



**NOBEL
WOMEN'S
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Advocating for peace, justice & equality



WAR

ON WOMEN

TIME FOR ACTION

to END

SEXUAL VIOLENCE

in CONFLICT

MAY 2011

War on Women: Time for Action to End Sexual Violence in Conflict

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Advocating for peace, justice & equality

Nobel Women's Initiative

430-1 Nicholas Street, Ottawa, ON K1N 7B7 Canada

Tel: +1-613-569-8400 | Fax: +613-241-7550

www.nobelwomensinitiative.org

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INTRODUCTION

“It is more dangerous to be a woman than to be a soldier in modern conflict.” Patrick Cammaert (2008, former Deputy Force Commander of the United Nations Mission to the Democratic Republic of Congo [MONUC])

Sexual violence in conflict is not a new phenomenon. The saying goes that “rape is as old as war itself” and women have had the battlefield played out on their bodies for centuries around the world. But the wars in Bosnia–Herzegovina and Rwanda in the 1990s were a turning point. These conflicts brought about the term “rape as a weapon of war” as rape was carried out systematically, and was strategically used as a war tactic. Horrendous accounts of atrocities were documented and reported, and survivors spoke out about their experiences of gang rape, rape camps, rape slavery and forced pregnancy. The accounts not only fuelled global outrage and condemnation, but also spurred the international community to define the issue of sexual violence in conflict as a serious threat to peace and security.

Activists and advocates around the world have worked tirelessly in the last two decades to put an end to rape as a weapon of war and the impunity enjoyed by perpetrators. Their efforts have resulted in United Nations (UN) Security Council resolutions to prevent the use of wartime rape, local and national campaigns to end violence against women, and support for survivors and their families.

While these efforts have certainly helped to raise awareness about the severity and impact of sexual violence in conflict, the level of violence against women is by no means abating. Reports continue to surface with horrendous statistics and stories of women’s realities in conflict regions throughout the world. As recent reports from places such as Darfur, the Democratic Republic of Congo (DRC) and Burma demonstrate, that reality is too true for too many women in this world. Clearly, more coordinated and targeted action is needed to put an end to rape as a weapon of war.

SEXUAL VIOLENCE IN CONFLICT – A THREAT TO PEACE AND SECURITY

Rape as a weapon of war is a crime occurring on a massive global scale that has to be stopped. Not only does sexual violence in conflict lead to devastating physical and psychological ramifications for survivors, their families and communities, it is a severe human rights violation constituting an act of torture, a war crime and/or crime against humanity.

The widespread occurrence of sexual violence in conflict is a threat to peace and security, as it diminishes the prospects for reconciliation and peacebuilding. It puts entire communities at risk, rips apart their social cohesion, and condemns them to a life of poverty. However, Ambassador Theodor Winkler, Director of the Geneva Centre for the Democratic Control of Armed Forces, has noted the unwillingness to see sexual violence in conflict as a threat to security:

“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.”¹

The fact is that rape is both a cause and consequence of low female participation in decision-making processes at all levels. After conflict, the stigma associated with sexual violence can impede women’s participation in democratic processes. When Afghan women participated in the *Peace Jirga* convened in June 2010,² they emphasized that gains made in relation to women’s rights should not be annulled in the course of reconciliation and transition. Impunity for acts of sexual violence committed during conflict perpetuates a tolerance of such abuses against women and girls as a long-lasting consequence of the conflict.

Sexual violence in conflict takes place in concert with other crimes such as killings, kidnappings and looting. While militias and armed groups have widely committed rape, the propensity for sexual violence by newly mobilized combatants and state forces highlights the need for comprehensive security sector reform in post-conflict states. The culture of impunity that often surrounds sexual violence in conflict perpetuates the crime, allowing it to permeate into other parts of society. Perpetrators are rarely held accountable for their actions and do not fear prosecution or punishment for their acts.

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1. Megan Bastick, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector* (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2007), p. 8.
 2. The Afghan government uses *jirgas* to reach consensus with parliamentarians and civil society on controversial or problematic policy issues.

A GLOBAL OVERVIEW OF SEXUAL VIOLENCE

*"1 in 3 women will be abused or beaten in her lifetime."*³

While the profile of sexual violence varies across regions with some similarities within and across regions, sexual violence has occurred in every region of the world: Africa, the Americas, Asia, Europe and the Middle East. While documentation and reporting has been limited in some regions, some countries' situations have been extensively researched, with reliable evidence of the widespread nature of the crime readily available. Data forms a key component in collecting evidence to hold perpetrators to accountability. Many more resources must be invested into the systematic documentation of cases of sexual violence, particularly in regions experiencing high levels of violence but not necessarily deemed traditional conflicts.

AFRICA

*"We will kill you, Nuba, and rape your women! We will exterminate the Nuba!"*⁴

Countries where sexual violence in conflict has occurred include *Algeria, Angola, Burundi, the Central African Republic, Chad, Côte d'Ivoire, the DRC, Eritrea, Ethiopia, Guinea-Bissau, Kenya, Liberia, Mozambique, the Republic of Congo, Rwanda, Sierra Leone, Somalia, South Africa, Sudan, Uganda, and Zimbabwe.*

Africa has witnessed the world's highest number of conflicts over the last three decades and has been hardest hit by conflict-related sexual violence. Sexual violence has been extensively used as a strategy of war in places like Rwanda, Darfur and the DRC. Women and girls of all ages have been the target of sexual violence, with even infants and elderly women being raped. Child combatants are often forced to become perpetrators of sexual violence, entrenching aggressive behaviour and psychological trauma.

Brutal forms of sexual violence, including sexual slavery, gang rape, mutilation, torture, and insertion of sharp objects into women's vaginas have been used widely in conflicts across the African continent. High levels of rape have had a significant impact on women's contribution to the economy and their injuries require specialized gynecological care. High numbers of traumatic fistula⁵ cases have been reported in Burundi, Chad, the DRC, Rwanda, Sierra Leone and Sudan.

Sexual violence is ongoing in places such as the DRC. In the country's eastern provinces, women are publicly raped in front of their family and community, there is forced rape between victims, objects are inserted into victims' cavities, melted rubber is poured into women's vaginas, abortion is induced by inserting sharp objects, and women are murdered by shooting them in the vagina.

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3. International Rescue Committee, *Women Fighting to Survive* [online]. Available from World Wide Web: [<http://www.rescue.org/special-reports/ending-violence-against-women>].
 4. Physicians for Human Rights, *Darfur: Assault on Survival. A Call for Security, Justice, and Restitution* (U.S.: Physicians for Human Rights, 2006), p. 22. Janjaweed soldiers attacking Terbeba, Darfur on February 15, 2004.
 5. Traumatic fistula is an abnormal opening in the birth canal, between the bladder and/or rectum and the vagina, resulting in chronic incontinence. It is commonly caused by inserting objects into the vagina.

A new study, published in June 2011 by the *American Journal of Public Health*, revealed that about 48 women are raped every hour in the DRC, totaling more than 1,100 women every day⁶ The research also indicated that levels of sexual violence were high not only in the eastern provinces, but in other areas of the country as well. Not surprisingly, the UN has called the DRC the “rape capital of the world.”⁷

Displacement, politically motivated violence and election-related violence have contributed to the proliferation of sexual violence on the African continent. Moreover, the spillover of armed conflict across borders, such as in West Africa and the Great Lakes region, has also led to the spread of sexual violence as armed groups move between countries, introducing their sexual warfare tactics to a new environment

6. Amber Peterman, Tia Palermo and Caryn Bredenkamp, “Estimates and Determinants of Sexual Violence Against Women in the Democratic Republic of Congo,” *American Journal of Public Health* 101, 6 (June 2011).

7. UN News Centre, “Tackling sexual violence must include prevention, ending impunity – UN official,” April 27, 2010 [online]. Available from World Wide Web: [<http://www.un.org/apps/news/story.asp?NewsID=34502>].

SUDAN – DARFUR

“When we tried to escape they shot more children. They raped women. I saw many cases of Janjawid raping women and girls. They are happy when they rape. They sing when they rape and tell that we are slaves and that they can do what they wish.”⁸

A Darfurian non-governmental organization has documented 9,300 cases of rape, although 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, one woman reported to Coalition for International Justice investigators that 41 of the women on her camp block had been raped.⁹

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.¹⁰ 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 internally displaced persons camp in South Darfur.¹¹ Sadly, all programs for gender-based violence in Darfur, including counselling and mental health services, disappeared following the March 2009 expulsion of 13 international and 3 national human rights and humanitarian non-governmental organizations.¹²

While women are not obligated to report rape, obtaining medical treatment involves filling out a police form and is often accompanied by extensive questioning, re-traumatizing survivors and putting them at further risk if their rapists are officers or security forces members. Due to stringent legislation governing sexual violence in the sharia-based Article 149 of the Sudanese Criminal Code of 1991, many women are hesitant to report rape as it may lead to counter-charges. The evidentiary standards for rape are four male witnesses to prove that the act was non-consensual, or a confession. If this cannot be proven, there is no distinction between rape and zina (adultery), which is punishable by flogging and stoning for married women.¹³

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8. Amnesty International, *Sudan, Darfur: Rape as a Weapon of War* (London: Amnesty International, July 18, 2004), p. 11 re: Mukja, age 37.
 9. Physicians for Human Rights, *The Use of Rape as a Weapon of War in the Conflict in Darfur, Sudan* (Boston: Physicians for Human Rights, October 2004), p. 16.
 10. Bastick et al., 2007, p. 63.
 11. International Rescue Committee, *Sudan: Increased Sexual Assaults Signal Darfur's Downward Slide* (New York: International Rescue Committee, August 23, 2006).
 12. African Centre for Justice and Peace, *Rendered Invisible: Darfur Deteriorates as International Pressure Shifts to the Referendum Process* (London: African Centre for Justice and Peace, February 2011).
 13. African Centre for Justice and Peace, February 2011.

AMERICAS

“A woman would never go to report a rape to the HNP [Haitian National Police],” said a Haitian woman, “she is likely to be raped by them again.”¹⁴

Countries where sexual violence in conflict has occurred include *Colombia, El Salvador, Guatemala, Haiti, Nicaragua, Peru, and Mexico.*

Sexual violence has been used as a terror tactic throughout the Americas to punish communities that collaborate with “the enemy” or to silence political activists and human rights defenders. Colombian security forces, for example, have used rape, genital mutilation and other forms of sexual violence to terrorize communities suspected of supporting guerrilla forces.

Women’s rights activists have been especially targeted in many countries throughout the region. Margaret Sekaggyam, UN Special Rapporteur on the Situation of Human Rights Defenders, focused her 2011 report on the serious and gender-specific circumstances faced by women human rights defenders, and stated that women human rights defenders in the Americas are at highest risk of being killed or having an attempt made on their lives.

Women have been subjected to a wide variety of sexual violence including rape, gang rape, sexual slavery, mutilation of sexual organs, and removing fetuses from pregnant women as punishment for their political activism and defense of human rights. There is an evident intersection between gender and ethnicity in many of the conflicts in the region, with systematic and widespread discrimination suffered by indigenous women. In Colombia, Guatemala and Peru, for instance, indigenous women, often from rural areas, are at greater threat and often specifically targeted for their rights activism. Peru’s legislation, for example, for many years allowed community members to force women to marry their attackers, providing “consent” for continued assault.

MEXICO

On May 3 and 4, 2006, more than 4,000 state security and police attacked at least 200 people in San Salvador Atenco, Mexico during a protest. During the attack, 2 youth were killed, some 207 protesters were taken prisoner, and 50 women suffered rape, sexual abuse and torture. An investigation by federal authorities later named 34 police officers suspected of being responsible for the abuses.

In February 2009, the Mexican Supreme Court confirmed that the women in San Salvador Atenco suffered major physical and sexual abuse at the hands of police officers. But even with the affirmation of the highest court in Mexico, the women in Atenco are still waiting for these officers to be held accountable for their crimes. To date, no officers have been criminally prosecuted and only a small number were subjected to minor disciplinary actions shortly after the event.

Many Latin American countries emerging from conflict – El Salvador, Guatemala, Haiti and Nicaragua – report a high and growing incidence of criminal violence, including sexual and other forms of violence against women. In Guatemala, the phenomenon of femicides, the targeted murder of women, is particularly disturbing and is taking place with systematic impunity. More than 3,800 women and girls have been murdered in Guatemala since the year 2000. The conviction rate for these murders is less than two per cent.

14. Refugees International, “RI Bulletin: Haiti: UN Civilian Police Require Executive Authority” (March 14, 2005).

HAITI

*"I live in a tent in a camp. I have witnessed violence against women and girls. And, I have also witnessed the completely inadequate government response. KOFAVIV has recorded at least 242 cases of rape since the earthquake. But, we have yet to see a case prosecuted."*¹⁵

A survey of 5,720 individuals during a 22-month period (February 2004 – December 2005) documented the cases of 8,000 people murdered and 35,000 women who were victims of sexual violence in the Port-au-Prince area. More than 50 per cent of the women who survived 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 then-president Jean-Bertrand Aristide in 2004 (10.6 per cent).¹⁶

ASIA

*"Three women, aged 18, 35 and 37 were at their farm in the Kho Lam area when they were arrested by 80 SPDC troops from IB 99 led by Capt. Than Muang. They were kept for four days and three nights, during which time they were repeatedly gang-raped by the troops."*¹⁷

Countries where sexual violence in conflict has occurred include *Afghanistan, Burma, Cambodia, India, Nepal, the Philippines, Sri Lanka, Tajikistan, East Timor, Indonesia, Papua New Guinea, and the Solomon Islands.*

Conflict-related sexual violence has taken many different forms throughout Asia and it is difficult to identify common patterns. Sexual violence has been widely used as a means of terror and punishment for women involved in pro-democracy movements, the defense of human rights, and armed liberation movements. Women have been subjected to sexual harassment, sexual torture involving insertion of objects into vaginas or the burning of genitals, rape, sex slavery, and forced prostitution servicing troops and militias.

In Afghanistan, police, military forces and former combatants commit sexual violence against female activists, teachers and other women aiming to participate in public life. Large numbers of women joined guerilla groups in conflicts in Nepal and Sri Lanka, for both combat and other roles – one reason being to seek protection against sexual violence. Women's organizations in Burma have extensively documented systematic sexual violence by the military, police and border guards as part of their anti-insurgency strategy against the ethnic nationalities, including cases of gang rape, sexual torture and slavery, forced marriage and pregnancy, genital penetration with knives and other objects, and mutilation of breasts and genitals.

15. Address by Malya Villard-Apollon, leader of the Commission of Women Victims for Victims (KOFAVIV) to the UN Human Rights Council, Geneva, June 7, 2010.

16. Bastick et. al., 2007, p. 79.

17. The Shan Human Rights Foundation and The Shan Women's Action Network, *License to Rape: The Burmese military regime's use of sexual violence in the ongoing war in Shan State* (Chiang Mai, Thailand: The Shan Human Rights Foundation and The Shan Women's Action Network, 2002), p. 11.

The trafficking of women, girls and boys for sexual exploitation is a serious problem throughout Asia, including Afghanistan, Burma, Cambodia, Nepal, the Philippines, Sri Lanka, and Tajikistan. The armed conflict in Nepal, for instance, significantly increased the number of women trafficked for sexual exploitation, with many being sent to brothels in India. Sex trafficking of refugees has also been reported in the region.

A number of studies documented sexual violence perpetrated by UN peacekeepers in Cambodia. This led to an increase in HIV/AIDS as a result of rising numbers of sex workers.

BURMA

In 2002, the Shan Human Rights Foundation and the Shan Women's Action Network published a report documenting 173 incidents of sexual violence that involved 625 girls and women in Shan state between 1996 and 2002. Tatmadaw (Burma's army) officers committed 83 per cent of the assaults.¹⁸ More recently, following a three-week military offensive in March 2011, the Shan Women's Action Network documented six cases of gang rape.¹⁹

Physicians for Human Rights surveyed 603 households in Burma's Chin state in 2009 and confirmed 17 cases of rape over a one-year period – all committed by Tatmadaw forces. One-third of the victims were under the age of 15.²⁰

Refugees 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.²¹

18. The Shan Human Rights Foundation and The Shan Women's Action Network, 2002.

19. Shan Human Rights Foundation, *Summary of human rights abuses committed by Burma Army reported in northern and central Shan State during Burma Army offensive, 13 March 2011 – 6 April 2011* (Shan Human Rights Foundation).

20. Physicians for Human Rights, *Life under the Junta: Evidence of Crimes Against Humanity in Burma's Chin State* (Cambridge, MA: Physicians for Human Rights, January 2011).

21. Refugees International, *No Safe Place: Burma's Army and the Rape of Ethnic Women* (Washington, D.C.: Refugees International, April 2003), pp. 25–26.

EUROPE

"I was put in a camp. The soldiers would taunt me, calling me a Turkish whore. Then they began to rape me. I would cry every time and when I passed out I would wake up with a different soldier in the room and they would keep going until I didn't come round anymore. When they found out I was pregnant they put me on a truck and I arrived in Sarajevo. I had to take medicines to calm me down and I think this is why my son is so nervous and has to have therapy. I love my son. Sometimes I look at him and feel angry though – I see him as a focus of what has gone wrong with my family and our lives."²²

Countries where sexual violence in conflict has occurred include *Azerbaijan, Bosnia–Herzegovina, Croatia, Georgia, Russia, Serbia, and Kosovo.*

During the conflicts in the former Yugoslavia, sexual violence was used to terrorize and displace populations as part of a campaign of "ethnic cleansing." Women and girls were also often abducted into "rape camps," being raped repeatedly to force pregnancy and only being released when abortion was too late, ensuring an ostracized child was born. This has left a highly fragmented society with many children in orphanages and adoptive families, and with state institutions struggling to support counselling

The conflicts in the former Yugoslavia also led to a sharp increase in movement of trafficked women and children, as the demand for sexual slaves and prostitutes by international military and civilian staff grew. Women's organizations in the region have estimated that around 50 per cent of clients at brothels are foreign citizens, and that traffickers brought 90 per cent of the women and girls at these brothels into the country. Permeable borders and proximity make human trafficking between the former Soviet Union, former Yugoslavia and Eastern Europe a serious problem.

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 has received little international attention. It appears that much of the sexual violence is related to the targeting of ethnic minorities. With the Nagorno-Karabakh conflict in Azerbaijan, the Abkhazian conflict in Georgia, and in Chechnya, for example, women of specific ethnicities have been targeted for rape.

BOSNIA–HERZEGOVINA

Estimates of the total number of women subjected to sexual violence during the war in Bosnia–Herzegovina vary from 14,000 to 50,000.²³ Non-governmental organizations have alleged that more than 35,000 women and children were held in Serb-run camps, where girls and women 10 to 30 years of age were raped daily by 40 to 50 men.²⁴ The UN Security Council's Commission of Experts reported that there were 162 detention sites in the former Yugoslavia where people were detained and sexually assaulted.²⁵

22. Kate Holt and Sarah Hughes, "Bosnia's rape babies: abandoned by their families, forgotten by the state," *The Independent*, December 13, 2005.

23. Bastick et al., 2007, p. 1175.

24. Women War and Peace, *The Impact of the Conflict on Women in Bosnia-Herzegovina*.

25. United Nations Security Council, "Letter Dated 24 May 1994 From the Secretary-General to the President of the Security Council," S/1994/674, Annex IX: rape and sexual assault.

MIDDLE EAST

“Children told us they have witnessed horrendous scenes. Some said they saw their fathers murdered and mothers raped. They described things happening to other children, but they may have actually happened to them and they were just too upset to talk about it – it’s a typical coping mechanism used by children who have suffered abuse.”²⁶

Countries where sexual violence in conflict has occurred include *Iraq, Israel/Palestine, Kuwait, Lebanon, Yemen, Egypt, and Libya.*

Overall, there is little documentation available on the prevalence of sexual violence in conflict throughout the Middle East. Sexual violence has been used in attempts to silence political opposition and human rights defenders. During detention, it is used as a form of torture against women and men, as reported in Iraq, Israel and the Palestinian territories. In Iraq, government-affiliated militias are using torture and rape as common investigation methods in police stations. 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 on film.

As in many parts of the world, survivors of sexual violence in the Middle East face extreme stigma. A woman or girl who has been raped is deemed to have brought shame upon her family. Many survivors do not report such crimes for fear of sexual exclusion, re-victimization, or falling victim to “honor killings”

Sexual violence has been reported in the recent revolutions and political uprisings sweeping the Middle East as a retaliatory tool against political opponents. For example, some female protestors in Egypt were arrested, tortured and subjected to virginity tests. Further, the case of Iman al-Obeidi – who was allegedly raped by 15 pro-Gadhafi paramilitary troops in March 2011 – was widely reported in the international media, and reports from doctors, surgeons and international journalists in Libya confirm the use of sexual violence to punish regime opponents.

PALESTINE

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.²⁷

26. David Batty, “Libyan children suffering rape, aid agency reports,” *The Guardian*, April 23, 2011.

27. Bastick et. al., 2007, p. 133.

WHY IS SEXUAL VIOLENCE USED IN CONFLICT?

The purpose, function and hence motivation for wartime rape varies significantly from case to case and even within various contexts. While it is difficult to give a comprehensive list of all the different functions and motivations, some have emerged as most common.

RAPE AS A STRATEGY OF WAR: The most prominent examples of this are the cases of Bosnia–Herzegovina, Rwanda, the DRC, Sudan/Darfur and Burma. The function of rape in Herzegovina and Rwanda, for example, was to fulfill a particular war goal, namely ethnic cleansing and genocide, by destroying women as child bearers and/or increasing sexually transmitted infections amidst enemy groups. The widespread use of rape in these two conflicts brought international attention to the issue of sexual violence due to the perpetration of rape as part of, rather than as a consequence of, war.

RAPE AS A MEANS OF CREATING COHESION BETWEEN COMBATANTS: In a number of conflicts, new recruits have been forced to commit such taboo acts as the rape of relatives in order to sever their ties with the community and bind them to the armed group. The practice of gang rape in particular has been employed to create cohesion within units, bonding fighters who have been recruited by force and increasing their tolerance to violence. This also tends to insulate perpetrators from a sense of personal guilt and leaves victims less able to identify perpetrators.

RAPE AS A REWARD: The underlying assumption here is that “boys will be boys,” with looting and pillaging often seen as integral or even an inevitable part of war, and rape as the reward of war. Rape has also been widely documented during pillaging of communities by state forces that have not been paid and are seeking compensation. This argument that rape will always coexist with war is challenged by its wide variation and the absence of sexual violence among some groups during armed struggle.

RAPE AS A MEANS TO DESTROY SOCIAL AND CULTURAL COHESION: Socio-cultural norms defining gender roles can contribute to the use of wartime rape. This is particularly true in patriarchal societies where masculinity is equated with dominance, power and control and a clear hierarchy exists – women are subordinate to men and often seen as “property” and objects to be protected from “invasion.” In many societies, women are seen as the bond that holds families and communities together, and thus as the source of social and cultural cohesion. In such societies, rape of women in war is effective in destroying families, communities and overall cultural cohesion.

RAPE FOR ECONOMIC ENDS: The disruption of formal economies and state institutions often brought on by conflict heightens the risk of trafficking in persons for purposes such as sexual or labour exploitation, as well as the risk of abduction and extortion by armed groups. Sexual violence has also served as a method of terror to clear populations from mining areas that in turn fund and prolong conflict.

RAPE AS A MEANS OF EXTRACTING INFORMATION: A method usually used during detention, there is emerging evidence that sexual violence has been used to extract information from women and girls during forced civilian disarmament in order to obtain locations of arms caches.

Several factors contribute to the proliferation of sexual violence, raising the level of vulnerability for women and girls. Inadequate re-integration support for demobilized soldiers returning to communities, coupled with the proliferation of small arms, raises risk of exposure to sexual violence. Ineffective national army integration as mandated by peace settlements along with lack of reform, such as in the DRC, leads to increased attacks on the civilian population. Displacement also greatly increases the risk of sexual violence occurring during flight and at camp sites, both within the camps by fellow refugees and internally displaced persons, as well as outside the camps – for example, as women and girls go to fetch firewood. Darfur is a prime example.

Environments prone to instability or breakdown in law and order, with lax control of armed groups, are conducive to a rise in sexual violence, especially opportunistic rape. We have recently witnessed the widespread use of sexual violence in conjunction with electoral processes in Guinea, Côte d'Ivoire, Kenya, Zimbabwe and in the recent revolutions in the Middle East, in Egypt and Libya. The presence of peacekeepers is also known to increase incidents of prostitution and trafficking, and a number of UN personnel have been charged with rape.

IRAQ

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.²⁸

While it is clear that rape is widely used in conflicts as both an overall warfare strategy and due to personal motivations by combatants, it is important to recognize that variations among conflicts exist and the use of rape is not always prevalent. The relative absence of sexual violence among numerous armed groups proves that sexual violence is not inevitable.

Two examples of such groups are the Liberation Tigers of Tamil Eelam, the Tamil secessionist group in Sri Lanka, and the insurgent army Frente Farabundo Marti para Liberacion Nacional in El Salvador. In these cases, an organizational culture prohibits the use of sexual violence, enforced by the leadership of the armed group and the attitude of group leaders that sexual violence would be counter-productive or is against their norms. These are determining factors prohibiting the proliferation of sexual violence. Enforcement of these views depends on the strength of the military hierarchy. The norms observed by the combatants concerning violence and the dependence or close and co-operative relations with civilian populations is another factor helping prevent widespread sexual violence in conflict.

28. IRIN Middle East, Iraq: NGO warns of rise in violence against women, March 12, 2006.

CONSEQUENCES OF SEXUAL VIOLENCE IN CONFLICT

“The problem [of rape] is destroying our households and families, foreigners are coming and raping our wives, devastating them. Since you are not God or an angel, you will stop loving her. That is why we say those people are ruining our communities.”²⁹

Sexual violence in conflict has numerous short- and long-term economic, social, cultural and health consequences. The most evident consequence is the loss of life due to sexual violence-related deaths, killings or suicide. Victims and survivors suffer long-term health consequences such as psychological trauma – including isolation, fear, hot flashes, feelings of unworthiness and suicide – and medical trauma such as gynecological fistula, sexually transmitted infections, and HIV/AIDS.

Sexual violence can reduce women’s and girls’ contribution to economic development, trapping them in a life of poverty. Sexual violence limits women’s freedom of movement in relation to subsistence activities. In Darfur, attacks on internally displaced women and girls are most often committed when they venture beyond camp perimeters to obtain firewood and water. Also, the lack of economic opportunities for displaced populations often results in commercial and exploitative sex as one of the few options for income generation to meet basic needs.

Women who have been attacked, as well as children born out of rape, are stigmatized and ostracized as a consequence of these crimes. In certain areas, husbands disown their wives and the high levels of discrimination cause the destruction of family and social relationships that make up the fabric of society. Women in such cases are often left in poverty and outside their communities.

Addressing sexual violence as a peace and security imperative with a clear focus on prevention, protection and accountability can advance economic recovery, community reconstitution and broad-based peace-building, which in turn enhance the legitimacy and durability of peace processes.³⁰

INTERNATIONAL ACTION ON SEXUAL VIOLENCE IN CONFLICT

In the last two decades, international tribunals have helped to develop the current legal definitions of sexual violence, particularly rape in conflict. The International Criminal Tribunal for Rwanda (ICTR) had a milestone verdict in 1998, with the first successful conviction of the crime of genocide in international law ruling that rape constituted genocide. The ICTR, the International Criminal Tribunal for the Former Yugoslavia, and the Special Court for Sierra Leone have included numerous prosecutions and convictions for sexual violence as a crime against humanity and/or as a war crime.

29. Open Society Institute and Harvard Humanitarian Initiative, *Characterizing Sexual Violence in the Democratic Republic of the Congo: Profiles of Violence, Community Responses, and Implications for the Protection of Women* (Open Society Institute and Harvard Humanitarian Initiative, August 2009).

30. UN Secretary-General, “Report of the Secretary-General on the Implementation of Security Council Resolutions 1820 (2008) and 1888 (2009),” *A/65/592-S/2010/604*. November 24, 2010, Paragraph 21.

The definition widely adopted today by international and national jurisdictions borrows from the International Criminal Court's approach, regarding it as rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and any other form of sexual violence of comparable gravity against either gender. These acts are prosecutable both as crimes against humanity and as war crimes. To date, judges of the International Criminal Court have charged twelve people with sexual violence crimes, some of them with multiple counts of different kinds of sexual violence. Three of these are currently on trial, four are in custody with their cases pending and three are not in custody, including Sudanese President Omar Hassan Al-Bashir.

SECURITY COUNCIL RESOLUTIONS ON SEXUAL VIOLENCE IN CONFLICT

Starting with resolution 1325 in the year 2000, a series of UN Security Council Resolutions (UNSCRs) were adopted dealing with women, peace and security, with later resolutions focusing more narrowly on sexual violence in conflict. UNSCR 1325 (2000) addresses the impact of conflict on women during and in the aftermath of armed conflicts. The resolution calls for the participation of women in peace processes; gender training in peacekeeping operations; protection of women and girls in respect for their rights; and gender mainstreaming in the reporting and implementation systems of the UN relating to conflict, peace and security.

UNSCR 1820 (2008) explicitly recognizes sexual violence as a tactic of war and gives the Security Council authority to intervene when necessary to provide security for women. It demands that conflicting parties train troops and enforce military discipline in an effort to end sexual violence.

UNSCR 1888 (2009) requested that the UN Secretary-General develop a proposal to ensure monitoring and reporting of sexual violence in conflict and post-conflict situations. UNSCR 1888 also called on the UN Secretary-General to establish the mandate of the Special Representative on Sexual Violence in Conflict to provide coherent and strategic leadership, to work effectively to strengthen existing UN coordination mechanisms, and to engage in advocacy efforts with all relevant stakeholders. Margot Wallström of Sweden was appointed as the Special Representative on Sexual Violence in Conflict in 2010.

UNSCR 1889 (2009) requires the UN system to collect data on, analyze and systematically assess particular needs of women and girls in post-conflict situations in order to improve their system-wide response to the security and participation of women and girls in decision-making.

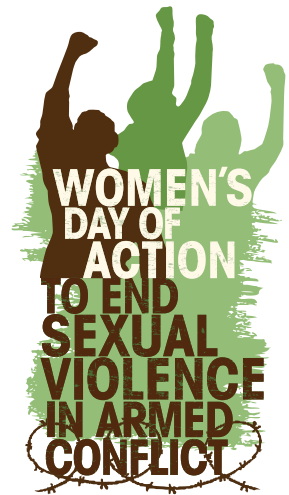
UNSCR 1960 (2010) builds on the previous resolutions by creating institutional tools to combat impunity, including the listing of perpetrators in the UN Secretary-General's annual reports, referrals to the UN Sanctions Committees and the International Criminal Court, international condemnation, and reparations. This focus on ending impunity and prosecuting offenders is critical in bringing justice to past crimes and deterring future acts of brutality.

These resolutions define the obligations of member states and many countries have developed national action plans to fulfill the goals outlined in the UNSCRs on women, peace and security. Yet, implementation of the resolutions remains a major challenge, with political will and adequate resources lacking.

CALL TO ACTION: WE CAN END SEXUAL VIOLENCE IN CONFLICT!

Women, women's organizations, non-governmental organizations and governmental organizations are doing a tremendous job in responding to sexual violence, and delivering much-needed support to victims and survivors of sexual violence. They have expended much time and energy advocating and lobbying for an end to all forms of violence against women, for accountability of perpetrators, for the protection and support of women and girls, and the inclusion of women in decision-making processes on peace and security. Their efforts have helped bring about mechanisms, tools and projects at the local, national and international level to address the needs of women and girls affected by sexual violence.

Women have documented and reported individual cases and systematic occurrences of sexual violence – often at great risk to themselves, since it makes these women vulnerable to retributive rape and sexual violence. Nevertheless, much effort has gone into research on the various aspects of sexual violence, including research on armed groups and perpetrators of violence, informing responses and interventions. Others have raised awareness and educated affected populations, policy makers, law enforcement personnel and armed groups on the various aspects of sexual violence in conflict, its causes and consequences, and existing legislation or international frameworks to prevent and reduce the occurrence of sexual violence.



Most importantly, people throughout the world are working to provide much needed services and support for survivors of sexual violence. They are providing medical assistance and helping survivors access services that are not necessarily available in their communities. Others have provided shelters and rehabilitation programs, and psychosocial support and therapy, as well as job training, providing survivors with the space to heal and recover their voices to rebuild their lives.

A key component to ending rape as a weapon of war is the successful prosecution of perpetrators. Efforts are pursued at the local, national and international level to put in place mechanisms that ensure accountability. Locally, victims and survivors of sexual violence are provided with access to legal clinics, sometimes in mobile form, in order to document cases for submission to courts. Nationally, truth commissions have been established where women have given testimony of the abuses they have suffered in conflict. International tribunals have prosecuted perpetrators of war crimes and crimes against humanity, including sexual violence and rape, and UN resolutions have led to the establishment of national action plans to combat sexual violence in conflict.

While these initiatives have brought about remarkable changes, much more is needed to see an end to crimes of sexual violence. The global community must step up its efforts in putting comprehensive strategies in place that protect women, bring perpetrators to justice, and deliver immediate and long-term services for victims and survivors. A more coordinated effort involving civil society, government, the military and other people working on the ground is required if this issue is going to be adequately addressed.

Significant gaps remain in the effective implementation of international mechanisms and the provision of support and services for those most vulnerable. Incidences such as the mass raping that occurred in Walikale Territory, North Kivu, DRC in July and August 2010, where more than 300 women, girls, men and boys were raped by armed men in four terrible days cannot be repeated. It is unacceptable that such an incident could take place within 30 kilometres of a UN peacekeepers' base where a company of 80 blue helmet troops was stationed.

RECOMMENDATIONS – ENDING SEXUAL VIOLENCE IN CONFLICT

Ending sexual violence in conflict – starting with rape as a weapon of war – will require a concerted global effort. We offer the following recommendations aimed at moving the world towards that goal.

THE CANADIAN GOVERNMENT CAN:

- Become a champion on the international stage for ending rape as a weapon of war and other forms of sexual violence. Canada can take initiative on peacekeeping missions central to women's security and on the advancement of the global women, peace and security agenda at the United Nations and in other international forums.
- Ensure that all Canadian agencies working in conflict and post-conflict states contribute to the end of rape as a weapon of war and other forms of sexual violence. Civilian protection and women's security must be lead priorities. Fully implement *Canada's Action Plan for the Implementation of United Nations Security Council Resolutions on Women, Peace and Security*, with timely benchmarks for reporting and monitoring that are public and transparent, and that respond to women's perspectives and voices. The plan includes the training of all Canadian military personnel on gender-based violence and protection strategies.
- Include women in battalions during community outreach initiatives and include female police officers in peacekeeping missions.
- Insist on the inclusion of women at peace negotiation tables, highlighting women's security as a major concern in conflict resolution, and promote women's participation in reconstruction efforts.
- End impunity for sexual violence in conflict by supporting politically and financially the International Criminal Court and other international justice mechanisms; supporting national legal and judicial reform, truth, justice and reconciliation commissions, reparations, and transitional justice as important tools for promoting a just peace; and ensuring there is no impunity for the use of sexual violence as a tactic of conflict in cease-fire agreements, peace negotiations and post-conflict reconciliation plans.
- Provide sufficient funding for criminal trials in Canada of war crimes, ensuring that all war crimes cases include charges of sexual violence and drawing on best practices in the treatment of victims and witnesses.
- Amend the State Immunity Act so that foreign governments and their agents can be sued in Canada for torture and war crimes, including sexual violence.
- Provide financial and moral support to women's community-based groups that have a proven track record on both advocacy and survivor support.
- Ensure that the extractive industry (mining) contributes to ending sexual violence in conflict by implementing transparency initiatives that encourage Canadian extractive companies to publically disclose all payments to host governments and other like measures.
- Support security sector reform, including increasing the number of women working in senior levels in the sector and increasing the capacity of people who work in the sector to prevent, respond to and prosecute sexual violence.

THE INTERNATIONAL COMMUNITY CAN:

- Spearhead more concerted and comprehensive coordination between donors and governments, and civil society and survivors to ensure strategies that integrate support to survivors, and prosecution and prevention towards ending sexual violence in conflict.
- End impunity for sexual violence in conflict by supporting the International Criminal Court and other international justice mechanisms – including at the national level.
- Provide long-term and sustained resources to local organizations supporting survivors and human rights defenders to enable long-term planning and the development of best practices.
- Prioritize the views and concerns of women and girls when granting funding and identifying priorities for investment and reconstruction, enabling women and girls to participate politically in reconstruction efforts as required by UNSCR 1325.
- Provide funding for research to better understand the problem of sexual violence in conflict and its ramifications and impact to feed into better responses and recovery strategies – more data is needed.

WHAT CAN THE INDIVIDUAL DO TO END SEXUAL VIOLENCE IN CONFLICT?

SPREAD THE WORD! Explain the issue to your friends, classmates and colleagues. Use social media to highlight women's experiences and support groups.

HELP BREAK THE SILENCE! Tell your local media – radio, newspaper, magazines and television – to raise the profile of sexual violence in conflict. Write letters to editors or discuss the subject on your blog.

EDUCATE! Host an event to educate yourself and others. You can use different sources of media, such as film, news articles, theater, and music to communicate to your audience.

RAISE POLITICAL WILL! Send letters to your elected officials to increase efforts to address sexual violence in conflict.

SUPPORT SURVIVORS! Get in touch with local women's organizations supporting survivors of sexual violence in conflict or immigrants/refugees coming from war-torn countries.

DEMAND ACCOUNTABILITY! Express your outrage and denounce grave abuses of sexual violence in conflict. Support international efforts to prosecute perpetrators.

For more information, please visit:

www.nobelwomensinitiative.org

Nobel Women's Initiative

430-1 Nicholas Street, Ottawa, ON K1N 7B7 Canada

Tel: +1-613-569-8400 | Fax: +613-241-7550



Advocating for peace, justice & equality