



Sexual Violence in Armed Conflict

MEGAN BASTICK  
KARIN GRIMM  
RAHEL KUNZ

*Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* demonstrates the horrifying scope and magnitude of sexual violence in armed conflict. In its first part, the *Global Overview*, the report profiles documented conflict-related sexual violence in 51 countries – in Africa, the Americas, Asia, Europe and the Middle East - that have experienced armed conflict over the past twenty years. The second part of the report, entitled *Implications for the Security Sector*, explores strategies for security and justice actors to prevent and respond to sexual violence in armed conflict and post-conflict situations.

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Global Overview and Implications  
for the Security Sector

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Megan Bastick

Karin Grimm

Rahel Kunz



Geneva Centre for the Democratic Control of Armed Forces

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## LIST OF ACRONYMS

DDR	Disarmament, demobilisation and reintegration
DPKO	United Nations Department for Peacekeeping Operations
DRC	Democratic Republic of the Congo
HIV/AIDS	Human immunodeficiency virus/Acquired immunodeficiency syndrome
IASC	Inter-Agency Standing Committee
ICC	International Criminal Court
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IDP	Internally displaced person
MONUC	United Nations Mission in the Democratic Republic of Congo
NGO	Non-governmental organisation
PRIO	International Peace Research Institute, Oslo
RHRC	Reproductive Health Response in Conflict
TRC	Truth and Reconciliation Commission
UCDP	Uppsala Conflict Data Program
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNMIL	United Nations Mission in Liberia
WFP	World Food Programme
WHO	World Health Organization



## FOREWORD

Information about sexual violence perpetrated during armed conflict is scarce, scattered and selective. Policy makers, donors and humanitarian groups consistently call for better documentation of sexual violence in conflict. This *Global Overview* demonstrates the horrifying scope and magnitude of sexual violence in armed conflict. It brings to light sexual violence in the world's underreported conflicts, as well as in those countries where it is notoriously commonplace, and highlights the shared and varying vulnerabilities of specific population groups within and between regions. The report also shows that sexual violence is not confined to African or European conflicts, or to conflicts in developing or developed nations, but is a global scourge.

Security sector institutions are key in preventing and responding to sexual violence in armed conflict. Police services are responsible for identifying and arresting perpetrators. The judiciary oversees the trial and punishment of perpetrators, and may be responsible for awarding reparations to the victims. In some conflicts, peacekeepers are mandated to protect women and girls from sexual violence. Combatants enrolled in

disarmament, demobilisation and reintegration programmes may be perpetrators or survivors of sexual violence.

Regrettably, in debates around “security” and security sector governance and reform, sexual violence tends to be considered a marginal issue, a side-effect of insecurity rather than a key form of insecurity in itself. It is very rarely the focus of specific initiatives within the security sector. Not surprisingly, there is a lack of information about good strategies within the security sector to prevent and respond to sexual violence in armed conflict, and in post-conflict security sector reform processes.

In 2005, DCAF published a major study, *Women in an Insecure World*, bringing its expertise in security policy and security sector governance to an examination of violence against women as a global phenomenon, and of the role of women in peace-building.<sup>1</sup> DCAF has since developed a programme on gender and security, focusing both on security sector responses to gender-based violence, and the participation of women in security processes and institutions.

This report, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector*, proposes various ways in which the security and justice sectors can improve or develop strategies to prevent and respond to sexual violence in armed conflict and post-conflict situations. It is a resource for security sector agencies, as well as for policymakers and researchers, civil society groups and humanitarian agencies that work with affected populations and security agencies. DCAF hopes that this report will challenge security institutions to develop their own good practice standards in responding to conflict-related sexual violence.

Ambassador Theodor H. Winkler  
Director  
Geneva Centre for the Democratic Control  
of Armed Forces (DCAF)

## Endnotes

<sup>1</sup> Vlachová, M. and Biason, L. eds. (2005) *Women in an Insecure World: Violence against women – facts, figures and analysis*, DCAF, Geneva.

# EXECUTIVE SUMMARY

This report, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector*, demonstrates the horrifying scope and magnitude of sexual violence in armed conflict. The first part of the report, the *Global Overview*, profiles documented conflict-related sexual violence in 51 countries – in Africa, the Americas, Asia, Europe and the Middle East – that have experienced armed conflict over the past twenty years. The second part of the report, entitled *Implications for the Security Sector*, explores strategies for security and justice actors to prevent and respond to sexual violence in armed conflict and post-conflict situations.

## **Sexual Violence in Armed Conflict: Global Overview**

The *Global Overview* highlights both similarities and differences in the forms and settings of sexual violence in conflict, in the profiles of the perpetrators and their victims, and in the motives for and the consequences of such violence, between and within conflict-affected countries and regions. Conflict-related sexual violence occurs in homes, fields, places of detention, military

sites, and camps for refugees and displaced persons. It occurs at the height of armed conflict, during population displacement, and continues after conflict. Although the majority of victims of sexual violence are women and girls, men and boys are also targeted in armed conflict. In many conflicts, indigenous people or people from specific population groups are targeted for sexual violence based upon their ethnicity. Perpetrators of sexual violence in armed conflict include members of official armed and security forces, paramilitary groups, non-state armed groups, humanitarian and peacekeeping personnel, and civilians.

Sexual violence during conflict is an act of domination, grounded in a complex web of cultural preconceptions, in particular as regards gender roles. It is used to torture and humiliate people, and to punish or humiliate an enemy group or community. Sexual violence may be encouraged or tolerated within armed groups. In some conflicts, it has been used strategically to advance military objectives, such as the clearing of a civilian population from an area.

Sexual violence has grave health implications, both physical and psychological, which can include infection

with HIV/AIDS. Many survivors have little or no access to health care and counselling services. Sexual violence also has serious socio-economic consequences for survivors, who are often stigmatised and marginalised.

Armed conflict often has consequences in terms of sexual and gender-based violence after the shooting has stopped. A number of countries emerging from armed conflict report a very high and/or increasing incidence of criminal and family violence. Impunity for acts of sexual violence committed during the conflict, post-conflict poverty, lack of livelihood opportunities and the weakened rule of law, may combine to foster increased inter-personal and sexual violence, and to make women and girls particularly vulnerable to sexual exploitation and trafficking.

### Sexual Violence in Armed Conflict: Implications for the Security Sector

Security Council Resolution 1325 calls upon “all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict”. It emphasises the responsibility of *all* states to put an end to impunity for genocide, crimes against humanity and war crimes relating to sexual violence. However, there has as yet been little sharing of experiences between states regarding the “special measures” called for by the Security Council to protect women and girls from rape in conflict, or on good practice in addressing impunity for crimes of sexual violence in armed conflict. There is a lack of information on strategies within the security sector to prevent and respond to sexual violence in armed conflict and in post-conflict security sector reform.

The section on *Implications for the Security Sector* makes linkages between the needs of survivors of conflict-related sexual violence and the role of security sector actors. This report focuses in particular upon responses to conflict-related sexual violence by police, in a post-conflict justice sector, by peacekeepers and in disarmament, demobilisation and reintegration programmes. It also includes a section highlighting some of the ways in which civil society organisations contribute to security. The report sets out relevant international standards as regards security sector responses, identifies challenges and common shortcomings in responding to conflict-related sexual

violence, and presents examples of good or promising practices.

**Police reform** should consider how police services can better prevent and investigate crimes of sexual violence, provide support to the victims, and put in place effective measures to prevent and punish such abuses committed by police personnel. Reform strategies should aim to make the police service as a whole more gender sensitive and more responsive to gender-based violence by, for example, providing specialised services for victims of sexual violence. Nicaragua’s experience in gender reforms and creating Women’s Police Stations demonstrate the benefits of such a comprehensive approach.

The **justice sector** is responsible for providing justice for victims of sexual violence, ensuring accountability for the crimes committed, and supporting the long-term process of rebuilding communities. After conflict, transitional justice bodies, including *ad hoc* criminal tribunals, the International Criminal Court, Truth and Reconciliation Commissions and reparations programmes, should put in place mechanisms to address the specific needs of survivors of sexual violence. Post-conflict justice mechanisms in Sierra Leone demonstrate some of the lessons learnt in this respect. As societies build or rebuild judicial institutions after conflict, legislation, national courts and traditional justice mechanisms should be reviewed and reformed in order to be responsive to sexual violence.

With proper training, **peacekeepers** can play an important role in protecting civilians from sexual violence during armed conflict. The African Union firewood patrols in Darfur demonstrate a concrete military and policing strategy to prevent sexual violence. Peacekeeping missions should cooperate with and support local women’s groups to ensure that the needs of victims of sexual violence are comprehensively met. In peacekeeping contexts, lack of livelihood opportunities makes the local population extremely vulnerable to exploitation and abuse, including by peacekeepers. Whilst the UN is now taking action to address sexual exploitation and abuse by peacekeepers, it is the responsibility of countries contributing troops and police to peacekeeping operations to ensure that strong codes of conduct and proper training are implemented, and that there is accountability for sexual violence. Increasing the deployment of women in peacekeeping has been shown to contribute not only to better relations with host communities, but also to better conduct by peacekeepers.

**Disarmament, demobilisation and reintegration (DDR)** of former combatants is essential to establish a secure and stable environment and to rebuild societies after conflict. Many ex-combatants and others associated with armed forces and groups have experienced sexual violence, such as during conscription or abduction into paramilitary forces. DDR programmes should be designed to address conflict-related sexual violence. Key priorities must be to ensure that women and girls are not excluded from DDR; to identify and meet the specific security and medical needs of survivors of sexual violence; to reintegrate survivors and perpetrators of sexual violence into society, and to prevent such acts from reoccurring.

In many communities affected by armed conflict, state security services provide little protection from sexual violence and fail to adequately assist victims of such abuse. **Civil society organisations** often mobilise to fill this gap. Women's civil society groups, in particular, have shown notable leadership as regards sexual violence in conflict. From Uganda to Colombia to Tunisia, civil society organisations are doing critical work in documenting incidents of sexual violence, lobbying for stronger legislation, delivering training, providing care for the victims, and taking initiatives to ensure a more protective environment. An important part of post-conflict reconstruction is to build and maintain the capacity of such organisations, which can be leaders of social and institutional change within their communities.

### **Improving Security Sector Responses to Sexual Violence in Armed Conflict**

The report concludes with ten recommendations for security sector institutions to improve their prevention activities and response to sexual violence in armed conflict.

**1** Security sector institutions should **cooperate and coordinate** with other sectors that provide essential services to survivors of sexual violence in conflict. These include agencies providing medical care and psychological counselling, protection and shelter, socio-economic support and legal advice. Security sector actors should also coordinate and collaborate with each other in their efforts to prevent and respond to sexual violence.

**2** Security sector institutions should adopt a **gender-sensitive approach** at all stages of response to sexual violence in conflict: in planning, implementation,

monitoring and evaluation. This approach should take into consideration the particular needs of adult male survivors of sexual violence.

**3** **Gender training** for all security sector personnel is necessary in order to develop a gender-sensitive capacity within security services. This should include training to address the particular needs of victims of sexual violence.

**4** The **full and equal participation of women** in the security sector should be promoted, to ensure that security services are able to effectively identify and respond to the needs of all members of the community. Measures to increase the proportion of women should include gender-sensitive recruitment and retention strategies, and be accompanied by the development of an organisational culture that promotes gender equality within security services.

**5** Security sector institutions should develop **operational protocols and procedures** for assisting and supporting victims of sexual violence. These should include, for example, protocols for interviewing victims and investigating sexual violence crimes, for documenting sexual violence, and for referrals to health, social and legal services.

**6** In providing services to survivors of sexual violence during conflict, security sector institutions should determine whether **special measures** are needed for particular groups, such as children, former combatants, and male survivors of sexual violence.

**7** Access to **justice**, including reparations, should be ensured for victims of sexual violence.

**8** Security sector institutions should develop and prioritise operational strategies to **prevent sexual violence** in armed conflict.

**9** **Strict codes of conduct** prohibiting sexual abuse and exploitation by security sector personnel, including armed forces, police, peacekeepers and DDR staff, must be formulated, implemented with proper training, and enforced. This is essential to prevent sexual violence, to fight impunity and thus ensure accountability.

**10** Security sector institutions should seek and support the **participation of civil society and affected communities**, including women and girls, in responding to sexual violence. Civil society organisations may advise or provide training to security actors, undertake awareness-raising in affected communities, or provide essential services to victims.



# INTRODUCTION

The first part of this report, the *Global Overview*, profiles documented conflict-related sexual violence in 51 countries that have experienced war over the past twenty years. In every region – Africa, the Americas, Asia, Europe and the Middle East - armed conflict has involved sexual violence against women and girls, and also against men and boys, although less data is available on male victims. The second part of this report, entitled *Implications for the Security Sector*, examines responses to sexual violence in conflict through policing, the justice sector, by peacekeepers, in DDR programmes and civil society initiatives. Definitions of the terms “sexual violence” and “armed conflict” used in this report are discussed in the following section.

The *Global Overview* highlights both the similarities and differences in the forms and settings of sexual violence, in the profiles of the perpetrators and their victims, and in the motives for and the consequences of such violence, between and within conflict-affected countries and regions. Whilst some general conclusions emerge from the following analysis, attention to the specificity of different contexts of sexual violence is essential in order to formulate responses that meet the

particular needs of survivors and their communities, and to make progress in prevention.

## **Sexual violence in armed conflict: settings**

Conflict-related sexual violence occurs in homes, fields, places of detention, military sites, and camps for refugees and displaced persons. It occurs at the height of conflict, during population displacement, and continues after conflict. Acts of sexual violence are committed during attacks on civilian centres, or during looting raids. Women and girls are often targeted with sexual violence whilst performing daily chores, such as collecting food, water and wood. Women and children have been abducted by armed groups and kept in sexual slavery, or forced into combat roles. Women and men in detention have been raped, subjected to sexual mutilation, humiliation and torture.

For displaced women and children, places of “refuge” may be extremely unsafe. Sexual violence occurs within and around camps for refugees and displaced persons. Family violence, too, is prevalent in

displacement and refugee settings, exacerbated by trauma, fractured community bonds, loss of livelihood and stress.

The presence of international humanitarian and peacekeeping personnel may trigger an increase in prostitution to meet a perceived or actual demand for sexual services, which in turn may lead to women and children being trafficked for sexual exploitation purposes. Some humanitarian and peacekeeping personnel have themselves committed acts of sexual violence and abuse. In the past this has included exchanging money, food, assistance items or benefits for sexual services, and having sex with young children.

### **Sexual violence in armed conflict: victims and perpetrators**

Although the majority of victims of conflict-related sexual violence are women and girls, men and boys are also targeted in armed conflict, and are particularly vulnerable when in detention or when forcibly recruited by armed groups. The victims often do not report the crimes committed against them, through fear of being stigmatised. Sexual violence against men and boys is reported and documented even more rarely than similar abuse against women and girls. This may be because the stigma attached to sexual violence is even greater for male victims. Assistance and other responses to sexual violence against men and boys must therefore be carefully tailored if male victims are to be identified and supported.

This report documents the intersection between gender and ethnicity in determining levels of vulnerability to sexual violence in many countries. Indigenous people or people from specific population groups may be targeted for sexual violence based upon their ethnicity, or at greater risk of such abuse for other reasons during conflict. In some armed conflicts, certain people, such as single women, homosexuals, women heads of household and displaced women and children have been particularly vulnerable to sexual violence.

Children in some countries, both boys and girls, have been abducted and raped during forced recruitment into armed groups, and repeatedly sexually abused by their abductors. Girls (and women) have been held as the sex slaves and/or “wives” of combatants.

Perpetrators of sexual violence in armed conflict include members of official armed and security forces, paramilitary groups, and non-state armed groups;

humanitarian and peacekeeping personnel; and civilians, including refugees and displaced persons. The overwhelming majority of acts of sexual violence documented in this *Global Overview*, where information is available on the perpetrators, were committed by men. In some armed conflicts, such as in Liberia and the Central African Republic, child soldiers have committed sexual violence. There have also been reports of women perpetrating or inciting acts of sexual violence – for example, during the Rwandan genocide.

### **Sexual violence in armed conflict: motives**

Sexual violence also occurs during times of peace, but takes particular forms and is motivated for different reasons during armed conflict. In some conflicts it has been used strategically to advance military objectives, such as the clearing of a civilian population from an area, and has occurred with varying degrees of official knowledge and support. In other contexts it has seemingly occurred “as a result” of a lack of organisational structure and discipline, or linked to a general breakdown of law and order. However, this cannot fully explain why individuals commit acts of sexual violence. Whilst not offering any comprehensive answer to the very complex question of “why” sexual violence is committed, a number of motives can be identified for its use in armed conflict, although they are not necessarily exhaustive.<sup>1</sup>

Sexual violence is used to torture and humiliate people, and may be aimed at gaining control over the victims, or ensuring their compliance, as during detention or forced recruitment.

Sexual violence is used to punish or humiliate an enemy group, where a person or persons are targeted in the knowledge that such abuse will have a broad impact. When committed against women and girls, sexual violence is often intended to humiliate their families and communities, wherein women and girls are “bearers of honour”, and men are shamed for failing to protect “their” women. It is used as a means of destroying family and community structures, most overtly when armed groups commit public rapes in front of the community, force family members to witness each other’s rape, or even force people to commit acts of sexual violence against their own family members.

Sexual violence is committed to instil terror in a population, and to incite flight from a given territory. In

some places, it has been part of an act or attempted act of genocide, committed with the intention of contributing to the destruction of a particular ethnic or social group.

Sexual violence can serve to affirm aggression and brutality in armed forces and groups. It may be encouraged or tolerated as a “morale booster” or a “reward for bravery”.

Its use can also be motivated by more specific cultural beliefs. In DRC, for example, one armed group reportedly committed acts of sexual violence based on a belief that the rape of a virgin conveyed magical powers and invincibility.

This reference to specific “cultural beliefs” should not obscure the fact that acts of sexual violence during conflict are grounded in a complex web of cultural preconceptions. The motives of individuals who perpetrate sexual violence during conflict reflect their understandings, and socially constructed collective understandings, in particular as regards gender roles. For example, of what it is to act as a “man” and a “warrior”, what it signifies for one’s “manhood” to rape, or what it signifies for a community when its members are raped. Numerous studies of rape have shown that, in the words of Seifert: “Rape is not an aggressive expression of sexuality, but a sexual expression of aggression ... a manifestation of anger, violence and domination...”<sup>2</sup> Indeed, the documentation compiled in this report suggests that sexual violence in conflict is primarily an expression of domination. The level of physical violence inflicted by the perpetrator of a rape may result in the death or permanent disability of the victim. On the other hand, sexual violence may involve no overt physical force, as when a humanitarian worker pays a woman for her sexual services. However, sexual violence is manifestly related to the perpetrators’ understanding of their own and others’ masculinity, and the masculinity or femininity of their victims.

### **Sexual violence in armed conflict: consequences**

This report identifies the grave health implications, both physical and psychological, of sexual violence. The direct injuries can include chronic pain, infection, and infertility. Brutal rape can result in traumatic gynaecologic fistula, where a woman’s vagina and her bladder or rectum, or both, are torn apart. Rape may lead to abortion, bringing its own health risks. Sexual

violence is often accompanied by other forms of brutality, such as broken bones, mutilation, or amputation of limbs, which may themselves be fatal. The psychological implications of sexual violence are also extremely serious, with survivors often experiencing severe trauma and depression, sometimes leading to suicide. Some victims are infected with sexually transmitted diseases; including HIV. Many have little or no access to health care and counselling services.

Sexual violence has serious social consequences for survivors, their families and communities. In most (if not all) societies, the victims are severely stigmatised. Female survivors face marginalisation and social exclusion. They may even be murdered by their family, in a so-called “honour killing”.

The health consequences of rape have a direct socio-economic impact. Women with fistula, for example, are unable to control the constant flow of urine and/or faeces that leak from the tear, and as a result are often rejected by their husbands, shunned by their communities, and unable to work or care for their families. Women who are infertile, or thought to be so, may have difficulty marrying, or may too be rejected by their husbands.

Armed conflict can also have more indirect and long-term consequences in terms of sexual and gender-based violence, which may be aggravated for survivors of such abuse. Even after a conflict is over, sexual and gender-based violence continues. It is difficult to determine whether levels of post-conflict sexual violence are higher than during or before the conflict, or whether there is an increase in reporting of such crimes compared to the pre-conflict and conflict periods. However, a number of countries emerging from armed conflict report a very high and/or increasing incidence of criminal and family violence, including sexual and other forms of violence against women. Impunity for acts of sexual violence committed during the conflict might perpetuate a tolerance of such abuse against women and girls, as a long-lasting legacy of conflict. Unemployment, poverty and social exclusion, which tend to be challenges faced by any post-conflict community, may also foster increased inter-personal and sexual violence. The lack of livelihood opportunities and the weakened rule of law in many post-conflict environments make women and girls particularly vulnerable to sexual exploitation, and increase the vulnerability of men and women to being trafficked.

## Endnotes

<sup>1</sup> Based upon the literature reviewed in the preparation of this report, including in particular: IRIN (2007) *The Shame of War: Sexual Violence against Women and Girls in Conflict*, Kenya, OCHA/IRIN, 37-53; Physicians for Human Rights (October 2004) *The Use of Rape as a Weapon of War in the Conflict in Darfur, Sudan*, 8-10; Réseau des Femmes pour un Développement Associatif, Réseau des Femmes pour la Défense des Droits et la Paix and International Alert (2005) *Women's Bodies as Battlegrounds: Sexual Violence against Women and Girls During the War in the Democratic Republic of Congo*, 45-51; Seifert, R. (1992) "War and Rape: Analytical Approaches", *Women's International League for Peace and Freedom*: <http://www.wilpf.int.ch/publications/1992ruthseifert.htm>; Skjelsbaek, I. (2001) "Sexual Violence in Times of War: A New Challenge for Peace Operations?" in *Women and International Peacekeeping*, Olsson, L. and Tryggestad, T.L. eds., Routledge, 78-81.

<sup>2</sup> Seifert, R. (1992), 1.

# TERMINOLOGY

## Armed conflict

Different institutions working in the fields of security and humanitarian assistance define “armed conflict” in various ways. The framers of any such definition must resolve how to identify the beginning and the end of an armed conflict, and how to determine the criteria for establishing what types of violence constitute an “armed conflict”. The changing nature of armed conflicts, which increasingly involve non-state actors, presents additional obstacles for a coherent definition.

The selection of armed conflicts included in this report is based upon the UCDP/PRIO Armed Conflict Dataset, published by the Centre for the Study of Civil War at the International Peace Research Institute, Oslo (PRIO), and the Uppsala Conflict Data Program (UCDP) at the Department of Peace and Conflict Research, Uppsala University.<sup>1</sup> This dataset uses the following definition of armed conflict:

An armed conflict is a contested incompatibility which concerns government and/or territory where the use of armed force between two parties, of which at least one is the government

of a state, results in at least 25 battle-related deaths.<sup>2</sup>

The UCDP/PRIO Armed Conflict Dataset distinguishes two categories of armed conflict, classified according to their annual casualty rates: “minor” conflict is defined as a conflict in which between 25 and 999 battle-related deaths are recorded in a given year, and “war” is defined as a conflict in which at least 1,000 battle-related deaths are recorded in a given year.<sup>3</sup> Battle-related deaths are defined as: “... those deaths caused by warring parties that can be directly related to combat over the contested incompatibility”, including “traditional battlefield fighting, guerrilla activities [...], and all kinds of bombardments of military bases, cities and villages, [...] and urban warfare (bombs, explosions and assassinations)”.<sup>4</sup> Explicitly excluded from this definition of conflict-related casualties are “direct and indirect deaths due to disease and starvation, criminality, or attacks deliberately directed against civilians only”.<sup>5</sup>

A key characteristic of the UCDP/PRIO Armed Conflict Dataset’s definition is the qualification and classification of armed conflict based on the number of

*battle-related deaths*. A focus on battle-related deaths in measuring armed conflict is problematic in a number of ways. Firstly, as discussed in the *Human Security Report*, which also relies upon the UCDP/PRIO Armed Conflict Dataset, battle-death datasets can only record those events that are reported. The problem here is that armed conflicts in authoritarian states and developing countries are often underreported; and government and rebel forces often exaggerate the death tolls they claim to have inflicted on their adversaries. Moreover, different counting methods can produce quite different estimates of death tolls.<sup>6</sup> Secondly, a focus on “battle-related deaths” excludes the impact of armed conflict that does not immediately or directly cause death, such as the socio-economic consequences.

From a gender perspective, quantifying armed conflict on the basis of battle-related deaths is biased towards men’s experiences of armed conflict to the detriment of those of women and girls. Whilst more men tend to get killed on the battlefield, women and children are often disproportionately targeted with other forms of potentially lethal violence during conflict. These include sexual violence, secondary violence against survivors of sexual violence (such as so-called honour killings) and death from pregnancies or HIV/AIDS infection resulting from rape. The breakdown of the health system and other infrastructure in armed conflict particularly affects women and girls, in ways that can lead to death.<sup>7</sup> Defining armed conflict by reference to “battle-related deaths” reinforces a gendered hierarchy, whereby the various causes of death and suffering affecting men during conflict are elevated in importance compared to those affecting women and girls.

This report uses the UCDP/PRIO Armed Conflict Dataset, because of its broad recognition within the research and policy communities, and seeks to present some of the missing data. It highlights suffering and death that is not “battle-related” in the way the term is traditionally defined, which is all too often neglected in research and policy-making related to armed conflict.

## Sexual violence

There are many different definitions of sexual violence in use, in legislation, and in international, national and local reports and guidelines. Two important authorities in the field of gender-based violence in armed conflict and crisis are the Reproductive Health

Response in Conflict (RHRC) Consortium and the Inter-Agency Standing Committee (IASC) Task Force on Gender and Humanitarian Assistance. In 2003 the RHRC published a *Gender-based Violence Tools Manual* for assessing the nature and scope of gender-based violence in conflict-affected settings, and for the design, monitoring and evaluation of field-based programmes. The RHRC Manual defines gender-based violence as: “... an umbrella term for any harm that is perpetrated against a person’s will, and that results from power inequities that are based on gender roles.”<sup>8</sup> The *Guidelines for Gender-based Violence Interventions in Humanitarian Settings: Focusing on Prevention of and Response to Sexual Violence in Emergencies*, issued by the IASC in 2005, use a similar definition of gender-based violence, referring to “... any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (gender) differences between males and females.”<sup>9</sup>

It is important to note that gender-based violence is not limited to violence against women and girls, but includes gender-based violence against men, boys and transgender people. Examples of gender-based violence include: (attempted) rape, sexual abuse, sexual exploitation, forced early marriage, domestic violence, trafficking and female genital mutilation.<sup>10</sup> Forms of gender-based violence particularly experienced by men and boys include: forced recruitment, sex-selective massacre, and abuse/imprisonment of men and boys who refuse to serve in the armed forces.<sup>11</sup> Transgender people often face persecution and abuse because they transgress conventional gender boundaries.

This report focuses on a particular form of gender-based violence: sexual violence. It adopts the definition of “sexual violence” proposed by the IASC *Guidelines*:

... any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic a person’s sexuality, using coercion, threats of harm or physical force, by any person regardless of relationship to the victim, in any setting, including but not limited to home and work.<sup>12</sup>

However, it should be noted that the sources upon which this report is based often do not define what they mean by “sexual violence”, or use slightly different definitions. The forms of sexual violence documented in this report include the following,

which are understood as they are defined by the IASC and RHRC Consortium:

- sexual harassment (such as forced stripping or virginity tests);
- sexual abuse and exploitation (such as eliciting sexual services in return for food or protection);
- rape, gang-rape or attempted rape;
- sexual slavery;
- forced pregnancy, abortion, pregnancy, sterilisation or contraception; and
- trafficking for the purpose of sexual exploitation.

This report's explicit focus on sexual violence is itself arguably problematic. By focusing only on one form of gender-based violence, it risks deflecting attention from other forms of gender-based violence, and reinforcing a perception that sexual violence is inherently more "serious" and worthy of international attention than any other form of gender-based violence. Further, there is a danger of perceiving the plight of women as being exclusively linked to sexual violence, thereby marginalising their other experiences in conflict-affected settings. Although a female survivor of sexual violence is likely to have particular needs related to this crime, she will no doubt have other needs and have had other experiences during the conflict that may be equally or more important to her. A gender analysis of women's experiences at the hearings of the South African Truth and Reconciliation Commission, for example, documented how other harmful experiences endured by women – such as loss of community trust and engagement – were often marginalised during the hearings because they were assumed to be of lesser significance than the act of sexual violence.<sup>13</sup>

With these concerns in mind, this report attempts to highlight the linkages between armed conflict and other forms of gender-based violence. Although the explicit focus is on sexual violence in conflict, the report also profiles other forms of gender-based violence, such as domestic violence and human trafficking, whenever relevant data is available. In addition, the report attempts to portray the strength and resilience of women, including survivors of sexual violence, during conflict. While it is important to document the atrocities committed during armed conflict, and to demand accountability, the victims are not always powerless. They may be community leaders, actively involved in conflict resolution and post-

conflict reconstruction. The particular contributions of women's and men's civil society groups are highlighted in the section on *Implications for the Security Sector*.

## Victims and Survivors

Some organisations avoid use of the term "victim" due to concern that it may reinforce stigmatisation of persons who have experienced sexual violence, and that it suggests passivity, rather than survival and resistance. However, in many contexts the "victim" status of a person who has experienced sexual violence is important, such as when considering how police respond to their cases and their right to justice and reparation. The term "victim" also reinforces the fact that the person has experienced a violation of their human rights and been a victim of a criminal act. Both the terms "victim" and "survivor" of sexual violence are used in this report.

## Endnotes

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## GLOBAL OVERVIEW

There are inherent difficulties in obtaining accurate data on sexual violence in armed conflict. Those who collect such data must work in settings of extraordinary upheaval – marked by the breakdown of social, economic and physical infrastructure and its destabilising impact on communities – and with individuals who have suffered profound trauma. In peacetime, shame, fear and stigma often inhibit disclosure by victims of sexual violence; this is often magnified in situations of armed conflict. The profound ethical concerns and security risks for both survivors and researchers of sexual violence in conflicts and emergencies are such that data gathering is only rarely undertaken and successfully completed.

This *Global Overview* is based on a compilation of available sources documenting sexual violence in armed conflict, including reports by non-governmental organisations and United Nations agencies, published and unpublished research, reports by national institutions, and the documentation of criminal tribunals and Truth and Reconciliation bodies. The source documents were identified through internet and library searches, and additional

information was obtained through consultations with experts on sexual violence in armed conflict, key United Nations agencies, international humanitarian organisations, and local organisations responding to sexual violence in conflict-affected contexts. A limitation of the report's methodology is that it is based only upon material in English, French, German, Italian and Spanish.

The *Global Overview* contains a profile of each country that, according to the UCDP/PRIO Armed Conflict Dataset (discussed in the section on Terminology), has experienced “war”, i.e. an armed conflict with at least 1,000 battle-related deaths in a given year, over the past 20 years (between 1987 and 2007). The *Global Overview* also includes profiles of sexual violence during the armed conflicts in the Central African Republic, East Timor, Haiti, Indonesia, Israel and the Palestinian Territories, Papua-New Guinea, Solomon Islands and Zimbabwe. Whilst these conflicts did not meet the UCDP/PRIO criteria of at least 1,000 battle-related deaths in a given year, there is significant evidence of conflict-related sexual violence in the countries concerned, justifying their inclusion.

For each country profiled, the report includes a short summary of the armed conflict and an outline of the different forms, settings, and perpetrators of conflict-related acts of sexual violence. Wherever possible, for each country we provide quantitative data on the scope and prevalence of sexual violence in armed conflict. All too often, however, such data is not available.

Between 1987 and 2007 many of these countries experienced a number of periods of armed conflict of varying intensity, involving a range of different armed groups and/or states. The country profiles are not restricted only to the periods when the countries were in the throes of conflict classified as “war”, but include documented information on conflict-related sexual violence throughout the 20-year period.

The countries have been classified into five regions, again based on the UCDP/PRIO Armed Conflict Dataset. Regional profiles for each section explore patterns and particularities in the use of sexual violence in armed conflict within each region, but do not purport to be exhaustive summaries of conflict-related sexual violence in any region.





*“I was working in my farm alone on that day. Eight men with guns came to me and ordered me to give my coat. I refused so they started beating me with a stick on my back. Five men took me and raped me. One of the men pointed a gun at me after that and wanted to shoot me. Another man stopped him. My wife, who was on her way to meet me in the farm, saw me with the men. The same men took her and two of them raped her as well.”*

Man from West Darfur, aged 28, November 2004<sup>1</sup>

This report includes profiles of twenty African countries that experienced armed conflict between 1987 and 2007: Algeria, Angola, Burundi, the Central African Republic, Chad, Côte d’Ivoire, the Democratic Republic of the Congo (DRC), Eritrea, Ethiopia, Guinea-Bissau, Liberia, Mozambique, the Republic of Congo, Rwanda, Sierra Leone, Somalia, South Africa, Sudan, Uganda and Zimbabwe.

The massive extent and the extreme brutality of sexual violence that has occurred, and is ongoing in Darfur and DRC, is harrowing. In a number of conflicts, acts of sexual violence have routinely involved mutilation, sexual slavery and gang-rape. Extremely young children, even babies, and elderly women have been raped. The physical injuries and mental scars inflicted by such ferocious sexual violence are extremely serious. Brutal rape can result in traumatic gynaecologic fistula, where a woman’s vagina and her bladder or rectum, or both, are torn apart. Women with fistula are unable to control the constant flow of urine and/or faeces that leak from the tear, and as a result are often divorced by their husbands, shunned by their communities, and unable to work or care for their families. Medical personnel have observed high numbers of traumatic fistula cases in Burundi, Chad, DRC, Rwanda, Sierra Leone and Sudan. It has also been reported in Ethiopia, Liberia, Somalia and Northern Uganda.<sup>2</sup> Female genital mutilation, a common practice in many African countries, renders female victims of rape more vulnerable to excessive bleeding and sexually transmitted infections. The spread of HIV/AIDS infection through conflict-related sexual violence is a further devastating legacy for survivors and their communities.

There is an urgent and ongoing need for health services for survivors of sexual violence, including surgical interventions to repair traumatic fistula, treatment for

sexually transmitted infections, including HIV/AIDS, and psychological support and treatment. In many of Africa’s conflict-affected nations, however, basic medical services and infrastructure are severely impaired and totally lacking in resources. They therefore require focused and sustained external assistance. The work of the NGO Isis-Women’s International Cross Exchange in Uganda is one example of how civil society organisations can combine medical and psychological interventions with data collection and political advocacy (see the section on civil society responses to sexual violence in armed conflict).

In some parts of Africa particular cultural beliefs seem to either inhibit or encourage sexual violence. The Sierra Leone Civil Defence Force is said to have had rules forbidding sexual intercourse before combat in the belief that the power of its fighters depended upon sexual abstinence.<sup>3</sup> The rebel Forces of National Liberation in Burundi were reportedly bound by strict religious rules prohibiting rape and even consensual sexual relations.<sup>4</sup> In contrast, combatants in certain groups in DRC believe that the rape of a virgin conveys magical powers and invincibility.<sup>5</sup> In Mozambique, Renamo soldiers believed that they could prevent infection with HIV/AIDS by immediately raping another woman, thereby transferring the disease to her.<sup>6</sup> Activities to prevent sexual violence and to erase the stigma associated with it must take account of such local beliefs, and involve communities in awareness-raising and education. Local civil society organisations, including women’s groups, can play a crucial role in this regard.

Large numbers of children have been involved in various armed conflicts in Africa, either as combatants and in other ways associated with armed groups. Child combatants are often both victims and perpetrators of

acts of sexual violence. In Liberia and Sierra Leone, children were given drugs and alcohol to induce aggression and inhibit fear before being forced to commit atrocities, including acts of sexual violence. Reintegration of former child combatants into their community is a challenging but crucial aspect of both child protection and conflict resolution and reconciliation (see the section on addressing conflict-related sexual violence in disarmament, demobilisation and reintegration processes).

Although population displacement and refugee crises are common features of armed conflict wherever it occurs, they have been particularly serious and protracted in Africa. Displaced and refugee women are vulnerable to sexual violence, both during flight and within and around camps. Perpetrators may be armed groups, but also fellow refugees and fellow displaced persons. Whilst not specifically documented in this report, refugee and displacement scenarios are also associated with high rates of intimate partner violence.<sup>7</sup> Skjelsbaek observes: "The use of sexual violence increases among refugees, in terms of both domestic violence and 'public' violence, because there is an increase in the level of frustration which is taken out on the weak."<sup>8</sup>

There have been reports of sexual abuse and exploitation by peacekeepers in DRC, Eritrea, Liberia, Mozambique, Sierra Leone, Somalia, and Sudan. Forms of sexual violence by peacekeepers have included trading assistance for sexual services, sexual abuse of children, and rape. Responses to this problem are discussed in the section on peacekeepers and sexual violence in armed conflict.

The regional character of armed conflicts in Africa, such as in the Great Lakes region, the Horn of Africa and the Mano River Union countries, has seen the spread of sexual violence across the conflict-affected regions. Armed groups sometimes move between different countries, fight in different conflicts, and perpetuate similar forms of violence wherever they go. Hutu militia who were involved in the Rwanda genocide, for example, continued to perpetrate mass rape as *Interahamwe* groups in DRC.<sup>9</sup> Seasoned combatants in Liberia were recruited to fight in Côte d'Ivoire, where they also perpetrated rape and sexual slavery.<sup>10</sup> This underscores the necessity to develop regional strategies for peacebuilding and development if sexual violence in armed conflict is to be prevented.

## Endnotes

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<sup>6</sup> Baden, S. (June 1997) "Post-conflict Mozambique: Women's Special Situation, Population Issues and Gender Perspectives", *BRIDGE Report* 44, 28-29, 39-40; Amnesty International (2004) *It's in our Hands: Stop Violence against Women*, 55.

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# ALGERIA

## Conflict summary

In the 1990s, Algeria was plagued by a deadly confrontation between the armed forces and Islamist militants. Following constitutional reforms in 1989 and the legalisation of political parties, the Islamic Salvation Front (FIS) attracted wide support. With the prospect of FIS winning legislative elections, in January 1992, the army forced the resignation of President Chadli, cancelled the second round of voting, dissolved parliament and created a High State Committee, which declared a state of emergency and banned the FIS.<sup>1</sup> The ensuing hostilities escalated into a forceful insurgency between 1992 and 1998. In 2000, the armed wing of FIS, the Islamic Salvation Army (AIS), disbanded in return for an amnesty granted by the new president Bouteflika.

President Bouteflika acknowledged in 2005 that 150,000 people had died in the violence since 1992.<sup>2</sup> Another estimated 7,000 people disappeared.<sup>3</sup> Although the violence has largely abated, the state of emergency declared in 1992 was still in place at the time of writing in June 2007.<sup>4</sup>

## Sexual violence

Human rights violations were committed by all parties to the conflict, which was characterised by a pattern of brutal massacres of large numbers of civilians, mostly in rural areas.

Women were specifically targeted by Islamist armed groups such as the AIS and the Armed Islamic Group (GIA). According to various NGOs, from 1993 onwards these armed groups used sexual violence against women and girls as an integral part of their strategy. The victims were often raped or gang-raped, mutilated and tortured before being killed. Many pregnant women were disembowelled.<sup>5</sup>

In early 1994, the GIA adopted a strategy of kidnapping girls and young women from local villages for the purpose of temporary “pleasure marriages” with its fighters.<sup>6</sup> The victims were held in captivity for extended periods, kept half naked as sex slaves, gang-raped and then often killed.

In the initial phase of the conflict women were targeted because of their religious or political affiliations - or those of male family members - or because of their profession or refusal to wear a veil.

After 1995, however, all women were potential targets of rape by Islamist armed groups and were treated as spoils of war.<sup>7</sup>

Cases of sexual violence against detainees by security forces were also reported.<sup>8</sup>

In the post-conflict era, survivors of sexual violence were often rejected by their families, and did not receive proper medical assistance or compensation, while systematic attacks against women persisted.<sup>9</sup> On 14 July 2001, for example, a group of some 300 young men raped and seriously wounded dozens of women living on their own during a raid on a shantytown near the oil town of Hassi-Messaoud. The attack was incited by a local imam who reportedly accused the women of prostitution and questioned why they were working while men in the town were unemployed. On 23 July, a similar attack occurred near Tebessa, a trading centre east of Algiers.<sup>10</sup>

A report by the *Collectif 95 Maghreb-Egalité* disclosed figures obtained from the Ministry of the Interior asserting that 1,013 women were victims of rape between 1994 and 1997; and that another 2,000 were kidnapped, raped and in most cases killed between 1997 and 1999.<sup>11</sup>

According to Interior Ministry sources cited in the Algerian daily newspaper *al-Khabar* on 5 August 1999, 2,884 women reported being raped by armed Islamist groups between 1993 and 1998, and 319 kidnapped women remained unaccounted for.<sup>12</sup>

## Endnotes

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# ANGOLA

## Conflict summary

Angola's 27-year civil war from 1975 to 2002, fought largely for control over natural resources, left the country devastated. It was exacerbated by drought and famine and caused massive population displacement.<sup>1</sup> The conflict pitted the Cuban-supported *Movimento Popular de Libertação de Angola* (MPLA) against *União Nacional para a Independência Total de Angola* (UNITA) and *Frente Nacional para a Libertação de Angola* forces backed by South Africa and the United States.

A ceasefire was signed between the MPLA and UNITA in 1989, and Cuban troops withdrew in 1991. However, after MPLA won elections in 1992, UNITA rearmed and resumed the conflict in hostilities increasingly fuelled by the battle for control of diamond and oil resources. The Lusaka Peace Protocol was signed in 1994, but full-scale conflict resumed in 1998 before a ceasefire took hold in 2002 after the death of UNITA leader Jonas Savimbi.<sup>2</sup> Over one million people were estimated to have been killed, four million displaced, and 100,000 children separated from their families during the conflict.<sup>3</sup>

UN peacekeeping forces were deployed in Angola from 1988 until 1999. Peace was followed by large-scale repatriations, resettlements and demobilisations, which notably largely excluded women and child soldiers.<sup>4</sup>

## Sexual violence

Human Rights Watch reported that sexual violence occurred both during the various periods of the conflict and after the signing of the peace agreement, and was committed by government and UNITA forces. Abductions, sexual slavery, forced recruitment and forced marriages of women and girls to combatants on both sides were widespread.<sup>5</sup> Many of the women had children and were unable to return to their families and communities of origin. Sexual violence was committed by government forces against women in their homes, in fields or near military camps.<sup>6</sup> It was also committed against IDPs during flight, in camps and on resettlement.<sup>7</sup> Female-headed households were particularly vulnerable. The lack of security increased the risk of women being sexually abused during resettlement, often prompting them to stay in the camps as demobilised soldiers, where they

nevertheless faced similar risks.<sup>8</sup> Sexual violence against male detainees was also reported.<sup>9</sup>

In post-conflict Angola, violence against women, prostitution and trafficking reportedly increased. This was attributed to the long-term impact of war, widespread unemployment and poverty; "male insecurity" over losing their status as main breadwinners; difficulties encountered by former combatants to reintegrate into society, and the breakdown of community structures.<sup>10</sup>

In 2004, reports emerged of human rights violations and sexual violence linked to the expulsion of Congolese nationals, some of whom were illegal miners. These violations were perpetrated by the security forces in search of hidden diamonds on both sides of the border and in transit camps, and included public and unhygienic internal body searches and rape of women, men and children.<sup>11</sup>

According to the NGO Christian Children's Fund, an estimated 30,000 girls were abducted during the war.<sup>12</sup>

A 1999 UNFPA survey among 710 women and men in the IDP camps in Huila and Benguela province reported that 20.5 per cent of those interviewed knew of women who were forced to have sex, 35.8 per cent knew of women who engaged in prostitution to buy food, and 14.7 per cent knew of men who engaged in prostitution.<sup>13</sup>

In 2003, an estimated 5,000 and 8,000 underage wives remained married to UNITA soldiers.<sup>14</sup>

The 2003 Report of the UN Special Rapporteur on Violence against Women estimated that between 500 and 1,000 underage prostitutes were active in Luanda.<sup>15</sup>

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# BURUNDI

## Conflict summary

Since gaining independence in 1962, Burundi has been the scene of recurring ethnic conflicts between the minority Tutsi and majority Hutu populations. The country experienced renewed violence after the first Hutu president Melchior Ndadaye was assassinated in a *coup d'état* in 1993 and after the death of his successor, Cyprien Ntaryamira, in a plane crash in 1994.<sup>1</sup>

A major breakthrough was achieved on 7 September 2006, with the signing of a ceasefire agreement between the Government and the country's last remaining rebel group, the *Front National de Libération* (FNL), finally ending 13 years of civil war. However, despite an improvement in the security situation in most parts of the country, the situation remains volatile in a climate of political uncertainty.<sup>2</sup>

The conflict between Hutu rebels and the Tutsi-controlled army was characterised by widespread human rights violations and led to massive population displacement both inside Burundi and to the neighbouring Democratic Republic of the Congo, Rwanda and Tanzania.<sup>3</sup> Child soldiers were recruited by all parties to the conflict.<sup>4</sup> Between 250,000 and 300,000 people were killed, most of them civilians. As of January 2007, some 204,000 Burundians were still refugees or displaced.<sup>5</sup>

## Sexual violence

Human rights violations were reportedly committed by all parties to the conflict and sexual violence was seemingly an integral part of the hostilities. However, Human Rights Watch indicated that FNL rebels were apparently relatively infrequent perpetrators, given that they were bound by strict religious rules prohibiting rape, punishable by death.<sup>6</sup>

Acts of sexual violence occurred - and still occur - mainly in regions where there is a rebel presence and in border areas. Women remain vulnerable to sexual violence whilst working in fields, during attacks, at checkpoints, during displacement and in camps.<sup>7</sup> A number of male rapes were also reported. In some places rape was so frequent that women and children dared not sleep in their homes and sought public buildings to spend the night.<sup>8</sup> The conflict also forced many women into prostitution. Forced recruitment of

children and sexual violence against children by army personnel and the rebels, as well as sexual exploitation and trafficking of Burundian children, were also reported.<sup>9</sup>

Reports indicate that sexual violence against displaced people was committed by both combatants and civilians and was widespread.<sup>10</sup> A number of displaced persons suffered sexual violence more than once, both during their flight to the Tanzanian border and again in and around refugee camps in Tanzania. Perpetrators included soldiers, police, fellow refugees and local men living close to the camps. Women and girls remain particularly vulnerable when venturing outside the camps to collect water and firewood.<sup>11</sup>

According to a 1996 survey by the International Rescue Committee, approximately 26 per cent of the 3,803 refugee women aged between 12 and 49 in Kanembwa camp in Tanzania experienced sexual violence after becoming refugees.<sup>12</sup>

In 2004, MSF reported receiving an average of 125 rape victims each month at its centre for rape victims in the Burundi capital Bujumbura. Between September 2003 and October 2006, MSF reported some 4,062 cases of sexual violence in Burundi.<sup>13</sup>

The US Department of State Report on Trafficking reported in 2005 that government and rebel forces used approximately 3,200 children during the conflict in a variety of capacities, including as cooks, porters, spies, sex slaves, and combatants.<sup>14</sup>

Investigations by the United Nations in Burundi revealed more than 300 cases of girl victims of rape between August 2005 and July 2006. This was believed to represent only a small fraction of the actual incidence of sexual violence during that period.<sup>15</sup>

The project "Victims of Torture" carried out by Search for Common Ground registered 1,221 cases of rape between October 2005 and July 2006.<sup>16</sup>

## Endnotes

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- <sup>11</sup> Nduna, S. and Goodyear, L. (1997), 3; Human Rights Watch (October 2000) *Seeking Protection: Addressing Sexual and Domestic Violence in Tanzania's Refugee Camps*, chapter V.
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# CENTRAL AFRICAN REPUBLIC

## Conflict summary

The Central African Republic (CAR) has experienced acute political instability since it gained independence from France in 1960. Violence broke out after failed coup attempts in 2001, mainly between the armed political group led by François Bozizé, backed by combatants from Chad, and President Ange-Félix Patassé, backed by combatants from the *Movement de Libération du Congo*, headed by Jean-Pierre Bemba. After an unsuccessful uprising in October 2002, forces loyal to Bozize toppled Patassé in March 2003. Bozize went on to win presidential elections in 2005.

Clashes between government forces and opposition armed groups have continued, despite the signing of a peace accord by the belligerent parties in February 2007. Recent violence has particularly affected northern parts of the country.<sup>1</sup>

Widespread human rights violations were reportedly committed, primarily during 2001-2003. An estimated 200,000 people are currently internally displaced and 42,000 others have fled the violence to neighbouring Chad.<sup>2</sup>

## Sexual violence

Acts of sexual violence were allegedly committed in a systematic and widespread manner by all parties following the unrest in 2001, including CAR forces, Congolese and Chadian combatants, and child soldiers suspected of being under the influence of drugs.<sup>3</sup> Sexual violence continued after 2003, despite requests by Bozize to the judiciary to prosecute the perpetrators and his sacking of five former presidential guards condemned for gang-rape.<sup>4</sup> It often occurred simultaneously with looting during attacks on homes, during displacement at roadblocks, and in schools.<sup>5</sup> Displaced women from the CAR were victims of sexual violence perpetrated by Chadian forces, and were also vulnerable to trafficking.<sup>6</sup>

In some cases men and boys were forced to rape their female relatives at gunpoint. In others men were forced to have sexual intercourse with male and female soldiers.<sup>7</sup>

Sexual violence in the CAR was seemingly linked to ethnic and religious factors. For example, groups were apparently targeted because they were of the same

ethnic origin as the suspected leader of the 2001 coup attempt, and one area of Bangui where sexual violence was particularly prevalent is largely Muslim. Members of the Patassé government and their spouses were also reportedly victims of sexual violence.<sup>8</sup>

HIV/AIDS rates in the CAR are on the rise as a direct result of conflict-related rape, exacerbated by increased population displacement and vulnerability.<sup>9</sup>

IRIN reported that more than 500 women were raped during the October 2002 uprising, many by combatants of the *Movement de Libération du Congo*.<sup>10</sup>

Amnesty International reported that an international medical charity received 316 rape survivors within 9 months in 2002, 65 of whom were HIV positive.<sup>11</sup>

According to the World Health Organisation, more than 5,000 women were sexually abused in Bangui alone as a consequence of the armed conflict.<sup>12</sup> A women's organisation estimated that as many as 250 women were raped in and around a particular area of Bangui during the period of Ramadan in 2002-2003.<sup>13</sup>

The NGO *Organisation pour la Compassion et le Développement des Familles en Détresse* is helping more than 2,000 victims of crimes related mainly to sexual violence, and aims to take action against rape and assist survivors. It has registered 800 cases of rape and 16 babies born of rape, and documented 140 cases of sexual violence against men.<sup>14</sup>

## Endnotes

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# CHAD

## Conflict summary

Chad's post-independence history has been marked by instability and violence, stemming mostly from tension between the mainly Arab-Muslim north and the predominantly Christian and animist south. Chad was involved in a border conflict with Libya from 1978 to 1987. After a period of relative calm an armed insurgency began in the north in 1998, and violence continues despite the 2002 peace agreement.<sup>1</sup> Armed conflict in neighbouring Sudan's Darfur region since 2003 has spilled across the border and an estimated 225,000 people there have sought refuge in Chad.<sup>2</sup> Most recently, inter-communal clashes escalated in the south-eastern region.<sup>3</sup>

## Sexual violence

Various NGOs reported that acts of violence, including sexual violence, were committed by security forces against suspected opponents after 1996.<sup>4</sup>

In more recent years, sexual violence against women fleeing the conflict in Darfur has received increasing attention. In this context, Human Rights Watch observes that sexual violence against women in flight by armed groups occurs close to both sides of the border. It also occurs after women arrive in camps where they are sometimes abused at the hands of the camp authorities or fellow refugees in return for "protection", or when they venture outside camps in search of wood or grass. A number of women refugees were reportedly imprisoned by the Chadian authorities for trying to collect wood outside the camps and were raped by Chadian inmates during detention.<sup>5</sup> Refugees crossing the border from Sudan and unregistered refugees living on the outskirts of camps have become increasingly vulnerable to sexual violence by militia and security forces.<sup>6</sup>

Chad is a source country for children trafficked for the purpose of forced labour and sexual exploitation, both internally and internationally.<sup>7</sup>

## Endnotes

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# CÔTE D'IVOIRE

## Conflict summary

For more than three decades after gaining independence from France in 1960, Côte d'Ivoire was considered an example of stability, religious and ethnic harmony and economic growth.<sup>1</sup> This changed when the coup by General Robert Gueï in 1999 sparked unrest and growing ethnic tensions. Laurent Gbagbo won presidential elections in 2000, which led to clashes between his supporters and the opposition. A failed coup against him grew into a rebellion that split the country into two parts, with the south controlled by the government, and the north ruled by the insurgents. The UN Operation in Côte d'Ivoire (UNOCI) was deployed in 2004. As of January 2007, the conflict had displaced some 733,000 people.<sup>2</sup>

In March 2007, a peace accord was signed by President Laurent Gbagbo and the former head of the New Forces rebel movement, and a transitional government was formed. By the middle of the year, the conflict appeared to be winding down.<sup>3</sup>

## Sexual violence

Numerous reports of massacres and human rights violations surfaced following the outbreak of violence in the country in 2002.<sup>4</sup> Sexual violence was committed by the various rebel groups, by Liberian fighters recruited on both sides of the conflict, in crimes reminiscent of those perpetrated during the Liberian conflict, and by security forces.<sup>5</sup> Acts of sexual violence were committed mainly against women and girls and included rape – sometimes in front of family or community members. In other cases women and girls were subjected to forced incest or were abducted for forced labour and sexual exploitation in rebel camps.<sup>6</sup> Some incidents of sexual violence appear have been based on ethnic affiliation. For instance, women and girls of Burkinabé ethnicity were targeted primarily by rebel groups.<sup>7</sup> The UNOCI mission continues to receive reports of sexual violence in northern and western parts of the country.<sup>8</sup>

Children were forcibly recruited, sexually abused and trafficked for sexual exploitation, mainly by rebels and Liberian fighters.<sup>9</sup> Côte d'Ivoire is a source, transit, and destination country for women and children trafficked for the purposes of forced labour and sexual exploitation.<sup>10</sup>

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*A woman, who was beaten up together with her husband and children by government forces at night, cries in the slum of Washington in Abidjan.*

In his report on children and armed conflict in Côte d'Ivoire, the UN Secretary-General quoted a 2003 study by UNFPA, which established that 31 per cent of girls interviewed admitted to having been forced or coerced into non-consensual sexual relations.<sup>11</sup>

Between May and July 2005, UNOCI recorded reports of approximately 200 cases of sexual violence against children and women, 41 per cent of them involving alleged rape.<sup>12</sup>

As of March 2007, two cases of allegations of sexual exploitation and abuse by UNOCI personnel had been reported and were being investigated.<sup>13</sup>

Amnesty International reported in March 2007 that “hundreds, possibly thousands, of women and girls have been victims of widespread and, at times, systematic rape and sexual assault committed by combatant forces or by civilians with close ties to these forces.”<sup>14</sup>

## Endnotes

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- <sup>10</sup> U.S. Department of State (2005) *Trafficking in Persons Report June 2005*, 88.
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- <sup>14</sup> Amnesty International (15 March 2007), section 1.

# DEMOCRATIC REPUBLIC OF THE CONGO

## Conflict summary

Since its independence in 1960, the Democratic Republic of the Congo (DRC) has endured a number of conflicts over its immense natural resources and the control of territory. The Mobutu regime, in power from 1965 to 1997, was toppled by Tutsi rebels and Laurent Kabila became President. Conflict broke out again in 1998 when government forces, supported by Angola, Namibia and Zimbabwe, fought against rebels backed by Uganda and Rwanda. Violence continues, despite the signing of the Lusaka peace agreements in 1999; the deployment of a United Nations peacekeeping mission in the country in 2000; and the formation of a transitional government in 2003.<sup>1</sup> Particularly affected are the Ituri and Kivu regions, where a number of armed groups, such as the *Mai Mai* and the *Interahamwe* militia, continue to commit grave human rights violations, including sexual violence.<sup>2</sup>

More than 3.8 million people have died in the conflict since 1998.<sup>3</sup> Mortality studies estimate that over 1,000 people continue to die *each day* from disease, malnutrition and conflict-related causes.<sup>4</sup> As of June 2006, some 525,000 people had been displaced internally or to neighbouring countries.<sup>5</sup>

## Sexual violence

The conflict in DRC has attracted widespread attention in view of both the high incidence and extremely cruel nature of the acts of sexual violence committed, mainly since 1996. Terms such as “epidemic”, “sexual terrorism” and “the war within the war” have been used to describe these acts.<sup>6</sup> Sexual violence has been committed by all parties to the conflict, seemingly as part of military strategy on all sides.<sup>7</sup> The apparent motives of the perpetrators of sexual violence in this conflict include revenge for previous sexual violence, organised rape by troops as a “morale booster”, and ethnic cleansing. Ritualised rape is also committed, motivated, for example, by the belief among combatants that the rape of a virgin conveys magical powers and invincibility.<sup>8</sup>

Acts of sexual violence occur during attacks by combatants and the pillaging of villages, in fields, forests or on the streets. Women fleeing from violence or working in fields are particularly at risk.<sup>9</sup> The

Human Rights Watch estimates that “during five years of conflict in the DRC, tens of thousands of women and girls in the eastern part of the country have suffered crimes of sexual violence”.<sup>17</sup>

The International Rescue Committee and its partners have registered 40,000 cases of gender-based violence since 2003, which they say “is just the tip of the iceberg”.<sup>18</sup>

Christine Schuler-Deschryver, of the German Technical Corporation (GTZ), estimates that over 100,000 women were raped in South Kivu alone. The GTZ registered more than 14,000 rape survivors in Bukavu during the war.<sup>19</sup>

Hospitals reported treating high numbers of patients with injuries from sexual violence:

- Panzi Hospital in Eastern DRC registered 540 fistula treatment cases in 2005, 80 per cent resulting from sexual violence. The victims treated were between 12 months and 71 years old. The hospital registered 250-300 rape admissions each month in 2005.<sup>20</sup>
- HEAL Africa Hospital in Eastern DRC treated 4,800 rape victims between 2003 and 2006. In 2005, it treated 242 fistula cases, two thirds resulting from sexual violence.<sup>21</sup>
- In 2005 MSF teams admitted 1,292 women victims of sexual violence to their facilities and a similar number in the first six months of 2006.<sup>22</sup>
- Dr. Longombe Ahuka, from Doctors On Call For Service in eastern DRC, received more than 3,550 rape survivors between 2003 and 2005, and treated 600 fistula cases, more than three out of four of them resulting from sexual assault.<sup>23</sup>

In 2005, the UN Office of Internal Oversight Services registered 72 allegations of sexual violence by UN troops, 20 of which were substantiated.<sup>24</sup>

unspeakable cruelty of sexual violence reported in DRC includes public rape in front of the family and the community, forced rape between victims, the introduction of objects into the victims' cavities, pouring melted rubber into women's vaginas, shooting women in the vagina and inducing abortion using sharp objects.<sup>10</sup>

Combatants have also abducted women and children and held them captive for up to one and a half years. Abduction victims have been forced to fight, loot villages and transport goods, and to provide sexual services.<sup>11</sup>

Acts of sexual violence have been committed not only against women and girls, but also against men and boys, ranging from beating men's genitalia with rifles to rape.<sup>12</sup> The NGO *Arche d'Alliance* claims that "thousands

of male victims of sexual violence were identified especially in the large Ngandja community".<sup>13</sup>

There is a high incidence of sexual violence against Pygmy people, as the forests where they live have become the base of the *Interabamwe* militia, who claim food, labour and sexual services.<sup>14</sup>

The government estimated that 30,000 children were associated with armed groups within the country. Many of them were forcibly recruited and sexually exploited.<sup>15</sup>

Incidents of sexual exploitation and abuse by UN peacekeeping troops, involving rape, trading food for sex, and the organisation of a child prostitution ring, have also been reported. Girls as young as 12, some of whom were previously raped by militia, were sexually exploited by peacekeepers in return for a glass of milk or a dollar.<sup>16</sup>

## Endnotes

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# ERITREA

## Conflict summary

A former Italian colony, Eritrea was occupied by the British in 1941. In 1952 the UN resolved to establish it as an autonomous entity federated with Ethiopia as a compromise between Ethiopian claims for sovereignty and Eritrean aspirations for independence. Ten years later Ethiopia decided to annex Eritrea, triggering a 32-year conflict.

Eritrea finally became independent following a referendum in 1993, only to plunge once again into military conflict with Ethiopia in 1998. The border war between Ethiopia and Eritrea, from 1998 to 2000, was officially brought to an end by the Algiers agreement, but the peace process is stalled and demarcation of the border has yet to proceed.

The conflict left tens of thousands dead, displaced as many as 1.1 million people, and about 50,000 people are thought to have fled to Sudan.<sup>1</sup>

## Sexual violence

Both Eritrean and Ethiopian groups have been accused of human rights violations during the wars between them. In the first war, repeated reports emerged of incidents of sexual violence occurring in villages in contested areas involving Ethiopian forces who raped Eritrean women and girls and Eritrean security forces who assaulted women and girls and used them as prostitutes.<sup>2</sup>

During the 1998-2000 war, many reports recounted incidents of sexual violence, mainly against civilians during the Ethiopian occupation of the Eritrean town of Senafe in May 2000.<sup>3</sup> Eritrean police reportedly beat Ethiopian detainees and Eritrean soldiers allegedly beat and raped female Ethiopian deportees.<sup>4</sup> The high level of infibulations among Eritrean women, particularly in the occupied zones, often made rape even more painful and resulted in physical injuries, which in certain cases made victims particularly susceptible to HIV infection.<sup>5</sup>

A number of UN peacekeepers were allegedly responsible for sexual exploitation and abuse, including sexual abuse of children, and the production of pornographic materials.<sup>6</sup>

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*An Eritrean woman carrying a load of firewood walks in a dusty camp outside Senafe, Eritrea. Many reports tell of incidents of sexual violence occurring in Senafe during the 1998-2000 war with Ethiopia.*

The Ethiopian occupation of the Eritrean town of Senafe in May 2000 left 45,000 people displaced, among whom around 20,000 were women and girls aged between 12 and 45. An estimated 5,000 experienced sexual violence.<sup>7</sup>

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# ETHIOPIA

## Conflict summary

Ethiopia is Africa's oldest independent country. Apart from a five-year occupation by Mussolini's Italy, it was never colonised. However, the country has suffered numerous periods of drought and famine, invasion by Somalia, domestic unrest, and two wars against neighbouring Eritrea.<sup>1</sup>

Between 1976 and 1991, the government struggled against various Ethiopian opposition groups and hostile Eritrean factions. The border war between Ethiopia and Eritrea, from 1998 to 2000, was officially brought to an end by the Algiers agreement, but the peace process is stalled and demarcation of the border has yet to proceed. Ethiopian secessionist groups maintain a low-level armed struggle. A series of explosions in Addis Ababa in April 2006 led to fears of renewed unrest.<sup>2</sup>

At the end of 2006 Ethiopia sent between 5,000 and 10,000 troops into Somalia to support forces of the transitional government against the Union of Islamic Courts.<sup>3</sup>

## Sexual violence

Both Eritrean and Ethiopian groups have been accused of human rights violations during the wars between them. In the first war, repeated reports emerged of incidents of sexual violence occurring in villages in contested areas involving Ethiopian forces who raped Eritrean women and girls and Eritrean security forces who assaulted women and girls and used them as prostitutes.<sup>4</sup>

There appears to be little available data on incidents of sexual violence in Ethiopia during the 1998-2000 war with Eritrea.

In the southwest Gambella region of Ethiopia, soldiers of the Ethiopian Peoples' Revolutionary Democratic Front reportedly targeted indigenous Anuak women with systematic sexual violence, including rape and sexual slavery.<sup>5</sup>

There were also reports of sexual violence against sex workers, especially against child sex workers.<sup>6</sup>

Ethiopia is a source country for men, women and children trafficked for forced labour and sexual exploitation.<sup>7</sup>

Interviews in Gambella state, conducted by Genocide Watch and Survivors' Rights International in 2004, confirmed reports of "systematic rapes of Anuak women and girls since December 2003", and local people reported that "the number of Anuak women raped in Gambella state is now in the thousands".<sup>8</sup>

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In 2006, the African Child Policy Forum conducted a survey among young women aged between 18 and 24 living in Addis Ababa, randomly selected from different social groups. Of the 485 respondents, 332 said they were sexually abused in one form or another as a child. The survey findings appear to indicate that nearly seven in every ten girls in Ethiopia had been sexually abused.<sup>9</sup>

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# GUINEA-BISSAU

## Conflict summary

Guinea-Bissau gained independence from Portugal in 1974 after a long struggle spearheaded by the left-wing African Party for the Independence of Guinea and Cape Verde.

In 1998, a one-year civil war between the government and the Military Junta for the Consolidation of Democracy, Peace and Justice was triggered by the ousting of the president. The conflict ended after foreign mediation led to a truce, policed by West African peacekeepers. Elections followed in January 2000. The victor in the poll, Kumba Yala, was ousted in a bloodless military coup in September 2003.<sup>1</sup>

The outbreak of conflict in 1998 displaced 300,000 people internally and another 13,000 sought refuge in neighbouring countries, representing almost a third of the total population of 1 million.<sup>2</sup>

## Sexual violence

All parties to the conflict, including Senegalese troops backing Guinea-Bissau forces, reportedly committed human rights violations, including sexual violence. Amnesty International reported acts of sexual violence against women by Senegalese soldiers at military checkpoints and in troop barracks.<sup>3</sup> The police were also involved in sexual violence, which was allegedly committed against women in detention.<sup>4</sup>

Many child combatants took part in the armed conflict.<sup>5</sup>

DCAF has no knowledge of published quantitative information on sexual violence committed during the conflict in Guinea-Bissau.

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*Children play next to a restaurant destroyed during artillery and rocket bombardments during Guinea-Bissau's civil war from 1998-1999. Sexual violence was reportedly committed by all parties to the conflict.*

## Endnotes

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# LIBERIA

## Conflict summary

From 1989 onwards, Liberia was wracked by 14 years of civil war, involving Charles Taylor's National Patriotic Front of Liberia (NPFL), the Liberian army and West African peacekeepers, and rebel splinter groups. In 1995, a peace agreement was signed, and Charles Taylor was elected president. By 1999, his government was again at war with two armed opposition groups, the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL).

In August 2003, faced with mounting pressure from the United States and the LURD offensive against Monrovia, Taylor was forced into exile in Nigeria. A comprehensive peace agreement opened the way for a National Transitional Government, and the deployment of UN peacekeeping forces in Liberia. Ellen Johnson-Sirleaf was elected President in 2005, the first ever woman African head of state. A Liberian Truth and Reconciliation Commission was established in February 2006 to examine crimes committed between 1979 and 2003.<sup>1</sup>

The conflict in Liberia claimed more than 200,000 lives, forced more than 700,000 people to seek refuge in neighbouring countries and left around 1.4 million people displaced internally.<sup>2</sup> Around 21,000 of the estimated 53,000 combatants engaged in the conflict, or almost 40 per cent of the total number, are believed to have been children, including some 2,000 girls.<sup>3</sup>

An estimated 40 per cent of the population was affected by sexual violence during the 14-year conflict in Liberia.<sup>9</sup>

In a survey of 205 women and girls aged between 15 and 70 conducted in 1998, 49 per cent reported experiencing at least one act of physical or sexual violence by a soldier or fighter. 32 per cent reported being strip-searched, and 15 per cent said that they had been victims of rape attempts.<sup>10</sup>

In 2003, 74 per cent of a random sample of 388 Liberian women refugees living in camps in Sierra Leone reported being sexually abused prior to being displaced from their homes in Liberia, and 55 per cent said they had experienced sexual violence during displacement.<sup>11</sup>

## Sexual violence

Sexual violence was committed by all parties to the conflict. It occurred during attacks on communities and in the capital Monrovia, and during flight and in camps. Forms of sexual violence included rape, abduction for sexual slavery, forced marriage of women and girls to combatants, forced stripping, and the insertion of foreign objects into victims' cavities. Although predominantly directed against women and girls, men and boys were also subjected to sexual violence.<sup>4</sup>

Children were abducted from schools, streets, market places and camps and forced to fight, carry ammunition, prepare food or provide sexual services. Child soldiers were both victims and perpetrators of acts of sexual and other forms of violence. Many were given drugs and alcohol to induce aggression and inhibit fear before being forced to commit atrocities, including sexual violence.<sup>5</sup>

People in camps were particularly vulnerable to sexual violence, which was exacerbated by overcrowding, insufficient lighting, unequal access to resources and the close proximity of male and female latrines.<sup>6</sup>

Despite the "zero-tolerance policy" adopted by the UN peacekeeping force, a number of peacekeepers were allegedly involved in sexual exploitation and abuse, including rape.<sup>7</sup> Trafficking was also a serious problem during the conflict, with women and children abducted for the purposes of forced labour and sexual exploitation.<sup>8</sup>

The International Rescue Committee reported that between October 2003 and April 2004 it assisted almost 1,000 women and girls who had experienced gender-based violence; 63 per cent of the assaults were rapes committed by armed combatants.<sup>12</sup>

The NGO Concerned Christian Community reported that in 2004, of 3,004 women who had been victims of sexual violence by armed combatants: 1,556 were attacked by former government forces or militia, 1,104 by LURD combatants and 11 by MODEL forces. In another 333 cases, those who had been raped were unable to identify the armed group to which their attackers belonged.<sup>13</sup>

Social workers assisting demobilised girls in Interim Care Centres in 2004 reported that approximately 75 per cent of the girls had suffered some form of sexual abuse or exploitation.<sup>14</sup>

An NGO worker in Monrovia reported in 2004 that in some health clinics all of the female patients tested positive for at least one sexually transmissible infection. Most of the women had been raped by either militia or rebel forces.<sup>15</sup>

During the Economic Community of West African States Monitoring Group (ECOMOG)

peacekeeping operation from 1990 to 1998, between 6,000 and 25,000 children were reportedly fathered by UN peacekeepers. A charity called UNOMIL-ECOMOG Children Organization claimed it had registered over 6,600 such children.<sup>16</sup>

In November 2005, a UN peacekeeper was arrested for allegedly raping a nine year old girl and repatriated. In 2006, the UN investigated 30 cases of alleged sexual exploitation and abuse by UN peacekeepers, UN staff, UN private contractors and implementing partners.<sup>17</sup>

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# MOZAMBIQUE

## Conflict summary

After independence in 1975, Mozambique was ruled by the *Frente de Libertação de Moçambique* (Frelimo) in a one-party system. The country gave shelter and support to South African and Rhodesian liberation movements, while the governments of first Rhodesia and later South Africa fostered and financed an armed rebel movement in central Mozambique called the Mozambican National Resistance (Renamo). Clashes between Frelimo and Renamo forces led to a civil war between 1977 and 1992, which killed up to one million Mozambicans, and left the country with a legacy of landmines and amputees. In 1992, after two years of negotiations in Rome, the government and Renamo signed a General Peace Agreement.<sup>1</sup>

## Sexual violence

All parties to the conflict reportedly committed sexual violence. In areas held by Renamo, rape of civilian women was widespread. Women and girls as young as 8 years old were raped in front of their family or community, forced to commit incest, forcibly impregnated, abducted and held as sex slaves by Renamo forces. Acts of sexual violence occurred in fields, in homes and particularly along transport routes. The victims included women refugees. Mutilations, mainly by Renamo soldiers, such as cutting-off of breasts, disfiguring pregnant women's bodies or forcing women to kill or maim their own children were reported. Government soldiers were also implicated in violent incidents, including rape, but these tended to be isolated occurrences.<sup>2</sup>

The high incidence of sexual violence during this conflict increased the spread of HIV/AIDS and other sexually transmissible infections. Wilson reported that Renamo soldiers with sexually transmitted infections believed that their survival was dependent on immediately raping another woman in order to pass on the disease to her and thus eliminate it from their own bodies.<sup>3</sup>

The use and abuse of child soldiers was widespread during the conflict, and many ex-combatant girls reported having been sexually abused.<sup>4</sup>

Throughout the war there was an increase of "survival sex" involving women and girls who resorted to prostitution. The arrival of UN peacekeeping troops

in 1992 led to a rise in prostitution, and there were reports of sexual violence committed by Italian peacekeeping troops in 1994.<sup>5</sup>

Women and girls from Mozambique are trafficked for the purpose of sexual exploitation. They are usually recruited from the Maputo area after being promised lucrative jobs in South Africa and are then sold to brothels, or as concubines to mine workers.<sup>6</sup>

According to Langa, no overall statistics are available on the numbers of women or young girls raped during the war in Mozambique. A few small-scale studies have gathered such data but the findings are believed to under-report the situation, "given the sensitivity of the subject". McCallin and Fozzard, for example, report that just under 3 per cent of women refugees in a camp in Zambia said they were raped, whilst 22 per cent said they knew someone who had suffered the same fate. A study by Haberlin-Lanz reported that 5 per cent of women ex-combatants interviewed claimed they had been raped, while 75 per cent of male combatants surveyed said they had either witnessed or heard of a rape.<sup>7</sup>

12 per cent of street children interviewed reported that they had suffered sexual violence.<sup>8</sup>

A pilot study on child prostitution conducted by MULEIDE and UNICEF in 1993-4, based on interviews with 50 girls in Maputo and Beira, found that 19 per cent of the clients of girl prostitutes were UN soldiers.<sup>9</sup>

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# REPUBLIC OF CONGO

## Conflict summary

After three coup-ridden but relatively peaceful decades of Marxist-Leninist rule, the Republic of Congo made a transition to a multi-party democracy in the early 1990s. Disputed parliamentary elections in 1993 led to ethnically-based fighting between pro-government forces and the opposition. A ceasefire and the inclusion of some opposition members in the government helped to restore peace. However, in 1997 ethnic and political tensions escalated into full-scale civil war, fuelled in part by the country's oil wealth. The army split along ethnic lines, with most northern officers siding with President Denis Sassou-Nguesso, and most southerners backing the rebels. By the end of 1999, the rebels had lost their key positions to government forces, and agreed to a ceasefire. Remnants of the civil war militias, known as Ninjas, are still active in the southern Pool region, and the country is struggling to implement a peace accord signed with southern rebels in 2003.<sup>1</sup>

The conflict displaced an estimated 800,000 people, many of whom had returned to their homes by the end of 2000.<sup>2</sup>

## Sexual violence

Serious human rights violations, including forced disappearances and widespread sexual violence by all parties to the civil war, were reported.<sup>3</sup> Reports of sexual violence mainly focused on the capital Brazzaville, little information is available on incidents in rural areas.<sup>4</sup> Rape often occurred at or near militia roadblocks.<sup>5</sup> Many cases of rape of women in prison and of sexual violence against displaced and women refugees were documented.<sup>6</sup> Abductions of women for sexual exploitation were also reported.

Some women refugees complained of being victims of sexual harassment and blackmail by local employees of UNHCR and NGOs, as well as by the Congolese security forces.<sup>7</sup>

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*Members of General Denis Sassou Nguesso's militia at a road block in Brazzaville. During Congo's 19 bloody weeks of civil war serious human rights violations, including widespread sexual violence, were committed by all parties to the conflict.*

The general hospital in Brazzaville documented over 1,300 reports of rape within 12 months.<sup>8</sup>

In 1999 around 2,000 women from Brazzaville claimed they had been victims of sexual violence by militia and military. Based on this, the UN Country Team estimated that over 5,000 women were raped in Brazzaville alone.<sup>9</sup>

The UN Country Team reported that during the civil wars an estimated 60,000 women were raped and a large number of them (22 per cent in the Brazzaville area) contracted sexually transmissible infections, including HIV.<sup>10</sup>

## Endnotes

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# R W A N D A

## Conflict summary

In 1994, Rwanda experienced Africa's worst genocide in modern times. The genocide was linked to colonial segregation of Hutu and Tutsi communities and the preferential treatment granted to the Tutsi minority.<sup>1</sup> After 1986, Tutsis who had fled to Uganda formed a guerrilla organisation called the Rwandan Patriotic Front (RPF), and attempted to overthrow the Hutu regime. Despite the Arusha peace treaty of 1993, and the presence of 5,000 UN peacekeepers, Hutu extremists continued to mobilise against Tutsis.<sup>2</sup>

The shooting down of the plane transporting the moderate Hutu President Habyarimana in April 1994 ignited the genocide. From April to July 1994, between 500,000 and 1 million Tutsis and moderate Hutus were killed by extremist Hutus. RPF forces successfully invaded Rwanda and assumed power in July 1994. Around 1.9 million people fled Rwanda to neighbouring countries, in particular to the Democratic Republic of the Congo, then known as Zaire.<sup>3</sup> In the wake of the genocide, the UN established the International Criminal Tribunal for Rwanda.

After the genocide, Rwandan Hutu *Interahamwe* militia and members of the Rwandan army set up bases in Zaire to attack Rwanda. In 1996, RPF forces launched attacks on camps in Zaire, backed Kabila's rebel forces, and thus became a party to the "Second Congo War" from 1988 onwards. Clashes between Rwandan forces and the former FAR and *Interahamwe* continued until 2002.<sup>4</sup>

## Sexual violence

In the years preceding Rwanda's genocide, Hutu propaganda campaigns fostered general hatred of Tutsis. More specifically, the propaganda aroused hostility against Tutsi women who were portrayed as more beautiful, but less dignified and faithful than Hutu women, and "arrogant and looking down on Hutu men".<sup>5</sup> This laid the groundwork for violence targeting Tutsi women.<sup>6</sup>

During the genocide, killings and human rights violations were carried out by members of the military and police, by the *Interahamwe* militia and by ordinary civilians. Rape was widespread, and was seemingly an integral part of the genocide strategy, supervised by military and political authorities.<sup>7</sup> Forms of sexual

violence included rape, gang-rape, the introduction of objects into women's vaginas and pelvic area, sexual slavery, forced incest, deliberate HIV transmission, forced impregnation and genital mutilation.<sup>8</sup>

Women from all social classes were not only victims but also played a prominent role as perpetrators of killings and sexual violence against men, children and other women.<sup>9</sup> Some 3,000 women accused of participating in the genocide were still imprisoned in Rwanda in 2002.<sup>10</sup>

The mass rapes during the genocide contributed considerably to the spread of HIV/AIDS in Rwanda.<sup>11</sup>

Sexual violence and forced marriage continued to be perpetrated after the genocide by members of the security forces and unpaid militias.<sup>12</sup>

Estimates of the number of rapes during the genocide in Rwanda vary widely: from 15,700 to 500,000 victims.<sup>13</sup> No reliable information is available on the precise number of people who were raped and then murdered.<sup>14</sup>

*L'Association des Veuves du Génocide* (Avega) was founded in 1995 as an umbrella organisation representing 25,000 widows. Avega undertook a study in 1999 in three of Rwanda's 12 provinces. Of 1,200 women interviewed, 39 per cent acknowledged being raped, and 74 per cent said they knew women who had been raped. Only 6 per cent of the victims had sought medical care,<sup>15</sup> and 66 per cent of them tested HIV positive.<sup>16</sup>

5,000 cases of children born of rape, so-called "children of hate", have been documented. The actual number of children born of rape is estimated to be much higher.<sup>17</sup>

## Endnotes

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# SIERRA LEONE

## Conflict summary

After gaining independence from Britain in 1961, Sierra Leone was ruled by the All People's Congress (APC) for almost three decades. Frustration with government corruption and mismanagement led to the formation of the Revolutionary United Front (RUF) – backed by the Liberian rebel leader Charles Taylor.<sup>1</sup> The invasion by RUF forces in 1991 led to the overthrow of the APC government and triggered a decade-long civil war. The war claimed an estimated 50,000 lives and mutilated 100,000 people. Around 400,000 people fled the violence to neighbouring Guinea and Liberia, and as many as 1 million others were displaced internally.<sup>2</sup> Up to 48,000 children were combatants during the war.<sup>3</sup>

The Lomé Peace Agreements, signed in 1999, set a framework for power-sharing between the government and the RUF, and a UN peacekeeping force (UNAMSIL) replaced troops deployed by West African countries. Renewed violence erupted, however, and it was not until 2002 that the end of the civil war was proclaimed. In the aftermath, a Special Court for Sierra Leone and a Truth and Reconciliation Commission were established.<sup>4</sup> About 7,000 child combatants were reintegrated into society through a Disarmament, Demobilisation and Reintegration (DDR) process, but many girl and women combatants were left out of this process.<sup>5</sup>

## Sexual violence

Although all parties to the conflict committed human rights abuses and sexual violence, systematic abuses were attributed mainly to the RUF – infamous for its brutality – and the Armed Forces Revolutionary Council (AFRC). Fewer reports exist of sexual violence by the Sierra Leone Army and Civil Defence Force. This may be partly attributed to a belief that power depends on sexual abstinence, as implied in the internal rules of the Civil Defence Force banning sexual intercourse before combat.

Forms of sexual violence included rape, gang-rape, the abduction of girls and women for forced labour and sexual slavery, forced marriage to a combatant, forced impregnation and abortion, insertion of objects into genital cavities, forced incest, and sexual mutilation with burning wood and hot oil.<sup>6</sup> Some reports referred to the so-called practice of “virgination”, whereby

UNICEF estimates that over 250,000 women were raped during the conflict in Sierra Leone.<sup>13</sup>

A 1997 survey of Freetown prostitutes found that 70 per cent were HIV-positive, as compared to 26 per cent in 1995.<sup>14</sup>

A 1999 national government survey of over 2,000 prostitutes found that 37 per cent were less than 15 years old, and more than 80 per cent were unaccompanied or displaced children.<sup>15</sup>

Amnesty International reported that between March 1999 and February 2000, the Forum for Women Educationalists in cooperation with other agencies, treated approximately 2,000 women victims of sexual violence, most of whom contracted sexually transmissible infections and many of whom were pregnant.<sup>16</sup>

Field research was conducted in 2000 under a project co-funded by the UN and Isis-Women's International Cross Cultural Exchange to establish the prevalence and impact of sexual violence. 733 testimonies were collected from a random sampling. 143 interviewees were girls aged between 6 and 17. 383 (52.3 per cent) said they were subjected to sexual violence; 345 (47.1 per cent) reported they were raped; and 192 (26.1 per cent) said they were gang-raped. Slightly less than half of the interviewees (306 or 41.7 per cent) reported they were abducted by various factions and 25 (3.4 per cent) said they were forced to marry their abductor.<sup>17</sup>

A survey in 2002 by Physicians for Human Rights of 991 female heads of household, providing information on 9,166 household members among displaced people, showed that: 1 in 8 household members (13 per cent) reported having been subjected to incidents of conflict-related sexual violence. Extrapolating from this, as many as 50,000-64,000 displaced women have been subjected to sexual violence. Underestimation of the prevalence of sexual violence was considered likely, due to non-disclosure.<sup>18</sup>

RUF combatants raped young girls in the belief that “only the rape of a virgin is rape”. Sexual violence was reported in IDP camps.<sup>7</sup>

Female genital mutilation, a common practice in Sierra Leone, rendered victims of rape more vulnerable to excessive bleeding and sexually transmissible infections.

Children were not only victims of sexual violence, but also perpetrators; some of the most cruel acts of sexual violence were committed by child soldiers. Sexual violence was also committed by female combatants against men and boys. Due to the stigma attached to homosexuality, such incidents were only rarely reported.<sup>8</sup>

Human Rights Watch documented several cases of sexual violence committed by UN and West African peacekeeping forces.<sup>9</sup> Reports of sexual violence perpetrated by UN forces included the rape of a 12-year-old girl.<sup>10</sup>

Prostitution of women, girls and boys is perceived to have increased in post-war Sierra Leone, attributed to a range of factors, including the presence of peacekeepers, economic collapse and displacement.<sup>11</sup> Sierra Leone is a source, transit and destination country for the trafficking of women and girls for the purpose of sexual exploitation.<sup>12</sup>

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# SOMALIA

## Conflict summary

Somalia was created in 1960 when a former British protectorate and an Italian colony merged. Somalia's development has been hindered by famine and drought, regional conflicts and internal clan-based violence.<sup>1</sup> The overthrow of the 21-year rule of Mohamed Siad Barre in 1991 led to the outbreak of civil war and the breaking up of the country into various entities.<sup>2</sup> In 1991, the north-west part of Somalia unilaterally declared itself the independent Republic of Somaliland.

In 2004, Somali warlords and politicians agreed to set up a new parliament, the 14th attempt to establish a government since 1991.<sup>3</sup> Its fragile authority has been undermined by the absence of law and order, and rising support for the Union of Islamic Courts (UIC). Support for the UIC is reported to be especially strong among women, who have been threatened by sexual and gender-based violence for years. However, women's groups remain concerned about the restrictions of their freedoms imposed by the UIC. The UIC was ousted from Mogadishu in 2006 by forces loyal to the interim administration, backed by Ethiopian troops.<sup>4</sup> As of June 2007, fighting was continuing between Ethiopian-backed government forces and UIC combatants.

The years of fighting between rival warlords and famine and disease have led to the deaths of up to one million people.<sup>5</sup> By the end of 2005 around 400,000 Somalis were internally displaced and another 400,000 had sought refuge in neighbouring countries.<sup>6</sup>

## Sexual violence

Sexual violence against women in Somalia has been a common strategy of clan-based warfare. The period following the outbreak of war in 1991 saw an increase in sexual violence, including rape, gang-rape and other forms of sexual abuse, and is still prevalent. Women were and continue to be raped during looting raids by clan militia, while fetching water or working in the fields. Women from less powerful clans or ethnic minorities are at particular risk of being subjected to sexual violence.<sup>7</sup> Cases of sexual violence against women in IDP camps have also been reported.<sup>8</sup>

Italian and Belgium peacekeeping troops were accused of acts of sexual violence allegedly committed between

1993 and 1994. A sergeant was charged for having bought a Somali girl as a birthday present for a paratrooper.<sup>9</sup> Trafficking in women is a serious problem: armed militia reportedly trafficked women and children for sexual exploitation and forced labour to the Middle East, Europe and South Africa.<sup>10</sup> Due to the lack of a state legal system, women survivors of sexual violence have little possibility for recourse, apart from compensation processes arranged between clan elders.<sup>11</sup>

Since the start of 2006, about 35,000 Somalis have arrived in Kenyan refugee camps. The humanitarian situation in these camps is precarious and there have been reports of sexual violence occurring during flight, inside camps, and when women leave camps to fetch water or firewood. The perpetrators of sexual violence include Somali bandits who have crossed the border into Kenya, Kenyan security forces and police, and fellow refugees.<sup>12</sup> UNHCR programmes to supply firewood for refugees in Dadaab and Kakuma camps were set up, but they fell short of their targets, which meant that women still needed to leave the camps where they are at higher risk of sexual violence.<sup>13</sup>

Human Right Watch visited a women's association in Bay region of Somalia in 1993 and reported that about three-quarters of its 500 members had been raped.<sup>14</sup>

In a survey by the Women Victims of Violence Program in 1993, covering a 6-month period, 192 cases of rape were documented among Somali refugees in Kenya.<sup>15</sup>

In 1993, UNHCR documented 300 cases of Somali women who had been raped, two thirds of them in refugee camps in Kenya. UNHCR estimated the actual figure of rape committed in the camps could be up to 10 times higher.<sup>16</sup>

UNHCR reported 259 cases of sexual violence in 2004 in the Dadaab refugee camp area.<sup>17</sup> Other reports indicated that 10 per cent of Somali women in camps have been raped. Victims were aged between 4 and 50. Many of the rapes resulted in pregnancies during 2001.<sup>18</sup>

## Endnotes

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# SOUTH AFRICA

## Conflict summary

The boundaries of South Africa and the territory formerly known as South West Africa, now called Namibia, were established by German colonisers in the 1880s. South Africa occupied South West Africa during the First World War and was granted a mandate to govern the territory in 1920 by the League of Nations. However, after World War II the UN refused to allow South Africa to annex the territory.

The South West Africa People's Organisation (SWAPO) was formed in 1960. In 1966 it launched an armed insurgency against South African occupation that continued until 1988, with periods of particular intensity from 1980 to 1983, and 1986 to 1988. In 1988, South Africa agreed to Namibian independence in exchange for the withdrawal of Cuban troops from Angola.<sup>1</sup>

## Sexual violence

DCAF is not aware of the existence of published information on sexual violence that may have been committed during the conflict between South Africa and Namibia.

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# SUDAN

## Conflict summary

Inheriting a huge ethnic and religious diversity from its colonial past, Sudan has been in near constant conflict since its independence in 1956, exacerbated by struggles over natural resources. Conflict between the Sudanese government and southern rebel groups erupted in 1993. Peace was agreed in 2002, but some fighting continued until 2004. Nearly 155,000 South Sudanese have returned home from neighbouring countries since December 2005.<sup>1</sup>

In 2003 two armed groups – the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) – took up arms against the government, demanding an end to years of political, economic and social marginalisation of Darfur and more protection for its settled population.<sup>2</sup> The government responded with military force and allegedly by encouraging the nomad “Janjaweed” militia to fight the insurgents in the Darfur region, giving impunity to their actions. Grave human rights violations continue unabated in Darfur, despite UN Security Council Resolution 1556 and the presence since 2004 of an African Union protection force.<sup>3</sup> The deployment of a new hybrid African Union-United Nations peacekeeping force in Darfur is expected in 2008.

The UN says more than 200,000 have been killed in the Darfur crisis. Some 2 million people are internally displaced inside Darfur, and there are more than 200,000 refugees in UNHCR-run camps in Chad alone.<sup>4</sup>

## Sexual violence

The extent and cruelty of acts of sexual violence committed in the Darfur region have sent shock waves around the world. Sexual violence has been committed mainly by the Janjaweed militia and the Sudanese government forces, but also by other armed groups. Acts of sexual violence occur mainly during attacks on villages by Janjaweed forces, who rape women and girls as they move from house to house, or during flight, or at roadblocks and checkpoints. Acts of rape and forced incest in front of the family or the community have been used to destroy family and community networks.<sup>5</sup> Women and girls have been abducted by the Janjaweed militia, raped, and forced to assist in the looting of villages, perform subsistence tasks, or become rebel wives.<sup>6</sup> Some militia have

perpetrated female genital mutilation on their victims after raping them<sup>7</sup>, and women pregnant from rape have been detained and fined for being pregnant outside marriage.<sup>8</sup> There has also been increasing sexual violence against refugees and IDPs, both inside and outside camps. Women are particularly at risk of being raped by militia when leaving the camps to collect water, firewood or animal fodder.<sup>9</sup>

Human Rights Watch claimed in its 2007 World Report that in Darfur “tens of thousands of women have been subject to sexual violence.”<sup>13</sup>

MSF is providing health care to more than 1,250,000 people in 25 locations in Darfur. It has received alarming numbers of reports of rape among its patients. Between October 2004 and the first half of February 2005, MSF treated almost 500 rape victims in numerous locations in South and West Darfur, but believes that this hugely under represents the number of victims. 99 per cent of the victims were women. The victims were between 12 and 45 years old.<sup>14</sup>

A Darfurian NGO has documented 9,300 cases of rape, although other observers on the ground have argued that the number of rapes is closer to double that figure. There have also been reports of rampant clusters of rapes: for example, a woman reported to Coalition for International Justice investigators that 41 of the women on her camp block had been raped.<sup>15</sup>

According to Amnesty International, a UNICEF survey in the Darfur town of Tawila documented a large number of rape cases, in one case targeting 41 school girls and teachers, and in another the gang rape of minors by up to 14 men.<sup>16</sup>

In May 2004, Amnesty International collected 250 names of rape victims and information on another 250 incidents of rape in Darfur in a visit to three refugee camps in Chad.<sup>17</sup>

In August 2006, the International Rescue Committee reported that more than 200 women had been victims of sexual violence within five weeks around Kalma, the largest IDP camp in South Darfur.<sup>18</sup>

Acts of sexual violence have been committed against men and boys, including anal rape and sexual humiliation.<sup>10</sup>

There is an ethnic component to the sexual violence in Darfur: non-Arab black people (mainly from the Fur, Masalit and Zaghawa tribes) have been particularly targeted and rape survivors reported that the perpetrators insulted them during the rape and called them slaves.<sup>11</sup>

UN peacekeepers have also been accused of sexual violence against women in southern Sudan and at least four peacekeepers have been repatriated.<sup>12</sup>

## Endnotes

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# UGANDA

## Conflict summary

After gaining independence from Britain in 1962, Uganda oscillated between coups and counter-coups until 1986, when the current president, Yoweri Museveni and his National Resistance Army took control of the government. Several rebel movements then emerged in northern Uganda, including the Lord's Resistance Army (LRA) led by Joseph Kony and backed by the Sudanese government.<sup>1</sup> In the marginalised Karamoja region, an ongoing confrontation persists between various ethnic groups involved in cattle raids. Hostilities have become more destructive as the region has become increasingly awash with arms. The resident population in the Teso region has been caught up in the crossfire between the rebels, government forces and Karamojong cattle raiders.<sup>2</sup>

In 2002, the Ugandan government launched "Operation Iron Fist" in an attempt to crush the LRA insurgency. The operation sparked more intense and violent attacks by the LRA, and dramatically increased the number of displaced people, turning the conflict into one of the world's worst humanitarian crises.<sup>3</sup> The conflict has displaced an estimated 1.7 million Ugandans and claimed the lives of tens of thousands of people.<sup>4</sup>

A cessation of hostilities signed between the Ugandan government and the LRA rebels in August 2006 raised hopes for peace talks between the two sides, but there remain substantial differences, notably the outstanding International Criminal Court arrest warrant for Joseph Kony.<sup>5</sup>

## Sexual violence

Both the LRA insurgency and the Karamojong raids were carried out with extreme brutality, and included sexual violence against women and girls.<sup>6</sup> Government and police forces, as well as other rebel groups, were also perpetrators, but to a lesser extent. Forms of sexual violence included rape and sexual abuse, abduction, forced incest, sexual slavery and forced marriage. The Karamojong raiders were also accused of raping men.<sup>7</sup>

LRA rebels targeted schools as recruiting grounds for child soldiers and sex slaves, which kept children from going to school over the last decade.<sup>8</sup> The LRA were

A 1991 study found that 70 per cent of women in Luwero District reported being raped by soldiers. A large proportion were gang-raped by groups of up to 10 soldiers.<sup>15</sup>

In a UNFPA study conducted in 1999-2000 on gender-based violence in Apac and Mbale Districts 53.5 per cent of the 1,165 respondents reported that members of their family had suffered from at least one form of sexual violence. More female (56.8 per cent) than male respondents (46.4 per cent) reported this to be the case.<sup>16</sup>

According to a UNICEF study on sexual and gender-based violence at a northern IDP camp, 469 cases were reported to police in Gulu District in 2004. The three most common forms of violence were rape, child sexual abuse, and physical assault. Teenage girls and young women were the most common victims of genderbased violence.<sup>17</sup>

In its 2007 Humanitarian Action Report, UNICEF stated that since the late 1980s nearly 25,000 children had been abducted for use as child soldiers and sex slaves, including almost 7,500 girls, 1,000 of whom returned from LRA captivity having given birth to children.<sup>18</sup>

UNICEF estimated in 2005 that each evening approximately 30,000 children left their homes every evening to seek safety in urban centres.<sup>19</sup>

A seminar on "The Impact of the Northern Uganda Conflict on Young Girls", held on the 24 May 2007 in Gulu and hosted by the World Vision Mother Daughter Project and the Agency for Co-operation and Research in Development, concluded: "... over 90 per cent of the girls abducted were forced into marriages with their abductors and 94 per cent of the girls and women sexually abused, violated and entered into forced marriages feel that there has been no justice in relation to their experiences. 97 per cent do not want to be reunited with the man forced on them as husbands."<sup>20</sup>

known for abducting adults and children to be used as soldiers, cooks, porters, and sex slaves.<sup>9</sup> Many child soldiers were forced to watch or commit atrocities, including sexual violence, against other children or adults, sometimes their closest relatives, to foster guilt and fear among them and impede them from escaping.<sup>10</sup> Girls were abducted in large numbers by the LRA, some to become fighters and others to serve as slaves performing household and sexual services.

While the LRA used rape as an instrument of terror during attacks, it seems not to have made a practice of raping captured pre-pubescent girls. This was attributed to a belief that such behaviour “saves” the girls from exposure to sexually transmissible diseases, thereby ensuring that they are free from infection when assigned to their “husbands”. At the age of 14 the captured girls were assigned as “wives” to rebels, leading to forced sexual intercourse and pregnancy.<sup>11</sup>

Acts of sexual violence also occurred in so-called “protected villages” of IDPs, including rape and assaults by rebels and fellow residents, but also sexual exploitation in exchange for food or shelter by soldiers of the Ugandan army assigned to protect the IDPs.<sup>12</sup>

The fear of being abducted by rebels led many children to practice “night commuting” from villages to towns to seek safety in shelters set up by different agencies. However, on their way many of these children were sexually abused and forced into prostitution.<sup>13</sup> Thousands of Ugandan children engage in commercial sex work and Uganda is a source and destination country for men, women, and children trafficked for the purposes of forced labour and sexual exploitation.<sup>14</sup>

## Endnotes

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# ZIMBABWE

## Conflict summary

In 1965, Zimbabwe's government issued a Unilateral Declaration of Independence from Britain, imposing white-minority rule. This prompted international sanctions and a guerrilla war, which by 1979 had claimed some 36,000 lives and displaced some 1.5 million people. A British-brokered peace deal in 1979, involving the government, the Zimbabwe African National Union (ZANU) and the Zimbabwe African People's Union (ZAPU), culminated in the Lancaster House Agreement and led to the election of Robert Mugabe in 1980 as the country's first black president.

Following presidential elections in 2002, Robert Mugabe resorted to using state machinery, war veterans and youth militias to intimidate supporters of the opposition Movement for Democratic Change (MDC) party and stifle the media.<sup>1</sup> The government's "Operation Restore Order" campaign to demolish allegedly illegal housing and businesses displaced or destroyed the livelihoods of over 700,000 people and further strained the country's depressed economy. The political crisis continues.<sup>2</sup> UNHCR estimated that at the end of 2005 there were 28,000 Zimbabwean refugees.<sup>3</sup>

## Sexual violence

Human rights abuses and sexual violence in Zimbabwe can be situated in a broader climate of violence in the country, but since the 2000 and the 2002 elections, reports of abuses against the opposition party and in connection with the confiscation of land from white farmers have increased.<sup>4</sup> The perpetrators are said to belong to militia forces, youth militia and war veterans, supported by the government.<sup>5</sup>

During 2000 and 2001, human rights groups documented widespread torture of opposition supporters, and approximately 40 per cent of victims were women. After June 2001, rape and sexual abuse became more commonplace. Rapes often occurred in front of neighbours or family members as a form of punishment, leaving an impact on a wider group of people than just the individual concerned.<sup>6</sup>

Women were abducted and raped in pro-government militia camps, men were forced by militia to commit

sexual assault on other men and women, and people were sexually assaulted in public.<sup>7</sup>

In 2003, several thousand children as young as 11 were reportedly sent to youth militia camps to receive military training and torture skills.<sup>8</sup> Acts of sexual violence were committed in these camps against women and girls, and youth militia were also used to kill and rape outside the camps, targeting people suspected of supporting the opposition party.

Zimbabwean women refugees were reportedly also raped by supporters of the ruling party and Zimbabwean state agents (police, army, intelligence personnel).<sup>9</sup>

Child abuse is a serious problem in Zimbabwe and NGOs reported an increase in child prostitution since "Operation Restore Order".<sup>10</sup> Cases of sexual exploitation of women and children along the border with South Africa and trafficking for sexual exploitation have been reported.<sup>11</sup>

The Zimbabwe Women Lawyers' Association estimated in early 2002 that some 1,000 women were held in militia camps for sexual purposes.<sup>12</sup>

15 per cent of the Zimbabwean women refugees who visited a counselling centre run by the Zimbabwe Torture Victims Project in Johannesburg during the 20 months prior to December 2006 alleged that they had been raped.<sup>13</sup>

## Endnotes

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# THE AMERICAS

*“We have been living under extreme terror, there is only one way in and out of the barrio and it is controlled by the paramilitaries ... In the last two weeks, six women have been killed, some because of their alleged relationship with the guerrillas, others because they refuse to give sex. One girl was raped before she was killed; they took out her eyes, pulled out her nails and cut off her breasts. One boy had his penis cut off and put in his mouth ... When the police arrive everything is calm and the paramilitaries mingle with the police as they walk around the barrio.”*

Testimony given to the United Nations Special Rapporteur on Violence against Women during her mission to Colombia in 2001<sup>1</sup>

The “Americas” section of this report contains profiles of six countries in Latin America that experienced armed conflict between 1987 and 2007: Colombia, El Salvador, Guatemala, Haiti, Nicaragua and Peru, and a profile of the United States. The latter refers to the “armed conflict” between the United States and al-Qa’ida, and reports of sexual violence in the Guantánamo Bay Naval Station detention facility in Cuba.<sup>2</sup>

For many of the Latin American conflicts surveyed in this report, there is little documentation on the sexual violence that occurred, and much of the available information is anecdotal. However, El Salvador, Guatemala, Haiti and Peru established Truth and Reconciliation Commissions to address human rights violations during conflict, which recorded testimonies on sexual violence to varying degrees. Some researchers suggest that the relatively low level of sexual violence reported in Latin American conflicts is attributable to its comparatively low incidence, while others point to underreporting. One reason for the relative scarcity of data on sexual violence might be that many of the Latin American armed conflicts occurred before the emergence of a greater awareness of the use of sexual violence as a method of warfare. As Tombs states:

... prior to the conflict in the former Yugoslavia (1992-95), which highlighted the political use of rape as a war crime, the [Truth and Reconciliation Commission] reports did not include abuses against women and sexual violence as a distinctive and essential part of the quest for truth. Rape and other sexual violence during conflicts were usually either unacknowledged or presented as a marginal or secondary issue.<sup>3</sup>

In many of the Latin American armed conflicts in this report, one can observe the intersection between gender and ethnicity. In Colombia, Guatemala and Peru, for instance, indigenous women, often from rural areas, seemed to be at greater risk of sexual violence and were sometimes specifically targeted. This should be understood against the backdrop of the widespread discrimination suffered by indigenous populations in general in many Latin American countries.

Globally, it is difficult to find data on sexual violence against men in armed conflict. In the Latin American conflicts documented in this report, there is little data on sexual violence against men. It may be that the trauma and potential stigma of sexual violence is especially difficult for male victims to bear, reducing the likelihood that they will speak about sexual crimes. The “machismo” culture that is prevalent in many Latin American countries could present an additional obstacle for male victims of sexual violence to speak out.<sup>4</sup>

Many Latin American countries emerging from conflict report a high, and in some cases a growing incidence of criminal violence, including sexual and other forms of violence against women (see, for example, the profiles on El Salvador, Guatemala, Haiti and Nicaragua). As in other regions, it is difficult to identify whether levels of post-conflict sexual violence are higher than during or before the conflict, or whether there is increased reporting of such crimes in post-conflict situations. One might wonder whether impunity for acts of sexual violence committed during the conflict perpetuated a tolerance of such abuse against women and girls, as a long-lasting legacy of conflict. Natural disasters, which have had a devastating impact on some post-conflict societies in

Latin America, delay national recovery and aggravate economic hardship and social dislocation, which can also foster increased inter-personal and sexual violence.

At the same time, Latin American countries have been at the forefront of some successful police reform initiatives to address the issue of sexual violence during and after armed conflict. Moreover, Latin American women are innovative activists in defence of their rights and security (see the sections on policing and sexual violence and civil society responses to sexual violence in armed conflict).

There has been a great deal of international concern regarding the alleged mistreatment of people detained by the United States at Guantánamo Bay. Reports from a range of sources suggest that there is a systemic pattern of torture and abuse in these detention centres, including sexual violence.<sup>5</sup> This reminds us that sexual violence is used in armed conflict not only by ill-disciplined militias, but by highly organised and technologically advanced forces. It is used to spread terror in people's homes and communities, and to inflict calculated suffering in places of detention.

## Endnotes

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<sup>2</sup> The UCDP/PRIO Armed Conflict Dataset classifies the armed conflict between the United States Government and al-Qa'ida in 2001 as a "War": an armed conflict with at least 1,000 battle-related deaths in a given year. The Dataset is based upon both the terrorist attacks in the United States of 11 September 2001, and the war in Afghanistan after the United States-led invasion in autumn 2001. Reports of sexual violence by United States (and other Coalition) personnel outside the United States

itself and the Guantánamo Bay detention centre, such as in Iraq, are included in the country profiles for those countries.

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# COLOMBIA

## Conflict summary

Colombia's 40-year-old conflict, pitting government forces and right-wing paramilitary groups against left-wing rebel groups *Fuerzas Armadas Revolucionarias de Colombia* and the *Ejército de Liberación Nacional*, has turned Colombia into one of the most violent countries in the world.<sup>1</sup> The conflict broke out over the control of territory and economic resources, but also involves drug cartels. There have been a number of unsuccessful attempts at negotiating peace. More than 70,000 people have died<sup>2</sup> and at least 3,000 civilians are believed to die every year every year in the conflict.<sup>3</sup> Colombia is among the countries with the highest number of internally displaced persons: an estimated 3 million people are displaced.<sup>4</sup> Despite repeated attacks and violence against women in the context of the conflict, Colombia has a strong women's movement and women's groups continue to fight for peace.<sup>5</sup>

## Sexual violence

Grave and systemic human rights violations by all parties have been reported, and sexual violence has been a common feature of Colombia's conflict.<sup>6</sup>

Amnesty International has documented how government and paramilitary forces have used counter-insurgency tactics involving sexual violence to punish communities in rebel-controlled territory for allegedly supporting rebels. Senior army personnel have been implicated in such acts of sexual violence committed during raids on villages, house searches or at checkpoints, during detention or when victims report crimes. These documented violations of human rights include sexual slavery, forced prostitution, sexual mutilation and rape.<sup>7</sup>

Rebel forces have also reportedly committed acts of sexual violence, including forced recruitment and sexual abuse of child combatants,<sup>8</sup> sexual slavery of women, forced contraception injections and forced abortions for women combatants.

The majority of victims of sexual violence are women and girls, but men have also been victims. In acts of "social cleansing" a number of marginalised groups have been specifically targeted by sexual violence: indigenous women, internally displaced persons, people with HIV/AIDS, female-headed households (the absence of a husband is perceived as a sign of their

support for the rebels), members of women's movements, and homosexuals.<sup>9</sup>

In an attempt to control social life and women's sexuality, rebel and paramilitary forces have imposed curfews and "rules of conduct" for dress and behaviour on the communities they occupy, punishing any transgression with acts of sexual violence. For example, it has been reported by Amnesty International that women's clothing has been standardised. Clothes that are considered provocative

In 2003, the *Liga de Mujeres Desplazadas* conducted a survey among 410 women aged between 15 and 49 who had been displaced by the armed conflict. Among the 410 women surveyed, 125 incidents of sexual violence were reported.<sup>12</sup>

In 1995, the Institute of Legal Medicine of Colombia investigated 11,970 sexual crimes nationwide. Eighty eight per cent of the victims were women. It is estimated that an average of 775 rapes of adolescents occur annually, and that the incidence of rape among the 15 – 49 age group is 3.5 per 1,000 women. It is estimated, however, that only 17 per cent of the victims denounce such acts of sexual violence. An estimated 47 per cent of all acts of sexual violence against women over 20 years of age are committed by relatives.<sup>13</sup>

Other forms of violence against women continue to occur at alarming levels in Colombia. In 1993, the Institute of Legal Medicine reported 15,503 cases of non-fatal injuries due to family violence in the departmental capitals. This figure climbed to 19,706 in 1994, and 23,288 in 1995.<sup>14</sup>

The Watchlist on Children and Armed Conflict estimated that 20,000 - 35,000 children have been forced into commercial sex work as a direct consequence of the culture of violence and poverty resulting from the armed conflict.<sup>15</sup>

The Colombian Government estimates that 45,000 - 50,000 Colombian nationals engage in prostitution overseas; many of them are trafficking victims.<sup>16</sup>

are prohibited. Unaccompanied women are seen as transgressing gender roles and a number of prostitutes have been paraded nude on trucks around villages with a sign around their neck saying that they wreck homes.<sup>10</sup>

Colombia is a major source and transit country for the trafficking of women and girls for the purpose of sexual exploitation.<sup>11</sup>

## Endnotes

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- <sup>9</sup> Amnesty International (13 October 2004), 3, 8, 11,14, 20-27, 38.
- <sup>10</sup> Amnesty International (13 October 2004), 23-26.
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- <sup>12</sup> Liga de Mujeres Desplazadas (2005) *Encuesta de Prevalencia de Violencia Basada en Género en Mujeres Desplazadas por el Conflicto Armado en Cartagena*, 3-4.
- <sup>13</sup> Inter-American Commission on Human Rights (1999) *Third Report on the Human Rights Commission in Colombia*, chapter 12 §45.
- <sup>14</sup> Inter-American Commission on Human Rights (1999), chapter 12 §43.
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- <sup>16</sup> U.S. Department of State (2005), 84.

# EL SALVADOR

## Conflict summary

El Salvador was ravaged by a civil war from 1980 – 1991 between the armed forces, backed by the United States, and the left-wing *Frente Farabundo Martí para la Liberación Nacional* (FMLN). The conflict was brought to an end with the UN-brokered Chapultepec Accords in 1992.<sup>1</sup> Around 70,000 people are thought to have been killed<sup>2</sup> and an estimated 525,250 people migrated to neighbouring countries during the conflict.<sup>3</sup>

Thirty per cent of FMLN combatants and 40 per cent of the FMLN leadership were women. Even though women's rights were not central to the struggle and largely excluded in the peace agreement, the high level of female participation in the opposition forces gave them experience and political consciousness that enabled them to challenge discriminatory practices in society.<sup>4</sup>

## Sexual violence

Compared to other conflicts in Latin America, there is little data on sexual violence perpetrated during the conflict in El Salvador. The Report of the Commission on the Truth for El Salvador, published in 1993, mentions few cases explicitly.<sup>5</sup> However, an unpublished appendix of the Report lists many incidents of rape.<sup>6</sup>

Documented incidents of sexual violence during the conflict in El Salvador include the rape of four church women;<sup>7</sup> the rape of women and girls during attacks on communities,<sup>8</sup> and sexual violence committed by guerrillas against abducted nurses.<sup>9</sup> Local human rights NGOs reported systematic use of sexual violence against men and women in detention.<sup>10</sup>

It has been claimed that acts of sexual violence, including gang and multiple rapes, were committed mainly by government security forces against suspected supporters of the FMLN and that there were very few reports of sexual violence by insurgent forces against civilian women or female combatants.<sup>11</sup> However, according to UNIFEM, after the war, women combatants reported that sexual harassment and gender-based violence were commonplace amongst FMLN ranks. In addition to tolerating violence against women, some FMLN leaders were reported to have been aggressors. Women combatants in the *Fuerzas Populares de Liberación Farabundo Martí* (FPL), an offshoot of the FMLN, reportedly protested

the sexual exploitation of women in guerrilla camps. Women spoke out against sexual abuse and FPL commanders responded by punishing their troops for sexually exploiting women combatants and camp followers.<sup>12</sup>

In post-conflict El Salvador, an environment of impunity and violence prevails, including violence at the work place, police and gang-related violence, high rates of domestic violence and sexual exploitation for commercial purposes.<sup>13</sup> Reports of cruel acts of sexual violence committed by the *Mara Salvatrucha*, a large gang involved in criminal activities throughout Central and North America, have been frequent in recent years.<sup>14</sup>

The *Tutela Legal* (Archdiocesan Legal Aid office) documented that after separating men and women during the 1981 El Mozote massacre, Salvadorian soldiers repeatedly raped about 25 women and girls before executing them.<sup>15</sup>

Domestic violence levels are high in post-conflict El Salvador: The National Institute for the Advancement of Women and the Forensic Medicine Institute received 3,786 complaints of domestic violence in 2002, and 4,706 in 2003. The Family Relations Improvement Programme registered 4,222 women subjected to domestic violence in 2003. Women's organisations estimate that 9 out of 10 women have suffered from domestic violence.<sup>16</sup>

*Las Dignas*, a women's organisation in El Salvador, analysed crimes reported in national newspapers that involved female victims. Fifty per cent of the 153 cases of violence against women reported by the media in 2003 were murders and around 46 per cent involved some form of sexual violence. Twenty eight percent of the murder victims had also been raped or sexually abused. In only 62 of the 153 cases reported was the aggressor identified.<sup>17</sup>

## Endnotes

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- <sup>5</sup> Commission on the Truth for El Salvador (1993); Wood, E. J. "Sexual Violence During War: Explaining Variation", *Order, Conflict and Violence Conference*, Yale University, New Haven, 30 April – 1 May 2004.
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- <sup>7</sup> Referred to in the Report of the Commission on the Truth for El Salvador (1993) and in Tombs, D. (2006), 64.
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- <sup>9</sup> Tombs, D. (2006), 65.
- <sup>10</sup> Quoted in Tombs, D. (2006), 63, 66.
- <sup>11</sup> Wood, E. J. (30 April - 1 May 2004), 9-10.
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- <sup>13</sup> United Nations Commission on Human Rights, E/CN.4/2005/72/Add.2, Summary.
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- <sup>15</sup> Quoted in Tombs, D. (2006), 64.
- <sup>16</sup> United Nations Commission on Human Rights, E/CN.4/2005/72/Add.2, §28-32.
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# GUATEMALA

## Conflict summary

Guatemala emerged from a 36-year-long civil war in 1996 when UN-brokered peace accords were signed by the belligerent parties. The conflict pitted the army, backed by the United States, against the leftist, mostly Mayan insurgents, the *Unidad Revolucionaria Nacional Guatemalteca*.<sup>1</sup>

Between 1997 and 1999, investigations were conducted by the Commission for Historical Clarification.<sup>2</sup> More than 200,000 people – a quarter of them women – are believed to have been killed or disappeared during the conflict.<sup>3</sup> The prevailing levels of violence and poverty continue to spur emigration to Mexico and the United States.

## Sexual violence

The Guatemalan Government responded to the insurgency with extreme violence and committed serious human rights violations, specifically targeting indigenous communities during the period known as *La Violencia* from 1978 to 1985.<sup>4</sup> The Commission for Historical Clarification attributed 93 per cent of all human rights atrocities committed during the civil war to state security forces, and senior officials are alleged to have overseen 626 massacres in Maya villages, as recorded by the Commission.<sup>5</sup>

The Commission for Historical Clarification's investigations demonstrated that acts of sexual violence were an integral part of the military's counter-insurgency strategy.<sup>6</sup> Findings by the Commission and the *Proyecto Interdiocesano de Recuperación de la Memoria Histórica* give details of extremely cruel forms of sexual violence involving raping and killing orgies organised by soldiers.<sup>7</sup> There was also systematic use of sexual violence by government forces against women and men in detention centres.<sup>8</sup> The victims were mainly women and children, the majority being poor, indigenous women of Mayan origin.<sup>9</sup> There have also been reports of systematic sexual violence against men, in some cases involving animals or bottles, and physical blows or electrical current applied to genitals.<sup>10</sup> Many exhumed bodies have shown traces of torture, including sexual violence.<sup>11</sup>

In post-conflict Guatemala there has been a rise in sexual violence and violence against women in general,

a trend perceived as being linked to the prevailing culture of impunity, widespread and persistent poverty and social exclusion.<sup>12</sup> Another long-term consequence of the conflict is the high number of women widows, most of whom are destitute.<sup>13</sup> Guatemala is a source, transit and destination country for women and children from Central America trafficked internally and to the United States for the purpose of sexual exploitation.<sup>14</sup>

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*Survivors and relatives of the missing ones of Guatemala's civil war commemorate the National Day of the Self-Respect for the Victims of the Conflict.*

The *Proyecto Interdiocesano de Recuperación de la Memoria Histórica* (REHMI) collected reports from 151 victims of sexual violence during the conflict. Sexual violence was involved in one out of six massacres referred to in the REHMI report.<sup>15</sup>

The Center for Reproductive Rights reported in 2003 that an estimated 49 per cent of Guatemalan women are victims of domestic violence.<sup>16</sup>

There has been an increase in violent deaths of women in recent years. According to police records the percentage of women in the overall total of people killed rose from 4.5 per cent in 2002, to 11.5 per cent in 2003 and 12.1 per cent in 2004.<sup>17</sup>

## Endnotes

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- <sup>6</sup> Comisión de Clarificación Histórica (1999), Conclusions, §91.
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- <sup>9</sup> Comisión de Clarificación Histórica (1999), Conclusions §85-88, §91.
- <sup>10</sup> Quoted in Tombs, D. (2006), 70.
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- <sup>17</sup> Amnesty International (June 2005), 8.

# H A I T I

## Conflict summary

Haiti has been plagued by decades of poverty, instability, dictatorship and internal conflict, which have left it the poorest country in the Western Hemisphere. Serious human rights violations were reported during the period of Duvalier rule, from 1957 until 1986, resulting in an estimated 40,000 deaths.<sup>1</sup> Grave human rights violations occurred again during the three years of brutal military rule that followed the 1991 coup, until the reinstatement of the democratically elected President Aristide, in 1994.<sup>2</sup> A *Commission Nationale de Vérité* investigated the human rights violations that occurred between 1991 and 1994.

Violent rebellion and international pressure forced Aristide from Haiti in 2004. Since then, an elected leadership has taken over from an interim government, but Haiti continues to be plagued by violent confrontations between rival gangs and political groups. UN peacekeeping troops have been present in Haiti since 1993. There are currently over 8,000 personnel in the United Nations Stabilization Mission in Haiti.<sup>3</sup> Throughout the unrest in Haiti, women and women leaders have been targeted as a means of silencing them.<sup>4</sup>

## Sexual violence

During the period of military rule from 1991 to 1994 “political rape”<sup>5</sup> was a common practice. Alleged Aristide supporters were attacked at night in their houses by masked men (sometimes in uniform) and women were raped because of the alleged political activity of their husbands.<sup>6</sup> The perpetrators were reportedly police, soldiers and criminal gangs operating with impunity.<sup>7</sup> As a consequence of the sexual violence perpetrated between 1991 and 1994, many women were infected with HIV/AIDS.<sup>8</sup> The use of sexual violence as a form of political pressure has subsequently become the common practice of criminal gangs, terrorising the population.<sup>9</sup>

There have also been reports of sexual violence committed by UN peacekeeping troops in Haiti.<sup>10</sup>

Haiti is a source, transit and destination country for men, women and children trafficked for the purpose of sexual exploitation and forced labour. It is estimated that 2,500-3,000 Haitian children are trafficked annually into the Dominican Republic.<sup>11</sup>

In its report, the *Commission Nationale de Vérité* documents 140 cases of political rape that occurred in the period 1991-1994, but estimates that the number could be up to 12 times higher (i.e. 1,680 cases).<sup>12</sup>

On her mission to Haiti in June 1999, the UN Special Rapporteur on Violence against Women interviewed 32 women victims of political rape.<sup>13</sup>

A survey of 5,720 individuals (1,260 households) during a 22-month period (February 2004 - December 2005) documented the cases of 8,000 people murdered and 35,000 women victims of sexual violence in the Port-au-Prince area. More than 50 per cent of the women survivors of sexual violence were under 18 years old. Identified perpetrators of sexual violence were mostly criminals, but also the national police (13.8 per cent) and groups opposed to Aristide (10.6 per cent).<sup>14</sup>

Between November 1994 and June 1999, the Ministry for the Status of Women registered 500 cases of sexual harassment, 900 cases of sexual abuse and aggression against adult women and 1,500 cases of sexual violence against girls between the ages of 6 and 15.<sup>15</sup>

Haiti has the highest prevalence of HIV/AIDS in the Western Hemisphere, estimated at 5.6 per cent of the adult population.<sup>16</sup> The police force has a 20 per cent HIV/AIDS infection rate.<sup>17</sup>

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- <sup>6</sup> Human Rights Watch (July 1994), 2-3; United Nations Commission on Human Rights, “Integration of the Human Rights of Women and the Gender Perspective: Mission to Haiti”, *Report of the Special Rapporteur on Violence against Women, its Causes and Consequences, Radhika Coomaraswamy*, E/CN.4/2000/68/Add.3, 27 January 2000, §36.
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- <sup>8</sup> United Nations Commission on Human Rights, E/CN.4/2000/68/Add.3, §57.
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- <sup>13</sup> United Nations Commission on Human Rights, E/CN.4/2000/68/Add.3, §55.
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- <sup>15</sup> United Nations Commission on Human Rights, E/CN.4/2000/68/Add.3, §38.
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# N I C A R A G U A

## Conflict summary

Centuries of colonial rule, decades of dictatorship, civil war and natural disasters have ravaged this country and turned it into one of the poorest in the Western Hemisphere.<sup>1</sup> From the 1960s until 1980, the Sandinista National Liberation Front waged a guerrilla war against the United States-supported Somoza dynasty, overthrowing the Somoza regime in 1979. This led to United States intervention and sponsorship of counter-revolutionary rebels (Contras) to carry out attacks on Nicaragua. A peace accord was signed in Managua in 1988, but sporadic fighting in rural areas continued. The conflict left an estimated 80,000 people dead.<sup>2</sup>

Women played a prominent role in the conflict in Nicaragua, comprising up to 30 per cent of the Sandinista guerrilla force and 7-15 per cent of Contra combatants.<sup>3</sup> The Sandinista revolution opened a space for progressive gender policies, which were, however, partly reversed in the 1990s by the electoral defeat of the Sandinistas.<sup>4</sup>

## Sexual violence

Ward reports that sexual assault was an element of Nicaragua's years of conflict, particularly targeting indigenous communities.<sup>5</sup> There is some evidence of sexual violence against women within the armed groups. A report by the *Asociación Nicaragüense Pro-Derechos Humanos* documented more than 14 cases of women being kidnapped, sexually abused, or raped by the Contras.<sup>6</sup>

Sexual violence became an endemic feature of post conflict Nicaragua, exacerbated by men returning from the war to a weak economy and high rates of unemployment.<sup>7</sup> Furthermore, successive governments have passed conservative laws regulating sexual behaviour, tightening abortion laws and criminalising homosexuality.<sup>8</sup>

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*A Nicaraguan woman protests against sexual abuse front of the National Assembly in Managua. Together with many other protesters she is calling for tougher punishment for sexual abuse.*

Between 1990 and 1994 the number of reported rape cases rose by 21 per cent and the number of reported attempted rapes by 27 per cent.<sup>9</sup>

The National Police of Nicaragua reported 1,181 complaints of rape during 2000 and 1,367 during 1999.<sup>10</sup> More than 11,086 of the 20,905 reports filed by women between January and August 2000 concerned physical or sexual abuse.<sup>11</sup>

In the department of Masaya, 25.8 per cent of girls and women aged between 15 and 19 have suffered sexual violence.<sup>12</sup>

A Ministry of Health survey in 1998 found that 28 per cent of women were victims of physical and sexual violence at the hands of their husbands.

A survey in Leon found that 40 per cent of women aged between 15 and 49 had experienced physical violence by an intimate partner or former partner at some point in their lives.<sup>13</sup>

## Endnotes

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- <sup>6</sup> Referred to in Kampwirth, K. (2001), 103 Footnote 73. In her own research interviewing 45 women who participated in armed groups, Kampwirth found that "some contra women, but no Sandinista women, talk about violence against women during their guerrilla experiences" (Kampwirth, K., Communication with the authors, 21 May 2007).
- <sup>7</sup> Ward, J. (2002), 118.
- <sup>8</sup> "Nicaragua Passes Total Ban on Abortion", *New York Times*, 27 October 2006: <http://www.nytimes.com/2006/10/27/world/americas/27nicaragua.html?ex=1319601600&en=b172639a1a6a28b0&ei=5088&partner=rssnyt&emc=rss>; UNIFEM (10 July 2005) *Gender profile: Nicaragua*: <http://www.womenwarpeace.org/nicaragua/nicaragua.htm>.
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- <sup>10</sup> U.S. Department of State country report quoted in Ward, J. (2002), 118.
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- <sup>13</sup> Ellsberg, M. C. (2000) *Candies in Hell: Research and Action on Domestic Violence against Women in Nicaragua*, Umea, Department of Public Health and Clinical Medicine, Umea University and Department of Preventative Medicine and Nicaraguan Autonomous National University.

## PERU

### Conflict summary

From 1980 to 2000, Peru was wracked by civil war between government forces and the Shining Path and *Movimiento Revolucionario Túpac Amaru* opposition armed groups. An estimated 69,280 people were killed or disappeared.<sup>1</sup> Approximately half a million people were displaced.<sup>2</sup> Widespread violations of human rights were committed by all three parties, including forced disappearances, extrajudicial executions, torture and sexual violence. The main victims were the peasant population, and 75 per cent of victims were indigenous people.<sup>3</sup> The final report of the Truth and Reconciliation Commission set up in 2001 documents 11,500 cases of human rights violations.<sup>4</sup>

### Sexual violence

Acts of sexual violence – mainly against women and children – were committed both by government forces and opposition groups. Even though the Shining Path ideology prohibits sexual violence, there have been reports that such acts were committed by some of its members. The settings and forms of sexual violence reported by the Truth and Reconciliation Commission and Human Rights Watch include: rapes and sexual assault during attacks on rural villages and during detention; sexual slavery and exploitation in guerrilla camps; sexual violence used as a form of torture in the process of forced recruitment of children by the guerrillas and the armed forces; forced marriage, abortion and pregnancy and violence against homosexuals.<sup>5</sup>

The same women often suffered violence at the hands of the various parties to the conflict: sexual violence was used to “punish” women for allegedly being connected to the opposing party, for reporting human rights violations to the authorities, or for being women’s activists.<sup>6</sup> The majority of victims of sexual violence by the security forces were lower middle class and brown-skinned (*cholas* or *mestizas*), clearly indicating that class and race were factors in the targeting of victims.<sup>7</sup>

In the post-conflict period, an increased incidence of sexual violence against women has been reported.

The final report of the Truth and Reconciliation Commission documents more than 500 reported cases of sexual violence against women and girls. However, the Commission states that this is a mere fraction of the true number of acts of sexual violence, because most cases were not reported to the authorities. 83 per cent of acts of sexual violence documented by the Commission were committed by state actors, and 11 per cent by opposition forces.<sup>8</sup>

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- <sup>5</sup> Human Rights Watch (1995) *The Human Rights Watch Global Report on Women's Human Rights*, 80, 89; Comisión de la Verdad y Reconciliación (2003), volume 6, section 1.5, 281-302; volume 2, section 1.4, 444.
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- <sup>7</sup> Comisión de la Verdad y Reconciliación (2003), volume 6, section 1.5, 375; Human Rights Watch (1995), 75-76.
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# UNITED STATES OF AMERICA

## Conflict summary<sup>1</sup>

On 11 September 2001 four passenger aircrafts were hijacked and crashed into the World Trade Centre in New York, the Pentagon in Washington DC, and into a field in Pennsylvania. The attacks killed 3,025 people.<sup>2</sup>

In the wake of the attacks, the United States has conducted operations against al-Qa'ida, which it describes as a "global war on terror". In this context, the United States has detained people in places inside and outside of the USA, including at its Naval Base Station at Guantánamo Bay, in Cuba. The legality of the Guantánamo Bay detention facility has been questioned, and human rights organisations have criticised the lack of access to fair trial or justice for inmates.<sup>3</sup> As of April 2007, some 385 people were being held at the Guantánamo Bay facility.<sup>4</sup>

## Sexual violence

The American Civil Liberties Union claims that there is a "systemic pattern of torture and abuse of detainees in U.S. custody" in Guantánamo Bay and other locations outside the United States.<sup>5</sup> According to the American Civil Liberties Union, the reported methods of torture and abuse used against detainees include

prolonged incommunicado detention; disappearances; beatings; death threats; painful stress positions; sexual humiliation; forced nudity; exposure to extreme heat and cold; denial of food and water; sensory deprivation such as hooding and blindfolding; sleep deprivation; water-boarding; use of dogs to inspire fear; and racial and religious insults.

Detainees released from Guantánamo Bay have alleged that they were sexually abused during their detention.<sup>6</sup> *The Washington Post* reported that sexually humiliating interrogation techniques were used against detainees, that male detainees had been forced to appear nude in front of women, and that detainees were sexually abused by military police personnel.<sup>7</sup> A lawyer representing Guantánamo detainees claimed that "sexually suggestive techniques violating Muslim taboos about sex and contact with women" had also been used during interrogation.<sup>8</sup>

Sexual violence is a serious problem within the United States armed forces itself, in particular against female service personnel.<sup>9</sup> Victims have claimed that the response to such violence by the United States military has been inadequate in terms of the alleged poor quality of medical treatment, lack of counselling and incomplete criminal investigations.<sup>10</sup>

## End notes

<sup>1</sup> The UCDP/PRIO Armed Conflict Dataset classifies the armed conflict between the United States Government and al-Qa'ida in 2001 as a 'War': an armed conflict with at least 1000 battle-related deaths in a given year. The Dataset is based upon both the terrorist attacks in the United States of 11 September 2001 and the war in Afghanistan from the United States-led invasion that started in autumn 2001. Reports of sexual violence by United States (and other Coalition) personnel outside what could be called 'United States territory', such as in Iraq and Afghanistan, are included in the respective country profiles.

<sup>2</sup> BBC News (25 May 2007) *Timeline: United States of America*: [http://news.bbc.co.uk/2/hi/americas/country\\_profiles/1230058.stm](http://news.bbc.co.uk/2/hi/americas/country_profiles/1230058.stm).

<sup>3</sup> American Civil Liberties Union (6 September 2006) *Top Ten Abuses of Power since 9/11*: <http://www.aclu.org/safefree/general/26684res20060906.html>; Amnesty International (23 June 2006) *United States of America: Ending Guantánamo Bay Detentions*, 6.

<sup>4</sup> "U.S. Courts rejects Guantanamo Case", *BBC News*, 30 April 2007: <http://news.bbc.co.uk/2/hi/americas/6609251.stm>.

<sup>5</sup> American Civil Liberties Union (April 2006) *Enduring Abuse: Torture and Cruel Treatment by the United States at Home and Abroad – A shadow report by the American Civil Liberties Union prepared for the United Nations Committee Against Torture on the*

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<sup>7</sup> "Abu Ghraib Tactics were first Used at Guantanamo", *Washington Post*, 14 July 2005: <http://www.washingtonpost.com/wp-dyn/content/article/2005/07/13/AR2005071302380.html>.

<sup>8</sup> "'Religious Abuse' at Guantanamo", *BBC News*, 10 February 2005: <http://news.bbc.co.uk/2/hi/americas/4255559.stm>.

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<sup>10</sup> Amnesty International (Spring 2004); Hong, C. (18 May 2004) "When Will the U.S. Military Tackle the Problem of Sexual Abuse?": [http://dir.salon.com/story/mwt/feature/2004/05/18/military\\_assault/index.html](http://dir.salon.com/story/mwt/feature/2004/05/18/military_assault/index.html).



*“The next day on June 11, 2002 Nan Bway Poung was released. After she arrived back home she told her husband and her father-in-law that about 20 Burmese soldiers at Pab Klaw Hta SPDC troops’ camp raped her. She said, ‘I was raped by the column commander Captain Ye Htut first, then he ordered his soldiers to rape me.’ Captain Ye Htut also said to his soldiers, ‘You all must rape that woman; those who refuse to rape will be shot and killed.’ Nan Bway Poung was very ashamed and said, ‘I am not willing to live in this world anymore.’ Then before anybody noticed, she drank poison and committed suicide the same evening she arrived back.”*

Nan Bway Poung’s Story<sup>1</sup>

This report includes profiles of eight countries in Asia that experienced “war”, as classified by the UCDP/PRIO Armed Conflict Dataset, between 1987 and 2007: Afghanistan, Burma/Myanmar, Cambodia, India, Nepal, Philippines, Sri Lanka and Tadjikistan. It also profiles sexual violence during the recent conflicts in East Timor, Indonesia, Papua-New Guinea and Solomon Islands. Whilst these latter conflicts did not meet the UCDP/PRIO criteria of at least 1,000 battle-related deaths in a given year, there is significant evidence of conflict-related sexual violence in the countries concerned. Sexual violence has taken many different forms in conflicts across this vast region, ranging from East Asia and the Pacific to Central Asia and South Asia, and it is difficult to identify any common patterns across Asia. However, some particularities do emerge as regards the use of female combatants, and the grave problem of human trafficking.

Large numbers of women have joined guerrilla groups in the conflicts in Nepal and Sri Lanka, as combatants and in other roles. In Nepal, women account for nearly 40 per cent of the “People’s Liberation Army”.<sup>2</sup> Some are in leadership positions and there are a number of all-women armed units. The Sri Lankan Liberation Tigers of Tamil Eelam (LTTE) guerrilla group has significant numbers of female combatants, estimated to range from between 15 per cent to one third of its core combat strength.<sup>3</sup> Women are represented in the LTTE central committee. Notoriously, many LTTE female combatants have become suicide bombers. Whether or not the participation of women in guerrilla groups is emancipatory may be contested, especially in cases where it may expose women to exploitation and violence. However, among the

reasons why women join guerrilla groups like the LTTE is to seek protection against sexual violence.<sup>4</sup> Meanwhile, in India, women have gained prominence as fighters in state security forces. The United Nation’s first all-female peacekeeping contingent, deployed in Liberia, is made up of 103 Indian women from India’s Central Reserve Police Force.

The problem of trafficking of women, girls and boys for sexual exploitation is global, but particularly serious in a number of Asian countries, including Afghanistan, Burma/Myanmar, Cambodia, Nepal, Philippines, Sri Lanka and Tadjikistan. As the Committee on the Elimination of Discrimination against Women has stated: “Wars, armed conflicts and the occupation of territories often lead to increased prostitution, trafficking in women and sexual assault of women.”<sup>5</sup> Trafficking of women for sexual exploitation increased during the armed conflict in Nepal, with many women sent to brothels in India. An influx of international peacekeeping and humanitarian personnel may trigger a growth in prostitution to meet the perceived or actual demand for sex, as was the case in Cambodia.

## Endnotes

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# AFGHANISTAN

## Conflict summary

Afghanistan's strategic position between the Middle East, Central Asia and the Indian subcontinent has long been fought over. The country became a key Cold War battleground after the Soviet invasion in 1979. Following the Soviet troop withdrawal in 1989, factional fighting between different ethnic groups and clans resulted in ongoing chaos. In 1996, the Taliban, a group of Islamic scholars with a repressive, fundamentalist interpretation of Islam, took power. Taliban decrees greatly restricted women's movement, behaviour, and dress, controlling virtually all spheres of women's lives. In public, women were required to wear the chador and to be accompanied by a close male relative at all times, or risk violent punishment. Girls over eight years old were not permitted to attend school.<sup>1</sup>

The dire situation of Afghan women was used to legitimise the United States-led invasion of Afghanistan in 2001; however, the lives of Afghan women have improved only marginally since.<sup>2</sup> Despite the continued NATO presence, the security situation in Afghanistan remains precarious, particularly for women and children.<sup>3</sup> Many girls still cannot go to school owing to security constraints.<sup>4</sup> Harassment, violence, illiteracy, poverty and extreme repression continue to characterize the daily lives of many Afghan women, especially those living outside of Kabul.<sup>5</sup>

## Sexual violence

Sexual violence against women was an endemic feature of the post-Soviet rule of the Mujahideen, and was used to expel and oppress communities.<sup>6</sup> In the years following the Taliban takeover, rates of sexual violence were perceived to have decreased, but human rights organisations documented ongoing sexual violence, including rape, abductions and forced marriage, carried out both by the Taliban and the United Front.<sup>7</sup> Human Rights Watch reported systematic attacks by the Taliban on ethnic minority communities, including sexual assault and abduction of women.<sup>8</sup> There were also reports of sexual violence against Afghan women and children in refugee camps.<sup>9</sup>

In post-Taliban Afghanistan, sexual violence continues. Sexual violence committed by police, military forces and former fighters, including during

robberies and attacks on homes by soldiers, have been reported. In 2002 and 2003, Human Rights Watch documented a number of cases involving the abduction and rape of boys by regional Afghan commanders and soldiers.<sup>10</sup> Sexual violence has also been committed against women activists, teachers and other women wanting to participate in public life.<sup>11</sup> Women in Afghanistan who report rape risk being accused of adultery, and even fined or imprisoned. Persistent sexual violence against women is considered to be a cause of the sharp increase over the last few years in the number of Afghan women attempting suicide by setting fire to themselves, or who are murdered in so-called "honour killings".<sup>12</sup>

Afghan women and girls have been kidnapped, lured by fraudulent marriage proposals, or sold into forced marriage and commercial sexual exploitation in Pakistan. They have also been trafficked as a part of the settlement of disputes or debts, as well as for forced marriage and labour, and sexual exploitation.<sup>13</sup>

In 2005, the Afghanistan Independent Commission on Human Rights published a report drawn from a nationwide survey of 4,151 men and women and 2,000 focus group participants. More than two thirds of survey respondents said they or an immediate family member had been a direct victim of human rights violations in the last two decades. 394 respondents said that they had been subjected to forced marriage. 635 instances of rape of women and children were reported.<sup>14</sup>

In 2006, the Commission registered 1,651 cases of sexual and gender-based violence, including 213 cases of forced marriage, 106 cases of self-burning, 50 cases of murder, 41 cases of girls being traded off for various reasons, and 34 cases of rape.<sup>15</sup>

A UNIFEM fact sheet on Afghanistan cites the Ministry of Women's Affairs, which registered 1,953 cases of sexual and gender-based violence in 2006, including 612 forced marriages, 250 beatings, 60 murders, 44 instances of self-burning, and 31 rapes.<sup>16</sup>

## Endnotes

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- <sup>7</sup> Ward, J. (2002), 47; Human Rights Watch (October 2001), 6.
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- <sup>9</sup> United Nations Commission on Human Rights, "Integration of the Human Rights of Women and the Gender Perspective: Mission to Pakistan and Afghanistan", *Report of the Special Rapporteur on Violence against Women, its Causes and Consequences, Ms. Radhika Coomaraswamy, Addendum*, E/CN.4/2000/68/Add.4, 13 March 2000, §54; Women's Commission for Refugee Women and Children (January 2002) *Fending for Themselves: Afghan Refugee Children and Adolescents Working in Urban Pakistan, Mission to Pakistan*, 2.
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## BURMA / MYANMAR

### Conflict summary

Within months of becoming independent from Britain in 1948, civil war broke out in Myanmar (formerly called Burma). Conflict between the military government and ethnic insurgency groups in the provinces of Shan, Karen, Karenni, Rakhine, Mon, and Chin, among others, has been ongoing since.<sup>1</sup> During large-scale anti-insurgency campaigns targeting civilians, government forces looted and destroyed homes and property, forcibly relocated village residents to sites under army surveillance, and committed torture, extrajudicial killings and sexual violence.<sup>2</sup> As of October 2006, there were 140,000 registered Myanmar refugees in Thailand, and at least 500,000 internally displaced people in the east of the country.<sup>3</sup>

An estimated 70,000 child soldiers serve in the national army and child recruitment continues. Non-state armed groups have also recruited child soldiers.<sup>4</sup>

### Sexual violence

Systematic sexual violence by the military, the police and border guards utilised as part of the government's anti-insurgency tactics, has been documented.<sup>5</sup> Acts of sexual violence are often perpetrated or ordered by military commanders, who seem to act with total impunity. In 2004, the government cut off support for army troops and authorised them to survive on locally generated revenue. This led to an increase in looting, forced labour, and sexual violence.<sup>6</sup>

Women and girls from different ethnic groups report similar stories of sexual violence, including rape and gang rape, sexual slavery, forced marriage, forced pregnancy, genital penetration with knives and other objects, and mutilation of breasts and genitals.<sup>7</sup> Women are forced to work as porters for the army and are reported to be raped frequently.<sup>8</sup> Acts of sexual violence occur mainly during the forced relocation of people, within and outside relocation sites, during detention and torture, and during internal flight and displacement to Thailand.

Sex-trafficking among refugees along the Thai border has also been reported.<sup>9</sup>

Despite the regime's denials and attempts to stifle access to information since 2002, reports of sexual violence by the military have been widely documented by local human rights and women's groups. However, their reports state that the data collected vastly underreports the true extent of acts of sexual violence.<sup>10</sup>

The Women's League of Burma documented 26 cases of rape and gang-rape violence committed in different regions and in different contexts: during detention on military bases, forced labour, in fields, or in women's and children's homes. 17 of these cases were committed by senior military officers or authorities, or with their complicity.<sup>11</sup>

In 2002 the Shan Human Rights Foundation and The Shan Women's Action Network published a report documenting 173 incidents of sexual violence involving 625 girls and women in Shan state between 1996 and 2002. 83 per cent of the assaults were committed by Tatmadaw (Myanmar army) officers.<sup>12</sup>

In its statement to the 61<sup>st</sup> Session of the United Nations Commission on Human Rights, the Asia Pacific Forum on Women, Law and Development reported that in Shan state alone, 188 women and girls were raped by Burmese soldiers from 43 battalions. Of these women, 65 per cent were gang-raped, 58 per cent were raped by ranking officers, 26 per cent were detained as sex slaves, 18 per cent were killed after rape, some brutally tortured before being killed, and at least 30 per cent were under 18 (the youngest was 8 years old).<sup>13</sup>

The Palaung Womens' Organisation accused the military of sexual violence against 3 Palaung women in Shan state on 25 October 2006.<sup>14</sup>

Refugee International published research in 2003 focusing on rapes perpetrated against women other than those of Shan origin. In 26 interviews information about 39 rapes and 4 attempted rapes was collected. Based on anecdotal evidence, the research findings indicated several thousand women and girls had been sexually assaulted and raped by Burmese soldiers.<sup>15</sup>

The Karen Women's Organisation reported 125 cases of sexual violence committed in Karen state between 1988 and 2004 - half of them by high-ranking military officers.<sup>16</sup>

## Endnotes

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- <sup>6</sup> Women's League of Burma (2004), 5.
- <sup>7</sup> Ward, J. (2002) *If not now, when? Addressing Gender-based Violence in Refugee, Internally Displaced, and Post-conflict Settings: A Global Overview*, New York, RHRC, 54; Women's League of Burma (2004), 10-21.
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# CAMBODIA

## Conflict summary

Cambodia gained independence in 1953, and became a monarchy under King Sihanouk. After being deposed in a coup in 1970, Sihanouk aligned with the communist guerrillas, the Khmer Rouge. Five years later, the Khmer Rouge led by Pol Pot occupied Phnom Penh, declaring it “Year Zero”. The “reign of terror” from 1975 to 1979 killed an estimated 1.7 million people.<sup>1</sup> In 1979 Vietnamese forces occupied Phnom Penh, and Pol Pot and Khmer Rouge forces fled to the border region with Thailand. Cambodia was plagued by guerrilla warfare throughout the 1980s, and fighting of varying intensity continued until 1998.<sup>2</sup>

A peace agreement was signed in 1991 and led to a United Nations Transitional Authority sharing power with various Cambodian factions. In 1992, over 22,000 peacekeeping troops, administrators and electoral registration officers arrived in Cambodia.<sup>3</sup>

## Sexual violence

The Khmer Rouge regime was notorious for the scale of its human rights abuses, including many forms of sexual violence, committed during its rule. Women were subject to rape by Khmer Rouge officials from 1975 to 1979, and rape and looting were also frequently committed by the Royal Cambodian Armed Forces.<sup>4</sup> Rape and other forms of sexual torture were reportedly inflicted on female prisoners by the Khmer Rouge.<sup>5</sup> Cambodian women refugees fleeing to Thailand were also often victims of sexual violence, either during their flight or in Thai refugee camps.<sup>6</sup>

A number of studies documented sexual violence perpetrated by UN peacekeepers in Cambodia.<sup>7</sup> According to a book by UN employees released in 2004, Bulgarian peacekeepers, former inmates without proper military training, raped Cambodian women during their mission.<sup>8</sup> The arrival of UN peacekeepers also led to an increase in HIV/AIDS and the number of sex workers in the capital.<sup>9</sup>

Trafficking of women and girls for the purpose of sexual exploitation has been a serious problem ever since the end of the conflict.<sup>10</sup>

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*Cambodian children in a refugee camp along the Thai-Cambodian border. During their flight or in refugee camps in Thailand, refugees have often been subjected to sexual violence or trafficking for the purpose of sexual exploitation.*

In a survey conducted by International Family Planning Perspectives from May to August 1998 among 102 randomly selected Cambodian women refugees in Khao Phlu camp in Thailand, 30 per cent of those interviewed stated that they knew of women who had been forced into trading sex for food, money or protection. 16 per cent said that either they or someone they knew had been raped at the camp.<sup>11</sup>

In the years after the arrival of UN peacekeeping troops in 1992, the rate of HIV/AIDS is estimated to have increased ten-fold. At least 150 UN soldiers were known to be HIV-positive. The stationing of the peacekeepers also led to an increase in the number of commercial sex workers in Phnom Penh from 6,000 in 1992 to 20,000 in 1993.<sup>12</sup>

## Endnotes

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## EAST TIMOR

### Conflict summary

Shortly after Portugal withdrew from East Timor in 1975, Indonesian occupation began and groups fighting for independence were oppressed.

Indonesia finally agreed to hold a referendum on the status of East Timor in 1999, which resulted in an overwhelming vote for independence, despite widespread and violent intimidation by militia loyal to Indonesia.<sup>1</sup> In the aftermath, pro-Indonesian militia groups, backed by Indonesia, launched a reprisal campaign which killed and displaced thousands until the violence was brought under control by UN peacekeepers.<sup>2</sup> East Timor became an independent nation in 2002. A Commission for Reception, Truth and Reconciliation was established to inquire into human rights violations that occurred between 25 April 1974 and 25 October 1999.<sup>3</sup>

### Sexual violence

Since the beginning of their occupation of East Timor, and after the 1999 referendum, Indonesian troops and Indonesian-backed militia committed widespread human rights abuses, including torture, executions, forced disappearances and rape.<sup>4</sup>

The Commission for Reception, Truth and Reconciliation in East Timor documented widespread sexual violence. During the period of Indonesian occupation, women and girls were exposed to sexual harassment, sexual torture involving the insertion of objects into vaginas or the burning of genitals, rape, sex slavery and forced prostitution servicing Indonesian troops or pro-Indonesian militia. Rapes occurred during attacks, or in military compounds.<sup>5</sup> Women suspected of supporting pro-independence groups and women in rural areas were at particular risk. Some women were subjected to forced sterilisation and were forced to use contraceptives.<sup>6</sup>

Data gathered by the Commission showed a sharp increase in rape cases in 1999, both before and after the referendum. “Members of the Indonesian security forces and the militias under their control raped the wives, sisters and daughters of the absent men whom they sought to kill because of their support for the independence movement,” the Commission stated.<sup>7</sup>

Thousands of women are thought to have been trafficked into West Timor to serve as sex slaves.<sup>8</sup>

While the majority of victims of sexual violence were women, there were also reports of sexual violence against men in detention.<sup>9</sup>

Sexual exploitation and abuse committed by peacekeepers was also reported.<sup>10</sup>

The Commission for Reception, Truth and Reconciliation in East Timor documented 853 incidents of sexual violations. Rape was the most commonly reported sexual violation, totalling 46.1 per cent, or 393 of the 853 cases documented. Sexual harassment and other acts of sexual violence comprised 27.1 per cent of the cases, and 26.8 per cent involved sexual slavery. 93.3 per cent of the total number of violations documented were allegedly committed by Indonesian security forces and auxiliaries.<sup>11</sup>

In a survey conducted by the Reproductive Health Response in Conflict Consortium, 22 per cent of the 287 women interviewed said that they had experienced sexual violence perpetrated by someone outside the family during the 1999 crisis (compared to 9.7 per cent in the post-crisis period).<sup>12</sup>

From late 1999 to the end of 2000, the Communications Forum for East Timorese Women identified and assisted 182 women and children survivors of siege-related violence in East Timor’s 13 districts.<sup>13</sup>

The East Timorese Women Against Violence organisation identified and worked with 232 survivors of sexual abuse perpetrated by the military and the militia before and during the siege of 1999.<sup>14</sup>

## Endnotes

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# INDIA

## Conflict summary

India has experienced ongoing internal armed conflict over the last two decades, including struggles against Maoist and Communist groups, known as the “Naxalite conflict“, and over the territories of Assam, Bodoland, Manipur, Nagaland, Punjab/Khalistan and Tripura.<sup>1</sup> Sexual violence came to the fore particularly in relation to the violence in Gujarat, and the Kashmir conflict.

The conflict in Kashmir between India and Pakistan has its origins in the state’s disputed accession to India, following independence in 1947. Violence erupted there in 1965, 1989 and again in 2001. A ceasefire was established in 2003, but violence continues. Government sources estimate that there have been 40,000 casualties since 1989; while separatists claim that the real number is over 80,000.<sup>2</sup> After 1989, over 100,000 people, mainly Hindus, fled the area.<sup>3</sup>

In Gujarat, violence against the Muslim minority flared in 2002, when a train accident was ascribed to a planned attack by local Muslims on Hindus. This resulted in Hindu mobs targeting members of the Muslim minority in the state, killing between 800 and 2,000 people. State authorities have been accused by some observers of failing to prevent or stop human rights violations during this conflict.<sup>4</sup>

## Sexual violence

Reports indicate that in their efforts to crush the militant separatist movement in Kashmir, both Indian security forces and paramilitary groups systematically committed human rights violations, including sexual violence.<sup>5</sup> Indian security forces reportedly raped women in Kashmir during search operations, attacks on villages, during reprisal attacks and in places of detention.<sup>6</sup> One much-publicised incident was an attack on a wedding party and the rape of the bride and another woman by Indian border security forces in 1990. Kashmiri militant groups also committed rape.<sup>7</sup> Sexual violence committed by Pakistani security forces against Kashmiri detainees in Azad Kashmir has also been reported.<sup>8</sup>

The Indian security forces allegedly used rape as a form of retaliation for militant attacks. Women were raped and killed after being held hostage in exchange

for male relatives.<sup>9</sup> There have also been reports of women and girls abducted and brought to soldiers’ camps, where they were held for sexual slavery and often killed.<sup>10</sup> While most victims seem to be women, reports exist of sexual violence against men, mainly as a form of torture.<sup>11</sup>

A large number of Indian women’s organisations and international human rights organisations have documented the rape, torture and killings perpetrated in communal violence in Gujarat during 2002.<sup>12</sup> Muslim women and girls were reportedly stripped and dragged naked in front of their families and raped or gang-raped, beaten, had breasts cut off, wombs slit open by sword and rods violently pushed into their vaginas before a large number of them were cut into pieces or burned to death.<sup>13</sup>

Sexual violence was also reportedly committed by vigilante groups and police in the Naxalite conflict, while paramilitaries in the state of Manipur were accused of raping women.<sup>14</sup>

According to Amnesty International, several hundred Muslim women and girls were victims of sexual violence during the Gujarat massacre in 2002. Between 250 and 330 women and girls were among the dead. Most of them had been raped.<sup>15</sup>

The Association of Humanitarian Lawyers reported to the United Nations Commission on Human Rights in 1996 that rape of Kashmiri women was widespread. The report cited 200 verified rapes in the Doda region in January 1994 alone.<sup>16</sup>

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# INDONESIA

## Conflict summary

Indonesia has seen great turmoil in recent years, having faced the Asian financial crisis, the fall of President Suharto in 1998 after 32 years in power, the conflict in East Timor, and demands for independence from a number of provinces, most notably Aceh and Irian Jaya (West Papua). The 2004 tsunami had a disastrous impact on the country, in particular in Aceh and Sumatra.

In August 2005, the Indonesian government and rebels from the Free Aceh Movement signed a peace accord aimed at ending a conflict that had lasted for nearly 30 years, killing an estimated 15,000 people, most of them civilians. The first direct elections in Aceh province were held in December 2006.

Ethnic and religious tensions simmer throughout the country. Militant Islamists, including the group blamed for the 2002 Bali bombings which killed 202 people, are accused of having links with al-Qaeda.<sup>1</sup>

## Sexual violence

There have been reports of sexual violence related to the internal conflict and political unrest in Aceh, Irian Jaya, Maluku and Sulawesi.

In Aceh, women suffered sexual violence, torture, detention and forced recruitment into fighting forces.<sup>2</sup> Often, such acts were committed during night raids on rural homes to intimidate the community or to search for rebels.<sup>3</sup> Security forces compelled women suspected of supporting the rebels to strip in order to search for tattoos on their bodies.<sup>4</sup>

In Irian Jaya, the Robert F. Kennedy Memorial Center for Human Rights and the Institute for Human Rights Studies and Advocacy documented cases of rape, sexual slavery and other sexual violence against local indigenous women and girls, often committed in public by the Indonesian military.<sup>5</sup> It is alleged that for the anniversary of the proclamation of independence (in the context of pro-independence demonstrations in 1998) the Indonesian army took women onto navy ships where they were raped, sexually mutilated and thrown overboard, and their mutilated corpses washed up on the coast.<sup>6</sup>

During detention, sexual violence was allegedly used by the Indonesian army as a method of torture in Aceh and Irian Jaya.<sup>7</sup>

Sexual violence was also reported against refugees and internally displaced people in Aceh, Ambon, West Kalimantan, and West Timor.<sup>8</sup>

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*Teenage students were taken hostage by fighters from the "Free Aceh Movement". The nine hostages were released on 22 April 2002.*

The Institute for Policy Research and Advocacy, ELSAM, reported 160 cases of female victims of sexual violence in Aceh, between 1989 and 1998.<sup>9</sup>

## Endnotes

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# NEPAL

## Conflict summary

Nepal has been ruled by a hereditary monarchy for most of its history. After protests throughout the 1980s, multi-party democracy was re-established in 1990. Since 1996, Maoist rebels have led an insurgency against the royalist government, seeking to form a People's Republic. After a ceasefire collapsed in 2003, the insurgency reached its most violent phase.<sup>1</sup>

In 2006, the parliament took command over the army and the Maoists signed a peace accord, declaring a formal end to the 10-year insurgency. The conflict is said to have left more than 13,000 people dead and displaced up to 200,000 others since 1996.<sup>2</sup> Local child rights NGOs estimate that up to 30 per cent of the 30,000 Maoist combatants are minors.<sup>3</sup> In early 2007 the Maoists joined an interim government.

Maoist ideology highlights the importance of the role of women in the movement and there is a high level of female participation, with some women in leadership positions and some all-women companies.<sup>4</sup>

## Sexual violence

Nepal's internal conflict was marked by brutal human rights abuses, committed by both sides. Security forces reportedly killed, tortured or raped women suspected of supporting armed opposition groups.<sup>5</sup> Certain socially marginalised communities were particularly targeted by security forces, such as the poor and landless, the dalits and Tharu and Magar ethnic minorities.<sup>6</sup> Although less frequent, there have also been reports of sexual violence committed by Maoist rebels.<sup>7</sup>

The Report of the Secretary-General on children and armed conflict in Nepal documented cases of sexual violence against children who were abducted, sexually assaulted or raped by security forces or rebel fighters.<sup>8</sup>

Human Rights Watch reported a campaign of "sexual cleansing" in Kathmandu in which the police regularly assaulted and sexually abused lesbians, gays, bisexual and transgender individuals in self-proclaimed support of "moral" values.<sup>9</sup>

Sexual violence committed against Bhutanese refugees living in Nepal was also reported.<sup>10</sup>

Trafficking in human beings for the purpose of sexual exploitation increased during the conflict and remains a serious problem in Nepal.<sup>11</sup>

An analysis of violence against women and girls in Nepal conducted in 1997 by SAATHI, an anti-trafficking NGO, and The Asia Foundation reported that among 1,250 respondents, 95 per cent attested to having first hand knowledge of incidents of violence against women. In 77 per cent of the cases, the perpetrators were said to be family members. Beating was the most common form of physical violence (82 per cent), followed by rape (30 per cent) and forced prostitution (28 per cent).<sup>12</sup>

During 2004 and until September 2005, 178 allegations of rape and 26 allegations of attempted rape were filed in court. A survey conducted by SAATHI found that 39 per cent of rape victims who reported the crime to police were under the age of 19.<sup>13</sup>

UNHCR reported 157 incidents of sexual violence in Bhutanese refugee camps in 2004 alone.<sup>14</sup>

The International Labour Organization estimated in 2001 that 12,000 women and children were trafficked every year from Nepal. Some NGOs estimated that number to be as high as 30,000. The Ministry of Women, Children and Social Welfare stated that between 5,000 and 7,000 Nepalese women were sent to brothels in India every year.<sup>15</sup>

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# PAPUA NEW GUINEA

## Conflict summary

Papua New Guinea became fully independent in 1975. The same year, the province of Bougainville voted to secede. A civil war between the central government and Bougainville separatist groups, raged between 1989 and 1997. Between 10,000 and 20,000 were killed, representing about 10 per cent of Bougainville's population.

After the signing of a truce in October 1997, a peace process initiated in the years that followed led to a ceasefire in January 1998 and the Bougainville Peace Agreement of 2001. This comprehensive settlement provided for large autonomy for Bougainville and a referendum, in 10 to 15 years, on independence. In 2005, an autonomous government was elected in Bougainville.<sup>1</sup>

## Sexual violence

Many reports were published about human rights violations and sexual violence during the conflict. Violations were committed both by the Bougainville Revolutionary Army and the Papua New Guinean security forces.<sup>2</sup> Many women and girls were raped, resulting in unwanted pregnancies and unsafe abortions.<sup>3</sup> Acts of sexual violence occurred in various settings: at home, in camps or so-called "care centres" set up by the Papua New Guinea government, and during the resettlement period.<sup>4</sup> One researcher described Bougainville as "a once low-rape society (that) became a high-rape society".<sup>5</sup>

Women's groups played an important role in initiatives to end the violence and promote peace.<sup>6</sup> As Helena Hakena, the Director of the Leitana Nehan Women's Development Agency reports: "Women were able to organise themselves and talk to the armed forces on the island to lay down arms."<sup>7</sup>

Elsewhere in Papua New Guinea, it was reported that acts of torture and sexual violence were perpetrated against women, men and children by the police force at checkpoints, or during detention.<sup>8</sup>

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*Resistance fighters from the Bougainville Revolutionary Army arrive at the signing of the cease-fire Agreement. During the brutal civil war rape of women and girls was widespread.*

The Leitana Nehan Women's Development Agency in Bougainville reported in 2002 that since its opening in 1992 over 1,000 women who were raped by soldiers have sought help from the agency.<sup>9</sup>

Even in the post-conflict setting, violence against women in Bougainville is not over. The Leitana Nehan Women's Development Agency reported in 2001 that during the previous year there had been a strong increase in the number of clients seeking counselling services: there were 458 cases of rape, domestic violence, child abuse and other forms of sexual violence.<sup>10</sup>

In a 1993 study conducted by the Papua New Guinea Medical Research Institute, 55 per cent of women interviewed said that they had been forced into sex against their will. Half of the married women who participated in the study said they had been forced into sex by their husbands either by beatings or threats. In the same study, men interviewed described gang rape as common practice, and 60 per cent of them said they had participated in such acts.<sup>11</sup>

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# PHILIPPINES

## Conflict summary

The Philippines has been plagued by separatist conflicts over the last three decades.<sup>1</sup> On the southern island of Mindanao, the Moro Islamic Liberation Front (MILF) has been fighting for decades to become an Islamic state separate from this mainly Catholic country. This led to conflict in 2000, displacing over 400,000 people.<sup>2</sup> Other Muslim separatists, notably the Abu Sayyaf group on Jolo, have a history of violence towards hostages, and the government has declared all-out war on the rebels.<sup>3</sup> The conflicts have claimed more than 120,000 lives. Ceasefire negotiations between the government and the separatists have been underway since 1996, but have repeatedly broken down amidst continuing sporadic violence.<sup>4</sup>

## Sexual violence

Both the Philippine army and the separatist groups have been accused of human rights violations and sexual violence. Reports of torture and sexual violence against female prisoners are common.<sup>5</sup> Women and men are brought to secret detention centres, so-called “safe houses“, where they are frequently subjected to torture, rape and other forms of sexual violence. Acts of sexual violence are also committed by members of the armed forces in the course of counter-insurgency operations. In many cases, women are targeted in connection with their activities or because they have been labelled as sympathisers of an armed opposition group.<sup>6</sup>

The Philippines is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labour.<sup>7</sup>

DCAF has no knowledge of the existence of published quantitative data referring to sexual violence committed in the various conflicts in the Philippines.

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*Filipino Muslims of a village in North Cotabato province. During the yet unresolved conflicts between the Philippine military and various Muslim separatist groups in the southern Philippines, all sides have been accused of human rights violations and sexual violence.*

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# SOLOMON ISLANDS

## Conflict summary

The Solomon Islands, a former British protectorate, gained independence in 1978.<sup>1</sup> Ethnic tensions, linked to resentment by Guadalcanal Island people of the influence and occupation of land by settlers from Malaita and other islands, escalated into fighting in 1998 in Guadalcanal.<sup>2</sup> By the end of 1998, a Guadalcanal militant group, the Isatabu Freedom Movement (IFM), had formed, and by mid 1999, about 20,000 settlers had been evicted from the island of Guadalcanal by the IFM. In response, Malaitans formed a militant group named the Malaita Eagle Force (MEF) and quickly developed a strong presence in the Honiara, the capital of Solomon Islands located on Guadalcanal Island. The MEF staged a coup in 2000, forcing the prime minister to resign.<sup>3</sup> A third group, the Guadalcanal Liberation Front (GLF), refused to participate in the Australian-brokered peace deal signed in October 2000.

An Australian-led peacekeeping force (RAMSI) arrived in July 2003.<sup>4</sup> Women negotiators took on the go-between role, which is a traditional method of conflict resolution in the Solomon Islands, convincing the different groups to lay down their weapons. This conflict was also affected by the hostilities in Bougainville due to the abundance of available weapons.<sup>5</sup>

## Sexual violence

From the onset of the conflict in the Solomon Islands, the civilian population was purposefully targeted with sexual violence, and both sides committed violations of human rights.<sup>6</sup> The GLF used the effect of publicity about its brutal attacks on Malaitan settlers, including rape, to displace people. Members of the MEF and Malaitan police forces raped Guadalcanal women in revenge. Some villages were turned into camps during the conflict and women and girls held there were raped repeatedly, used as sex slaves or forced into marriage. Some female police officers also reported being raped by their colleagues during the conflict.<sup>7</sup>

After the arrival of RAMSI troops, unverified reports of sexual exploitation and abuse by RAMSI personnel have emerged.<sup>8</sup>

A health survey was conducted during the conflict in 2002 among 300 Solomon Islanders (women and men). It found that the majority of interviewees knew of someone who had been raped. Just under half had witnessed a gang rape, and more than half (including females) said they “had participated in long line rape [gang rape]”. According to Amnesty International, the detailed findings of this report were not published, due to its sensitivity.<sup>9</sup>

According to police, a record number of rape cases were reported to the police in the post-conflict period from January to June 2004.<sup>10</sup>

In interviews conducted by Amnesty International in April 2004 in one village of less than 200 persons, at least 16 women and girls reported being raped or otherwise abused.<sup>11</sup>

Data collected by Amnesty International in April 2004 showed that of 55 women and girls who lived on the western Weathercoast during the conflict and gave individual testimony, 19 reported being raped by forces occupying or raiding their village. The age of the rape victims ranged from 11 years old at the time and the oldest was 60 years when interviewed. Thirteen victims were teenagers. Twelve said they were raped by the GLF, and seven by members of the Police (including police officers whose ranks and names were identified). Of the five women and girls who were gang raped, one had a complicated pregnancy after being raped by 10 identified members of a police operation.<sup>12</sup>

The Family Support Centre reported an increase in the demand for its services after the crisis began: 71 clients in 1997, approximately 200 each year from 1998 to 2001, and 676 in 2002.<sup>13</sup>

## Endnotes

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- <sup>7</sup> Amnesty International (8 November 2004), 23, 26, 31; U.S. Department of State (23 February 2001) *Country Reports on Human Rights Practices: Solomon Islands*, section 5.
- <sup>8</sup> Pacific Islands Forum Secretariat (March 2004) *Social Impact Assessment of Peace Restoration Initiatives in Solomon Islands*, DFID, 37.
- <sup>9</sup> Amnesty International (8 November 2004), 26.
- <sup>10</sup> Amnesty International (8 November 2004), 28.
- <sup>11</sup> Amnesty International "Violence against women in armed conflict situations across the Asia-Pacific region", *Asia Pacific Link* 8.
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## SRI LANKA

### Conflict summary

For most of the past 25 years Sri Lanka has suffered conflict, pitting the secessionist Tamils and the main Tamil organisation, the Liberation Tigers of Tamil Eelam (LTTE), against the government. There have been a number of attempts to resolve the conflict and a ceasefire signed in 2002 remains officially in place, but it has been undermined by ongoing violence. In 2006 violence escalated again and peace talks failed.

The conflict has killed at least 100,000 people in both the north and the south, and displaced around 800,000 people.<sup>1</sup> Large numbers of Tamil women have participated as combatants in the conflict, some as suicide bombers.<sup>2</sup>

### Sexual violence

Women have suffered many forms of violence in this ongoing conflict, including sexual violence.<sup>3</sup> Incidents of sexual violence by police, navy and army (both Sri Lankan and Indian) personnel against women in custody or at checkpoints, or during displacement, reportedly increased in 2000 and 2001.<sup>4</sup> The number of women suicide bombers from the LTTE made Tamil women the target of security checks, arbitrary arrest and detention, during which they were often subjected to sexual violence, including torture and rape.<sup>5</sup> Sri Lankan security forces allegedly often used rape as a means of forcing women to sign confessions stating that they were members of the LTTE.<sup>6</sup> Even during the peace process, there were allegations of sexual harassment at military and police checkpoints.<sup>7</sup>

Sexual violence by the LTTE is allegedly rare, and relationships between the sexes within the LTTE are generally prohibited.<sup>8</sup> However, the LTTE and armed groups backed by the government, such as the Karuna group, have been denounced for their use of child soldiers and their exploitation for labour and sexual purposes.<sup>9</sup> Inversely, it has also been reported that some child victims of physical and sexual abuse have sought refuge in the LTTE.<sup>10</sup>

The situation in Sri Lanka was aggravated by the tsunami of December 2004. At that time reports emerged of sexual violence against displaced people, and high levels of domestic violence in tsunami camps attributed to alcoholism and unemployment.<sup>11</sup>

Sri Lanka is a source country for women and children who are trafficked internally and to the Middle East, Singapore, Hong Kong and South Korea for the purposes of forced labour and sexual exploitation. Boys and girls continue to be victims of sexual exploitation by paedophiles in the sex tourism industry.<sup>12</sup>

Thirty-seven rapes committed by armed forces personnel were reported in the Sri Lankan press in 1998. As of 1999, 8 of these cases were still under police investigation, 22 were being inquired into by Magistrate's Courts, 2 cases were before the District Court and an additional 2 cases were pending before the High Court.<sup>13</sup>

In its Sri Lanka Monitor, the British Refugee Council noted that in the period February 1996 to July 1999, more than 45 cases of rape by soldiers in the North-East were reported.<sup>14</sup>

The Tamil Centre for Human Rights documented cases of Tamil women raped by the Sri Lankan armed forces in the North East of the island. On average, between 1996 and 2000 one Tamil woman was raped every 16 days, and every two months a Tamil woman was gang-raped and murdered by the Sri Lankan armed forces. Every three months a girl child was gang-raped.<sup>15</sup>

## Endnotes

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- <sup>3</sup> United Nations Commission on Human Rights, "Integration of the Human Rights of Women and the Gender Perspective: International, regional and national developments in the area of violence against women 1994-2003", *Report of the Special Rapporteur on Violence against Women, its Causes and Consequences, Ms. Radhika Coomaraswamy, Addendum 1, E/CN.4/2003/75/Add.1*, 27 February 2003, §1193.
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- <sup>7</sup> Sri Lankan Government's Secretariat for Co-ordinating the Peace Process (5 April 2003) "The Second Meeting of the Sub-Committee on Gender Issues", *SJI Press Release*.
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- <sup>9</sup> OMCT (January 2004), 60; "UN Advisor finds Sri Lanka's Children 'at Risk from all Sides' in the Bloody Conflict", *UN News Centre*, 14 November 2006: <http://www.un.org/apps/news/story.asp?NewsID=20606&Cr=sri&Cr1=lanka>; U.S. Department of State (2005) *Trafficking in Persons Report June 2005*, 200.
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- <sup>11</sup> Amnesty International (June 2006) *Sri Lanka: Waiting to go Home – the Plight of the Internally Displaced*.
- <sup>12</sup> U.S. Department of State (2005), 200.
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- <sup>15</sup> Oral intervention by Ms. Deirdre McConnell, Women Against Rape, during the 57<sup>th</sup> session of the UN Commission on Human Rights (United Nations Commission on Human Rights, "Commission on Human Rights hears Statements by NGOs on Violations of Human Rights of Women", *Press Release*, 57<sup>th</sup> Session, 10 April 2001).

# TAJIKISTAN

## Conflict

A former Soviet Republic, Tajikistan gained independence in 1991. Violence erupted after presidential elections were perceived as flawed and escalated into a civil war between the Moscow-backed government and the Islamist-led opposition. Although most fighting occurred between 1992 and 1993, the conflict officially ended only in 1997 with a UN-brokered peace agreement.<sup>1</sup> The conflict and its aftermath resulted in the deaths of over 50,000 people and led to a humanitarian catastrophe, with some 1.2 million people becoming refugees or IDPs.<sup>2</sup>

## Sexual violence

Sexual violence, including the raping of women in villages by armed groups, reportedly occurred during the civil war.<sup>3</sup> According to Sergei Andreyev, a research fellow at the Institute of Ismaili Studies in London, “women were specifically targeted by the Islamists in the Tajik conflict on ‘moral grounds’. Islamic behaviour and dress codes were brutally enforced, thus degrading and dehumanising women. Moreover, forced marriages and trafficking in human beings - mainly of young girls - became more acceptable during the war.”<sup>4</sup> Tajikistan is a major source country for trafficking of women and children for sexual exploitation.<sup>5</sup>

More than 1 in 3 of the women interviewed in a 1999 pilot survey carried out in Tajikistan by the World Health Organization reported being beaten by non-family members, in school and in the street, during their girlhood and adolescence. This included violence by militia during the armed conflict. Over 1 in 3 married women (47 per cent) reported being forced to have sex by their husbands, and 1 in 4 women (24 per cent) reported that someone had either attempted or succeeded in forcing them to have sex.<sup>6</sup>

According to information provided anonymously to the International Organization for Migration (IOM), Tajik officials claimed that in 2000 there may have been over 300 women from Tajikistan working in the sex business in the United Arab Emirates. An IOM study estimated that in 2000, over 1,000 Tajik women were trafficked, primarily to the Middle East and CIS countries.<sup>7</sup>

## End notes

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<sup>2</sup> IRIN “Our Bodies – Their Battle Ground: Gender-based Violence in Conflict Zones”, *Web Special*, September 2004, 25.

<sup>3</sup> Asian Development Bank (2000) *Women in Tajikistan: Country Gender Assessments*, 17; World Health Organization (2000) *Violence against Women: Report on the 1999 Pilot Survey in Tajikistan*, 5 footnote 6.

<sup>4</sup> IRIN (September 2004), 25.

<sup>5</sup> U.S. Department of State (2005) *Trafficking in Persons Report June 2005*, 210.

<sup>6</sup> World Health Organization (2000), 15.

<sup>7</sup> International Organization for Migration (2001) *Deceived Migrants from Tajikistan: A Study of Trafficking in Women and Children*, 12-13.



## INSANITY

It is not true  
 That I was raped  
 By a Battalion  
 Of the masked faces  
 Marching in the darkness  
 It is not true  
 That my body  
 Became a plastic doll  
 In the jaws  
 Of wolves  
 In a sudden angry eruption,  
 It is not true  
 That my soul was scared  
 By the clutches  
 Of the blinded beasts  
 In their one way journey,  
 It is not true  
 That my breasts  
 Were a chewing gum  
 Of some hungry bastards  
 In the midst of their game,  
 It is not true  
 That my father  
 My husband  
 Were ashamed to look at me  
 After the disaster,  
 It is not true  
 That my children watched  
 Under the sink  
 As my legs were broken,  
 It is not true  
 That monsters laughed at me  
 As they touched  
 My naked body,  
 It is not true  
 It is not true  
 That my head was shaved  
 To mark me as a loser,  
 It is not true  
 I am that woman  
 Trying to escape  
 The nightmare of a lost battle  
 That wasn't mine,  
 It is not true  
 I am alive!  
 I am beautiful!  
 Hear me!  
 See me!

*by Shqipe Malushi<sup>1</sup>*

Six European countries experienced armed conflict between 1987 and 2007: Azerbaijan, Bosnia and Herzegovina, Croatia, Georgia, Russia and Serbia (Kosovo). Some of these conflicts were or are associated with the collapse of the Soviet Union, and others with the break-up of Yugoslavia.

During the conflicts in the former Yugoslavia, sexual violence was used to terrorise and displace populations as part of a campaign of “ethnic cleansing”. It took seemingly new forms, with women and girls abducted into “rape camps”, where they were raped repeatedly until they became pregnant, and held to ensure they delivered a child born of rape; or held in domestic and sexual slavery for extended periods.<sup>2</sup> Sexual violence against men and boys – including forced stripping, injuries to sex organs, forced sexual intercourse, rape and castration – was also documented.<sup>3</sup> In some instances, men were victimised, even murdered, when they refused to commit sexual violence.<sup>4</sup> This challenges us to ask how many more men and boys are survivors of sexual violence but do not speak out; and why men refuse to commit sexual violence in certain circumstances, but do so in others.

Mertus suggests that Bosnia “was a turning point in international recognition of protection of women in conflict and in attempts by governments and aid workers to solve the problems of women and girls”.<sup>5</sup> Rape in war, in particular, became a matter of widespread discussion and concern in the media, among civil society groups and in international political fora during and in the years following the conflict. The International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda broke new ground in securing the first convictions for rape and other forms of sexual violence as war crimes, crimes against humanity and acts of genocide. Sexual violence was an important focus of the negotiations which led to the establishment of the Rome Statute of the International Criminal Court in 1998.

Since the early 1990s, awareness of sexual violence during conflict and documentation of such crimes increased. During the conflict in Kosovo in 1999, the international press focused heavily on sexual atrocities

committed against Albanian women and men. Whilst attention to sexual violence is necessary to mobilise protection and assistance, some commentators suggested that certain media outlets treated the issue in an overly sensational manner, which undermined rather than reinforced the survivors' dignity and privacy.<sup>6</sup> The World Health Organization has recently developed *Ethical and Safety Recommendations for Researching, Documenting and Monitoring Sexual Violence in Emergencies*, that provide important guidance in preventing further harm to survivors and their families and communities when documenting sexual violence.<sup>7</sup>

In contrast to the former Yugoslavia, much of the information on sexual violence committed in the armed conflicts in Azerbaijan, Georgia and Russia is anecdotal, and the issue has received little international attention. These countries of the former Soviet Union have been characterised by ethnic tension. In some cases, sexual violence has occurred at an intersection between ethnic and gender dynamics. In the Abkhazian conflict in Georgia and the Nagorno-Karabakh conflict in Azerbaijan, for example, women of specific ethnicities have been the target of sexual violence.

The lack of livelihood opportunities and the weakened rule of law in post-conflict environments make women and girls particularly vulnerable to sexual exploitation, and increase the vulnerability of men and women to being trafficked. Trafficking victims are often exposed to violent acts at the hands of traffickers, including rape and torture, as well as being forced into

prostitution and sexual slavery, detained, and prevented from accessing health, legal and other support services. Trafficking in human beings is a serious problem in countries of the former Soviet Union and the former Yugoslavia, and in Russia, and indeed links the two regions. It occurs within these countries, between countries in the two regions, and from these countries to other regions. According to the United Nations Office on Drugs and Crime (UNODC), Russia is one of the main countries of origin of people who are trafficked and is ranked "very high" on its global index of such countries. Georgia is also a major source country and is rated "high" on the same index, while Azerbaijan, Bosnia and Herzegovina, Croatia and Kosovo are considered "medium" countries of origin. Bosnia and Herzegovina, Croatia and Serbia are reportedly transit countries for people trafficked into Western Europe. Furthermore, apart from being source countries for trafficking, Bosnia and Herzegovina and Kosovo are also major *destination* countries for trafficking, including victims from Azerbaijan and Russia.<sup>8</sup>

Experience in Bosnia and Herzegovina and Kosovo has demonstrated how in post-conflict environments the presence of military and civil international staff may increase the "demand" for trafficked women and children. In Bosnia and Herzegovina local women's organisations have estimated that around 50 per cent of sex buyers at brothels are foreign citizens, and around 90 per cent of the women and girls at the brothels had been brought into the country by traffickers.<sup>9</sup>

## Endnotes

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<sup>7</sup> World Health Organization (2007) *Ethical and Safety Recommendations for Researching, Documenting and Monitoring Sexual Violence in Emergencies*.

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# A Z E R B A I J A N

## Conflict summary

During the early 1990s, Armenia and Azerbaijan were engaged in a violent conflict over the territory of Nagorno-Karabakh, which formally ended with a ceasefire signed in 1994. Still, in 1999, the Azerbaijan Commission for Military Hostages and Captives claimed that over four hundred Azeri women and children were amongst Azeris forcibly detained in Armenia.<sup>1</sup> About one-seventh of Azerbaijan's territory remains occupied.<sup>2</sup>

As of 2004, there were still 570,000 internally displaced persons and 225,000 refugees within Azerbaijan.<sup>3</sup> The Council of Europe reported in February 2002 that over 50 000 internally displaced persons were living in camps, 33,000 in pre-fabricated housing, 34,000 in earthen dugouts, 10,000 in train cars and the rest in dormitories without communal facilities, in public buildings, in unfinished buildings or in "other intolerable and inhumane conditions". Women accounted for 52.3 per cent of the people living in such conditions, and children for 34.6 per cent.<sup>4</sup>

## Sexual violence

There is little documentation on the violence that Azeri or Armenian women living in Azerbaijan experienced at the height of the Nagorno-Karabakh conflict. According to Ward, some internally displaced women have informally acknowledged that rapes were committed by Armenian soldiers during the conflict.<sup>5</sup> Human Rights Watch reported the repeated gang rape of two Azeri women by Armenian soldiers.<sup>6</sup> In the post-conflict period, refugee and internally displaced women in Azerbaijan remain at high risk of sexual violence.<sup>7</sup>

In its 2004 report to the United Nations Committee on Economic, Social and Cultural Rights on violence against women in Azerbaijan, OMCT noted that suicides are frequent among the victims of rape. OMCT highlighted the lack of protection and rehabilitation for rape victims, the lack of training for police officers in handling rape cases in a sensitive manner, and the risk that rape survivors face further violence when they seek assistance from the police.<sup>8</sup>

Human trafficking is also a serious problem in Azerbaijan: women are trafficked to India, Iran, Pakistan, Turkey and the United Arab Emirates for

sexual exploitation.<sup>9</sup> Victims of trafficking in Azerbaijan "most frequently are women who have been subjected to rape, which include the (so-called) dishonored girls, the victims of sexual solicitations in the workplace, single-mothers, and single-women who provide for their whole family, including often times their parents and children."<sup>10</sup>

The Asian Development Bank has noted that Azerbaijan's transition period has been characterised by "the increase of violence against women in its many forms, including sexual harassment in the workplace, assaults, rapes, and domestic violence (physical and emotional). Although the data are insufficient to determine the scope of the problem because large numbers of cases are unreported, the existing information paints a grim picture."<sup>11</sup>

A study undertaken in 2000 by the Centers for Disease Control and Relief International reported that 25 per cent of the 701 women surveyed had been forced to have sex (perpetrators unidentified) at some point in their life. Refugee and IDP women were most at risk of being forced to have sex.<sup>12</sup>

In a study of 800 women sampled in four regions of Azerbaijan, 37 per cent reported experiencing mental, physical or sexual violence; 32 per cent reported violence experienced from their own family; 58 per cent reported violence from their husband's family, and 10 per cent reported violence in the work place or on the street.<sup>13</sup>

## Endnotes

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- <sup>4</sup> Council of Europe, "Humanitarian situation of refugee women and children in Azerbaijan", *Motion for a recommendation presented to the Parliamentary Assembly by Ms. Gultekin Hajiyeva and others*, Doc. 9348, 1 February 2002.
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- <sup>9</sup> U.S. Department of State (2007) *Trafficking in Persons Report June 2007*, 59.
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# BOSNIA AND HERZEGOVINA

## Conflict summary

Formerly a constituent republic of Yugoslavia, Bosnia and Herzegovina declared its independence in March 1992. This initiated a three year inter-ethnic war between Bosnian Muslims, Croats and Serbs. In 1995, the Dayton Peace Accords were signed and an international peacekeeping force deployed. It is estimated that between 100,000 and 150,000 people were killed during the conflict.<sup>1</sup>

Despite the establishment of a Gender Centre and efforts to increase the participation of women in politics, the plight of women and gender issues were largely sidelined in Bosnia and Herzegovina's reconstruction process. The position of women in Bosnia and Herzegovina "deteriorated markedly" in the five years after the war ended. At that time, 16 per cent of all households were headed by women, and many women - and their children - lived in precarious conditions without secure financial support. This post-war "feminisation of poverty" in Bosnia and Herzegovina exposed women to prostitution, in the absence of other alternatives, as well as trafficking.<sup>2</sup>

## Sexual violence

During the war in Bosnia and Herzegovina, thousands of women were raped, sexually tortured and held against their will. Rapes began immediately after clashes broke out between Serbs and Muslims in April 1992, sometimes occurring as isolated incidents during home searches or in camps, but increasingly committed in public, as part of a systematic strategy of ethnic cleansing. Whilst sexual violence was committed against women of all ethnicities, Bosnian Muslim women were specifically targeted.<sup>3</sup>

Women and girls were sexually assaulted in the presence of family members, abducted and forced into sexual servitude.<sup>4</sup> Women were forcibly impregnated in so-called "rape camps" where they were raped repeatedly until they were pregnant, and then held until the termination of the pregnancy was no longer possible. Their rapists intended to ensure their victims bore children they would consider "of Serb ethnicity".<sup>5</sup> Not all rape was across-ethnic lines. Many women were assaulted by members of their own ethnic groups, particularly if they were in mixed marriages; or raped by their "traumatized" husbands.<sup>6</sup>

Sexual violence against men and boys was also frequent, including injuries to sex organs, forced sexual intercourse, castration and rape.<sup>7</sup> Women also participated in sexual torture in camps, both facilitating rapes of enemy women and engaging in acts of violence against male detainees.<sup>8</sup>

The International Criminal Tribunal for Yugoslavia in February 2001 found three men guilty of rape, sexual torture and enslavement during the Bosnian war. This landmark verdict was the first time that individuals were convicted of war crimes solely for sexual violence.<sup>9</sup>

After the conflict, there was an increase in prostitution and trafficking of women, encouraged by the presence of thousands of international personnel who created a market for sexual services, high levels of corruption and a fragile economy. There were also reports of employees of the United States private security company DynCorp buying young girls and women as sex slaves.<sup>10</sup>

Estimates of the total number of women subjected to sexual violence during the war in Bosnia and Herzegovina vary from 14,000 to 50,000.<sup>11</sup> The lack of reliable data can be attributed both to under-reporting by survivors, and over-reporting by governments of rapes by their "enemies".

The United Nations Security Council's Commission of Experts reported that there were 162 detention sites in the former Yugoslavia where people were detained and sexually assaulted.<sup>12</sup>

A study conducted among 68 women victims of war rape receiving care at the Clinical Hospital in Zagreb revealed that 44 of them were raped more than once, while 21 were raped daily during their captivity and 18 were forced to witness rapes of other women, usually their mothers, daughters and neighbours. Of the 29 women who became pregnant after being raped, 17 had abortions. The researchers concluded that the rapes "left deep and lasting consequences on the mental health of the victims".<sup>13</sup>

## Endnotes

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- <sup>5</sup> Netherlands Institute for War Documentation (2002), part I, chapter 9, section 2; United Nations Security Council, S/1994/674, §248.
- <sup>6</sup> Carpenter, C. R., University of Pittsburgh, Communication with the authors, 21 May 2007.
- <sup>7</sup> Netherlands Institute for War Documentation (2002), part I, chapter 9, section 2; Wood, E. J. “Sexual Violence during War: Explaining Variation”, *Order, Conflict and Violence Conference*, Yale University, New Haven, 30 April – 1 May 2004, 6; Ward, J. (2002), 81.
- <sup>8</sup> Carpenter, C. R., Communication with the authors, 21 May 2007.
- <sup>9</sup> UNIFEM (16 May 2006) *Gender profile: Bosnia and Herzegovina*: <http://www.womenwarpeace.org/bosnia/bosnia.htm>.
- <sup>10</sup> O’Meara, K.P. (14 January 2002) “US: DynCorp Disgrace”, *Insight Magazine*: <http://www.corpwatch.org/article.php?id=11119>.
- <sup>11</sup> IRIN (2005) *Broken Bodies - Broken Dreams: Violence against Women Exposed*, Kenya, OCHA/IRIN, 178; Olujic, M. (1998) and Nikolic-Ristanovic, V. (1999) cited in Ward, J. (2002), 81; Human Security Centre (2005) *The Human Security Report 2005*, 107.
- <sup>12</sup> United Nations Security Council, S/1994/674, Annex IX: Rape and sexual assault.
- <sup>13</sup> Loncar, M. et al. (2006) “Suicidality in Female Victims of War-time Rapes”, *Psychiatria Danubina* 18 (Supp1), 139.

# CROATIA

## Conflict summary

In 1991, Croatia declared its independence from the Federal Republic of Yugoslavia. Croatian Serbs in the east of the country expelled Croats, with the aid of the Yugoslav army. By the end of the year, nearly one-third of Croatian territory was under Serb control. Croatia then became involved in the war in Bosnia and Herzegovina from 1992 to 1995, supporting Bosnian Croats against Bosnian Serbs and later against Bosnian Muslims. As in the other conflicts linked to the break-up of former Yugoslavia, grave human rights violations were committed as part of so-called ethnic cleansing.<sup>1</sup> Croatia was a signatory of the 1995 Dayton Peace Accords, which ended the war in Bosnia-Herzegovina.<sup>2</sup>

## Sexual violence

In Croatia there was widespread use of sexual violence to terrorise and displace populations. The United Nations Security Council's Commission of Experts observed:

A distinct pattern of rape and sexual assault peculiar to one area of BiH and Croatia. Paramilitary groups roam the countryside, abducting primarily Bosnian Serb women from their homes. The women are taken to a specific location, raped and sexually assaulted repeatedly, and then abandoned. The size of the groups of men range from four to 15. The victims are usually assaulted by each of the men in the group.<sup>3</sup>

The following accounts are drawn from evidence collected by the Commission of Experts.<sup>4</sup> It was alleged that members of the Croatian National Guard and Croatian Police raped Serbian women, and that Serbian forces raped non-Serb women. In one reported incident, a woman was tied to four stakes in the ground in a horizontal position, and raped repeatedly by several soldiers who stated throughout the rape "that Yugoslavia was theirs . . . that they fought for it in World War II [and] that it'll be like this for everyone who doesn't listen". In another, a 70-year-old woman and her 15-year-old granddaughter were raped by a soldier who was their neighbour.

There were also reports of sexual violence against men, perpetrated by all warring parties. Young soldiers were reportedly targeted for sexual abuse. Forms of sexual violence against men included beatings across the genitals, forced stripping, rape and assault with foreign objects, castration and severing of testicles.

The Commission of Experts documented many allegations of sexual violence in detention. Detainees were forced to perpetrate violence against each other, including being forced to perform oral sex on guards and each other, being forced to perform mutual masturbation, and men forced to rape women and each other. In the Brijest concentration camp women were allegedly subjected to rape on a daily basis. In another camp, electrodes were attached to men's penises.

## Endnotes

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- <sup>4</sup> United Nations Security Council, S/1994/674, Annex IX: Rape and sexual assault.

# GEORGIA

## Conflict summary

Since independence in 1991, Georgia has experienced periods of unrest, violence and civil war related to the secessionist aspirations of the regions of Abkhazia and South Ossetia, which have close ties with Moscow. Russian peacekeepers have operated in Georgia since the early 1990s, and the United Nations military observer mission is deployed alongside the Russian peacekeepers in Abkhazia.<sup>1</sup> Tensions over Abkhazia increased throughout 1992 and led to war. Forces loyal to Georgia occupied the Abkhazian capital, Sukhumi, and armed groups from north Caucasus supported Abkhazia. A ceasefire was signed in 1994.

Of the 5,000 Georgians killed during the fighting in Abkhazia, 2,000 were women and children. In the period after the official ceasefires were signed, an additional 1,200 women and children are thought to have died as a result of forced migration, sporadic ethnic-based attacks, and other forms of ethnic cleansing.<sup>2</sup> Gender-based violence was common.<sup>3</sup>

Between 55 and 60 per cent of internally displaced persons were women. During their flight from Abkhazia in 1993, between 200 and 350 internally displaced women and children died from sickness, malnutrition, and exhaustion. Some women were forced to give birth in inhumane conditions, and several died during delivery.<sup>4</sup>

In 2006, there were still 280,000 internally displaced persons in Georgia as a result of the armed conflict.<sup>5</sup>

## Sexual violence

Rape was systematic and widespread in the Abkhazian conflict. Buck claims that “soldiers from both sides used sexual violence as a tool of ethnic cleansing.”<sup>6</sup> Human Rights Watch attests to “countless reports on both sides that combatants captured during combat were killed and abused, primarily by the Georgians, and that combatants raped and otherwise used sexual terror as an instrument of warfare.”<sup>7</sup> Women were the targets of sexual and physical violence during military activities and house searches.<sup>8</sup>

Internally displaced women were at particular risk of rape during flight. In the camps for the internally displaced, women are often under threat of sexual violence or other forms of intimidation both from local security personnel and displaced men.<sup>9</sup>

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*Mourning at a memorial to the victims of the armed conflict between separatist Abkhazia and Georgia in the 1990s.*

According to information from the Human Rights Committee and the Committee of Abkhazian Autonomous Republic on Intra-national Relations, 800 women were tortured and killed in Abkhazia.<sup>10</sup>

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According to a report by the women's association OXFAMME, 16 per cent of internally displaced women were victims of torture.<sup>11</sup>

## Endnotes

- <sup>1</sup> BBC News (4 March 2007) *Country profile: Georgia*: [http://news.bbc.co.uk/2/hi/europe/country\\_profiles/1102477.stm](http://news.bbc.co.uk/2/hi/europe/country_profiles/1102477.stm).
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- <sup>3</sup> Buck, T. (2000), 5.
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- <sup>5</sup> OMCT (2006) *Violence against Women in Georgia*, 27; Human Rights Watch (1995) *Georgia/Abkhazia: Violations of the Laws of War and Russia's Role in the Conflict*, 5.
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# R U S S I A

## Conflict summary

After the collapse of the Soviet Union, Chechen demands for independence were refused by Moscow. In 1994, the Russian government initiated a large-scale military operation in Chechnya that resulted in an estimated 80,000 casualties on both sides and the massive destruction of cities and villages. Russia withdrew its troops in 1996 but in 1999, following a wave of bombings in Moscow, Russia sent its troops back and initiated the second Chechen war.<sup>1</sup> The Russian Human Rights organisation Memorial has recorded 20,000 deaths and over 3,000 disappearances during the “clean-up” operations conducted by the Russian forces. However, according to Chechen sources the death toll could be as high as 80,000 people.<sup>2</sup> Some 600,000 people - half of Chechnya’s population - have been displaced by the conflict, and many have fled to neighbouring republics.<sup>3</sup>

Chechen women have fought as militants against the Russian military. The fighters who are widows of Chechen militants are known as “black widows”. Many women have been suicide bombers, for example, six of the seven Chechens who carried out suicide bombings in Russia between May and September 2003 were women.<sup>4</sup>

## Sexual violence

Human rights organisations have accused the Russian forces operating in Chechnya of extensive and systematic human rights abuses, including sexual violence against women, men and children.<sup>5</sup> Reports of sexual violence surfaced mainly during the second Chechen war. Sexual violence was reportedly committed by Russian troops during house searches for women suspected of having links to Chechen rebels.<sup>6</sup> There have also been reports of torture and sexual violence against detainees in so-called “filtration camps”, including rape of women and men and injuries inflicted using objects during beatings.<sup>7</sup>

The abuse of Chechen women by the Russian military, including rape, is believed to be a major reason for the radicalisation of Chechen women, especially among those who volunteer to carry out suicide bombings. Chechen actress Zulaikhan Badalova, head of the Moscow Centre of Chechen Culture, states that some militant women:

“... may have been raped in front of their relatives, or seen their relatives tortured and killed. ... In the second military conflict ... the cruelty of Russian soldiers towards Chechen women has reached a pathological level. ... I personally know several women who were raped by troops in front of their fathers, brothers and husbands. After such treatment, women die or go mad or become kamikazes.”<sup>8</sup>

In 2003, “Operation Fatima” was launched, instructing police to detain women wearing headscarves. This led to women being detained and strip-searched at military checkpoints, and in some cases being subjected to sexual violence during detention.<sup>9</sup>

Very few cases of sexual abuse are reported to the authorities in Chechnya, which human rights monitors attribute to strong societal taboos against speaking about rape.<sup>10</sup>

However, between December 1999 and January 2004, the Medical Foundation for the Care of Victims of Torture in the United Kingdom provided medical or therapeutic services to 35 asylum seekers who had been victims of torture in Chechnya. Seventeen of them (16 women and 1 man) claimed they had been victims of sexual torture.<sup>11</sup>

## Endnotes

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- <sup>8</sup> Peimani, H. (2004), 13.
- <sup>9</sup> United Nations Commission on Human Rights, "Integration of the Human Rights of Women and a Gender Perspective", *Report of the Special Rapporteur on Violence against Women, its Causes and Consequences, Yakin Ertürk, Addendum, Mission to the Russian Federation*, E/CN.4/2006/61/Add.2, 26 January 2006, §56-57.
- <sup>10</sup> Amnesty International (21 January 2002) *Russian Federation: Failure to Protect or Punish: Human Rights Violations and Impunity in Chechnya*, 9; United Nations Commission on Human Rights, E/CN.4/2006/61/Add.2, §57-58.
- <sup>11</sup> Medical Foundation for the Care of Victims of Torture (April 2004), 2.

## SERBIA (KOSOVO)

### Conflict summary

After centuries of Ottoman rule, Kosovo was integrated into Yugoslavia in 1913.<sup>1</sup> Long-standing Albanian/Serb tensions were quelled during Tito's regime by granting Kosovo substantial autonomy.<sup>2</sup> In the context of a disintegrating Yugoslavia, Kosovo attempted to secede from Serbia in 1990.<sup>3</sup> In the mid-1990s an ethnic Albanian guerrilla movement, the Kosovo Liberation Army, stepped up its attacks on Serbian targets, which led to a violent response by Serbian forces.<sup>4</sup>

In March 1999, Slobodan Milosevic's rejection of an internationally-brokered deal to end the crisis, and the persecution of Kosovo Albanians, led to NATO air strikes against targets in Kosovo and Serbia. Serbian forces reacted with a campaign of ethnic cleansing against Kosovo Albanians, whereby thousands were killed and hundreds of thousands fled to Albania, Macedonia and Montenegro. Serbian forces were driven out of Kosovo in summer 1999 and the United Nations took over the administration of the province.<sup>5</sup>

### Sexual violence

Conflict-related rapes were recorded from at least the early 1990s, but became more frequent in 1998-1999.<sup>6</sup> There have been reports of systematic rape by Serbian forces amounting to ethnic cleansing. Sexual violence was committed by troops, police, paramilitary groups or prison guards, often taking place over several days or weeks of forced sexual and domestic servitude. Most victims were women and girls under the age of twenty-five, but there have also been reports of incidents of male victims of sexual violence.<sup>7</sup>

Human Rights Watch documented reports of extremely brutal sexual violence involving injuries to women's breasts, genitals and faces, biting, the rape of pregnant women, and the use of drugs to either blank out a woman's memory or to kill her. Sexual violence occurred during attacks on homes, but also during displacement or in detention.<sup>8</sup>

The international press focused on the sexual atrocities committed against Albanian women and men in this conflict. Some commentators have suggested that certain media outlets were treating the issue in an over

sensational manner, thus undermining rather than reinforcing the victims' right to dignity and privacy.<sup>9</sup>

Since the conflict ended, there has been an increase in prostitution and trafficking of women, which has been linked to the presence of the international peacekeeping force, and other international personnel in the country.<sup>10</sup>

In August and September 1999, the Center for Disease Control and Prevention conducted a population-based survey of 1,358 Kosovar Albanians who had been internally displaced. They found that the prevalence of rape among the women sampled was 4.3 per cent, while 6.1 percent had either been raped or witnessed rape. Extrapolating from the survey findings, they estimated that the number of women raped between August 1998 and August 1999 alone was between 23,200 and 45,600.<sup>11</sup>

Post-conflict, the United Nations Mission in Kosovo police headquarters is reported to receive an average of one report of rape per day in Kosovo, most often committed by gangs.<sup>12</sup>

## Endnotes

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- <sup>10</sup> UNIFEM (2000), 82; Kvinna til Kvinna (2001), 20.
- <sup>11</sup> Hynes, P. and Lopes Cardozo, B. (2000) "Sexual Violence Against Women in Refugee Settings", *Journal of Women's Health & Gender-based Medicine* 9(8), 819-823.
- <sup>12</sup> Ward, J. (2002), 93.





# MIDDLE EAST

*“My cards and letters all said the same thing.*

*You gave us courage too.*

*It's not you who should be ashamed, but the perpetrators.*

*You have taken an honourable step.*

*You are our honour.*

*“There were dozens of cards and letters like this. My family and my husband's family never abandoned me. They took me to them from the start. My mother-in-law said: ‘Is this not torture?’ I was most afraid of my father's reaction: that he wouldn't call me his daughter and wouldn't visit me; whereas in fact my father said: ‘Why didn't you tell me when I came to the division station?’ I got the opportunity on one of the visiting days, I jumped at the possibility of embracing him and he kissed me on the forehead. For them I was clean. My honour was untouched. This made me feel better. But at the same time the questioning and facing myself continued to be difficult. I had got stuck on the honour concept. What was honour?”*

Asiye Güzel Zeybek, raped by police during torture<sup>1</sup>

This report includes profiles of five countries in the Middle East that experienced armed conflict between 1987 and 2007: Iraq, Israel and the Palestinian Territories, Kuwait, Lebanon and Yemen. Information on sexual violence during these conflicts is comparatively scarce, with the exception of Iraq since 2003.

Sexual violence during detention, used as a form of torture against women and men, has been reported in Iraq and Israel and the Palestinian Territories. Photos of abuse and humiliation of male detainees in Iraqi prisons brought the usually invisible horror of torture under the spotlight of the world media. The participation of female soldiers in sexual violence there evoked particular repulsion, and also challenged gender stereotypes that link sexual violence with male sexuality and an assumed male propensity for violence.

In many Middle Eastern countries, survivors of sexual violence face extreme stigma, as a woman or girl who is raped is deemed to have brought shame upon her family. Many men and women victims of sexual violence do not report such crimes due to fears of social exclusion, re-victimisation or being the victim of a so-called “honour killing”. Such killings occur when a person, usually a girl or woman, is murdered by her relatives, usually a husband, father, brother or uncle, but sometimes a female relative, to cleanse the family of perceived shame. Honour killings have been reported in Iraq, Lebanon, the Palestinian Territories

and Yemen, and in other Mediterranean and Gulf countries.<sup>2</sup>

It is extremely difficult to collect accurate data on honour killings in any given community, and therefore particularly difficult to gauge the impact that armed conflict might have on the commission of honour killings. It may be that where the rape of a woman is perceived to bring dishonour upon her entire family and community, women are at increased risk of being the targets of sexual violence, and that this victimisation in turn leaves them vulnerable to being killed by family members. Inversely, it may be that conflict disrupts the “traditional” attribution of honour, as described in the opening words of Asiye Güzel Zeybek.

The observations made by Palestinian women's rights activists that the intersection of military measures and the occupation with a conservative, patriarchal society, “has contributed to an integrated system of violence against women” demand close attention.<sup>3</sup> A study published by The Palestinian Initiative for the Promotion of Global Dialogue and Democracy traces a link between rising poverty levels, unstable living conditions and socio-economic pressures placed on the family caused by the conflict, and domestic violence: “... women have often found themselves to be the target of angry male relatives who feel frustrated that their ability to be a traditional provider for the family has been eroded.”<sup>4</sup> On a societal level, it is claimed

that the security vacuum in the Palestinian Territories reinforces traditional tribal structures in ways problematic for women and girls “given that arbitration and justice (is) administered at the discretion of male members of the tribe, family, or community and rarely takes women’s equality and rights into account.”<sup>5</sup>

Is this relationship between armed conflict, masculinities, instability, patriarchy and increased violence against women shared by other conservative, patriarchal societies in the Middle East? Is this a pattern that would be identified in *any* country affected by armed conflict, were appropriate research possible and performed? Such questions challenge one to ensure that a focus on sexual violence committed by armed groups and security forces during armed conflict does not obscure the persistence of violence against women, girls and boys within the family, and how armed conflict may aggravate such violence.

## Endnotes

<sup>1</sup> Excerpt from *Iskenede Bir Tecaviiz Öyküsü* [A Story of Rape During Torture] (1999) Ceylan, Istanbul, quoted in Amnesty International (February 2003) *Turkey: End sexual violence in custody!*, 11.

<sup>2</sup> United Nations Commission on Human Rights, “Integration of the human rights of women and the gender perspective: Cultural practices in the family that are violent towards women”, *Report of the Special Rapporteur on violence against women,*

*its causes and consequences*, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 2001/49, E/CN.4/2002/83, 31 January 2002, §21-37.

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## IRAQ

### Conflict summary

After gaining independence from the United Kingdom in 1932, Iraq experienced a number of political changes until Saddam Hussein became president in 1979. The 1980-1988 Iran-Iraq war ended in a stalemate, having killed between 800,000 and one million people. Hussein's counter-insurgency campaigns against Kurds in northern Iraq culminated in *Operation Anfal* in 1988, which led to 50,000-100,000 civilian deaths.<sup>1</sup>

United Nations sanctions were imposed on Iraq between 1990 and 2003. The Iraqi invasion of Kuwait in 1990 was countered by a United Nations-backed military intervention. In 1991, a Shi'a uprising was quelled by the Iraqi Republican Guard, while in northern parts Iraqi Kurdish groups established control.

In March 2003, United States-led coalition forces commenced military action against Iraq, aimed at removing the Iraqi regime, which was alleged to possess weapons of mass destruction. Sovereignty was passed to the Iraqi Interim Government in June 2004, followed by multi-party parliamentary elections in December 2005. Security continues to deteriorate due to a forceful ongoing insurgency against coalition and Iraqi forces, and increasing sectarian violence between Sunnis and Shi'as. Estimates of the number of Iraqi casualties range from several tens of thousands to several hundreds of thousands.<sup>2</sup> More than 3,890 coalition troops have been killed.<sup>3</sup> In March 2007, nearly 1.9 million people were estimated to be displaced within Iraq and some 2 million had fled to neighbouring countries.<sup>4</sup>

### Sexual violence

In the 1980s and 1990s, the regime of Saddam Hussein committed large-scale human rights abuses.<sup>5</sup> These included sexual violence against male and female political opponents perpetrated to intimidate and to extract information and forced confessions.<sup>6</sup> Various forms of sexual violence, including rape, were used as a method of torturing women and men in custody.<sup>7</sup> Iraqi government documents suggest that senior security officials were involved in the trafficking of Kurdish women and girls for the purpose of sexual exploitation.<sup>8</sup>

Since the start of the occupation by the United States-led coalition forces the level of violence, including killings, abductions, torture, rape and honour killings, has increased significantly. Reports from victims and formal investigations indicate that acts of sexual violence against male and female detainees, including

According to Das, some 100,000 women were abducted and raped during the Anfal campaign in 1988.<sup>16</sup>

A Physicians for Human Rights study on human rights abuses since 1991, conducted in July 2003, included 2,000 Iraqi men and women representing 16,520 households in three cities in southern Iraq. The findings indicated that lifetime prevalence of regime-related sexual assault was 5 per cent and estimated lifetime prevalence of non-regime-related sexual violence was up to 6 per cent. The researchers observed that underreporting represented a significant problem.<sup>17</sup>

The Organisation of Women's Freedom in Iraq has informally surveyed Baghdad and collected information about 400 Iraqi women who were raped between April and August 2003. According to the Ministry of Women's Affairs, more than half of them were later killed for "honour-related" reasons.<sup>18</sup>

The Monitoring Net of Human Rights in Iraq claimed in November 2005 that "reports confirm that 2,000 women were raped by the occupation troops, especially the American, British, Italian, Polish and Spanish." The same source claims that reports confirm more than 500 "rape incidents" against Iraqi children by occupying troops, including 30 by American forces and 15 by British forces.<sup>19</sup>

Two United States soldiers were convicted of the rape and murder of a 14-year-old girl, Abeer Qasim Hamza, on 12 March, 2006.

A 2006 study released by the Organisation of Women's Freedom in Iraq stated that more than 2,000 women had been kidnapped, many of them tortured or sexually abused.<sup>20</sup>

juveniles, in jails run by United States/coalition or Iraqi forces, as well as by militias, are widespread.<sup>9</sup> Government-affiliated militias are alleged to use torture and rape as common investigation methods in police stations.<sup>10</sup> Forms of sexual violence and humiliation include rape, gang rape, videotaping and photographing of naked male and female detainees, forcibly placing detainees in various sexual positions, or forcing groups of male detainees to masturbate for photographing or videotaping.<sup>11</sup> There are numerous reports of female detainees becoming pregnant after rape.<sup>12</sup> As a result of these reports of rape in prisons,

female detainees are at increased risk of being killed by family members after their release, as they are considered to have brought shame on the family.<sup>13</sup>

New forms of sexual violence reportedly have appeared in Iraq since the invasion, such as the sexual exploitation and abuse of a growing number of orphaned children on the streets of Baghdad.<sup>14</sup>

Women and girls are also being abducted and forced into prostitution, mainly in Gulf States, Jordan, Syria and Yemen.<sup>15</sup>

## End notes

<sup>1</sup> International Crisis Group (April 2006) *Conflict history: Iraq*: [http://www.crisisgroup.org/home/index.cfm?action=conflict\\_search&l=1&t=1&c\\_country=51](http://www.crisisgroup.org/home/index.cfm?action=conflict_search&l=1&t=1&c_country=51).

<sup>2</sup> For example, Iraq Body Count cites a minimum of 65,880 civilians reported killed by military intervention in Iraq, as of 22 June 2007 (<http://www.iraqbodycount.org/>). Johns Hopkins University and Al Mustansiriya University estimate 654,965 persons having died as a consequence of the conflict; of these, 601,027 having died from violence (Johns Hopkins University and Al Mustansiriya University, in cooperation with Massachusetts Institute of Technology (October 2006) *The Human Cost of the War in Iraq: A Mortality Study, 2002-2006*, Baltimore, Baghdad and Cambridge, 12).

<sup>3</sup> As of 9 July 2007 (“U.S. and Coalition Casualties: Iraq”, *CNN.com*: <http://www.cnn.com/SPECIALS/2003/iraq/forces/casualties/>).

<sup>4</sup> Internal Displacement Monitoring Centre (30 March 2007) *Iraq: A displacement crisis. A profile of the internal displacement situation*, 10.

<sup>5</sup> Amnesty International (February 2005) *Iraq: Decades of suffering. Now women deserve better*, 5.

<sup>6</sup> Office of International Women’s Issues (20 March 2003) “Iraqi Women under Saddam’s Regime: A Population Silenced”, *Fact Sheet*, Washington, D.C., U.S. Department of State.

<sup>7</sup> Amnesty International (February 2005), 7.

<sup>8</sup> Referred to in Amnesty International (February 2005), 6.

<sup>9</sup> Harding L. “The other prisoners”, *The Guardian*, 20 May 2004: <http://www.guardian.co.uk/women/story/0,3604,1220673,00.html>.

<sup>10</sup> Organisation of Women’s Freedom in Iraq (2006) referred to in MADRE (2007) *Promising Democracy, Imposing Theocracy. Gender-Based Violence and the US War on Iraq*, New York, 23.

<sup>11</sup> Human Rights Watch (June 2004) *The Road to Abu Gbraib, 25-27; Taguba Report - Hearing Article 15-6 Investigation of the 800<sup>th</sup> Military Police Brigade*, 4 April 2004.

<sup>12</sup> MADRE (2007), 21, 23.

<sup>13</sup> UNHCR (October 2005) *Country of Origin Information: Iraq*, 35-36; MADRE (2007), 21.

<sup>14</sup> Van Auken, B. (25 June 2007) “Les Troupes Américaines ‘sauvent’ 24 orphelins alors que des milliers d’autres sont dans la rue”, *Mondialisation.ca*: <http://mondialisation.ca/index.php?context=va&zaid=6148>; “Mahmoud Rafid, Iraq, I have to keep working despite being sexually abused”, *IRIN News*, 13 June 2007: <http://www.irinnews.org/Report.aspx?ReportId=72705>.

<sup>15</sup> MADRE (2007), 14.

<sup>16</sup> Das, V. (1997) quoted in Hardi, C. “Sexual abuse during genocide and its aftermath: Silences from Anfal”, *Sexual abuse and exploitation of women in violent conflict*, Netherlands Defence Academy and Emory University Law School, Amsterdam, 17-19 June 2007, 2.

<sup>17</sup> Amowitz et al (2004) “Human Rights Abuses and Concerns About Women’s Health and Human Rights in Southern Iraq”, *Journal of the American Medical Association* 291(12), 1475-76.

<sup>18</sup> MADRE (2007), 16. See also UNHCR (October 2005), 38.

<sup>19</sup> Monitoring of Human Rights in Iraq Network (20 November 2005) *Second Periodical Report of Monitoring Net of Human Rights in Iraq*, Baghdad, 36, 44.

<sup>20</sup> “Iraq: NGO warns of rise in violence against women”, *IRIN News*, 12 March 2006: <http://www.irinnews.org/report.aspx?reportid=26185>. See also “Violence against women in Iraq under US Occupation”, *Global Research*, 17 March 2006: <http://www.globalresearch.ca/index.php?context=viewArticle&code=20060317&articleId=2118>.

# ISRAEL and the PALESTINIAN TERRITORIES

## Conflict summary

In December 1987, the Palestinian population in the Palestinian Territories (West Bank, East Jerusalem and the Gaza Strip captured by Israel in the 1967 Arab-Israeli war) mounted a mass popular uprising against the Israeli occupation, known as the first *Intifada*.

In 1993, Israel and the Palestinian Liberation Organisation (PLO) began secret negotiations that resulted in the Oslo Accords, based on the principle of mutual recognition. The Oslo Accords established a five-year interim period of Palestinian self-rule, which was supposed to lead to “final status” negotiations in 1999.

In 2000, however, failed negotiations on final status issues and the outbreak of the second *Al-Aqsa Intifada* put an end to the Oslo process. Subsequent international initiatives such as the Roadmap have made little progress against a backdrop of increased Israeli-Palestinian violence. Israeli troops and settlers withdrew from the Gaza Strip in 2005.<sup>1</sup> The election of Hamas in January 2006 to head the Palestinian Legislative Council froze relations between Israel and the Palestinian Authority, while violence in Gaza fuelled by the power struggle between Fatah and Hamas loyalists has raised fears of civil war between the two factions.<sup>2</sup>

## Sexual violence

Human rights abuses have been committed by both sides, including extra-judicial killings, killings of civilians and abusive treatment of detainees. However, reports of sexual violence carried out by either side are rare, and women do not seem to be specifically targeted.<sup>3</sup> There have nevertheless reportedly been cases of sexual harassment by Israeli troops during house searches,<sup>4</sup> and by Israeli border police officers at checkpoints,<sup>5</sup> as well as sexual harassment and threats of sexual abuse targeting women and men in detention.<sup>6</sup>

The overwhelming majority of reported cases of sexual abuse and rape in the Palestinian Territories are committed by family members.<sup>7</sup> Many girls and women have been killed after their families discovered that they had been raped or sexually abused, or had become pregnant following rape. The level of underreporting is

very high due to the stigmatisation of survivors of sexual violence, the lack of confidentiality by the authorities, as well as discriminatory laws and the high risk of so-called honour killings.<sup>8</sup>

A number of commentators affirm that there is a link between the militarisation of life, increased unemployment, poverty, Israeli-imposed restrictions of movement and the *Intifada*, and the increase in domestic violence against women and girls, including rape and incest, in the Palestinian Territories.<sup>9</sup>

According to a survey of 4,212 households conducted by the Palestinian Central Bureau of Statistics between December 2005 and January 2006, 23.3 per cent of married women in the West Bank and 22.6 per cent in Gaza reported being victims of physical violence during the year 2005. The same survey indicated that 11.5 per cent of women in the West Bank and 9.7 per cent in Gaza reported having experienced sexual violence at the hands of their husbands, and that only 1.2 per cent of the victims had filed a formal complaint.<sup>10</sup>

In a study published by the Women’s Affairs Centre in May 2001, based on interviews conducted with 670 women in the Gaza Strip, 14.2 per cent of the women interviewed reported having been subjected to sexual violence. In response to questions about methods of sexual intercourse used by husbands, 46.7 per cent reported that their husbands used force and brutality, 17.4 per cent said they were forced to have sex through battering, and 35.9 per cent reported that their husbands threatened them with words, scolding or resorted to emotional violence.<sup>11</sup>

The Director of the Family Defense Society has stated that cases of domestic violence in the Palestinian territories have almost tripled throughout the *Intifada*. From 1999 to 2003, documented cases of sexual abuse rose by 38 per cent.<sup>12</sup>

## Endnotes

- <sup>1</sup> International Crisis Group (September 2006) *Conflict history: Israel/Occupied Territories*: [http://www.crisisgroup.org/home/index.cfm?action=conflict\\_search&l=1&t=1&c\\_country=52](http://www.crisisgroup.org/home/index.cfm?action=conflict_search&l=1&t=1&c_country=52).
- <sup>2</sup> BBC News (29 June 2007) *Country profile: Israel and Palestinian territories*: [http://news.bbc.co.uk/1/hi/world/middle\\_east/country\\_profiles/803257.stm](http://news.bbc.co.uk/1/hi/world/middle_east/country_profiles/803257.stm).
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- <sup>4</sup> B'tselem (December 1996) *Sexual Harassment in the Name of the Law: Violence and Degradation during Searches of Palestinian Homes in Hebron. Summary*: [http://www.btselem.org/English/Publications/Summaries/199612\\_Sexual\\_Harassment\\_in\\_the\\_Name.asp](http://www.btselem.org/English/Publications/Summaries/199612_Sexual_Harassment_in_the_Name.asp).
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- <sup>6</sup> Kuttab, E. and Bargouti, R. (April 2002) *The Impact of Armed Conflict on Palestinian Women*, Study presented to UNIFEM/UNDP-PAPP, 17; MIFTAH (2005) "Palestinian Prisoners", *Fact Sheet*, 2-3.
- <sup>7</sup> Amnesty International (March 2005) *Israel and the Occupied Territories. Conflict, occupation and patriarchy: Women carry the burden*, 25.
- <sup>8</sup> Human Rights Watch (November 2006) *A question of security: Violence against Palestinian women and girls*, 33, 58.
- <sup>9</sup> Human Rights Watch (November 2006), 36; Amnesty International (March 2005), 20-21; and MIFTAH (January 2006) *Gender-Based Violence in Palestine: A Case Study*, 25-26.
- <sup>10</sup> Palestinian Central Bureau of Statistics (February 2006) *Violence against women in Palestinian society: Domestic violence survey 2005/2006*, Palestinian National Authority, 3, 5.
- <sup>11</sup> Women's Affairs Center (May 2001) *Family Violence against Women. Gaza Strip, Prevalence, Causes, Consequences and Interventions*, chapters 4.1 and 4.2.4.
- <sup>12</sup> MIFTAH (2005) *Palestinian Women under Occupation. Basic Analysis of their Status*, 11.

# K U W A I T

## Conflict summary

In 1961, the oil-rich sheikhdom of Kuwait, which was under British protectorate, declared independence. The declaration was contested by Iraq, which claimed that Kuwait was an integral part of Iraqi territory. In August 1990, Iraqi forces invaded and annexed Kuwait. Some 400,000 Kuwaiti citizens became refugees and hundreds of thousands of foreign migrant workers were displaced.<sup>1</sup> Backed by the UN, a US-led international military operation code-named *Operation Desert Storm* ousted Iraqi forces from Kuwait in February 1991. Kuwait's infrastructure was severely damaged during the war.<sup>2</sup>

## Sexual violence

According to Middle East Watch, Iraqi soldiers and militia committed countless acts of theft, rape and assault on civilians. Taking advantage of the breakdown of law and order, others also engaged in criminal activity.<sup>3</sup>

Middle East Watch estimates that at least 5,000 women were raped by Iraqi soldiers during the Iraqi invasion of Kuwait in August 1990.<sup>4</sup>

## Endnotes

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# LEBANON

## Conflict summary

The former French protectorate gained independence in 1943. Political power was split up between four principal religious-ethnic groups: Druze, Maronite Christian, Shi'a Muslim and Sunni Muslim. Lebanon received a high number of Palestinian refugees and became a base for activities of the Palestine Liberation Organisation (PLO) after 1970.<sup>1</sup> Sectarian tensions led to the outbreak of a bloody civil war in 1975 in which external actors, particularly Israel, Syria and the PLO, were deeply involved. Syrian troops moved in shortly after the war started. During the civil war Israeli troops invaded Lebanon twice, in 1978 and again in 1982, before pulling back to a self-declared "security zone" in the south. During the final phase of the civil war (1988-1990) no central government was in place and a "war of liberation" against Syrian forces was conducted by Christian General Aoun. The civil war, in which approximately 150,000 people were killed, ended with General Aoun's departure and the Taif Accord.<sup>2</sup>

In the 1990s, the ongoing low-level conflict between Israeli forces and Hezbollah militants culminated in an Israeli invasion ("Operation Grapes of Wrath") in 1996.<sup>3</sup> In May 2000, Israel unilaterally withdrew its troops from southern Lebanon. Following Prime Minister Hariri's assassination in 2005 and subsequent massive demonstrations in Beirut ("the Cedar Revolution"),<sup>4</sup> Syria withdrew its 15,000 troops<sup>5</sup> after 29 years of military presence in Lebanon.<sup>6</sup> The kidnapping of two Israeli soldiers by Hezbollah in July 2006 led to a 34-day conflict killing approximately 1,000 Lebanese and 159 Israelis.<sup>7</sup>

## Sexual violence

DCAF has no knowledge of published information on sexual violence committed during the conflicts in Lebanon.

## End notes

<sup>1</sup> International Crisis Group (September 2006) *Conflict history: Lebanon*: [http://www.crisisgroup.org/home/index.cfm?action=conflict\\_search&l=1&t=1&c\\_country=62](http://www.crisisgroup.org/home/index.cfm?action=conflict_search&l=1&t=1&c_country=62).

<sup>2</sup> The Associated Press (13 April 2005) "Lebanon observes a war anniversary amid new turmoil but with revived hopes", *International Herald Tribune*: <http://www.ibt.com/articles/2005/04/12/news/lebanon.php>.

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Aziza Ousayran asking how she will get out of Beirut during the armed conflict of 2006.

<sup>3</sup> International Crisis Group (September 2006).

<sup>4</sup> Central Intelligence Agency (19 June 2007) "Lebanon", *The World Fact Book*: <https://www.cia.gov/cia/publications/factbook/geos/le.html>.

<sup>5</sup> International Crisis Group (September 2006).

<sup>6</sup> BBC News (15 May 2007) *Country profile: Lebanon*: [http://news.bbc.co.uk/1/hi/world/middle\\_east/country\\_profiles/791071.stm](http://news.bbc.co.uk/1/hi/world/middle_east/country_profiles/791071.stm).

<sup>7</sup> International Crisis Group (September 2006).



# Y E M E N

## Conflict summary

In 1990, the traditionalist North (Yemen Arab Republic) and the Marxist South (People's Democratic Republic of Yemen) merged to form one country called the Republic of Yemen.<sup>1</sup> Growing tensions between the North and South, culminating in the proclamation of the Democratic Republic of Yemen by southern elites, led to a short war of secession in May 1994. The war ended in defeat for the separatist South in July 1994. Throughout the 1990s, numerous sectarian clashes occurred between Zaydi (Shi'a) and various Sunni groups, as well as between more radical groups (Islamic Jihad Movement and Aden-Abvan Islamic Army) and the Yemeni state.<sup>2</sup>

## Sexual violence

DCAF has no knowledge of published information on sexual violence committed during the conflicts in Yemen.

## Endnotes

<sup>1</sup> BBC News (20 April 2006) *Country profile: Yemen*: [http://news.bbc.co.uk/1/hi/world/middle\\_east/country\\_profiles/784383.stm](http://news.bbc.co.uk/1/hi/world/middle_east/country_profiles/784383.stm).

<sup>2</sup> International Crisis Group (22 September 2004) *Conflict history: Yemen*: [http://www.crisisgroup.org/home/index.cfm?action=conflict\\_search&l=1&t=1&c\\_country=117](http://www.crisisgroup.org/home/index.cfm?action=conflict_search&l=1&t=1&c_country=117).







# SEXUAL VIOLENCE IN ARMED CONFLICT: IMPLICATIONS FOR THE SECURITY SECTOR

Security Council Resolution 1325 (2000) calls upon “all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict”. It also emphasises the responsibility of all States to put an end to impunity for genocide, crimes against humanity and war crimes relating to sexual violence. The June 2006 *International Symposium on Sexual Violence in Conflict and Beyond*, convened by the Government of Belgium, the European Commission and UNFPA, called for “the full engagement of the security sector, including police and army, to prevent and respond to sexual violence in a sensitive and effective manner”. The importance of incorporating strategies to prevent and respond to sexual violence in DDR and in security sector reform processes was stressed.<sup>1</sup>

In recent years, women’s civil society groups and a number of humanitarian agencies have developed targeted responses to sexual violence in conflict. These include specialised medical and psychological support services. In early 2007, the UN launched a collective

*Action Against Sexual Violence in Conflict*. This testifies to recognition of the immense scale of sexual violence during armed conflicts, and a growing demand that sexual and gender-based violence be treated as a priority issue in deliberations on international peace and security.

However, there has as yet been little sharing of experiences between states as to the “special measures” called for by the Security Council to protect women and girls from rape in conflict, or on good practice in addressing impunity for crimes of sexual violence in armed conflict. Although a number of states have developed policies to prevent sexual exploitation and abuse by their personnel, to date they have emphasised prohibition rather than community-based preventative strategies. There is a serious lack of practical understanding as to how police, courts and militaries can integrate measures to prevent and respond to sexual violence in armed conflict into their operations.

This section on *Implications for the Security Sector* makes linkages between the needs of survivors of conflict-related sexual violence and the role of security sector actors. DCAF understands the security sector as

including all government institutions and other entities with a role in ensuring the security of a state and its population.<sup>2</sup> This report focuses in particular upon responses to conflict-related sexual violence by police, in a post-conflict justice sector, by peacekeepers and in DDR programmes. It also includes a section highlighting some of the ways in which civil society organisations contribute to providing security.

In considering *Implications for the Security Sector*, the report sets out relevant international standards as regards security sector responses, identifies challenges and common shortcomings in responding to conflict-related sexual violence, and presents examples of good or promising practices. In his *In-Depth Study on all Forms of Violence against Women*, the UN Secretary-General identified a number of common principles of such practices: "... clear policies and laws that make violence illegal; strong enforcement mechanisms; effective and well-trained personnel; the involvement of multiple sectors; and close collaboration with local women's groups, civil society organizations, academics and professionals."<sup>3</sup> These criteria should guide development and evaluation of security sector responses to sexual violence in conflict.

## End notes

<sup>1</sup> "Brussels Call to Action to Address Sexual Violence in Conflict and Beyond", *International Symposium on Sexual Violence in Conflict and Beyond*, Palais d'Egmont, Brussels, 21-23 June 2006: <http://www.unfpa.org/emergencies/symposium06/index.htm>.

<sup>2</sup> The OECD DAC Guidelines on *Security System Reform and Governance* (<http://www.oecd.org/dataoecd/8/39/31785288.pdf>, 20-21) describe the security system as including the following actors:

Core security actors: armed forces, police, gendarmeries, paramilitary forces, intelligence and security services (both military and civilian), border guards, customs authorities, and reserve and local security units (civil defence forces, national guards, militias).

Security management and oversight bodies: the Executive; national security advisory bodies; legislature and legislative select committees; ministries of defence, internal affairs and foreign affairs; national security advisory bodies; customary and traditional authorities; financial management bodies; and civil society organisations (civilian review boards and public complaints commissions).

Justice and rule of law institutions: judiciary; justice ministries; prisons; criminal investigation and prosecution services; human rights commissions and ombudsmen; customary and traditional justice systems.

Non-statutory security forces: liberation armies, guerrilla armies, private security companies, private military companies, political party militias.

<sup>3</sup> United Nations General Assembly, "In-depth Study on all Forms of Violence against Women", *Report of the Secretary-General*, A/61/122/Add.1, 6 July 2006, §287.





# Policing and Sexual Violence

Police services are responsible for the protection and promotion of human rights, the prevention and detection of crime, and the maintenance of public order. The term “police” covers all law enforcement agencies that exercise police powers, especially powers of arrest and detention.<sup>1</sup> However, in many countries police forces carry out their work inadequately and are often undermined by corruption and lack of public trust. Police forces are often not perceived as guaranteeing security, a sentiment reinforced by the frequency of crimes committed by the police themselves in certain countries. Problems regarding the functioning and behaviour of police forces are often exacerbated during armed conflicts and in post-conflict situations. In such contexts, police forces may tolerate or perpetrate sexual violence and human rights violations against persons suspected of supporting opposition to the state, as illustrated in the country profiles for Afghanistan, Haiti and Zimbabwe.

Police bear the responsibility of the state to prevent and detect sexual violence, and to facilitate prosecution and punishment of perpetrators. However, in many countries police perform these services poorly, if at all. Victims of sexual violence often face unwillingness by the police to investigate, outright refusal on their part to register a complaint or collect evidence, and even mistreatment, including sexual abuse. In many cases there are no female police officers for female victims to report to, which in some contexts deters or prevents them from filing complaints. Where an investigation does occur, survivors often experience various invasions of privacy and attacks upon their dignity. It is not uncommon for police to ask victims of sexual violence to produce “proof” that they had resisted such abuse, or to describe what they were wearing at the time, suggesting that they might be to blame for what happened.<sup>2</sup> In many countries, police simply do not regard sexual violence as a priority concern compared to crimes such as killings, carjacking, and theft, but rather as a domestic matter to be “resolved” by the family.<sup>3</sup>

Police reform is often a key priority in countries emerging from conflict or authoritarian rule. In light of the pervasiveness of sexual violence during and after armed conflict, in all police reform efforts and processes, addressing sexual violence is of utmost importance. Police reform should consider how police services can better prevent and investigate crimes of sexual violence, provide support to the victims, and put in place effective measures to prevent and punish such abuses committed by police personnel. Reform strategies should aim to make the police service as a whole more sensitive to how gender impacts upon their work, and more responsive to sexual and gender-based violence. They should also provide for the creation of specific support services for victims of sexual violence.

## Promoting women’s participation in policing

A first step in making police services more gender-sensitive and better able to respond to gender-based violence is often to increase efforts to promote women’s participation in policing. In a number of places emerging from armed conflict, including Afghanistan, Kosovo, Liberia and Nicaragua, increasing the proportion of women in the police has been an important aspect of police reform.

The UN *Model Strategies and Practical Measures on the elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice*, endorsed by the General Assembly, underscores the importance of women in policing, and urges states: “... To encourage women to join police forces, including at the operational level”.<sup>4</sup> The participation of women in the police service is a crucial aspect of creating a representative police service, although other factors, such as ethnicity, are also important. The inclusion of women police officers also has concrete operational advantages, not least because women and girls who have suffered sexual violence often prefer to report such crimes to a female police officer. To effect broad institutional change and to challenge the dominant “masculine” environment,

there needs to be a “critical mass” of women officers in any police service.

To increase women's participation in police services, it is necessary to address not only recruitment policy, but also issues related to the retention and advancement of women. Gender-sensitive recruitment strategies might include public campaigns targeting women; reform of recruitment criteria to ensure that they do not discriminate against women; and specific pre-recruitment training to help women meet employment requirements. Establishing employment quotas for women in the police is one potential way of increasing women's participation. In Liberia, for example, the Government, in collaboration with the United Nations Mission, has developed a three-month intensive Educational Support Programme for women between the ages of 18 and 35 interested in joining the Liberian National Police. The Programme aims to ensure that the reformed and restructured Liberian National Police has at least 20 per cent female representation. A barrier to achieving this has been that many Liberian women lack the basic educational requirements for recruitment.<sup>5</sup> To retain women in the police, reform needs to be more far-reaching. It should address sexual harassment and gender discrimination in police institutions; arrangements allowing police officers to combine job and family (such as flexible working hours and day care facilities), and the transformation of working conditions for both men and women to ensure equal opportunities.

Greater participation of women in police services does not necessarily lead to such transformations. Women are not “by their nature” more gender-aware, nor will women always push for gender reforms. Women entering a predominantly “masculine” environment rather tend to react accordingly by adopting “masculine” behaviour. There are examples of female officers being tougher on rape victims than male colleagues in order to prove themselves.<sup>6</sup> Women may also feel marginalised by the dominant “masculine” culture and therefore not “dare” to bring up gender issues.<sup>7</sup> The process of making police services more gender sensitive, and thus better able to meet the needs of women and girls, as well as boys and men, is increased if promoting women's participation is combined with training to make all police officers more gender-sensitive.

## Gender training

Gender training is widely used to initiate and support both behavioural and organisational change. Such training can take myriad forms. However, it usually includes briefings to clarify key gender terms (such as the difference between sex and gender) and to identify and challenge gender stereotypes. This involves challenging pre-conceived notions that, for example, women are more peaceable and will automatically use less force than men, and exploring links between models of masculinity and violent behaviour. Gender training is a forum to discuss the different ways in which men and women experience security, and to build the capacity of the participants to respond appropriately to the particular security needs of men, women, boys and girls. The *Beijing Platform for Action*, adopted at the Fourth World Conference on Women in 1995, commits states to the development and improvement of gender training for security sector actors with a focus on gender-based violence.<sup>8</sup>

Gender training for police officers may be pre-service training in police academies and/or in-service training for active duty police personnel. Ideally there should be a combination of both, involving all levels of police officers.<sup>9</sup> Gender training aims to create respectful, gender-aware and non-violent behaviour within the police sector, towards colleagues, and outside the police sector, towards civilians. This is a precondition to preventing sexual violence within the police service and against members of the community.

Women's civil society organisations may bring specific expertise to gender training and their involvement in police training can help to build trust between the community and the police. Women's groups have been involved in training the police on gender issues in a number of conflict-affected countries, including, for example, Bosnia and Herzegovina, Cambodia, Nepal, and Nicaragua.<sup>10</sup> Such groups can also play a useful role in civilian oversight mechanisms, which help to ensure accountability and transparency of police services, and their adherence to human rights.

Karnataka State Police in India and UNICEF developed a Training and Resource Manual for Police Personnel with a focus on violence against women and children as part of a “Gender Sensitisation and People-friendly Police Project”.<sup>11</sup> In 2003, the in-service training process began and, in 2005, the project was expanded to cover police training schools and academies. By December 2006, over 2,800 police

personnel had been trained in workshops, and all police stations in Bangalore city had at least one person trained to handle cases relating to violence against women and children.<sup>12</sup>

Whilst gender training spurs institutional change, police services also need to design and enforce mechanisms to prevent and address acts of gender-based violence and discrimination by their personnel, and to institutionalise specific responses to gender-based violence in the community. This should include the introduction of codes of conduct regulating professional behaviour, policies regarding sexual harassment, and protocols and procedures to respond to complaints of sexual and gender-based violence. Measures and mechanisms to specifically address sexual violence are discussed in the following section.

### **Improving police services to victims of sexual violence**

As set out in the *Beijing Platform for Action*, states have the duty to “create or strengthen institutional mechanisms so that women and girls can report acts of violence against them in a safe and confidential environment, free from the fear of penalties or retaliation, and file charges.”<sup>13</sup> *The Beijing Platform for Action* commits states to a number of measures to create such an environment. The *UN Model Strategies and Practical Measures on the elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice* similarly urges States:

- (a) To ensure that the applicable provisions of laws, codes and procedures related to violence against women are consistently enforced in such a way that all criminal acts of violence against women are recognized and responded to accordingly by the criminal justice system;
- (b) To develop investigative techniques that do not degrade women subjected to violence and that minimize intrusion into their lives, while maintaining standards for the collection of the best evidence;
- (c) To ensure that police procedures... take into account the need for the safety of the victim and others related through family, socially or otherwise, and that these procedures also prevent further acts of violence.<sup>14</sup>

Police should have specialised operating procedures to respond to complaints of sexual violence, and to ensure that such complaints are investigated in a manner that protects the rights of victims. The South African Department of Justice, for example, worked with the Police Service, the Departments of Health, Welfare and Correctional Services, representatives from different parts of the justice system and NGOs to develop “National Policy Guidelines for Victims of Sexual Offences”. These provide the Police Service with detailed, step-by-step guidelines on supporting victims of sexual offences, from how to receive a victim, conduct interviews, collect statements, and manage identification parades, to supporting the victim in court and providing aftercare.<sup>15</sup>

Another strategy to improve the way in which victims of gender-based violence are handled by police has been to establish specific police units designed to deal with sexual and gender-based violence against women and children. Sierra Leone, for example, in 2001 established Family Support Units. These entities provide free legal aid to victims of domestic violence (thus not sexual violence perpetrated outside the family), organise community outreach campaigns to inform the population about the implications of sexual and gender-based violence and raise awareness about the need to press charges against perpetrators. Trained social workers are stationed in each Unit to ensure that women and children are not re-victimised in the interviewing process.<sup>16</sup> The Family Support Units have been hailed as a relatively successful attempt to address sexual and gender-based violence. The model is being replicated in Liberia, which has established a Women and Children's Protection Unit within its police. Its officers complete a specialised training course in the handling and management of cases of sexual and other forms of gender-based violence.<sup>17</sup> In Afghanistan, the UNFPA is supporting the establishment of Family Response Units in the Afghan National Police. These Units are staffed by Afghan policewomen, who receive training to enable them to react to violence against women, family violence, children in trouble, and kidnappings, and to provide support to female victims of crime; and interrogate, detain and investigate female suspects.<sup>18</sup>

A variation of this model is “Women’s Police Stations”. Staffed mainly by female police officers, Women’s Police Stations have a particular mission to respond to crimes of sexual and gender-based violence in a gender-sensitive manner. They offer improved reporting

facilities; support to the victims in matters such as medical care, counselling and financial help; and help victims to initiative legal action. Women's Police Stations have been established in, for example, Argentina, Bolivia, Brazil, East Timor, India, Kosovo, Nicaragua, Peru, Philippines, Sierra Leone, Uganda and Uruguay.<sup>19</sup> In some instances they were initiated by women's movements, in others by the national police service, and at other times through the initiative of United Nations peacekeepers or civilian police (as for example in Sierra Leone, Kosovo and East Timor). Women's Police Stations vary as to their target population, the forms of violence they deal with, the services they provide, the way they are funded, the actors involved (state and non-state) and the distribution of responsibility between the different actors. Some Women's Police Stations only attend to

adult women, whilst others also attend to children and adolescents. In some countries, such as Ecuador and Sierra Leone, Women's Police Stations exclusively deal with domestic violence. In others, such as Argentina, Brazil and Nicaragua, Women's Police Stations also handle complaints of violence committed by people other than spouses.<sup>20</sup> Nicaragua's experience of Women's Police Stations and gender reforms is examined in Box 1.

## Conclusions

From Kosovo, to Sierra Leone and Liberia, Afghanistan to Nicaragua, states emerging from conflict are striving to improve the manner in which their police services respond to gender-based violence. For some countries, this includes for the first time taking meaningful steps

### Box 1: Reform of the Nicaraguan police

Nicaragua's police service has been described as the most "women-friendly" in the region, and is hailed for its successful initiatives to address sexual violence.<sup>21</sup> The Nicaraguan police service was created in 1979, after the Sandinista Revolution, with women being integrated into the service from the start. An estimated 35 per cent of police were women in the 1980s (seen as partly a result of the strong participation of women in guerrilla forces during the preceding armed conflict). Women's participation decreased during the late 1980s and 1990s. This was attributed to neglect of the special needs of women police, and in particular a decision to recruit only those whom had completed training in the Police Academy, even though this institute did not have the necessary facilities to receive women.<sup>22</sup>

Gender reforms of the Nicaraguan police sector were initiated in the 1990s, following pressure from the Nicaraguan women's movement and from women within the police. Support in the form of technical cooperation and funding was provided by a number of external institutions, including the German Gesellschaft für Technische Zusammenarbeit and the Swedish International Development Agency.<sup>23</sup> Reforms combined the two sets of strategies mentioned above: making the police service more gender-sensitive and more responsive to crimes of

sexual and gender-based violence, while also providing specific services to women victims of sexual and gender-based violence.

Policies were implemented to promote gender equality and gender balance within the Nicaraguan police, to transform gender values and attitudes among police officers, and to develop institutional mechanisms to respond to issues of gender and violence within the police. For example, specific policies to allow police officers to combine job and family life were implemented, specific training for women was provided, and height and physical exercise requirements were adapted for women. The *Consejo Consultivo de Género* was created as a forum for discussion and investigation into the working conditions of women police officers.<sup>24</sup>

Women's Police Stations, called *Comisarias de la Mujer y la Niñez* (CMNs), were first created in Nicaragua in 1993, and later incorporated into the formal police structure, and institutionalised at national level. As of 2005, there were 23 CMNs in Nicaragua, covering 68 per cent of the national territory.<sup>25</sup> CMNs offer services to individual victims, and also to the broader community, in the form of awareness-raising and prevention campaigns. They adopt an inter-institutional and multi-disciplinary approach, offering victims a wide range of services

to welcome women into the police force. The importance of training cannot be underemphasised: to support women's entry into police services; to ensure that police services and institutions are gender-sensitive; and to provide services that meet the particular needs of victims of sexual violence, whether through integrated mechanisms or dedicated units, such as Women's Police Stations and Family Support Units.

In the state's response to sexual violence, policing cannot be isolated from the rest of the criminal justice process, including legislation, prosecution services, courts, prisons, and compensation bodies. In

supporting victims of sexual violence, police services must work with and alongside health and psychological services, agencies responsible for shelter, family welfare and socio-economic support, and those that provide legal assistance. Cooperation must be not only inter-departmental, but with civil society organisations. Still, for many victims of sexual violence, reporting the crime to a police officer is the first, necessary step in seeking protection, assistance and, ultimately, justice. For this reason, improving security sector responses to sexual violence, in conflict and after conflict, begins with building trained, competent and committed police services.

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free of charge, including legal advice and representation, medical treatment and forensic services, psychological counselling and social support, with different services provided by different state institutions and civil society organisations.<sup>26</sup>

The CMNs provide a gender-friendly environment where women and children can report violence perpetrated against them in a climate of respect and without fear of being re-victimised. An evaluation of CMNs and their services in 2000, based on 1,948 interviews, showed that the majority of women police officers were respectful and attentive to the public, that they dealt well with people and were well prepared to resolve problems.<sup>27</sup>

Despite being hailed as an example of good practice, a number of concerns have been raised around the operation of the CMNs. Firstly, it is argued that the establishment of CMNs risks further marginalising sexual violence and victim support services by removing the issues from the centre of policing.<sup>28</sup> Secondly, it has been said that training for officers in CMNs assumed that women are "by nature" good listeners and handle victims of sexual and gender-based violence better than men, and was as a result inadequate.<sup>29</sup> Thirdly, it has been claimed that the inter-institutional character of CMNs can result in

competition and tension between the different actors involved, undermining the provision of services.<sup>30</sup> Speaking more broadly about Women's Police Stations in Latin America, Jubb has argued that "they are not sufficiently linked to the judiciary, to ensure that all the women who bravely decide to press charges then see their cases go to trial".<sup>31</sup> Whilst these are issues to be addressed in replication of the CMN model elsewhere, Jubb has noted that institutional strengthening of the CMNs has recently progressed, signalling an increased commitment of the police to CMNs.<sup>32</sup> While obstacles remain in Nicaragua's police reform process, Nicaraguan police have had relative success in addressing sexual and gender-based violence. This success seems to be attributable to the comprehensive approach to both making the police more gender-sensitive, and providing concrete services for women victims of sexual and gender-based violence. In addition, bringing together different stakeholders, including women's civil society groups, has helped to address sexual and gender-based violence in a more integrated manner.

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# Justice for Survivors of Sexual Violence in Armed Conflict

*“We need to hear that these atrocities are condemned to at least relieve some of the shame and the grief. It is not just a legal issue. It is about people’s lives. Something must be done so the society that was affected by the conflict can invest in peace.”*

Isha Dyfan, a lawyer, an activist for peace and women’s issues,  
and a survivor of Sierra Leone’s civil war.<sup>1</sup>

The justice sector is responsible for providing justice for victims of sexual violence and other human right violations, ensuring accountability for the crimes committed, and supporting the long-term process of rebuilding communities. The right to justice for victims of violence and human rights violations has been extensively affirmed and developed in international law, from the *International Covenant on Civil and Political Rights* to the *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law* of 2005.<sup>2</sup>

Even in times of armed conflict, the national courts of a state have the responsibility to prosecute sexual violence and provide justice for survivors. However, it is usually only after a conflict is over that society turns its attention to accountability and justice.

There are many challenges to providing justice for victims of conflict-related sexual violence. Survivors of sexual violence face considerable economic, educational and socio-cultural barriers in gaining access to justice. In most societies, they are stigmatised, and may be rejected by their spouse and even expelled from their community. Both their health and social needs must be addressed in order to effectively respond to the crimes committed against them. Legislation in many countries still does not adequately recognise sexual violence as a crime – for example, by failing to recognise male rape. Procedures for prosecuting crimes of sexual violence often discriminate against the victims, exposing them to further humiliation and re-victimisation. Victims of sexual violence rarely receive adequate reparations for

the injury and suffering that they have endured and continue to experience.

The establishment of temporary transitional justice bodies can be an opportunity to put in place mechanisms that try to address these challenges, as well as the specific needs of survivors of sexual violence during conflict. In parallel, as societies attempt to build or rebuild judicial institutions after conflict, legislation, national courts and traditional justice mechanisms should be responsive to sexual violence – whether it be sexual violence that occurred during the conflict, in the post conflict period, or the sexual violence that continues to occur in peaceful societies.

This section starts by considering different conceptualizations of “justice” in relation to sexual violence. It then considers how some of the mechanisms commonly part of transitional justice processes can play a role in providing justice to victims of sexual violence after conflict, and ways in which these might be strengthened. Looking beyond the immediate post-conflict period, it examines states’ basic legislative obligations in regard to criminalising sexual violence and how it is dealt with in national courts, and then considers the use of traditional justice mechanisms.

## What is justice?

Different communities have different notions of “justice”. While attempts to generalise about justice after conflict are thus fraught with difficulty, it may be helpful to consider how mechanisms seeking justice for victims of sexual violence can draw upon different

traditions. In some communities, *retributive justice* – based on prosecution and punishment proportional to the crime – is considered to have a value in itself. In contrast, *restorative justice* emphasises processes “through which all those affected by an offence – victims, perpetrators, and by-standing communities – collectively deal with the consequences”, and “the healing of wounds and rebuilding of relationships”.<sup>3</sup> The two notions of justice exist on a continuum. Many justice mechanisms have both retributive and restorative elements, although some communities have neither a concept of retributive justice, nor a perception of justice for the individual rather than the community. In general terms, truth and reconciliation bodies represent a restorative justice model, whereas criminal trials place greater emphasis on retributive justice.

In searching for justice after violent conflict, some practitioners in the field have argued that “there is no peace and no reconciliation without punitive justice”.<sup>4</sup> However, among the objections to the use of trials and criminal prosecutions are that retributive justice tends to marginalise the feelings and needs of victims, and that in post-conflict contexts material obstacles can seriously hinder the delivery of adequate justice.<sup>5</sup>

In addressing sexual violence after conflict, both restorative and retributive strategies have a role to play. Restorative justice mechanisms may offer more opportunities to give a voice to survivors of sexual violence, addressing the invisibility of such crimes. Restorative justice may also have a broader scope to address the poverty and health care needs and socio-cultural stigma suffered by survivors of sexual violence. However, forms of retributive justice may act as a stronger deterrent to future crimes of sexual violence, and may be necessary to prevent perceived impunity for such crimes. In all cases, space must be created to seek, listen to and respect the views of the victims on what, for them, constitutes justice.

## Transitional Justice

“Transitional justice” refers to a range of approaches that societies undertake to tackle legacies of widespread or systematic human rights abuses, as they move from a period of violent conflict or oppression towards peace, democracy, the rule of law, and respect for individual and collective rights.<sup>6</sup> Broadly speaking, the primary objectives of transitional justice are twofold: to introduce processes of reconciliation among both the parties to the conflict and the affected populations by establishing a process of accountability and acknowledgement; and to

deter reoccurrence, thus ensuring sustainable peace.<sup>7</sup> Transitional justice may be pursued through a combination of temporary, specifically created bodies and a state’s permanent justice mechanisms. Considered below are responses to sexual violence by various types of transitional justice bodies such as *ad hoc* criminal tribunals and the International Criminal Court, Truth and Reconciliation Commissions, and reparations programmes.

### *Ad hoc* criminal tribunals and the International Criminal Court

In a number of cases special tribunals have been established with the involvement of the international community to try individuals who committed crimes during a conflict. The International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) broke new ground in securing the first convictions for rape and other forms of sexual violence as war crimes, crimes against humanity and acts of genocide. These tribunals were followed by the establishment of “hybrid” courts in Cambodia, Sierra Leone and East Timor, based on a different model, which are part of the national judicial system but supported by the international community.

The jurisprudence of the ICTY and ICTR has been crucial in developing recognition and understanding of different forms of sexual violence in conflict as crimes under international law. However, the international tribunals have been less successful in protecting and supporting victims of sexual violence. The protection of victims by the ICTR has been particularly criticised. A number of witnesses for the ICTR were threatened or killed before or after testifying at the Tribunal.<sup>8</sup> During trials, survivors of sexual violence are reported to have received inadequate witness preparation, and experienced aggressive cross-examination, which left them feeling re-victimised and humiliated. A decision by a survivor to testify sometimes led to their abandonment by their spouse or expulsion from their community. Women who contracted HIV/AIDS as a result of rape were not always provided with adequate treatment.<sup>9</sup> Drawing on lessons learned from the problematic record of the ICTR, Box 2 describes some of the measures taken by the Special Court for Sierra Leone to overcome these problems.

Binaifer Nowrojee, a lecturer at Harvard Law School and a member of the Coalition for Women’s Human Rights, has articulated a model of best practice for investigating and prosecuting international crimes of sexual violence, drawn in particular from experiences in Sierra Leone.<sup>10</sup>

This could also serve as a model for national justice mechanisms to successfully address crimes of sexual violence. The key elements that Nowrojee highlights are:

- political will on the part of the prosecutor to prosecute crimes of sexual violence;
- designing a prosecution strategy for sexual violence at the outset;
- training for all staff to develop skills in sexual violence investigations and jurisprudence;
- having a dedicated team of sexual assault investigators and prosecutors;
- care for the well-being, safety and dignity of victims of sexual violence, including the provision of information, support and protection services and witness preparation; and
- an enabling courtroom environment, where rape victims are treated with sensitivity, respect, and care when they come forward to testify.

The International Criminal Court (ICC), established under the Rome Statute, has a mandate to try individuals accused of the most serious crimes of international concern including genocide, war crimes and crimes against humanity. The Rome Statute acknowledges the seriousness of sexual violence, as capable of being an international crime for which perpetrators and their military commanders or other superiors may be held individually accountable. It recognises rape and other forms of sexual violence by combatants in the conduct of armed conflict as war crimes. When rape and sexual violence are committed as part of a widespread or systematic attack directed against any civilian population (whether during armed conflict or not), they are considered crimes against humanity, and in some cases may constitute an element of genocide.

Learning from the experiences of the *ad hoc* tribunals, the ICC Statute and Rules of Procedure and Evidence contain better developed special measures to improve investigation and prosecution of crimes of sexual violence, including the protection of witnesses. The ICC Statute specifically requires that the Prosecutor appoint advisers with legal expertise on sexual and gender violence and that the Victims and Witnesses Unit includes staff with expertise in trauma related to crimes of sexual violence (Articles 42(9) and 43(6)). The ICC is required to take measures to protect the safety, physical

and psychological well-being, dignity and privacy of victims and witnesses, with particular regard to gender and crimes involving sexual violence (Article 68(1)); and the Statute establishes a Victims and Witnesses Unit to provide protection, security, counselling and other assistance (Article 43(6)). The ICC can institute measures to protect victims and witnesses during trials and pre-trial proceedings, and there is an assumption that victims of sexual violence will testify in closed hearings (Article 68(2)). The Rules of Procedure and Evidence require the ICC to be vigilant in controlling the questioning of witnesses to avoid harassment or intimidation, especially in sexual violence cases (Rule 88(5)), and are designed to shield victims of sexual violence from damaging or intrusive attacks on their sexuality or credibility. The ICC cannot admit evidence of a victim or witness's prior or subsequent sexual conduct, or require corroboration of testimony concerning sexual violence. The Rules outline principles to guide the ICC in handling sexual violence cases, making clear that a victim's consent cannot be inferred where the perpetrator took advantage of a coercive environment (such as a detention centre), and requiring special procedures for presenting evidence of consent to acts of sexual violence.<sup>11</sup> The ICC's Rules of Procedure and Evidence set a new international standard for good practice as regards prosecuting sexual violence.

Even with such safeguards in place, the danger remains that the prosecution process leaves victims feeling that they were the ones on trial, that they did not have an opportunity to fully tell their story, or that justice was not delivered (especially, obviously, where a conviction was not secured). Mechanisms for restorative justice should thus always be considered alongside prosecutorial mechanisms.

### Truth and Reconciliation Commissions

Truth and Reconciliation Commissions (TRCs) often emerge in the aftermath of conflicts, attempting to overcome the inflexibility and formality of criminal legal processes in establishing accountability for human rights violations.<sup>12</sup> The main objectives of TRCs are to confront the past and deal with the causes of the conflict and the human rights abuses committed. TRCs aim to provide a space for victims to tell their stories by officially recognising and condemning the wrongdoings, and to prevent abuses from reoccurring by confronting impunity. Often, TRCs also make recommendations for reparations programmes and institutional reforms.

In some cases TRCs have been established by governments or international organisations or both, while in others NGOs have created them. At least 25 official truth and reconciliation commissions have been established around the world since 1974, including in Argentina, Uganda, Sri Lanka, Haiti, Ecuador, Chile, South Africa, Sierra Leone and East Timor.<sup>13</sup> Although there is no universal model for TRCs, they usually hold hearings for victims, witnesses (and more recently also perpetrators) of human rights violations and produce a report of findings. Unless conditional amnesties are granted, as in the case of South Africa, the information that TRCs gather can be used as a basis for criminal prosecutions.

Early TRCs have been criticised for failing to take into account the ways in which gender dynamics influence how conflict is experienced by people, and for ignoring women's specific justice needs.<sup>14</sup> Sexual violence was generally underreported and some TRCs did not investigate or report on sexual violence at all. The report of the TRC in El Salvador, for example, only mentions a few incidents of gender-based violence, while it allegedly lists a number of cases in an unpublished appendix.<sup>15</sup> In the report of the TRC in Guatemala, sexual violence was included only in the section on torture.<sup>16</sup> However, according to Rubio-Marín, "there have been signs recently that TRCs, including those in South Africa, Peru, Sierra Leone, East Timor, Morocco and Colombia, have started to internalize the need to incorporate a gender dimension into their work".<sup>17</sup> Developments illustrating this evolution include the holding of thematic hearings dedicated to women that, according to Rubio-Marín, "seem to have offered wonderful opportunities to give women voice, but also to ensure that this voice transcends and reaches the public ... and to render women's sexual violence explicit."<sup>18</sup> Other mechanisms used to activate gender mainstreaming in TRC work include: the formation of special research teams dedicated to women (as in East Timor); the dedication of some of the chapters in the final reports of commissions to recording violence against women and its diverse impact on their lives (such as in South Africa and Peru); or the explicit attempt to mainstream gender throughout the entire TRC report (as in East Timor).<sup>19</sup> The recent Moroccan Equity and Reconciliation Commission (*Instance Équité et Réconciliation*) reportedly worked with national and international NGOs to ensure that attention was given in its work to women's distinctive needs and preferences.<sup>20</sup>

For TRCs to adequately address sexual violence and other gender issues, gender justice should be explicitly included in the human rights violations within their mandate, and they should adopt an inclusive definition of sexual violence. Among other necessary elements, according to Rubio-Marín, are: that TRCs have a balanced gender composition; that commissioners and staff have adequate gender training; that a balanced gender composition is also maintained in all committees that form TRCs, including those in charge of reparations wherever they exist; and that there is adequate coordination and communication between the truth-seeking, investigation, testimony-taking and recommendations tasks within TRCs.<sup>21</sup> Attention should also be given to the particular support and protection needs of victims of sexual violence when they give testimony.

Recent developments have given some encouraging signs as to how TRCs can go some way to acknowledging and recording the experiences and needs of survivors of sexual violence and their families and communities. However, it has been argued that some victims may be better served personally and psychologically by remaining silent rather than publicly revealing their victimisation. This line of thought suggests that "going public" puts them at risk of further violence and exclusion, and that their story is vulnerable to manipulation by the media, and to wider political and social goals.<sup>22</sup> Moreover, many commentators question the merits of "deterrence through truth-telling".<sup>23</sup> Whilst acknowledging these concerns, one of the greatest achievements of TRCs, especially those which have held public hearings and thematic hearings dedicated to women, has been to render the scope and seriousness of sexual violence visible (sometimes for the first time in the country) to the benefit of all victims, and not only those who came forward to testify.

### Reparations programmes

The UN General Assembly Declaration on the Elimination of Violence against Women and the Beijing Declaration and Platform for Action commit states to provide women who are subjected to violence with "just and effective remedies for the harm that they have suffered..."<sup>24</sup> The Secretary-General's *In-depth Study on all Forms of Violence against Women* states that "...generally, the right to a remedy should include: access to justice; reparation for harm suffered; restitution; compensation; satisfaction; rehabilitation; and guarantees of non-repetition and prevention".<sup>25</sup>

## Box 2: Post-conflict justice mechanisms in Sierra Leone

Sierra Leone has used a combination of justice mechanisms to deal with violations committed during the conflict: the Special Court for Sierra Leone, a TRC, and some traditional justice mechanisms. Together, these have been assessed as being relatively successful in addressing crimes of sexual violence.<sup>30</sup>

### The Special Court for Sierra Leone

The Special Court was established by agreement, requested by Security Council Resolution 1315, between the UN Secretary-General and the Government of Sierra Leone. In this way it is seen as a “hybrid” international and national court. It started operations in 2002, and continues today. The Special Court is mandated to try “persons who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30 November 1996”.<sup>31</sup> The Special Court differs from the two *ad hoc* tribunals for the former Yugoslavia and Rwanda in a number of important ways, including that it is seated in Sierra Leone itself, and consists of international and Sierra Leonean judges and staff.

Although sexual violence constituted a crime in Sierra Leone, only the rape of a virgin was generally perceived as a serious crime.<sup>32</sup> In contrast, the Statute of the Special Court adopted a broad definition of sexual violence, including “rape, sexual slavery, enforced prostitution, forced pregnancy and any other form of sexual violence”. The Statute explicitly calls for the appointment of gender-sensitive staff to deal with crimes of sexual violence.<sup>33</sup>

The Special Court has made considerable efforts to prosecute crimes of sexual violence, despite relatively low levels of resources and staff at its disposal (compared to ICTY and ICTR). Nowrojee has hailed the strong political will, particularly on behalf of the prosecutor, to address sexual violence. The Court adopted a prosecution strategy that incorporated crimes of sexual violence from the outset, and a trial attorney was specifically tasked with the prosecution plan for sexual violence crimes. Two experienced women investigators (out of the team of ten) were assigned to investigate crimes of sexual violence. They adopted a gender-sensitive interviewing method to ensure that victims of sexual violence felt comfortable reporting crimes. Witness preparation was emphasised, to ensure witnesses understood the implications of testifying.<sup>34</sup>

The first judgements of the Special Court, delivered on 20 June 2007, included convictions for rape as a crime against humanity and outrages upon personal dignity (sexual slavery) as a violation of Article 3 Common to the Geneva Conventions and of Additional Protocol II (as well as the first convictions in an international tribunal for the recruitment and use of child soldiers). Whilst this was a positive recognition of sexual violence during the conflict, the Trial Chamber interpreted some crimes of sexual violence in a restrictive manner. The Trial Chamber found, for instance, that the evidence of forced marriage amounted to proof of sexual slavery but not a separate crime against humanity of “forced marriage”, on the basis that “not one of the victims of sexual slavery gave evidence that the mere fact that a rebel had declared her to be his wife had caused her any particular trauma”. In a dissenting judgement, Justice Doherty recognised forced marriage as a different crime to sexual slavery, due to the conjugal status forced on the women, and the social stigma associated with being a “bush wife”, which caused them significant mental suffering.<sup>35</sup> Whilst this may be a sign for some concern as to the sensitivity of certain of the judges to women’s particular experiences, it is as yet too early to draw any conclusions as to how well the Special Court will address sexual violence.

### The Truth and Reconciliation Commission of Sierra Leone

Mandated by the Lomé Peace Agreement, the Truth and Reconciliation Commission of Sierra Leone (TRC) aimed to:

“Create an impartial historical record of violations and abuses of human rights and international humanitarian law related to the armed conflict in Sierra Leone ...; to address impunity, to respond to the needs of the victims, to promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered”.<sup>36</sup>

Sierra Leone’s TRC included an explicit focus on sexual violence. Its establishing Act called for the Commission to “work to help restore the human dignity of victims ... giving special attention to the subject of sexual abuses.”<sup>37</sup> The TRC was composed of seven commissioners, four from Sierra Leone and three international, of whom three were women.<sup>38</sup>

The Commission held hearings during which victims, witnesses and perpetrators recounted what had occurred. Special hearings were organised for women. Before the hearings on gender crimes, staff and commissioners underwent a two-day gender training (facilitated by UNIFEM and the Urgent Action Fund) on international law pertaining to sexual violence, the methodology for interviewing victims of sexual violence and issues related to the support and protection of women witnesses. Efforts were made to create a comfortable and enabling environment for victims of sexual violence and to ensure their privacy and confidentiality, for example by providing a private space for the women before and after they testified.<sup>39</sup> More than 40 per cent of the TRC's statement-takers were women. Victims of sexual violence were only interviewed by female commissioners and could decide whether they

wanted to testify in closed hearings before the commission or in public hearings, and whether their statements should be regarded as confidential. Witnesses who appeared during the closed hearings were provided with food, drink and medical assistance, with transport to and from the hearing venues and, where necessary, overnight accommodation.<sup>40</sup>

The TRC reached out to women's organisations to include them in the process, and women's groups were very active in raising awareness about the TRC's work, testifying in the hearings, assisting victims of sexual violence, making recommendations for a reparations programme, and pressuring the government to implement it.<sup>41</sup> The TRC's final report, published in 2004, included a section on "Women and the armed conflict".<sup>42</sup>

Both the Special Court and the TRC have contributed to raising awareness about gender-based violence among the people of Sierra Leone, and supported the Sierra Leonean women's struggle for visibility.

### Reparations

The TRC for Sierra Leone made recommendations for an extensive reparations programme.<sup>43</sup> A broad definition of potential beneficiaries was adopted, and reparations were not limited to those who participated in the Commission (as in South Africa) or to civilians (which would have excluded a large number of victims of sexual violence, including ex-combatant women and girls).<sup>44</sup> Survivors of sexual violence, including men and boys, were among the categories of victims prioritised by the Commission. The Commission decided not to apply the threshold

“reduction of earning capacity test” to victims of sexual violence in recognition of the fact that many victims of sexual violence “suffer a tremendous amount of stigma ... are rejected by their own communities and families and because of this, many victims find it difficult to sustain themselves, regardless of the injury they have sustained as a result of a violation committed against them.”<sup>45</sup>

Recommended reparations for survivors of sexual violence included gynaecological service and surgery, the provision of HIV/AIDS testing and treatment, counselling and psycho-social support, skills training, micro-credit programmes, and individual pensions. The TRC also recommended symbolic reparations in the form of recognition and apologies by individuals and groups responsible for abuses committed.<sup>46</sup> This led to all combatant factions apologising in public for gender-based crimes committed by their troops.<sup>47</sup>

While Sierra Leone's reparation programme has been relatively progressive in its focus, critics argue that it falls far short of the real needs of victims of sexual violence in terms of financial, medical and psycho-social support and employment opportunities. The provision of homes for children born of rape - as many women do not want to raise such children - was not addressed. Further, given that all the incidents of sexual violence reported to the TRC were committed against women and girls, the question remains whether sufficient effort was made to encourage men and boys who suffered sexual violence to come forward (see country profile for Sierra Leone).<sup>48</sup> Moreover, there has not yet been any implementation of the reparations programme.<sup>49</sup>

### Traditional healing mechanisms

Traditional healing mechanisms have also been used in Sierra Leone to address the legacies of conflict. Women have conducted healing rituals for former child combatants, cleansing them of their past deeds including raiding, killing and crimes of sexual violence. This enables the children to return and to be accepted by their community. Clark states that: “Traditional cleansing and healing ceremonies for former child soldiers have been important means for some communities to recognize and assuage the guilt that child soldiers carry.... [They] are intended to provide a clean break from past atrocities.”<sup>50</sup>

For survivors of sexual violence, it is important to be recognised and treated equally with other types of victims under the law.<sup>26</sup> At the same time, however, survivors of sexual violence have special needs which require gender-specific measures to complement equality under the law. Material forms of reparations are necessary to address the economic needs of survivors, who often become heads of household and sometimes have to take care of children born of rape. Symbolic reparations are necessary to address the social stigma that survivors of sexual violence are subjected to, such as their exclusion from the community or abandonment by their spouse.<sup>27</sup>

Reparations programmes are generally established by governments, sometimes on the recommendation of courts or TRCs. They aim to “compensate in some way a large universe of victims of human rights violations”.<sup>28</sup> To ensure that victims of sexual violence are included in reparations programmes, and that the reparations offered are appropriate to their needs, gender dimensions must be considered throughout programme planning and implementation. Women and women’s groups should participate in all stages of reparations programmes. Sexual violence should be included in the list of violations that trigger reparations and should be broadly defined. The material dimension of the harm endured by victims of sexual violence should be brought to the fore and compensated for, and psycho-social and medical services should be explicitly included. Procedural and evidentiary aspects (such as the evidentiary standards to qualify as a victim) should be defined taking into account the nature of the crimes. Finally, there should also be possibilities for subtle mechanisms allowing victims who do not want to expose themselves publicly to qualify as beneficiaries.<sup>29</sup>

However, the greatest shortcoming of reparations programmes is that they are often not implemented. Earlier reparations programmes, such as those in Argentina, Peru, Brazil, were implemented, but did not include reparations for sexual violence. Whilst most recent programmes, such as those in East Timor, Sierra Leone (see Box 2), Guatemala and Peru, have been sensitive to sexual violence and other gender issues, unfortunately implementation is very weak or totally absent.

### **Beyond transitional justice**

Legislation and national courts have a role to play during conflict and in a transitional period, and indeed are central to any transitional justice process. In moving

beyond transitional justice toward long-term rule of law, a state’s legislation and permanent justice mechanisms should be reviewed and reformed to ensure that sexual violence is comprehensively addressed.

### **Legislation**

A legal system that can offer justice for victims of sexual violence must begin with legislation that ensures the recognition and punishment of sexual violence. A number of international documents recognise the duty of states to enact such legislation. The UN General Assembly *Declaration on the Elimination of Violence against Women* emphasises that states have a duty to “develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence ...”<sup>51</sup> This is reiterated in the Beijing Declaration and Platform for Action, which called on states to “[a]dopt and/or implement and periodically review and analyse legislation to ensure its effectiveness in eliminating violence against women, emphasizing the prevention of violence and the prosecution of offenders ...”<sup>52</sup>

However, in many countries, national legislation fails to provide a legal framework that recognises all forms of sexual violence as crimes, in accordance with internationally agreed standards. For example, legislation may require the use of force in an act of sexual violence, rather than the lack of consent.<sup>53</sup> Some legislation only recognises rape and not other forms of sexual violence, and/or limits rape to penetration of the vagina. Often sexual violence against men and boys is not included. In some countries, shortcomings in the law regarding sexual violence stem from evidentiary standards and procedural rules. For example, in many Muslim countries following shari’a, two men must have witnessed the act of violence. (Procedural issues, whilst often defined in legislation, will be discussed further in the section below on “National courts”.)

Amendments to the rape law recently adopted in South Africa provide an example of improved sexual violence legislation. The new law broadens the definition of rape to recognise as rape any sexual penetration, including of the anus or mouth, without consent, irrespective of the victim or perpetrator’s gender; and to include forced oral sex and male rape, hitherto classified as indecent assault. It also includes forced sexual penetration using an inanimate object or animal genitalia. The law allows victims to obtain a court order for compulsory HIV testing of alleged offenders and entitles victims of sexual offences to be provided with post-exposure anti-

retroviral drugs at state expense.<sup>54</sup> Kosovo too has drafted a new Provisional Criminal Code that includes a progressive definition of rape, based upon language used in the International Criminal Court Statute, judgments of the ICTY and ICTR, and international conventions.<sup>55</sup> Kosovo's Criminal Code explicitly directs authorities to consider the particular needs of victims of sexual or gender-related violence when conducting criminal proceedings, and provides particular procedures to "assist in reducing any subsequent traumatization during the giving of evidence of a victim of sexual or gender related violence".<sup>56</sup>

Transition periods and post-conflict situations can offer brief windows of opportunity to revise and redraft constitutions and legislation, which have long-term repercussions for peace, security and the status of different groups within society, including women. In addressing the legacy of sexual violence during a conflict, amending pre-war legislation on sexual violence to ensure that it meets international human rights standards, as well as the needs of the community, should be a priority. However, good legislation alone is not enough to address the issue of sexual violence. Liberia, for example, emerging from years of conflict and grappling with massive past and ongoing sexual violence, passed strong new rape laws in December 2005. Despite the new laws, few rape trials are being heard in court. Liberia's five-year "National Gender-based Violence Plan of Action" states that: "Perpetrators go unpunished or receive light sentences, few survivors report cases, and law enforcement is known for treating survivors poorly."<sup>57</sup> Activists complain that rape victims and parents of rape victims are discouraged from reporting the crime because the overworked court system is slow to prosecute, and some call for a special court to deal with rape cases.<sup>58</sup> Legislation is necessary but not sufficient. Mobekk points out that: "Legislation has been changed in many cases, but is never implemented because of the state of the court system, but also because attitudes towards these crimes have not changed."<sup>59</sup> While functioning courts and effective and gender-sensitive implementation of laws are crucial, public campaigns to promote women's human rights and to challenge tolerance of sexual violence may also be required.

### National courts

States have a duty, set out in numerous international instruments, to effectively prosecute and punish acts of sexual and gender-based violence, whether such acts are perpetrated by the state or by private persons. Male

survivors of sexual violence in conflict equally have a right to justice, and risk being marginalised and excluded from justice processes to an even greater extent than female victims. Even in countries not affected by conflict, national courts often fail victims of sexual violence.<sup>60</sup> Courts often lack the infrastructure, capacity and expertise to prosecute crimes of sexual violence. Legal procedures for conducting sexual violence trials often re-victimise victims, subjecting them to humiliation during interviews, when testifying, and after the trial. There is often inadequate support and protection for survivors of sexual violence.

### Box 3: Nepal

In Nepal the Governing Council of the National Judicial Academy has adopted a resolution for mainstreaming gender issues in its policy and practice, as part of the legal reforms in the country. Gender issues are now part of standard training for lawyers and judges. With support from UNDP, the National Judicial Academy has developed a gender training tool to provide judicial personnel with the skills to analyse the legal provisions related to gender issues, and to become familiar with international human rights and women's rights instruments.<sup>64</sup>

In times of armed conflict and after conflict, national judicial institutions are often in a state of total collapse. Where state authorities are involved in perpetrating human rights abuses in conflict, there may be reluctance by national courts to acknowledge and prosecute such crimes. Authorities and communities may fear that prosecutions will destabilise the peace and reconciliation process.

In the *Beijing Platform for Action*, states committed to "develop strategies to ensure that the revictimization of women victims of violence does not occur because of gender-insensitive laws or judicial or enforcement practices..."<sup>61</sup> The UN *Model Strategies and Practical Measures on the elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice* urges states to review, evaluate and revise their criminal procedure to ensure that: "Women subjected to violence have an opportunity to testify in court proceedings equal to that

of other witnesses and that measures are available to facilitate such testimony and to protect their privacy”<sup>62</sup> Special procedures to deal with cases of sexual violence should be established and institutionalised, in line with the standards of good practice set by the ICC, outlined above. Such procedures should include measures to guarantee security, privacy and confidentiality for victims before, during and after trials, such as witness protection and resettlement packages. Survivors of sexual violence should be provided with legal, medical and psychosocial support, as well as shelter, when necessary. The judicial system requires appropriate

infrastructure to deal with cases of sexual violence – e.g. court houses should be properly managed and staffed.

The *Beijing Platform for Action* identified the need for training programmes for judicial and legal personnel to “sensitize such personnel to the nature of gender-based acts and threats of violence so that fair treatment of female victims can be assured”.<sup>63</sup> Judges, prosecutors, defence counsel and court personnel should be trained on women’s rights, the gender impact of the legal and judicial system, and the legal procedures for crimes of sexual violence. Specific training on interviewing methods for crimes of sexual violence should be provided

#### Box 4: “Reintegrative Shaming” in Bougainville

Bougainville suffered a violent civil war between 1989 and 1998 (see the country profile for Papua New Guinea). Before the conflict, Bougainville is said to have been a society with low levels of sexual violence.<sup>70</sup> Respect for elderly men and women was the basis of authority and community organisation. Mothers had distinct forms of power and authority in the community, as is often the case in mostly matrilineal societies. During the conflict, patterns of authority were ruptured, whereby male community chiefs, female elders and mothers lost their authority to military commanders.<sup>71</sup> Women were subjected to rape and sexual harassment by the security forces and by the separatist Bougainville Revolutionary Army.<sup>72</sup> According to Braithwaite, the armed conflict “was associated with large increases in rape and/or domestic violence” and “with the return to peace in the current decade, rape had fallen again”.<sup>73</sup>

In Bougainville, restorative justice mechanisms seek to reintegrate boys and men to the authority of chiefs and mothers. The main objectives are to reconcile the victims and the perpetrators, to provide justice for the victims and the community, and to reintegrate the perpetrators into community life. This long-term view of reconciliation seeks to combine economic and social reintegration of former combatants with the prevention of further violence among ex-combatants. Reconciliation ceremonies involve several meetings between the victim, the perpetrator and the elders of the community, where the allegations and options for reconciliation are discussed. The reconciliation procedure includes acknowledging harm and guilt,

speeches of apology and forgiveness, the exchange of gifts, and commitments to future behaviour by the perpetrator.<sup>74</sup>

A core ingredient of such justice mechanisms is “reintegrative shaming”.<sup>75</sup> In many societies, shame is an important tool for socialising: “It is by the careful use of shame that children learn who they are, the obligations they have to others and what others have to them”.<sup>76</sup> This sense of shame can be harnessed in restorative justice mechanisms to acknowledge shame and discharge it, to shame acts of injustice; and to prevent further injustice and enable restoration. However, shaming procedures can be counterproductive when shame is unacknowledged and when it involves stigmatising.) Braithwaite suggests that reintegrative shaming in relation to sexual violence would aim to bring perpetrators of sexual violence “to experience the shame they should feel for rape, which then allows to reintegrate them into society”.<sup>77</sup> Braithwaite argues that this recognises that the reason that some societies have low rates of rape is not that perpetrators are more often imprisoned, but that rape is unthinkable to most men in these societies.

The PEACE Foundation Melanesia has given restorative justice training based on traditional reconciliation methods to 10,000 people in Bougainville, including many traditional chiefs. It is hoped that this will allow these community-based mediators to deal with the consequences of the civil war at a local level.<sup>78</sup>

to staff who interact with survivors. The recruitment and advancement of women in the judicial system is an important objective in itself, and can also advance the response to gender issues in the judicial sector.

### Traditional justice mechanisms

A wide variety of traditional justice mechanisms are used in many countries as complementary or alternative processes to national or international justice systems. They may be used or adapted to respond to human rights violations during armed conflict, as with the Gacaca courts in Rwanda, or the reintegrative shaming processes used in Bougainville (described in Box 4). Given the variety of forms of traditional justice mechanisms it is difficult to generalise, and important not to overlook their specificities. However traditional justice mechanisms should be considered in relation to sexual violence, as in some contexts it might be appropriate to support and build upon traditional ways of responding to violence, rather than introducing new procedures.

Traditional approaches to justice tend to take place at the community level and involve religious leaders, village elders or local authorities to resolve domestic or communal conflicts. In some cases, the emphasis is on mediation, restorative justice and the needs of the community. Others deliver severe punishments, such as lashings, detention in harsh conditions and even execution. Such mechanisms have advantages of proximity, accessibility and sensitivity to local customs and circumstances.<sup>65</sup>

However, traditional justice mechanisms often reinforce traditional gender roles and ignore the voices and rights of women. Although there are exceptions to this generalisation, women tend to be absent from traditional justice mechanisms, gender-based violence is not appropriately sanctioned, and victims of sexual violence tend to be reluctant to come forward due to the stigma attached to these crimes.<sup>66</sup> Research on traditional dispute resolution systems operating in refugee camps in Bangladesh, Côte d'Ivoire, Ethiopia, Guinea, Kenya, Mexico, Nepal, Pakistan, Sierra Leone, Tanzania, Thailand, Yemen and Zambia found that in all of these countries, across all refugee cultures, women lacked representation, influence and decision-making power in the refugee dispute resolution systems. The punishments imposed on rapists by refugee dispute resolution systems:

“... in most circumstances are characteristically negligible or non-existent, even though they would attract much more serious punishments under

national law ... a rapist might simply be absolved if he marries the survivors, or if it involves a minor, might be imposed a small fine or a minimal length of detention.”<sup>67</sup>

Furthermore, such fines are more often given to the family than the survivor.<sup>68</sup>

There is thus a danger that traditional justice mechanisms re-produce gender inequalities, and reinforce the lack of justice for victims of sexual violence. In contrast, the experience in Bougainville (described in Box 4) suggests that traditional justice processes can have the potential to restore the rights and authority of women in the community, and “...that part of what may be required to return a society to peace and low levels of rape may be restorative justice processes that are historically sustained, deep and broad”.<sup>69</sup> Hence, traditional mechanisms can be a source of repression of women, but they may also be a source of restoration and resistance.

### Conclusions

Sexual violence in conflict shatters lives and communities. Providing justice to survivors of sexual violence brings recognition of the harm that they have experienced and seeks to alleviate the consequences. Within communities, a sense that justice has been done may be necessary for reconciliation and for moving on. At the same time, justice is an exercise in the enforcement of criminal law, on behalf of the state and the broader community. Justice is thus simultaneously personal to each individual survivor, an issue for entire communities, and has national and international dimensions, and there are tensions inherent in locating justice in these different spaces. As yet only tentative steps have been taken to understand what justice is for individual survivors of sexual violence and for their communities, and to develop judicial mechanisms and strategies that deliver this justice.

Whether one works through courts, TRCs, reparations bodies or traditional justice systems, stigma against survivors of sexual violence recurs as a fundamental barrier to justice. Survivors - men, women and children - are reluctant to come forward, due to the risk of (further) social ostracism and violence. The “justice” offered rarely meaningfully addresses this reality. Our efforts to bring justice to survivors of sexual violence must necessarily thus begin with an endeavour to understand the silence that all too often shrouds sexual violence, and to find ways to transform shame and stigma into renewed dignity and respect.

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- <sup>62</sup> United Nations General Assembly, *Crime Prevention and Criminal Justice Measures to Eliminate Violence against Women*, A/RES/52/86, 2 February 1998, §7(c).
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- <sup>67</sup> Da Costa, R. (2006), 43.
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- <sup>73</sup> Braithwaite (16 June 2006), 4-5.
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# Peacekeepers and Sexual Violence in Armed Conflict

Peacekeepers can play an important role in protecting civilians from sexual violence during armed conflict. Since the early 1990s, mandates for UN peacekeeping missions explicitly include provisions for the protection of civilians. The challenge of effectively preventing and responding to conflict-related sexual violence is, however, one that peacekeepers have rarely met. Indeed, peacekeepers have themselves committed acts of sexual violence (as noted in the profiles of sexual violence during the conflicts in, for example, Cambodia, the Democratic Republic of the Congo, East Timor, Eritrea, Haiti and Liberia).

“Peacekeepers” include a wide variety of actors: soldiers and military officers, police, development specialists, humanitarian workers and other civilians. This section will largely focus on armed and security forces. It will examine some of the strategies that have been initiated in UN and other multilateral peacekeeping missions, and by countries contributing troops and police to them, to better address sexual violence in peacekeeping. These include both initiatives to strengthen the capacity of peacekeepers to prevent and respond to sexual violence in the contexts in which they are deployed, and measures introduced to prevent and sanction sexual violence committed by peacekeepers.

## Strengthening the capacity of peacekeepers to prevent and respond to sexual violence

Medica Kosova, a women's NGO in Kosovo, writes:

Women have manifested severe symptoms of re-traumatization after the process of house searching for arms by peacekeepers took place. These were women who had experienced rape during the war and the uniforms and peacekeepers entering their houses caused activation of various traumatic symptoms.

Our counsellors had to do debriefing with the women to explain the situation, and to bring the women “now and here”

(a psychosocial technique) and disconnect the experience from the war. This provided good results, as one of the women entered her house and delivered a big grenade to a peacekeeper outside her home.<sup>1</sup>

In the UN Mission in Liberia, UN civilian police appointed a human trafficking officer with a team of seven officers. The team raided nightclubs and rescued women and girls who had been trafficked. However, those women who chose to testify against the traffickers received no follow-up protection or assistance in terms of temporary shelter or repatriation. The women concerned were handed over to local NGOs, which did not have sufficient resources to support or protect them.<sup>2</sup>

The European Union military operation in the Democratic Republic of the Congo (Operation EUFOR RD Congo)<sup>3</sup> collaborated with local women's organisations to improve its response to sexual violence. Local organisations provided information on whom to contact whenever EUFOR came across cases of sexual violence in order to arrange for psychosocial, medical and legal support for the victims.<sup>4</sup>

The aforementioned examples point to some of the challenges and opportunities experienced by peacekeeping missions in addressing sexual violence within the communities in which they work. Peacekeepers must be alert to the possibility that individuals might have been victims of sexual violence. They should also be trained to recognise and respond to symptoms of trauma, and to operate in a way that spares individuals from suffering further traumatic experiences. This approach impacts upon every aspect of peacekeepers' interaction with the community, including on protocols regulating conduct during searches, at checkpoints and in consultation processes. Sensitivity to sexual violence is essential to ensuring good relations between peacekeepers and host communities and the effective fulfilment of peacekeeping mandates.

In many cases peacekeeping missions do not have the capacity to provide proper assistance to victims of sexual violence and thus enlist the support of local organisations. Consequently, cooperation with civil

society, including women's groups, is essential both to identify and meet the needs of all members of the community. Local civil society organisations may also be well-placed to provide training on gender issues, and to sensitise peacekeepers to problems of past or ongoing sexual violence in the community.

Whilst collaboration with local NGOs is to be encouraged, such organisations tend to be vastly under-resourced and are only able to provide very limited support, assistance or protection to victims of sexual violence. It is crucial that peacekeeping missions have the mandate, funds and expertise to support local civil society organisations that provide services to and advocate on behalf of survivors of sexual violence.

Box 5 describes a strategy adopted by African Union peacekeepers in Darfur to prevent sexual violence.

### Preventing and sanctioning sexual violence by peacekeepers

The environments in which peacekeepers carry out their tasks are generally characterised by a breakdown of law and order, poverty, the dislocation of community structures, population displacement and various forms and degrees of conflicted-related human suffering and trauma. The local population may be heavily reliant upon peacekeepers and humanitarian aid organisations for its subsistence. This dependency makes members of the local population extremely vulnerable to

## Box 5: African Union firewood patrols in Darfur

For displaced women and girls in some conflict-affected contexts, collecting firewood puts them at particular risk of rape, abduction and murder (see the Burundi and Sudan country profiles). To protect women collecting firewood in Darfur, African Union Civilian Police and Ceasefire Committee (CFC: the African Union protection force in Darfur) soldiers began firewood patrols, primarily in the western and southern regions. Generally, the patrols consisted of 2 or 3 large pickup trucks that followed approximately 100-200 metres behind a group of women along a predetermined route to a firewood collection location. The trucks carried a patrol force comprising 3 to 5 civilian police personnel up front and 6 to 8 noticeably heavily-armed CFC soldiers riding open air in the back of the vehicle.

The Women's Commission for Refugee Women and Children reported that the firewood patrols proved highly effective. The lessons learned from the firewood patrols can help to guide strategies to protect women and girls from sexual violence in other peacekeeping environments. The Women's Commission for Refugee Women and Children highlighted the following issues, amongst others, as important to the success of firewood patrols in Darfur:

- “Firewood patrol committees” consisting of leaders from the participant groups (such as IDP women leaders), representatives from the patrolling forces (female wherever possible) and an intermediary, such as a UN agency or NGO,

were crucial in building trust between participants and patrollers. Committees should together develop guidelines on timing, frequency, route selection, distance, and the details of how the patrols will be carried out; and should meet regularly to address any concerns that arise during the patrols.

- The **protection mandate** of the patrolling force, whether soldiers, civilian police or local authorities, must be clear among all parties before the patrols begin.
- The role of the host government’s security forces (in refugee settings) and the local government’s security forces (in IDP settings) must be clarified before the patrols begin.
- Where necessary, a **translator** – female wherever possible – should accompany all patrols in order to communicate between participants and patrollers.
- The **commander of the patrolling force** must be supportive of the engagement of the patrollers in firewood patrols, committed to following the guidelines and willing to conduct patrols on a regular and predictable basis.
- **Patrollers must not engage in sexual exploitation** of participants in the patrols and must be held accountable for following internationally recognised guidelines and codes of conduct for peacekeeping forces.<sup>5</sup>

exploitation and abuse by peacekeepers and humanitarian workers. Women and girls in these insecure environments are particularly vulnerable because they have little protection from sexual abuse, and may have few alternatives to sexual exploitation in order to survive.

## The United Nations

In October 2002, allegations came to the fore of sexual abuse and sexual exploitation of displaced and refugee women in Guinea, Liberia, and Sierra Leone by UN peacekeepers and other humanitarian personnel.<sup>6</sup> The UN Secretary-General responded to the ensuing scandal by issuing a Bulletin on “Special Measures for Protection from Sexual Exploitation and Sexual Abuse”.<sup>7</sup> The Bulletin defined sexual exploitation as “any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.” Sexual abuse was defined in the Bulletin as “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.” Both sexual exploitation and sexual abuse are forms of sexual violence.<sup>8</sup> The Bulletin reiterated that sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal. It furthermore made clear that peacekeepers cannot engage in sexual activity with persons under the age of 18, regardless of the age of sexual consent in the country, and affirmed that any suggestion of being “mistaken” about the age of a child in this regard did not constitute a valid defence.

The Bulletin was followed by “A comprehensive strategy to eliminate future sexual exploitation and abuse in UN peacekeeping operations”, prepared by the Secretary-General's Adviser on Sexual Exploitation and Abuse, H.R.H. Prince Zeid Ra'ad Zeid Al-Hussein of Jordan.<sup>9</sup> In presenting his report to the Security Council, Prince Zeid stated that “it had become obvious that sexual exploitation, predominantly prostitution, in at least some UN operations appeared widespread.”<sup>10</sup> The Zeid Report led to the adoption of a reform package aimed at stamping out sexual exploitation and abuse by peacekeepers, to be introduced over a two-year period.<sup>11</sup>

The problem of sexual exploitation and abuse is not limited to military and police personnel. In 2005, 373 new allegations of sexual exploitation and abuse were

reported by UN entities. Of these, 193 allegations were made against military personnel (including members of military contingents, UN military staff officers, military observers and military liaison officers); 24 against civilian police personnel; and 156 against other UN civilian personnel and staff.<sup>12</sup> Whilst more than half the allegations of sexual exploitation and abuse were reported against military personnel, it should be recalled that military personnel constitute almost three quarters of all peacekeeping personnel in the field.<sup>13</sup> Although this study focuses on security sector responses to sexual violence, and thus on military and police personnel, approaches to sexual exploitation and abuse in peacekeeping must equally focus on civilian personnel.<sup>14</sup>

Much attention has been devoted elsewhere to the UN's “zero tolerance” policy and initiatives to prevent and respond to sexual exploitation and abuse.<sup>15</sup> However, the UN's scope of action is limited because it has little capacity to itself properly train all peacekeepers, and relies on the countries concerned to prosecute their nationals accused of crimes of a sexual nature while on peacekeeping missions. In this light, the remainder of this section focuses on what individual states that contribute troops and police to peacekeeping operations are doing to prevent and sanction sexual exploitation and abuse by their military and police personnel.

## Troop contributing and police contributing states

Investigations of sexual exploitation and abuse by personnel of the United Nations Mission in the Democratic Republic of Congo (MONUC) found that “substantiated allegations of sexual exploitation and abuse do not come alone. They are always linked to other forms of misconduct, either financial or staff mismanagement, or abuse of power.”<sup>16</sup> This underscores the need for police and military hierarchies to address sexual exploitation and abuse not only as violations of human rights, but also as a problem of internal discipline and management that undermines the success of any mission.

## *Codes of conduct*

Stopping sexual exploitation and abuse by security forces requires training and the creation of an “organisational culture” wherein armed forces commanders and police commissioners prevent, identify, halt and punish such behaviour. It also requires clear and practical guidelines on prohibited behaviour - such as paying for sex or having sex with

persons under the age of 18 - and clear complaint, investigation and disciplinary procedures.

As a first and crucial step troop contributing and police contributing states must ensure that the UN standards to prevent sexual exploitation and abuse set out in the Secretary-General's Bulletin are binding on their personnel, whether by issuing them as a command, or incorporating them into their criminal law.<sup>17</sup> They should also translate the standards into the languages of their personnel deployed as peacekeepers. Ghana, for example, has made the prohibition of sexual exploitation and abuse one of the underlying principles of its armed and security forces' code of conduct, under which the following behaviour is prohibited:

- a. Any exchange of money, employment, goods or services for sex.*
- b. Any type of sexual activities with children (persons under the age of 18 years).*
- c. Any other form of humiliation, degrading or exploitative behaviour.*
- d. Any sexual favour in exchange for assistance such as food.*
- e. Any type of sexual misconduct that damages the image, credibility, impartiality or integrity of the forces that deployed you.*<sup>18</sup>

Developing, implementing and enforcing such codes of conduct at national level can help to bridge the accountability gap for sexual violence by peacekeepers. A strong and clear reference to the impermissibility of sexual exploitation and abuse in a national code of conduct can be a tool for educating and training military and police personnel (including in training by civil society groups) and to assist commanders to stop such abuses by their personnel. Adoption of a national code of conduct can stimulate internal discussion and examination of the "organisational culture" of the armed and security forces, and can be a platform for broader public and parliamentary discussion of these issues. The impact may be particularly important with regard to how military and police forces on peacekeeping missions interact with civilians, especially women and children.

### ***Training***

UN Security Council Resolution 1325 recognised "the importance of ... specialized training for all peacekeeping personnel on the protection, special needs and human rights of women and children in conflict situations", and invited states to incorporate these issues into their national training programmes

for military and civilian police personnel prior to their deployment.

Training is the most effective preventative measure against sexual exploitation and abuse.<sup>19</sup> Since the UN does not have the capacity to give such training to all peacekeeping personnel, countries contributing armed and security forces to peacekeeping missions should be responsible for training their contingents prior to deployment. Training should include the provisions of the UN Bulletin, the UN Code of Personal Conduct for Blue Helmets and Directives for Disciplinary Matters Involving Military Members of National Contingents, as well as the state's own behavioural codes. Training provides an opportunity to discuss in depth the rules set out in such codes, including the meaning of "non-fraternisation", the circumstances in which a sexual relationship with a person in a host country is "exploitative", and the responsibilities of personnel who either father a child or become pregnant whilst deployed. It must also include procedures to report allegations of sexual exploitation and abuse and (as appropriate to the level of command) for investigation and response, and be subject to periodic and systematic follow-up and monitoring.

Many states are now using the UN standard training modules on Sexual Exploitation and Abuse/Zero Tolerance. Canada's Pearson Peacekeeping Centre, for example, has integrated them into its military and police education and training materials, and mainstreams gender and ethics issues in all of its training programmes.<sup>20</sup> More uniform training might help to bridge the differences in the way that peacekeeping forces from different states consider their relationship with host communities, including how they interact with women and girls.

However, pre-deployment training for peacekeepers is in many cases rushed and superficial, and the lead-time for deployment relatively short.<sup>21</sup> Training on gender and sexual exploitation and abuse issues must be integrated throughout the general training of potential peacekeepers. In this respect, Norway seems to provide an example of good practice: Norwegian soldiers and Security Council Resolution 1325 at all levels of military education, as well as in their pre-deployment programme. Norway's Ministry of Defence addresses sexual exploitation and abuse within a sector-wide action plan on ethical aspects of military service, which is supported by training materials to enable educators to present ethical issues in a practical manner.

## *Ensuring accountability for sexual violence*

Troop contributing and police contributing countries must demonstrate the political will to punish acts of sexual violence – both sexual exploitation and sexual abuse – by their own personnel. Impunity is a particular challenge within the military and police forces as there is often resistance to reporting, investigating and punishing abuses by colleagues.

*“The important thing is that when the soldiers go abroad they know what is expected from them as representatives for our national forces. Also, the rules are being put into practice. Soldiers who for instance buy sexual services when abroad are being repatriated.”*

*Brita Schawlann, Norwegian Ministry of Defence*

Those in command or in senior positions of superior responsibility in military and police forces do not always fulfil their responsibility to prevent and punish violations: “Rather than report on incidents or rumours of sexual exploitation and abuse, there is still a tendency to attempt to down play the issue or even cover up.”<sup>22</sup>

Steps are needed to address any “culture of impunity” for sexual violence within armed forces and within police contingents in order to make clear that:

- any person who commits sexual abuse or exploitation will be punished;
- any person who knows sexual abuse or exploitation has occurred must report it to a superior or investigate it (as appropriate to their position); and
- any person in a position of command who fails in their responsibility to prevent or punish sexual abuse or exploitation will be held legally accountable.

A specific problem is that military and police members of peacekeeping contingents are not subject to the criminal jurisdiction of the host state, but rather to the military and/or criminal justice system of the country that has deployed them. The UN can in general take only administrative action, such as ordering suspension from duties or repatriation. This has resulted in a glaring “accountability gap”, whereby peacekeepers who commit sexual violence can only be held accountable by their home country.

Certain countries that contribute military and police peacekeeping personnel have taken action under their military and/or criminal justice systems against persons who have engaged in sexual exploitation and abuse, including dismissal from the military, custodial sentences and loss of rank.<sup>23</sup> France, for example, has reportedly imprisoned one of its peacekeepers for filming himself having sex with children, while countries including Morocco, Nepal, Pakistan, South Africa and Tunisia have announced disciplinary action against some of their peacekeepers.<sup>24</sup> Still, there is a general perception that peacekeepers commit sexual exploitation and abuse with impunity.

Troop contributing and police contributing countries should always give and fulfil assurances to the UN that they will ensure respect for local law by members of their peacekeeping contingents, and that they will prosecute their peacekeepers if a UN investigation concludes that there are well-founded allegations of sexual exploitation or abuse against them. However, practical difficulties confront national authorities in the prosecution of their peacekeepers charged with such acts during peacekeeping missions. These include gathering evidence and summoning witnesses. To address these problems, the Zeid report recommended that troop-contributing countries hold on-site courts martial in the country where the alleged offences were committed.<sup>25</sup> Indeed, such action would demonstrate a strong commitment to hold perpetrators accountable for their acts, both to the peacekeeping mission and to the local community.

Demonstrating peacekeepers' accountability for sexual violence is important for the credibility of the mission, which in turn is essential to the mission's effectiveness. Repatriation of peacekeeping staff is the most commonly used disciplinary measure in the case of misconduct. When the repatriation process and its implications are not properly explained, it is very often perceived as a simple “removal” of the perpetrator without any repercussions. Whilst protecting the confidentiality of victims and witnesses, missions should provide information to the host community on how allegations of sexual exploitation and abuse are being handled, and explain the outcomes of investigations to the victim and other involved persons, whether local or other international staff. It may be appropriate for a mission's Special Representative of the Secretary-General, a Force Commander, a Police Commissioner or another person in authority to make a public announcement to the effect that the party/parties

concerned has/have been removed from the mission and are being punished, so that the community can see that appropriate action is being taken.

### *Increasing the deployment of women*

Troop contributing and police contributing countries and peacekeeping missions have recognised that the increased presence of women in peacekeeping improves conduct within the mission.<sup>26</sup> The UN Special Committee on Peacekeeping Operations has stated that increasing the participation of women in peacekeeping is:

... particularly important in the context of combating sexual exploitation and abuse, since it would facilitate the mission's task of making meaningful contact with vulnerable groups and non-governmental organizations in the local community, as well as efforts to encourage the reporting of abuse and to promote an environment that discourages such acts.<sup>27</sup>

Indeed, research suggests that the presence of women has a positive impact on the negative sides of “military” or “macho” culture “, such that sexual exploitation of local women and children occurs less often.<sup>28</sup> Thus, initiatives by states to boost the deployment of women for peacekeeping missions are part of a comprehensive strategy to prevent sexual violence by peacekeepers.

The UN Department for Peacekeeping Operations (DPKO) has set a target of ensuring that 10 per cent of peacekeeping police and military personnel are women.<sup>29</sup> However, as of May 2007, women made up only 1.92 per cent of UN peacekeeping personnel in military functions.<sup>30</sup> A recent meeting of troop and police contributing countries and UN missions

formulated the following recommendations for states to increase the recruitment and deployment of women for peacekeeping operations:<sup>31</sup>

- ... Develop a national policy on the recruitment and deployment of women that includes numerical targets (such as a minimum percentage of women in all formed units deployed to peacekeeping), and the following priority initiatives to support the achievement of these targets:
- a. establishment of specialised units within military and police personnel offices to oversee the recruitment and deployment of women;
- b. initiation of specific research on those factors that enhance the recruitment, retention and deployment of women, and ensuring that they inform national policy;
- c. promotion of increased numbers of women in leadership positions in national forces and in peacekeeping;
- d. nomination of women for senior civilians peacekeeping positions, for examples as Special Representatives of the Secretary General (SRSG) or on secondment to DPKO headquarters;
- e. development of national public information strategies that promote women's recruitment into police and military, and deployment to PKOs; and
- f. review of qualification requirements to remove those that discriminate against women ...

### *Victim assistance*

The Zeid report concluded: “A peacekeeping operation usually has neither the resources nor the mandate to provide comprehensive assistance to victims of sexual exploitation and abuse.”<sup>32</sup> However, the recommendations of the report included the establishment of a voluntary trust fund to provide assistance to victims of sexual exploitation and abuse by UN peacekeepers. The UN has drafted a “Policy Statement and Draft Comprehensive Strategy for Assisting and Supporting Victims of Sexual Exploitation and Abuse by UN Staff and Related Personnel”.<sup>33</sup> Whilst this policy would be a strong step forward, UN member states have not yet agreed to its adoption.

The United Nation's first all-female peacekeeping contingent — made up of 103 Indian policewomen — was deployed in Liberia in January 2007.

The armed police unit, from India's Central Reserve Police Force, was mobilised after a request from the UN to consider providing women peacekeepers. The Central Reserve Police Force women have experience from India's insurgency-prone areas, like Jammu and Kashmir and the North East, as well as in Sri Lanka as a part of the Indian Peace Keeping Force.

© UN Photo, Eric Kanalstein, 2007

*The Indian police contingent of the United Nations Mission in Liberia (UNMIL) arrives in Monrovia.*

States should consider their responsibilities in respect of the welfare of children born to their personnel. While such children may or may not be born of a relationship that is exploitative or abusive, “peacekeeper babies” and their mothers are prone to be abandoned by the fathers and are often left in a desperate financial situation, persecuted and stigmatised in their own communities.<sup>34</sup> An estimated 25,000 children were fathered by peacekeepers in Cambodia, and some reports estimate that at least 6,600 children were fathered by soldiers serving in the UN Observer Mission in Liberia.<sup>35</sup>

There is a need to ensure that fathers can be identified, whether through blood or DNA testing, and that the mother and child receive adequate support. The Secretary-General’s Bulletin entitled “Family and child support obligations of staff members” enables the UN to honour court orders addressed to UN staff members for family support.<sup>36</sup> States too should enable claims for child support to be made by the parent of a peacekeeper’s child in their own courts, and provide support to the parent to make such a claim. The child of a peacekeeper might also, depending upon the laws of the peacekeeper’s home country, have a right to the nationality of that country. If so, this right should be fully recognised by the country concerned.

## Conclusions

Preventing sexual violence, whether committed by peacekeepers themselves, armed groups or by members

of the host community, presents peacekeeping missions with major challenges. The UN, the African Union and the European Union have all taken some initial positive steps aimed in particular at preventing sexual exploitation and abuse by peacekeepers.

However, ensuring that the basic needs of local communities are met is essential to preventing sexual violence in peacekeeping environments. MONUC investigations into sexual exploitation and abuse found that for most of the women and girls involved “...having sex with the peacekeepers was a means of getting food and sometimes small sums of money”.<sup>41</sup> The UNHCR-Save the Children report on sexual abuse of refugee children in Guinea, Liberia and Sierra Leone in 2001 noted: “In every meeting, insufficient rations was raised as a primary factor contributing to sexual exploitation.”<sup>42</sup> Whether it is having sex with peacekeepers, suffering sexual exploitation, rape or domestic violence within one’s own community, or falling victim to traffickers, vulnerability to sexual violence is inextricably linked to poverty, gender discrimination and social injustice. To begin to prevent sexual violence, peacekeeping missions – and the international community which funds them – must fully involve women and girls, local leaders and civil society in peacekeeping contexts in strategies to support community development and to promote human rights.

## Box 6: Addressing sexual exploitation and abuse in European Union peacekeeping

Multilateral actors other than the UN also need to develop strategies to prevent and respond to sexual violence. Regional bodies engaged in peacekeeping and peace building include the Economic Community of West African States, the Southern African Development Community, the Organization for Security and Co-operation in Europe, the North Atlantic Treaty Organisation, the Organization of American States, the Caribbean Community and the European Union.

The *Generic Standards of Behaviour* for European Union peacekeeping missions specify that:

Personnel should be aware that both prostitution and the pornographic industry have established links with organised crime and human trafficking. Not only will the patronage of either serve to undermine the moral standing of the ESDP operation, but it will ultimately make the mission more difficult to achieve.

Sexual exploitation and sexual abuse violate universally recognised international legal norms and standards. They constitute acts of serious misconduct and are therefore grounds for disciplinary measures. Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited.

... All forms of sexual contact with children as well as child pornography are forbidden. Personnel must not in any way involve themselves in sexual exploitation, abuse and trafficking of children.<sup>37</sup>

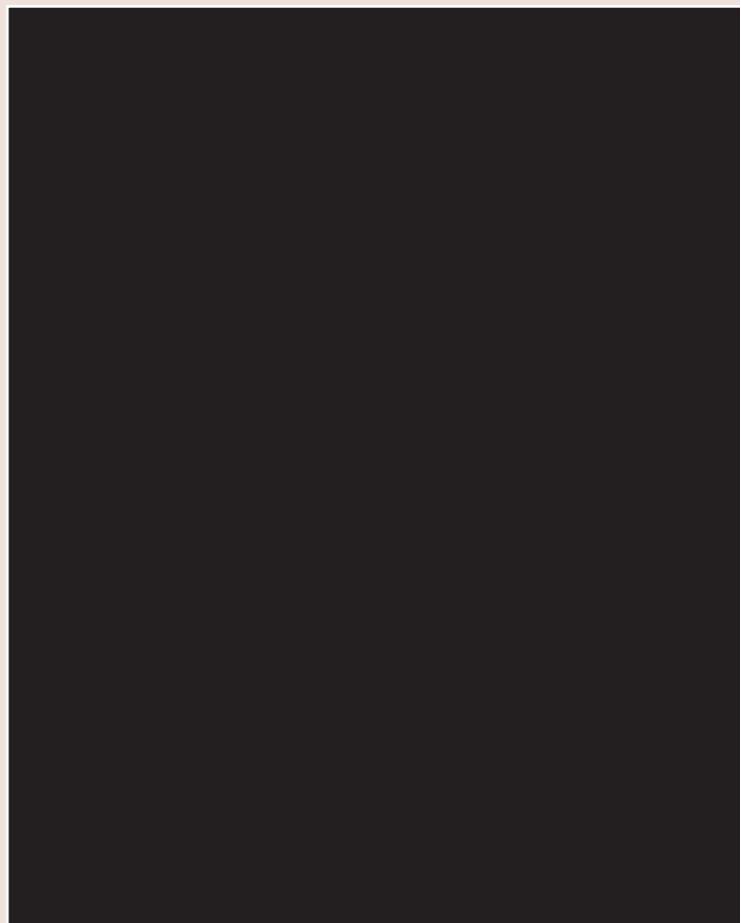
The European Union military operation in support of MONUC during the election process in the Democratic Republic of the Congo (Operation EUFOR RD Congo) sought to be “a role model for international peacekeeping and monitoring operations with respect to women, peace and security.”<sup>38</sup> EUFOR RD Congo's explicit objectives included that there be no cases of sexual exploitation

and abuse. Any such behaviour was to be specifically reported upon in the Gender Adviser's weekly reports to the Operational Commander and the Force Commander.

A Soldier's Card was distributed to all Operation EUFOR RD Congo participants, and all participants received training on its contents. As well as the troops' rules of engagement, the Soldier's Card stated:

**Any violation of this Soldier's Card will be considered as serious misconduct.** SEA will be investigated and may lead to disciplinary measures being taken, including suspension, immediate repatriation or summary dismissal. EUFOR personnel are obliged to report any concerns regarding SEA and abuse by a colleague through the established reporting mechanisms.

... Sexual Exploitation and Sexual Abuse (SEA; Sexual exploitation: Any



actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including profiting monetarily, socially, or politically; Sexual Abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions) are acts of unacceptable behaviour and prohibited conduct for all EUFOR personnel. SEA damages the image and integrity of the EUFOR operation in RDC and erodes confidence and trust in the operation.

It is strictly prohibited for all EUFOR personnel to engage in:

1) Any act of sexual abuse and sexual exploitation, or any other form of sexually humiliating, degrading or exploitative behaviour.

2) Any type of sexual activities with children (persons under 18 years of age). Mistaken belief in the age of a person is no excuse.

3) Use of children or adults to procure sexual activities from others.

4) Exchange of money, employment, goods or services for sex with prostitutes or others.

5) Any sexual favour in exchange of assistance provided to the beneficiaries of such assistance.

6) Visits to brothels or places, which are declared off-limits.<sup>39</sup>

Making EUFOR RD Congo's "Zero Tolerance Policy on SEA" very clear in this manner, supported by a strong information policy and training, was seen as "probably the key" to there being no reported cases of SEA inside the Operation EUFOR RD Congo.<sup>40</sup>

## Endnotes

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- 2 "Liberia: UNMIL's Crackdown on Trafficking Puts Women at Risk" *Refugees International Bulletin*, 10 May 2004: <http://www.refugeesinternational.org/content/article/detail/960/>.
- 3 Operation EUFOR RD Congo was not strictly a peacekeeping mission, but a military operation in support of the United Nations' peacekeeping mission in the Democratic Republic of the Congo, MONUC. EUFOR RD Congo was mandated by Security Council Resolution 1671, and concluded on 30 November 2006. However, lessons learnt in EUFOR RD Congo are included in this study, as are in many ways applicable to peacekeeping missions.
- 4 European Union Operation Headquarters (15 December 2006) *Final Report on Gender Work inside EUFOR RD Congo*, 6.
- 5 Patrick, E., Women's Commission for Refugee Women and Children, Communication with the authors, 13 February 2007 and 6 June 2007. Patrols basically ceased with the signing of the Darfur Peace Agreement in May 2006, after which it became increasingly difficult for the African Union troops and civilian police to operate. Patrols restarted in December 2006, but due to security concerns, as of June 2007 are operating only irregularly. See also: Women's Commission for Refugee Women and Children (March 2006) *Finding Trees in the Desert: Firewood Collection and Alternatives in Darfur*; Inter-Agency Standing Committee (September 2005) *Guidelines for gender-based violence interventions in humanitarian settings*, 60.
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# Addressing Conflict-Related Sexual Violence in Disarmament, Demobilisation and Reintegration Processes

The disarmament, demobilisation and reintegration (DDR) of former combatants has become an essential component of peacekeeping missions and post-conflict reconstruction programmes as part of a wider integrated post-conflict recovery strategy. The purpose of DDR processes is to contribute to the establishment of a secure and stable environment and the rebuilding of societies in post-conflict settings by disarming former combatants, disbanding military structures and reintegrating former combatants socially, politically and economically into civil society.<sup>1</sup>

Many female ex-combatants and women and girls associated with armed forces and groups have experienced sexual violence. Data collected in July 2004 from women who participated in Liberia's disarmament and demobilisation programme indicated that 73 per cent of them experienced some form of sexual assault. Around 75 per cent of the girls involved are also believed to have suffered sexual violence.<sup>2</sup> It is increasingly recognised that men and boys are also vulnerable to sexual violence inflicted by other men during military conscription or abduction into paramilitary forces, sometimes as part of initiation and integration rituals. Although little information is currently available on such sexual violence, it is generally accepted that male survivors often have very different needs from female survivors, and may be even more reluctant to discuss the violence they suffered or its consequences.<sup>3</sup>

Most DDR programmes still follow a traditional approach of focusing exclusively on military and security objectives targeting a rather limited population group. They lack an integrated gender perspective and are generally not linked to other processes such as justice and reconciliation during the transitional post-conflict period.<sup>4</sup>

This section will explore how DDR programmes can be designed to effectively address certain challenges related to conflict-related sexual violence. DDR programmes should include interventions that focus on both victims and perpetrators of sexual violence, as well as initiatives to prevent such acts from occurring in post-conflict settings. Gender factors must be taken into account during the planning phase of DDR programmes if they are to achieve their objectives.

Major challenges involved in effectively dealing with conflict-related sexual violence through DDR programmes include: gaining the acceptance of an inclusive target group to participate in the DDR process; ensuring that the target population is informed about the DDR programme; identifying and meeting the specific security and medical needs of survivors of sexual violence; reintegrating survivors and perpetrators of sexual violence into society, and preventing such acts from reoccurring.

Children associated with armed forces and armed groups have particular needs and rights, beyond those explored in this section. DDR programmes for children should take a child rights-based approach, and be guided by the Paris Principles.<sup>5</sup>

## **Inclusive DDR programmes**

In recent years the need to integrate a gender dimension into DDR programmes has become recognised as a result of greater awareness of the magnitude and various forms of women's and girls' participation in armed conflicts. For example, during the El Salvador conflict, women held 40 per cent of leadership and 30 per cent of combatant roles.<sup>7</sup> McKay and Mazurana found that girls were involved

## Box 7: Definition of DDR<sup>6</sup>

**Disarmament** consists of the collection, control and disposal of small arms, ammunition, explosives and light and heavy weapons handed over by combatants and the civilian population within a conflict zone. In general, the physical disarmament of fighters takes place in assembly areas and entails confiscation of weapons, and their safe storage and final disposition, sometimes entailing the destruction of the weapons concerned.

**Demobilisation** is a process involving the formal disbandment of military structures by the conflict parties. It entails assembling former combatants in encampments where they are registered, issued identity documents, receive medical assistance and counselling services, and are assessed for skills and discharged or recruited into a new, unified, regular

military force. After discharge ex-combatants usually receive a small initial reinsertion package and are transported to their homes or to a new community.

**Reintegration** is a long-term process involving the transition of former combatants from military to civilian life. It is a complex and multi-dimensional process comprising economic, social, political, and psychological factors. In the initial phase after demobilisation, former combatants are taken back to their homes or to new communities and are given assistance to cover their basic needs. Actual reintegration into civilian life – meaning that ex-combatants are accepted in a community, have restored their livelihoods and can exercise their political rights - is a much longer process.

in armed conflict in 38 countries as part of government, militia, paramilitary and/or armed opposition forces.<sup>8</sup> The need for gender-sensitive DDR programmes was reaffirmed in United Nations Security Council Resolution 1325 on *Women, peace and security*, which encouraged "... all those involved in the planning for disarmament, demobilisation and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants."<sup>9</sup>

International organisations and experts have produced various studies, standards, guidelines and best practices on the integration of a gender dimension into DDR programmes.<sup>10</sup> But in spite of the comprehensive documentation available, recent DDR programmes are still characterised by the very low participation of women and girl combatants. For example, an estimated 88% of girl soldiers were denied access to DDR programmes in Sierra Leone between 1998 and 2002.<sup>11</sup>

In order to be inclusive, DDR programmes must establish direct contact with both male and female ex-combatants, as well as with auxiliary personnel and dependants. Many ex-combatants included in DDR processes either committed sexual abuses and/or were victims of such acts. Consequently, each phase of inclusive DDR programmes offers numerous opportunities to identify both survivors and perpetrators of sexual violence and to provide victims

with care, and to carry out related protection and prevention activities.

### **Disarmament**

Disarmament is usually the first stage in a DDR process and determines who is eligible to participate in and benefit from DDR programmes. The restrictive criteria for enrolment and inadequate distribution of relevant information have been identified as the main obstacles to obtaining a higher participation of women and girls in DDR programmes.

### *Defining the target group*

DDR programmes have commonly failed to identify and include female ex-combatants, child soldiers and abducted children.<sup>12</sup> These groups often have difficulties in meeting the traditional selection criteria of turning in a weapon or proving their military rank or recruitment. Women and girls are less likely to possess their own weapon and their recruitment frequently occurred unofficially or through abduction. Moreover, female combatants often do not have an official rank.<sup>13</sup> This means that they have to rely on a male superior or their "husband" to confirm their role and rank. Given that ex-combatants' allowances are often calculated according to their rank in the armed forces, women ex-combatants with no proven rank

frequently do not receive them and are thus marginalised in the DDR process.

The United Nations *Integrated Disarmament, Demobilisation and Reintegration Standards* propose the following definitions for female beneficiaries, to ensure that women and girls are not overlooked:<sup>14</sup>

1) **Female combatants:** Women and girls who participate in armed conflict as active combatants using arms.

2) **Female supporters/females associated with armed forces and groups:** Women and girls who participated in armed conflicts in supportive roles, whether by force or voluntarily. Rather than being members of a civilian community, they are economically and socially dependent on the armed force or group for their income and social support (examples: porter, cook, nurse, spy, administrator, translator, radio operator, medical assistant, public information officer, camp leader, sex worker/slave).

#### *Distribution of information*

Experience from the DDR programmes in Sierra Leone<sup>15</sup> and Liberia<sup>16</sup> suggests that among the reasons why women and girls fail to enrol in DDR programmes are: fear of reprisal from opposing forces; fear for their safety owing to the presence of large

numbers of male ex-combatants at the encampment site, including fear of sexual violence or renewed exposure to such violence; lack of knowledge about the programme or no expectation of benefit from it; and fear of the social stigma attached to women who participated in armed conflict or who were associated with armed groups. In some cases male combatants and commanders have been known to impede the participation of women and girls in DDR programmes.

This underscores the necessity for DDR programmes to include specific information addressing the concerns of women, and communication methods that reach female combatants and supporters directly, independently of their husbands and male counterparts. Many female and child combatants are unaware of DDR programmes or receive incorrect information that deters them from participation. Distribution of information can be improved by involving, for instance, local women's organisations and community health centres in campaigns to raise awareness of DDR programmes.

#### *The consequences of exclusion from DDR programmes with regard to sexual violence*

When women and children are excluded from demobilisation and reintegration assistance programmes, they may then be left alone to deal with war traumas and health problems related to acts of sexual violence. Furthermore, they may not receive any financial or skills development support and have

## **Box 8: Hakamas sing and dance for peace in their communities**

Hakamas are traditional female singers who moved around with armed groups during the prolonged civil war in Sudan. Through song and dance these women incited new recruits to join the fighting groups, praised courageous fighters and ridiculed those who did not fight. Hakamas are also closely associated with the Janjaweed militia in Darfur, and have been accused of encouraging and praising Janjaweed atrocities, including sexual violence.<sup>17</sup>

In view of the significant influence of Hakamas songs and dances, the United Nations Mission in Sudan is involving Hakamas in the design of a DDR project that encourages them to campaign for peace in the

Nuba Mountains. Launched on 31 October 2006, the project has seen Hakamas swap their pro-war messages for others that promote peace throughout their communities. Their new songs include “*DDR Ash abaladay*”, meaning “DDR has come to my country”. This project also includes training sessions and workshops for the Hakamas on conflict resolution and reconciliation, and HIV/AIDS awareness. It furthermore addresses several objectives of the DDR programme by encouraging women to play a lead role in DDR processes, by including Women Associated with Armed Groups as a central target group, and by promoting community security as a necessary precondition to sustainable DDR.<sup>18</sup>

## Box 9: “Bush wives”: abducted women and girls

During armed conflicts, women and girls may be abducted and forced to become “wives” of soldiers – so-called “bush wives”. They perform tasks like cooking, cleaning and providing sexual services to single men or a group of men. A study on girls in fighting forces in Northern Uganda, Sierra Leone and Mozambique reported that “nearly all abducted girls are raped, and girls associated with fighting forces almost universally report sexual violence.”<sup>23</sup>

These women are largely absent in DDR programmes. This is due to obstacles to participation such as eligibility criteria and lack of information about the programme, but also because women often do not wish to be “officially” identified as “rebel women” and female ex-combatants in order to avoid the stigma attached to these roles in their societies.<sup>24</sup> Abducted girls and women may try to escape from their captors as soon as possible after the conflict and not wait for the DDR process to start. Including them in DDR programmes is therefore much more difficult than for other groups of combatants and people associated with armed forces and groups.

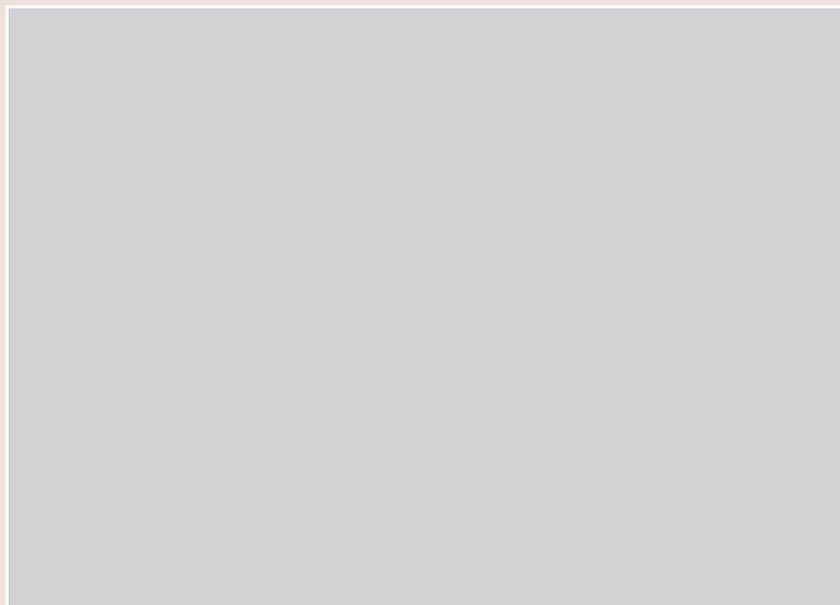
The demobilisation and resettlement of “bush wives” is a particularly challenging task, even when such women are included in a DDR programme. The UN *Integrated Disarmament, Demobilisation and*

*Reintegration Standards* recommend separate structures for DDR programme registration and accommodation in camps for women and girls as “this will help ensure the safety and autonomy of women and girls who are sex slaves or forced ‘wives’, for whom the assembly point may offer a rare opportunity for escape from their captors.”<sup>25</sup> However, “bush wives” may say that they want to stay with their “husband”. A DDR programme official in Sierra Leone was quoted as saying: “Even if they were raped and abducted, 70 percent ... want to be with their husbands.”<sup>26</sup> Many girls in Liberia, especially those with children, also wanted to stay with their “bush husbands” rather than be reunified with their families and/or return to their homes of origin.

In June 2005 in the Democratic Republic of the Congo, the NGO Refugees International expressed concern that former *Forces Démocratiques de Libération du Rwanda* combatants might force their Congolese “bush wives” to return with them to Rwanda. Often these women and girls are not accepted by the family or community of their “husband” and have to leave again.<sup>27</sup> As is the case for other abandoned “bush wives”, they have difficulty demonstrating their eligibility for DDR on their own. In Sierra Leone, for example, to qualify for a micro-credit programme “wives” of ex-combatants had to be

accompanied by the male ex-combatant who would claim that she was his “wife”. Other accounts from Mozambique tell of fights between the “husbands” of women they abducted and the real husbands or family members over the release of captive females in the demobilisation camp.<sup>28</sup>

Given the complexity of these and other issues, it is important that during disarmament and demobilisation combatants’ wives are given enough time and appropriate counselling about their options for resettlement and reintegration in order to ensure that their rights are protected and their choices respected.



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Alcia (on the left), a 17-year-old Ugandan, spent two years as a captive “wife” with the Lord’s Resistance Army.

to face the challenges of social and economic reintegration on their own. The risk of becoming socially isolated and destitute is high - making these women more vulnerable to trafficking and prostitution, thus perpetuating a cycle of sexual violence.

## Demobilisation

The demobilisation process offers opportunities to provide direct medical, psychological and material assistance to survivors of conflict-related sexual violence, and to work on the prevention of such violence with potential perpetrators.

The demobilisation planning phase must take into consideration the fact that many female ex-combatants and women and girls associated with armed forces or armed groups experienced sexual violence during the war at the hands of male members of the same force or group. Demobilisation sites assemble both perpetrators and survivors of sexual violence in a limited space. It is therefore crucial that encampment sites are adequately structured to meet the specific needs of women and girls, and that interventions are made that specifically target sexual violence issues. The UN *Integrated Disarmament, Demobilisation and Reintegration Standards* propose the following regarding the set-up and functioning of encampment sites:<sup>19</sup>

- The physical layout of the reception centre should be structured so that women and girls may register separately from their male partner and receive their own identity cards.
- Special measures should be taken that help ensure the safety and autonomy of women and girls. These include separate camps for women, men, boys and girls with separate latrines, ablution areas, and washing and kitchen facilities. These facilities should be well lit at night and cooking facilities, fuel and water should be provided so that women and girls do not need to leave the cantonment area.
- DDR programme staff such as camp administration personnel, health and psychological workers, as well as other key personnel, should include female staff members and staff should have completed training covering gender-issues, including sexual violence.
- Health services should include physical and psychological care to survivors of sexual violence

and address health issues like injuries and trauma from sexual violence, maternity, and sexually transmitted diseases, including HIV/AIDS. (In Liberia, Christian Children's Fund staff working in the Interim Care Centres found that up to 75 per cent of demobilised adolescent girls had one or more sexually transmitted diseases.<sup>20</sup>)

- Pre-discharge information for all ex-combatants should include targeted information and education on HIV/AIDS prevention, violence prevention, domestic violence, human trafficking, and also on human rights and ways to take legal action against perpetrators who have committed crimes of sexual violence against them.
- Female ex-combatants, supporters and children are at risk of exposure to gender-based violence, re-recruitment, abduction and human trafficking during the resettlement process. In order to minimise these risks, mechanisms should be in place ensuring safe transport to the destination of their choice.<sup>21</sup>

The demobilisation phase also offers opportunities to collect data on sexual violence from victims and perpetrators. Such data could for instance be used in designing appropriate physical and psychological health services during demobilisation and reintegration. Any such data collection must, however, be conducted in such a manner as to ensure the safety of participants, and address ethical considerations related to benefits and confidentiality.<sup>22</sup>

## Reintegration

The reintegration of ex-combatants into civilian life is a difficult and lengthy process. Survivors of sexual violence face additional obstacles during this last phase: additional stigmatisation, ostracism, and health problems caused by sexual violence, making them more vulnerable to renewed acts of sexual violence. Mostly women and girls, often pregnant and/or with children, survivors of sexual violence also face gender discrimination regarding employment opportunities and access to land and loans. Specific interventions and services to address these and other issues can be included in reintegration programmes for victims of sexual violence.

Experiences in Guatemala, Bosnia and Herzegovina and El Salvador show the risk of a perpetuation of

## Box 10: DDR in Liberia

The United Nations Mission in Liberia (UNMIL) was the first UN peacekeeping mission that worked with an explicit gender mandate, and established an Office of Gender Affairs.<sup>29</sup> UNMIL's DDR Action Plan included special arrangements for female combatants and involved UNIFEM, UNICEF, UNDP, UNHCR, WFP and WHO, among others.<sup>30</sup> After a false start and the suspension of the programme in 2003 due to the unexpectedly large number of ex-combatants who presented themselves for DDR enrolment, the launch of the programme was delayed until April 2004. In the interim, women's groups organised under the banner "Concerned Women of Liberia", and became involved in the DDR process. They made recommendations regarding, for example, the communication of adequate information on the DDR programme and the layout of encampment sites.

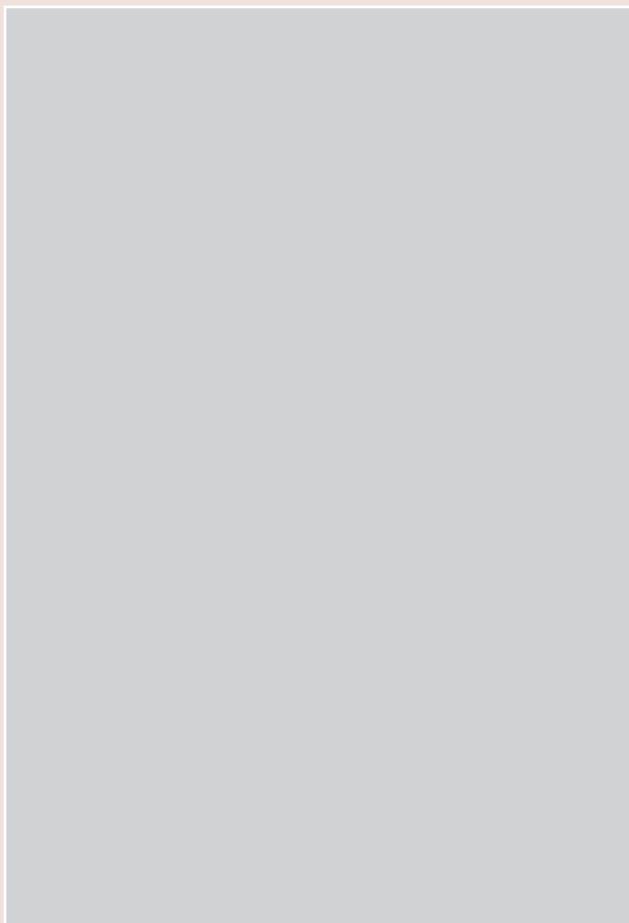
UNMIL's DDR programme had an inclusive approach regarding the target group "Women

Associated with Fighting Forces" (WAFF), which it accepted as eligible for enrolment. However, a strong and specific awareness campaign (using print media and radio) was necessary to encourage women and girls to participate in the DDR process. Girls especially were reluctant to identify themselves as having been combatants or associated with armed forces out of fear of stigmatisation. The campaign was elaborated in cooperation with the Ministry of Gender and Development and various women's groups.<sup>31</sup>

The disarmament and demobilisation process in Liberia reflected gender-sensitive planning, with separate transport, registration lines and medical examination areas for male and female ex-combatants. For instance, the cantonment site in Gbarnga had separate compounds for women, men, boys and girls. Despite these measures, women still faced harassment in the camp.<sup>32</sup>

The United Nations Population Fund addressed reproductive health and sexual violence issues at the cantonment sites. Objectives included identifying survivors of sexual violence, providing treatment (including treatment of sexually transmitted infections), and raising awareness of sexual violence, including the impact of rape on sexual health and related women's human rights issues. The International Rescue Committee conducted awareness-raising programmes on human rights, violence against women and services available for women entering the camps. Special reproductive health services for women were made available at the cantonment site.<sup>33</sup>

Over 24,000 women and girls<sup>34</sup> participated in the disarmament and demobilisation process in Liberia, as compared to the 2,000<sup>35</sup> foreseen in the pre-assessment mission.



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*A female combatant from LURD (Liberians United for Reconciliation and Democracy) breastfeeds her baby while waiting to be disarmed by UN peacekeepers in Liberia.*

sexual violence, including forced prostitution, human trafficking, domestic violence and sexual violence in the streets in post-conflict societies. Reintegration programmes can contribute directly or indirectly to the prevention of such violence.

### *Specific interventions and services for survivors of sexual violence*

Reintegration programmes must deal with the challenges of stigmatisation and ostracism that confront many female combatants and abducted women and girls who experienced sexual violence. They may be rejected by host families and communities as they are considered to be impure, especially if they had been abducted by opposing armed groups. For pregnant women or girls and for mothers of so-called "rebel children", rejection and stigmatisation can be even stronger. Several DDR programmes have supported community-based approaches within their reintegration programmes. The *Multi-country Demobilization and Reintegration Programme in Burundi, the Republic of the Congo and Uganda* has set up specialised psycho-social counselling for reintegrating women, which is coordinated with local women's groups that conduct traditional cleansing rituals and ceremonies.<sup>36</sup> Such community mental health practices are recommended by the UN *Integrated Disarmament, Demobilization and Reintegration Standards*, on condition that they do not undermine the health and human rights of beneficiaries.<sup>37</sup> Experiences in Sierra Leone, Mozambique and Northern Uganda show that such

community-based reintegration cleansing rituals, involving family and community members, can facilitate the processes of healing and of social reintegration.<sup>38</sup>

As is the case during demobilisation, survivors of sexual violence need access to specific health care programmes to treat their physical injuries and trauma during the reintegration phase.

### *Prevention of sexual violence*

Post-conflict societies are characterised by continued insecurity due to the erosion of law and order institutions during the armed conflict. In a climate of impunity, violence - including sexual violence - against women and girls increases in many post-conflict societies. De Watteville notes that "unemployed, demobilized young men, socialized to violence and brutality during war, are more likely than others to form gangs, particularly in urban areas, and can pose a constant threat to the security of women and children."<sup>39</sup> In addition to economic reintegration programmes for male ex-combatants which provide an alternative base for living, psychological assistance and trauma treatment for them must continue during the reintegration phase. Prevention work with returning ex-combatants, sometimes involving veterans' associations, may be included in reintegration programmes.

Economic assistance is also a crucial part of reintegration for women and girls. They may have particular difficulties in acquiring new livelihoods due

## **Box 11: DDR and justice**

Commonly, DDR programmes are not linked to justice and reconciliation processes. Several authors have raised this issue in the case of the DDR process in Colombia, for example.<sup>40</sup> The question of justice and prosecution of perpetrators of crimes is addressed in the *UN Integrated Disarmament, Demobilization and Reintegration Standards*:

"Many female combatants, supporters, females associated with armed groups and forces, and female dependants were sexually abused during the war. Links should be developed between the DDR programme and the justice system – and with

a truth and reconciliation commission, if it exists – to ensure that criminals are prosecuted. Women and girls participating in the DDR process should be made aware of their rights at the cantonment and demobilization stages. DDR practitioners may consider taking steps to gather information on human rights abuses against women during both stages, including setting up a separate and discreet reporting office specifically for this purpose, because the process of assembling testimonies once the DDR participants return to their communities is complicated...."<sup>41</sup>

to discriminatory laws regarding inheritance and property/land ownership, and limited opportunities to enter the labour market. Improving the economic situation of female ex-combatants and women and girls associated with armed groups is itself a means of preventing sexual violence, given the strong link between poverty and the vulnerability of women and girls to various forms of sexual violence. By including training to acquire gender-aware skills and employment initiatives, DDR programmes can contribute to the prevention of sexual violence. Livelihood programmes should be planned and implemented in consultation with women and girls in the communities involved so that they reflect the priorities identified by the targeted beneficiaries. A gender-sensitive definition of the target group eligible for economic reintegration assistance might also include wives and widows of ex-combatants.

In addition to specific programmes for male and female ex-combatants, awareness-raising campaigns aimed at society as a whole and individual communities can support long-term processes of social change. In such campaigns, ongoing victimisation of former combatants, vulnerability to sexual exploitation and abuse, and impunity for acts of sexual violence could be exposed and challenged.

## Conclusions

Failed implementation of DDR programmes can lead to unstable security situations with high levels of violence by armed gangs, kidnapping and widespread sexual violence against women and girls. Successful DDR programmes, however, have the potential to play a positive role in addressing the legacies of conflict-related sexual violence, and in averting sexual violence in post-conflict communities.

In order to be effective, DDR programmes must be gender-sensitive and inclusive from the first assessment phase to the last phase of reintegration. The magnitude of women and girls' participation in armed conflicts, as well as the various forms such participation can take, must be recognised and understood. Planning and programme staff must include women. All staff should receive training related to gender issues so that they are able to plan, implement and assess programmes in a gender-sensitive manner, and acquire a capacity to recognise and address the problem of sexual violence. Codes of conduct that prevent sexual exploitation and abuse by DDR programme staff and partner or implementing

organisations must be promoted and enforced. Women and women's groups as well as host communities should be included in the planning and implementation of DDR programmes. Experience from the field has shown that community-based approaches may be useful in reaching women excluded from formal DDR processes and, for instance, in enabling them to participate in reintegration programmes.

The UNDDR *Integrated Demobilisation and Reintegration Standards* and the UNIFEM Checklist on *Gender-aware Disarmament, Demobilization and Reintegration*, include two important reference tools for planning DDR programmes in a gender-sensitive manner. Adequate and sustained funding and commitment are essential to ensuring that such tools are used to meet the needs of victims of sexual violence in parallel with vigorous preventive action to curb such abuses.

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# Civil Society Responses to Sexual Violence in Armed Conflict

In many communities affected by armed conflict, state security services provide little protection from sexual violence and fail to adequately assist victims of such abuse. Civil society organisations often mobilise to fill this gap by documenting incidents of sexual violence, lobbying for stronger legislation, providing care for the victims, and taking initiatives to ensure a more protective environment. This section examines some effective strategies used by civil society groups in different conflict-affected contexts to address sexual violence.

Civil society can be understood as “voluntary associational groupings in a society, and the public expression of the interests, priorities, grievances, and values around which those associations are based”.<sup>1</sup> Civil society organisations include NGOs, social movements, political parties, advocacy and interest groups, churches and religious groups, professional or academic associations and women’s groups. As regards security issues, civil society organisations can serve as a channel for the expression of public interests and can contribute to holding state authorities accountable for the provision of security.

Women’s civil society groups, in particular, often represent women’s and children’s interests, and gender-specific security needs. The importance of including women’s movements in security and peacebuilding has been affirmed at the highest levels. In the UN *Declaration on the Elimination of Violence against Women*, states pledged to

“... Recognize the important role of the women’s movement and non-governmental organizations worldwide in raising awareness and alleviating the problem of violence against women ... Facilitate and enhance the work of the women’s movement and non-governmental organizations and cooperate with them at local, national and regional levels.”<sup>2</sup>

*Security Council Resolution 1325* reaffirms: “... the important role of women in the prevention and resolution of conflicts and in peace-building, and *stress(es)* the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution ...”. It calls on all actors involved in negotiating and implementing peace agreements, to include “... [m]easures that support local women’s peace initiatives ... and that involve women in all of the implementation mechanisms of the peace agreements ...”<sup>3</sup>

Women’s civil society groups have shown particular leadership as regards sexual violence in conflict, responding creatively and effectively to the urgent needs of victims, and to their neglect by state authorities.

## Advocacy, lobbying and protest

Civil society groups are often instrumental in pressuring states to adopt and implement international instruments, national legislation and plans of action to combat and address the consequences of sexual violence and violence against women. Civil society initiatives to document sexual violence in conflict can both support advocacy efforts and assist in identifying service needs. In many countries affected by armed conflict, women’s civil society groups have lobbied state authorities to better address sexual violence. In 2003, for example, Iraqi women’s groups demanded support to organizations providing aid to victims of sexual violence, and suggested practical measures, such as street lighting, to improve their day-to-day security. Their priorities also included increasing the number of women in armed and security forces, and ensuring that armed and security forces received training on human rights and gender issues.<sup>4</sup>

## Box 12: Women's courts

“Women’s courts” have taken various forms, but share the aim of offering a supportive space for survivors to recount the abuses they have suffered. The most famous of such courts has been the *Women’s International War Crimes Tribunal on Japan’s Military Sexual Slavery*, which convened in Tokyo from 8-10 December 2000. The Tribunal was organised to highlight the demands for justice of the former “comfort women” of the Second World War, and the failure of the Japanese government and the international community to address the crimes committed against them. Led by the *Violence Against Women in War Network*, a group of women’s NGOs based in Asia, the former “comfort women” organized what is known in legal parlance as a “people’s tribunal”. This consisted of a mock court comprising 10 prosecution teams representing the countries of the victims, and a panel of judges - many of whom had served on United Nations war crimes tribunals. There were 390 participants, including 75 victims from eight countries, legal experts, academics, and two former Japanese soldiers, who testified about their involvement in, and use of, “comfort women” brothels. The testimonies illustrated that the “comfort system” was a

systematic policy of the Japanese government. The Tokyo Tribunal’s “judgement” recommended that the government of Japan fully acknowledge its responsibility for the establishment of the “comfort system”, issue an apology, provide compensation to the victims, and establish a mechanism to investigate the alleged systematic policy of sexual slavery enforced by the Japanese military. Although the Tribunal lacked legal authority, it nonetheless prompted the Japanese government to acknowledge its culpability, and provided a sense of justice for the wartime victims.<sup>6</sup>

Women in Guatemala and Colombia have organised comparable special courts. Some 40 civil society institutions organised the *Tribunal de Conciencia* (Courts of Conscience) in Guatemala in 1988. These courts brought together more than 200 indigenous women from all over the country, who gave testimony about the abuses they had suffered, including sexual violence.<sup>7</sup> The aim of these courts was twofold: to provide a space for mainly indigenous and rural women to speak out about the abuse they had suffered during the armed conflict; and to formulate recommendations based on these testimonies as to how the government and civil

Reacting to acts of sexual violence and impunity for such crimes, women have at times taken to the streets in some places. In 2004, for example, women’s groups in the Indian state of Manipur protested against the alleged torture, rape and killing of a woman by paramilitary soldiers. The victim, Thangjam Manorama, aged 32, was arrested and taken from her home on suspicion of being a militant. She was found dead the next morning, with marks on her genitals that suggested that she had suffered sexual violence before being killed. In protest against what they perceived as the army’s ability to commit acts of rape and murder with impunity, women demonstrated outside the army base, standing naked and holding banners reading “Indian Army, rape us overtly” and “Rape us the way you did Manorama”. They demanded that the government withdraw the *Armed Forces Special Powers Act* and establish a judicial inquiry into the killing. The women’s protests were successful

insofar as they prompted the state government to reduce the power of the military forces in the region.<sup>5</sup>

The barriers to justice for victims of sexual violence are explored elsewhere in this report. In response, women’s civil society networks in some regions have established “women’s courts” to provide space for victims of sexual violence to recount their experiences (see Box 12).

### Training and service provision

Many civil society organisations combine advocacy activities with providing services to survivors of sexual violence and/or training on this issue. For example, Isis-Women’s International Cross Cultural Exchange, a women’s organisation based in Uganda, combines documenting violence against women during armed conflict with providing medical and psychological services to survivors (see Box 13).

In situations where people are displaced by conflict, women’s organisations often form to provide security

society could act to improve the situation of indigenous women and their protection from violence.<sup>8</sup>

In Colombia, women have held regional women's tribunals in preparation for a national *Gran Corte de Mujeres Colombianas contra el Olvido y para la Re-existencia* (Colombian Women's Court Against Forgetting and for Re-existence) intended to be a permanent court. One of these preparatory women's tribunals, held in October 2005, was convened under the banner "Dignity and Memory" and was dedicated specifically to forced displacement and sexual violence during the armed conflict. The courts are designed as public hearings where women survivors recount their suffering and their coping mechanisms, combined with sessions including literary, audiovisual and dance performances, highlighting ways in which trauma can be overcome. The tribunals include rituals of apology and a "judgement" by a jury composed of "wise women".<sup>9</sup> They provide a platform for survivors, and render visible crimes of sexual violence and violence against women committed during the armed conflict. According to Doly Enriquez, the coordinator of the "women's courts" in Colombia, some women's

testimonies and cases have subsequently been taken before international courts.<sup>10</sup>

The Tunisian NGO, *El Taller*, has collaborated with other organisations and networks to organise eighteen "women's courts" in various parts of the world. These include the first "Arab Court of Women", which convened in June 1995. Its public hearings included testimony of rape committed during the 1982 massacres in the Sabra and Shatila Palestinian camps in Lebanon. From this court was established the *Permanent Arab Court to Resist Violence against Women*, which has campaigned for equality between men and women, especially with respect to the issue of divorce in Arab countries, including Algeria, Bahrain, Egypt, Iraq, Jordan, Lebanon, Mauritania, Morocco, Palestine, Tunisia, Sudan, Syria and Yemen.<sup>11</sup>

Women's courts challenge us to ask where space exists for male victims of sexual violence to come forward and tell their stories. Whilst local and international advocacy around sexual violence in armed conflict is relatively strong, little attention is given to sexual violence against men and boys, and seemingly no networks or organisations focus on addressing the particular needs of male survivors.

### Box 13: Isis-WICCE in Uganda

The NGO Isis-Women's International Cross Cultural Exchange (Isis-WICCE) was established to promote:

"... justice and women's human rights through documentation of the violation of their rights; ... strengthening communication mechanisms for women to be able to generate knowledge about their situations and to share the information, ideas and experiences in order to improve their status and overcome gender inequality".<sup>12</sup>

Isis-WICCE works in communities affected by armed conflicts – for example in Northern Uganda and Southern Sudan – to document the physical and medical health problems of women traumatised by

conflict, and to alleviate their condition. Combining data collection with medical and psychological interventions and political advocacy is a particular feature of Isis-WICCE's activities. Isis-WICCE maintains that: "It is inhuman to collect data from such desperate people and nothing positive in terms of addressing their plight is put in place."<sup>13</sup> Advocacy is conducted "to get basics for the poor of the poorest".<sup>14</sup>

Isis-WICCE's reports contain detailed information on incidents of sexual violence in armed and post-conflict situations, listing psychological and reproductive health problems and the surgical responses by the medical team.<sup>15</sup> This data is a useful basis on which to advocate for improved services, and a lobbying tool to seek redress, to sensitize the public, and to strengthen networks among African women.<sup>16</sup>

## Box 14: Colombia's *Liga de Mujeres Desplazadas* and *Ciudad de Mujeres*

Colombia's 40-year-old conflict has involved grave human rights violations and the displacement of millions of people. Sexual violence has been used as a strategy by a number of armed groups. Many women with children have been displaced, fleeing after they or their family members experienced sexual violence or threats, or after family members were killed.<sup>17</sup>

In the northern Colombian municipality of Turbaco, people have been affected particularly severely by the internal conflict and many displaced have nowhere to go. In 1998, a group of women displaced by the armed conflict came together and founded the *Liga de Mujeres Desplazadas* (League of Displaced Women). Patricia Guerrero, a lawyer displaced by conflict in 1997, was the driving force behind the *Liga*. The initiative was a resistance strategy, and aimed on one hand to have forced displacement recognised as a war crime, and on the other to improve the health and nutrition of displaced people, and to reclaim their rights.<sup>18</sup> The *Liga de Mujeres Desplazadas* is now active in a number of communities with high rates of violence and marginalisation.<sup>19</sup> Its activities include community work, providing psychological treatment to displaced women, and denouncing acts of corruption that involve Colombian paramilitary groups. The *Liga* is particularly active in the fight against impunity for crimes committed during the conflict, including sexual violence, and conducts investigations in this regard.<sup>20</sup> It has also lobbied the municipal authorities to implement public policies that protect women's and displaced people's rights.<sup>21</sup>

In 2003, around 100 women joined Patricia Guerrero to set up the *Ciudad de Mujeres* (City of Women). With support from various donors, the



© *Liga de las Mujeres Desplazadas*, 2007

women started building their own city. They themselves manufactured the cement blocks needed to build around 97 houses, which now provide accommodation to approximately 500 people. Training is a key aspect of the initiative: the women were trained in skills such as moulding bricks, bricklaying and agriculture.<sup>22</sup> The *Ciudad* also has a women's cooperative, providing credit and financial support, and child care facilities for over 100 children.<sup>23</sup> It is the only social housing project built for displaced people in the region in the last three years.<sup>24</sup>

The *Ciudad de Mujeres* aims to provide a safe haven for women who have been displaced, some of whom have experienced sexual violence, as well as opportunities for a new beginning and a new community. The *Liga* attempts to restore the social fabric of the region, striving for equality and an environment free of violence, discrimination and corruption.<sup>25</sup> However, its activities have made it a target for violence by armed groups that use their social, political and economic control over communities in their armed struggle. In January 2007, the community centre of the *Ciudad* was set on fire and completely destroyed.<sup>26</sup> The women in the *Ciudad* have also reported a number of forced disappearances, murders, rapes and death threats. They claim that the authorities have failed to take action against the perpetrators, and have put obstacles in their way to prevent them from obtaining justice.<sup>27</sup> The women have demanded that the government take measures to guarantee the security of the *Ciudad*, but are unhappy with the subsequent installation of security barriers and the increasing "militarisation" of the *Ciudad*.<sup>28</sup> As an alternative, the women have established their own security mechanisms, installed a radio system to communicate with the authorities, and started to cooperate in limited ways with police security patrols.<sup>29</sup> Through such action, the women of the *Liga* have developed innovative responses to survive in a hostile environment. In April 2007, the *Liga* was awarded the "*Premio de Derechos Humanos, Rey de España*" (the King of Spain's Prize for Human Rights) in recognition of its fight for the rights of displaced women.<sup>30</sup>

## Box 15: Challenging violent masculinities

Nicaragua's *Asociación de Hombres Contra la Violencia* (Association of Men Against Violence) was founded in 1993. It aims to reduce gender-based violence by confronting issues of masculinity and aggression. Among other activities, the Association offers training workshops, promotes alliances with women's groups and organises public awareness campaigns, thereby creating a space for critical reflection on attitudes, values and behaviour associated with masculinity.<sup>31</sup> Operating in a post-conflict environment with high rates of sexual violence, such organisations have an important role to play.

A comparable initiative on another continent is the *One Man Can Campaign* developed by the *Sonke Gender Justice Network* in South Africa. The Campaign includes an Action Kit which provides men with resources to end domestic and sexual violence. This organization works "to build government, civil society and citizen capacity to achieve gender equality, prevent gender-based violence and reduce the spread of HIV and the impact of AIDS".<sup>32</sup>

in concrete ways (see Box 14 on the *Liga de Mujeres Desplazadas*). As illustrated in the sections on justice and policing, women's groups may work directly with security sector actors, for example by providing training for police, defence or judicial personnel, in order to improve the way in which they respond to crimes of sexual violence. Finally, civil society organisations lead the way in addressing the root causes of sexual violence by challenging gender roles and violent masculinities (see Box 15).

### Conclusions

Civil society organisations play an essential part in addressing the legacy of sexual violence in conflict, and sexual violence that persists in countries emerging from conflict. Whilst civil society should not be expected to assume the full burden of needs stemming from sexual violence, they should nevertheless be consulted and included in all aspects of the reconstruction process, in particular regarding the health, justice and security sectors.

Women's civil society organisations are an important voice for the unrepresented and the marginalised in society, such as survivors of sexual violence, and thus have essential contributions to make to both policy making and implementation. Women's organisations can contribute particular expertise to support the creation of gender-sensitive state institutions. Their involvement in training police and military personnel, as well as judges in many parts of the world is a concrete demonstration of how women's civil society groups can assist state security institutions in their

efforts to better address the security needs of all segments of the community.

That being said, women's civil society organisations usually have to struggle with limited financial and technical resources, and often receive little support from their governments, donors or outside agencies. An important part of re-constructing civil society in post-conflict settings is to build and maintain the capacity of such organisations to identify the needs in their communities, provide services and conduct advocacy. Funding provided in the first flush of reconstruction should be sustained, as civil society organisations grow and adapt with the changing needs of their communities. Where women's civil society organisations have the support to build experience and influence, they hold the promise of leading powerful social and institutional change within their communities.

## Endnotes

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## RECOMMENDATIONS

Given the diverse and multiple forms, settings, perpetrators, motives and consequences of sexual violence in armed conflict, responses to such abuse must be multi-sectoral if they are to be effective. This implies the necessity to adopt a holistic inter-organisational and inter-agency approach, involving a broad range of stakeholders and services. Security sector responses to conflict-related sexual violence are a key component of this approach. To date, however, security sector institutions have in general not been sufficiently engaged in the combat against sexual violence in armed conflict. They have so far fallen far short of meeting their responsibilities to prevent sexual violence, and to protect and promote the dignity of survivors.

This *Global Overview* of sexual violence in armed conflict underscores the magnitude of the problem in all regions, and the urgency of initiating or reinforcing targeted and sustained measures to address it. The *Global Overview* itself demonstrates the inadequacy of data on sexual violence, and the difficulties in determining the full extent of its prevalence worldwide.

Focusing in particular on *Implications for the Security Sector*, this report urges security actors to boost their prevention activities and response to sexual violence in armed conflict. It highlights the main challenges involved and examines how the security sector, including the police, judicial institutions, peacekeepers, DDR programmes, as well as civil society, can effectively respond to such violence in concrete ways. Whilst realising that the report is by no means exhaustive, we nevertheless hope that it provides a basis for further examination, exchange and sharing of good practices between states and security institutions.

Different security actors have different responsibilities and roles as regards sexual violence in armed conflict, and will accordingly develop different strategies of prevention and response. Nonetheless, a number of common priorities and approaches should guide all security sector institutions in developing and implementing these strategies, and as such form the basis of the following recommendations.

## Recommendations for the security sector

1 Security sector institutions should **cooperate and coordinate** with other sectors that provide essential services to survivors of sexual violence in conflict. These include agencies providing medical care and psychological counselling, protection and shelter, socio-economic support and legal advice. Security sector actors should also coordinate and collaborate with each other in their efforts to prevent and respond to sexual violence.

2 Security sector institutions should adopt a **gender-sensitive approach** at all stages of response to sexual violence in conflict: in planning, implementation, monitoring and evaluation. This approach should take into consideration the particular needs of adult male survivors of sexual violence.

3 **Gender training** for all security sector personnel is necessary in order to develop a gender-sensitive capacity within security services. This should include training to address the particular needs of victims of sexual violence.

4 The **full and equal participation of women** in the security sector should be promoted, to ensure that security services are able to effectively identify and respond to the needs of all members of the community. Measures to increase the proportion of women should include gender-sensitive recruitment and retention strategies, and be accompanied by the development of an organisational culture that promotes gender equality within security services.

5 Security sector institutions should develop **operational protocols and procedures** for assisting and supporting victims of sexual violence. These should include, for example, protocols for interviewing victims and investigating sexual violence crimes, for documenting sexual violence, and for referrals to health, social and legal services.

6 In providing services to survivors of sexual violence during conflict, security sector institutions should determine whether **special measures** are needed for particular groups, such as children, former combatants, and male survivors of sexual violence.

7 Access to **justice**, including reparations, should be ensured for victims of sexual violence.

8 Security sector institutions should develop and prioritise operational strategies to **prevent sexual violence** in armed conflict.

9 **Strict codes of conduct** prohibiting sexual abuse and exploitation by security sector personnel, including armed forces, police, peacekeepers and DDR staff, must be formulated, implemented with proper training, and enforced. This is essential to prevent sexual violence, to fight impunity and thus ensure accountability.

10 Security sector institutions should seek and support the **participation of civil society and affected communities**, including women and girls, in responding to sexual violence. Civil society organisations may advise or provide training to security actors, undertake awareness-raising in affected communities, or provide essential services to victims.





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