work on basic democracy one on one, but I would like to see the United States of America leverage their leadership and their resources on this issue. And I would like to see the administration start calling out these crimes from every appropriate podium in the executive branch. And I actually spoke to Congresswoman Abigail spanberger, about this issue, that we need to be calling this out. And I think a good partnership would be in fact, between the United States and the United Kingdom. But it is true, there is now acknowledgement by a lot of people in different capitals in Brussels in Washington, and do news work at the Council of Europe, that there's a recognition that this is an intolerable crime, it must be addressed. And it's time now for all those people and stakeholders that are about defending democracy that we start defending and prosecuting the assailant of these victims. We're talking about millions of people, millions, and this affects only women, women, and actually men to men and boys. The first case in ft was disco Totteridge, who was in fact sexually tortured. And you know, it's really interesting that we never talked about that when we started talking about the case. Everybody just sort of glossed over that. But now Men in Bosnia have come forward, there have been a number of men that have come forward. And it's clear that there's a correlation between detainment, the longer you're detained, the more likely you're going to be sexually tortured. So irrespective of your your gender. So all I want to say is that this is a time for people to leave. This is a time for Western countries, and all of us who say that we want democracy, we're going to defend democracy. Well, let's defend the people in the democracy that have been harmed, and we should do everything we can. And the United States has the resources and the know how on how to do this, we, you know, under Hillary Clinton's leadership, there was an advance on victims of trafficking. And the whole issue of women peace and security, which Liz, you and I know are, we're very conversant on down on 1325. And the architecture out of the UN on this issue of the SRSG for sexual violence, permelia PATTON did make a visit to Ukraine, and her office is provided investigators. And so every institution, the Council of Europe, you know, the
United Nations, the United States government, the United Kingdom, there's all these governments they need to pony up now and deliver for these victims.

Liz Hume 51:24
I think you said that incredibly well. And I just want to add that the women peace and security law that was adopted by Congress needs to be implemented and can help address this. You know, under the Obama administration, we had to fight too hard to get the war crimes against Yazidi women to be called war crimes to be called genocide. So there's a lot of collective action that has to happen because even when these laws are on the books, they don't get implemented. So this leads me to our final guests. Vera, who was the co-founder and leader of the rally for her justice, an Advocacy Group on behalf of Kosovar women and sexual violence survivors. So we talked about this. Nearly four years ago, Vera, you co-founded the rally for her justice, and it was to look at sexual violence during the Kosovo war with Serbia. Again, we talked about there was estimates of about 20,000 women who were raped during this war, Justice has been denied. She talked a little bit about the mission of rally for her justice, what are some of the successes you've had? And what are still the challenges that you still face to get justice for survivors?

Vera Mjeku 52:37
Well, thank you very much, Liz for the opportunity to discuss such an important topic is sexual violence. And I wanted to thank my dear friend Tanya, who has been by our side throughout this movement. Unfortunately, whenever conflicts arise anywhere in the world, women especially become inevitably part of these conflicts. And that's what happened during the war in Kosovo. And we spearheaded this whole movement, based on the experience of the only survivor who has spoken out publicly about her experience as Vasfije Krasniqi Goodman, at the age of 16. She was abducted by a Serb police officer and another civilian and raped although that she did all the right things and reported her case to the local French K for the United Nations Mission in Kosovo later the European rule of law Mission in Kosovo, as well as the local authorities and the justice system in Kosovo. Unfortunately, all of the above instances have failed her in the quest for justice, and rarely for her justice came about as a movement so to amplify her voice and raise awareness against the unpunished war crimes and sexual violence during the war in Kosovo. I started working with Vasfije, about four years ago in another campaign that we called for heroines, a campaign to empower survivors and basically to fight the stigma and shame and start the public conversation in Kosovo, manga, you know, students and other segments of the population, that it's okay to talk about sexual war crimes and violence. Since then, we have continued our efforts are rallying support of the Albanian American community, especially into organizing rallies in New York City and Washington, DC. We've had forums and exhibits to raise awareness and address the impunity and injustice. The conflicts in Ukraine, I believe, has shown that history repeats itself and we don't draw lessons from the past the same things will happen and repeat to bring this
issue back and rally for awareness last month and in partnership with the prestigious Simon Wiesenthal Center. We also co-hosted an event in New York City addressing violence and rape as a weapon of war through the incredible photographs of Marissa Roth—one woman. When crying women in war, we saw vivid images, again of survivors from Kosovo and around the world. And through testimonies of an incredible panel that tiny I was also part of, we're able to address many aspects of, of rape as a weapon of war. I know that you're going to be asking me this, again, about the resolution. But I mean, the awareness is the piece where we're focusing, I think we can't stress enough that we have to discuss and we have to share these stories. Anytime we do this, we empower survivors. And we bring this back into into the focus of either governments, international community, and so much more.

**Liz Hume 55:39**

So your work is so inspirational, because it's, you know, it's what Tonya talked about. This war happened decades ago, in Kosovo. And, you know, trying to get justice decades later, is already an incredible challenge. So you mentioned it recently, Congressman Colin Allred of Texas introduced us House resolution 34. And you strongly advocated for this resolution. Can you tell us what is it about? How does it address sexual violence in Kosovo and globally, including Ukraine?

**Vera Mjėku 56:14**

So I have to correct you a little bit. It's house congratulation. 9494. But, yes, the first step I believe leading to the to this was a testimony that Miss Krasniqi Goodman had before the Committee on Foreign Affairs of the House of Representatives on April 30. In 2019, in a hearing titled Kosovo's wartime victims the quest for justice, where for the first time, Miss vestia, Kristen, he shared her story with members of Congress then in October 2021. We continued with several meet and greets with members of Congress as well as Leader Chuck Schumer. And we're proud that through our advocacy, countless meetings with members and sharing best via story on her behalf and on behalf of the 20,000 survivors of fight for justice, a resolution in her name has now been introduced, as well as you know, a resolution against rape as a weapon of war. About two weeks before introduction, we had a meet and greets hosted by Congressman all read rallying support for the resolution and we were grateful for Tonya support and her leadership at this meeting. And the introduction, I believe it's an important step in the long fight for justice. We're continuing to rally support so it can pass Foreign Affairs and the house before it gets introduced in the Senate. The horrible images and news coming from Ukraine are also a vivid reminder that rate remains an unacceptable weapon of war. And as such, the resolution sends a message to the world that there are consequences for committing crimes and atrocities. As an Albanian American. I'm also very proud that our representative in the Security Council Ambassador faith Kolja, he's continuously addressing and condemning the situation in Ukraine and the growing evidence of sexual violence. He has reiterated the call for detailed investigation that accountability cannot be
an option. But it should be a must. And that the documentation of these cases should remain a priority in a manner that strengthens the accountability mechanism that empowers the survivors. This was a lesson that were drawn from Kosovo, unfortunately, during a different time. Now, a lot of cases were well documented. And there was a lack of social media and a lack of coverage by, you know, by reporters and international journalists, which is quite the opposite now with Ukraine.

**Liz Hume** 58:40
And I just want to say these crimes are horrific. But I just want to focus in on how far prosecution of these crimes has come. Tanya talked about it, you know, going back into the 90s. Before Rwanda, it wasn't a thing and where we've come. We have a lot more to go. Again, you're and Tanya's work is incredibly inspirational and critical at this time. So Tanya, and Vera, can I just ask you, because this is such a hard topic, right? And people might leave this podcast and be just overwhelmed. So I really want to focus in on what can people do and what else needs to get done?

**Tanya Domi** 59:24
Very, you should come first.

**Vera Mjeku** 59:25
Thank you. I have to note that after the resolution was introduced, we also visited Kosovo and met with survivors advocates and also members of the government. Apart from discussing the legal aspects of the resolution. We also discussed the importance of a sound and adjudicate judicial system. There seems to be stagnation and prosecution in Kosovo. There's a hurdle and I believe that that should be the first step off the Government to start figuring out on how these cases can move forward and how these individuals can be prosecuted. We also spoke about the need for sensitive training, specialized prosecutors, and a survivor centered approach to empower the survivors and address the stigmatization. I believe that we have a long way ahead of us. And I'm thankful for tiny house Corporation and all the survivor groups, as we move this resolution ahead. And, you know, figure out within the system or outside of the system on how can we get justice, not only for Vasfije Krasniqi Goodman, but also to give hope to the 20,000 women, and it's encouraging for these women to hear us talk every time we mentioned, and every time we share stories, so I would encourage everyone to just, you know, share these horrific stories and then, in the United States, reach out to their member of Congress and ask them to support this very important resolution.

**Liz Hume** 1:01:14
Resolution 94. Yes, just to be clear.
Vera Mjeku 1:01:19
And I would like to share a story that goes to show that there is really no borders to these issues, and that we should really speak up and stand up wherever we are. About two months ago, a member of the Ukrainian parliament, her name is Lesia Vasylchenko she shared on social media, a video of a necklace that was made by survivors of sexual violence in Kosovo, a gift that was given to her from a colleague stating that little did she suspect that in a few weeks after the war broke in Ukraine, they will be faced with the same horrific testimonies of Ukrainian women and girls being raped, abused and executed. And with Tanya and Vasilje and the women’s survivors, we were able to share some of these pieces of jewelry with members of Congress referring not only to Kosovo, but also Ukraine and Bosnia and Iraq and, and elsewhere. In the end, as in the case of Kosovo and Ukraine, I believe women are showing to be not merely victims in conflict. But they're they're carrying heavy burdens. You know, they're they're trying to pick up and build up their families, and, you know, fighting for justice and peacebuilding and advocacy. So I just really wanted to thank you for all you do. And you know, the critical work of your organization. I think it's it's very important to keep the conversation going. And I believe that everyone has a role. And if we all amplify our voices, it's a very important step to justice.

Liz Hume 1:02:52
That was all very well said and the story of the jewelry. Well, stay with me, Tanya.

Tanya Domi 1:02:59
Yes, thank you so much. I just want to add a couple of things. One of the things that stands in the way of the victims, we see this across the Balkans, and we're seeing it by the Russian leadership is complete denial of crimes. Genocide, denial permeates this crime. The leadership in Serbia refuses to take responsibility for the acts of the previous Serbian government. In Kosovo, they deny the crimes that took place in Bosnia. And the same thing we're seeing by Putin, there's a complete denial from him down through his chain of command of all these crimes, these horrific crimes, these crimes of genocide now taking place in Ukraine, they have to be called out. And I agree with Vera, that there has to be accountability without accountability, this is going to continue. And so accountability, bringing the perpetrators to justice is absolutely vital, as a way to break the cycle of violence against women in women's bodies, everywhere in the world. So we saw Germany just last year convicted ISIS fighter, not first sexual crimes, but indeed did in fact convict this this individual for his crimes, his war crimes. And I do think, as Iryna has mentioned, there's actually about nine governments have already said they want to prosecute crimes in Ukraine. And so I think there's going to be a more move to national government, national courts, doing these prosecutions. And I think that Europe has a responsibility here in the appropriate institutions to help these national courts bring cases because there's so many crimes Times, and
there aren't enough courts. And so I think access to courts and access to justice has to be prioritized. And as your as pointed out, that's been a slow process in Kosovo. And the fact that the KLA Court in the Hague is only to prosecute, the leadership for the Kosovo Liberation Army is an unfortunate economic decision that doesn't yield justice to you know, 20,000 women who haven't had a day in court. So I agree with the Vera on on keeping the conversation going, keeping it visible. And I hope that AFP can support the rally for her justice on the House resolution, and maybe we can actually publicize it, and we can publish it when we publish the podcast. And I just want to also commend do Nick, she's in the Council of Europe, she has a major platform. And do you know, you're you're the highest ranking Bosnian diplomat in the world, you're a great voice, you're a great advocate. And I know you're going to make them feel it in the council.

Liz Hume  1:06:15
So Dunja, I'd like you to answer that question in terms of what should people be doing?

Dunja Mijatovic  1:06:22
I think we are already doing a lot, in a sense, you know, the silence, we broke the silence, which is quite different than decades ago. This is an issue that, you know, we want to be, you know, very much discussed a different forum, including academia. But this is also an issue that brings a lot of energy to all of us, if we can see that we are helping, that we are really doing something that is helping the victims, but also the organizations, amazing organizations and individuals trying to expose those crimes. So I think for Ukrainian women, it's particularly important to feel this solidarity, to feel that they are not alone, and they will be not left alone. If you look at the rape as a weapon of war in the former Yugoslavia, women there, you know, felt abandoned, left alone. And now they are speaking up, they're not ashamed to talk about this and to demand justice. During my recent, you know, mission to Kosovo that I already mentioned, I met with a fantastic group of, you know, women, human rights defenders, some of their medical professionals, and they have been helping victims of these crimes to rebuild their lives, and overcome the stigma, because we are often forgetting that they need to start over and over again, this is not something that you can just tick a box and continue living normal life, it stays with you, it stays with your surroundings, it stays with your family, with the society as a whole. And that's why in order to at least try to heal those wounds at least a bit. We need to be receptive. And we need to also create a situation where we trust the victims, we trust their stories, we trust what they want to tell us. Otherwise, you know, it is going to be extremely difficult to work on these issues. And when it comes to my work, I can only assure you that I'll use my voice and all the tools I have at my disposal to address these issues to really talk about it openly and freely to call for the accountability for making sure that the victims are protected their privacy, their dignity, because this is extremely important. And already next week, I will have a very good opportunity. When there is a Parliamentary Assembly session at the Council of Europe, there will be an event
organised in order to discuss the topic of sexual violence in Ukraine. But of course, nowadays, we cannot talk about this without bringing into discussion, a picture on what happened to women in former Yugoslavia. And just last week, I brought amazing NGOs and activists from Bosnia and Herzegovina, from Kosovo, from Serbia, from Croatia, together with Ukrainian NGOs working in and outside Ukraine, to talk to connect to build network to be stronger. And to make sure that in this discussion, we also have real professionals met Call doctors and to make sure that an issue of access to sexual and reproductive health and rights is also on the topic of these discussions, because in most of the cases, I had to deal with them the story stylist and this was an issue that was mentioned to me in different countries in Europe, you will have different problems when it comes to women's rights, in particular access to sexual and reproductive health and rights. So it's a lot of work, but extremely important work. And as Iryna said, it is for the future generations, they will judge us on what we were able to look at and what we were able to achieve, particularly women and girls.

Liz Hume 1:10:44
Thank you so much. Dunja. Just a couple of closing points to wrap it up prevention. Don't just say it happened two decades ago, in the Balkans, and we need to move on, Tanya brought up an incredible point about what the Russian soldiers did in World War Two, they were not prosecuted in Nuremberg. And if you have to go back two decades, we have to go back if we want to make sure that we prevent it from happening again, demand that donors resource, the documentation needed in real time and prosecute the cases now. Don't wait until after the war's over, as we've seen before. Diversity of leadership matters. It's leaders like you've done yet and Iryna who are demanding this justice and leading this way. So I can't thank you enough. I can't think Tanya and Vera's leadership enough, and so many other incredible women, and also the survivors that are telling these stories, and demanding justice as well. This wouldn't be happening without them. So the Alliance for peacebuilding 100% is behind this work. We will be promoting and advocating for resolution 94. And we'll be focusing in on these really critical issues we have and we will continue so thank you to everyone.

Tanya Domi 1:12:07
Thanks for tuning into the peace we build it podcast and thanks to our guests, Iryna Venediktova, Ukraine state prosecutor, Dunja Mijatovic, the Commissioner for Human Rights Council of Europe, Tanya Domi Senior Fellow alliance for peacebuilding and adjunct professor of International and Public Affairs Columbia University, and Vera Mjeku, co-founder and CO leader of the rally for her justice. The peace we build it podcast is made possible through the financial support of the Alliance for peacebuilding, based in Washington DC. Tanya Domi is the host and senior fellow for communications at the Alliance for peacebuilding and Kevin wolf, the audio engineer provides
technical assistance. This podcast can be found on Spotify, Apple, and where all podcasts are found.