

RESEARCH REPORT

No Shame in Justice

Addressing stigma against survivors
to end sexual violence in conflict zones

DECEMBER 2015

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EVERY CHILD FREE FROM FEAR

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Cover image: Members of Watye Ki Gen convene at a meeting. Watye Ki Gen which means 'We Have Hope' is an organisation that supports female returnees previously abducted by the Lord's Resistance Army in Northern Uganda

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Our child safeguarding policy prevents us from showing the faces of children affected by sexual violence. All images used were taken with permission and representative of the range of contexts in which sexual violence occurs and do not necessarily include survivors of sexual violence. The images are not linked to specific stories in the report unless identified as such. All quotations from research respondents displayed in this report were given anonymously and are attributable by gender, age and location only.

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Abbreviations and acronyms

CIA	US Central Intelligence Agency
DFID	UK Department for International Development
DRC	Democratic Republic of Congo
FARDC	Forces Armées de la République Démocratique du Congo
FCO	UK Foreign and Commonwealth Office
G8	Group of Eight (governmental political forum)
HIV/AIDS	Human immunodeficiency virus infection and acquired immune deficiency syndrome
ICRC	International Committee of the Red Cross
IDP	Internally displaced person
IRC	International Rescue Committee
LRA	Lord's Resistance Army
M23	March 23 Movement (armed group in DRC)
NGO	Non-governmental organisation
ODI	Overseas Development Institute
PSVI	Preventing Sexual Violence Initiative
STI	Sexually transmitted infection
UPDF	Ugandan People's Defence Force
WASH	Water, sanitation and hygiene

Foreword

The world's attention was drawn to London in June 2014, when governments, UN agencies, non-governmental organisations and individuals came together at the Global Summit to End Sexual Violence in Conflict. Of the voices heard that week, none were more compelling than those of survivors who shared their stories and gave their opinions on what is needed most to tackle the ongoing atrocity of conflict-related sexual violence. World Vision was privileged to support a remarkable woman at the Summit, Lakor Angela Atim, abducted by the Lord's Resistance Army as a teenager in northern Uganda and a survivor of the brutal 'forced wife' system of Joseph Kony. At the Summit, Angela spoke for other survivors and for the children born in captivity as part of that regime. And she, like most of the other survivors we met at the Summit, called for two things: holding perpetrators accountable for what they did and stopping the stigma survivors of sexual violence suffer as a result of the crimes committed against them.

This report was inspired by the words we heard at the Summit. Sexual violence, in wartime and in peace, destroys lives. For victims of this violence – women, men, girls and boys – the journey to becoming a self-recognised 'survivor' is often long and complicated. And the stigma they face – within themselves, in their families and in their communities is a tremendous barrier to recovery. Indeed, many say that it is worse than the violence itself. They may be abandoned by their families, unwelcomed in schools, marketplaces and even places of worship.

Over the past several years, great emphasis has been placed on improving police and court processes to increase conviction rates. But reforming systems and training police and judges can only go so far. Legal progress will be limited until the barrier of stigma is broken down.

One of the most important findings of our research is how this impacts their choice and ability to seek justice. Each survivor interviewed spoke of the social and economic costs of coming forward and the benefits are too low – as too many perpetrators walk free. In other words, stigma is hindering the ability to bring perpetrators to justice. To ensure justice for all, we need both to end impunity and address stigma.

It is time to look at things from the survivor's perspective – to give them the greatest opportunity for recovery and to create a world in which sexual violence is considered unacceptable, by every person in every community.

This report unravels the links between stigma and justice. By showing how stigma impacts the lives of survivors and what factors they consider when deciding whether or not to report the crime, this report is a unique contribution to the current dialogue on how to end sexual violence in conflict. Drawing on the voices of survivors and communities in Uganda and the Democratic Republic of Congo, World Vision also identifies key actions that can be taken, both globally and by the UK Government, to achieve the aims sought by survivors at the Summit last year.

Our hope is that this report contributes to the evidence needed to counter sexual violence and its effects from a survivor's perspective, particularly by ensuring that the benefits of trying to punish perpetrators outweigh the costs to survivors and their families.



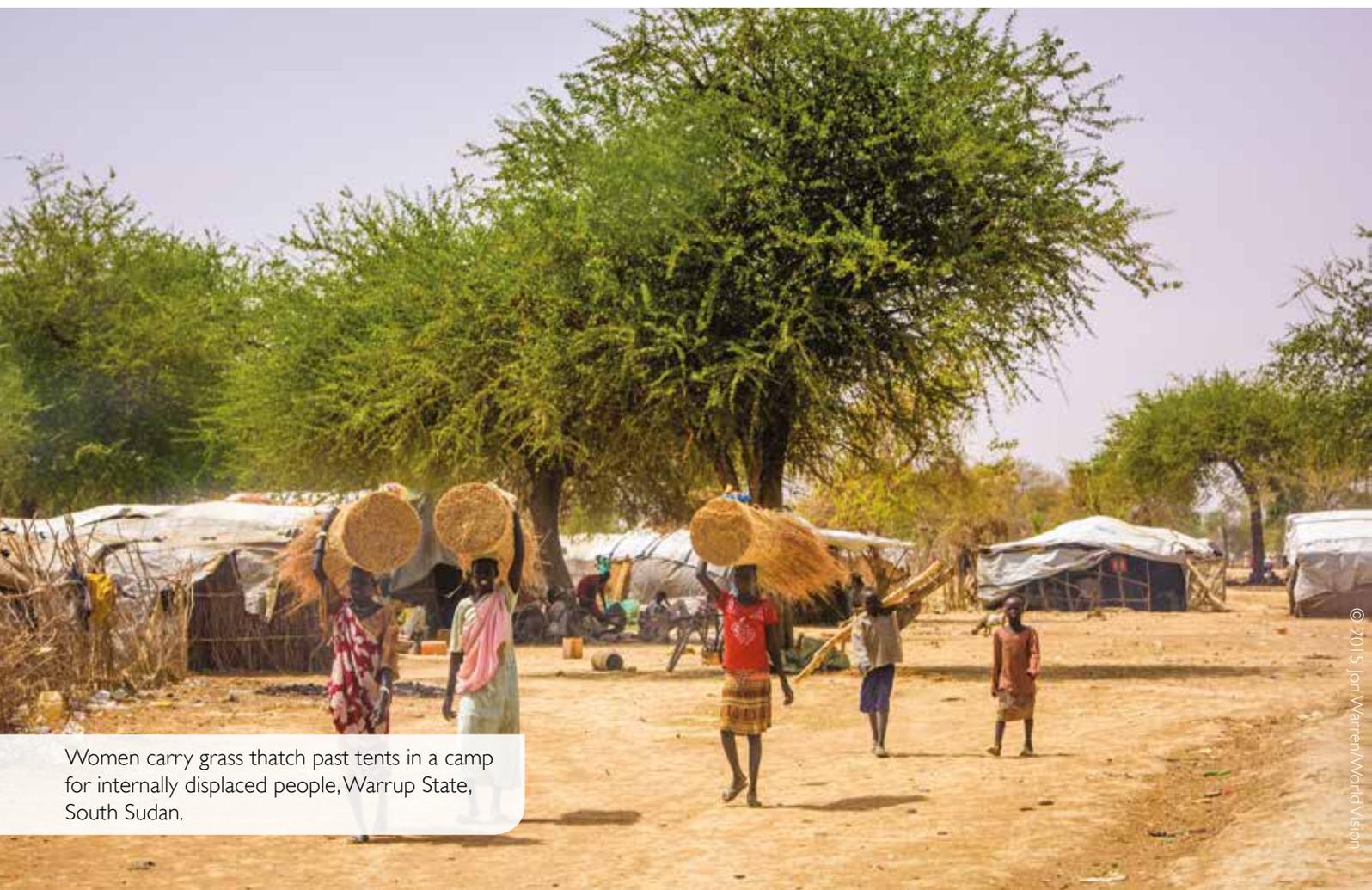
Tim Pilkington
Chief Executive Officer

Methodology

This report is based on primary evidence gathered by World Vision staff in Uganda and the Democratic Republic of Congo (DRC), as well as a literature review of academic articles, NGO materials and United Nations (UN) reports. It includes input from more than 400 first-hand interviews with survivors and other community members gathered in August-September 2014 (Uganda) and April-May 2015 (DRC). No names or other means of identifying individuals were recorded in focus group discussions or interviews to protect individuals from the risk of further harm. For the same reason, all case studies in this report have been presented under pseudonyms. More than 50 key informant interviews were conducted during the same period, with UN agencies, international and national non-governmental organisations (NGOs), local-level government officials, law enforcement personnel, religious leaders, and hospital staff.

Despite efforts to draw upon the most current information available, some limitations of this study should be noted at the outset. Most available data on the phenomenon of sexual violence in armed conflict relates to adult females, despite the frequent use of the catch-all phrase 'women and girls' in the relevant literature. Some information on adult male and juvenile female victims is available, and this has been incorporated wherever possible. However, there is a near total absence of reliable statistics on the prevalence of sexual violence against boys in armed conflict,¹ and the information that does exist is largely inferred. While striving to be comprehensive, this report is circumscribed by a heavy focus on female victims (and women more specifically). This focus on adult women has, thus far, defined the movement to end sexual violence in conflict and can only change with further research and attention to the barriers faced by men and adolescent survivors in identifying themselves.

¹ Sivakumaran (2010) 'Lost in Translation: UN Responses to Sexual Violence Against Men and Boys in Situations of Armed Conflict,' *International Review of the Red Cross*, Vol. 92, stating 'At present, sexual violence against boys in situations of armed conflict is an overlooked category'.



Women carry grass thatch past tents in a camp for internally displaced people, Warrup State, South Sudan.

Executive summary

Sexual violence happens largely in the shadows. It generally takes place out of sight, and victims are often forced to suffer the resulting physical, psychological and emotional trauma behind literal or figurative closed doors. Deeply-entrenched societal taboos surrounding any discussion of sexual activity are intensified when suggestions of force or coercion are introduced. This collective silence can present a significant hurdle to identifying the scale of sexual violence and to effectively prevent and respond to it. Misconceptions about who can be a victim of sexual violence, where and how it happens, and what survivors want most in order to recover make it all the more difficult to address.

This report will describe the breadth, scope and multiple manifestations of conflict-related sexual violence. It will explain the ramifications of sexual violence for affected individuals, including the stigma they face, and address the negative repercussions of stigma associated with sexual violence – for survivors and for justice.

Sexual violence does not just appear in conflict settings. It is all too prevalent in communities, linked very strongly to gender inequality and ideas of what it means to be a man or a woman, a girl or a boy, in certain societies. For this reason, girls and women represent the majority of those affected. But boys and men can be and are also victims.

Conflict-related sexual violence, where the violence is perpetrated by combatants, has been a facet of war that has been documented since ancient times, and has been a prominent feature in more recent conflicts in the former Yugoslavia, Rwanda, Colombia, Afghanistan, Syria, the Democratic Republic of Congo and the Central African Republic, to name just a few.

The mental, physical, emotional, social and economic consequences for survivors are extensive. Sexual violence impacts on every aspect of their lives. Survivors regularly speak of the stigma they face, which compounds these impacts. Indeed many say that the stigma is far worse than the act of violence itself. They express feelings of guilt and shame, and hide themselves away. Many are rejected by their families, blamed for what was done to them and for bringing shame and potentially disease to the family. Survivors also face stigma in the community. Girls are not welcomed at school because it is thought that they may taint others. Children born of rape are seen as evil, likely to cause trouble. Small business owners lose their livelihood because no one will buy from them.

For survivors, rebuilding their lives is a long and complex process. Every day may present new challenges, for survival and acceptance. And so while the majority would like to see their perpetrators punished, justice is only a vague notion in the back of their minds. They have no confidence in police and judicial processes. And they individually calculate the cost and benefit of reporting the crime. Most fear exposure and see the social cost of coming forward as too great; it significantly outweighs any benefit they perceive they might gain from it.

Today, global momentum for ending sexual violence in conflict is strong and progress is being made to improve support for survivors as well as to punish perpetrators. As progress continues, six principles should be central to the approach:

- **End sexual violence for all – women, girls, men and boys**
- **Make sexual violence unacceptable to everyone, everywhere**
- **Ensure justice for all by ending impunity and addressing stigma**
- **Make children a priority in initiatives to end sexual violence**
- **Give survivors a meaningful role in prevention, protection and response initiatives**
- **Take a comprehensive approach to ending sexual violence**

The UK Government is already playing a key role in these efforts. However, this report makes the following recommendations to take this action even further:

- The UK Government must take a survivor-centred approach, ensuring for example that legal reform and training on investigation and documentation are accompanied by legal literacy in communities
- Ending sexual violence requires a cross-Whitehall approach
- The UK Government must continue to be at the forefront of changing attitudes towards sexual violence and survivors
- The UK Government should champion efforts to recognise and respond to the full range of impacts of sexual violence on children, including for children born of rape



A child looks on from the entrance to a Women Stand Up Together shelter in northeast DRC.

Introduction

Sexual violence takes many forms: rape, sexual abuse, forced marriage, enforced masturbations, and electric shocks to genitals to name a few. Women, men, girls and boys can all be victims. And it happens in every society, with gender inequality and power dynamics at its heart. Conflict exacerbates the existing problems, with the breakdown of community and legal systems that accompanies it, as well as the use of sexual violence as a weapon of war. Survivors face an often silent struggle with the physical and psychological consequences, including emotional trauma and stigmatisation in the aftermath. Understanding these challenges is central to addressing the problem.

The challenge of numbers

A common misconception is that sexual assault is something that almost exclusively affects women. However, the past decade has seen researchers and policymakers begin to recognise that women are not the sole targets of sexual violence. Men, girls, and boys also experience sexual violence, though there remains an unfortunate lack of data on their particular experiences. Male survivors, particularly boys, may be the least-acknowledged of any victim subset. While nearly all research on this topic recognises this fact,² it is largely ignored in wider discussions on sexual violence and how to address it. Figures on children are gradually becoming increasingly available, though here too, much data relates specifically to 'girls' and not 'boys'.³ A study published by UNICEF UK in 2014 estimates that 200 million children globally are subjected to sexual violence every year.⁴

Underreporting by all victims – women, men, girls and boys – is endemic, due both to the sensitive nature of the issue and the survivors' fear that they may be ostracised or punished because of what happened to them. A lack of age-appropriate reporting mechanisms or tailored services suggests that underreporting levels for juvenile survivors may be even higher.⁵

The challenges of conflict

"It was the middle of the war. There were other things to worry about and how would I report it anyway?"

Trauma, taboo and lack of reliable testimonies – all are compounded exponentially in a conflict zone. Rape and other forms of sexual violence, even on a mass scale, can take place in areas that may not be readily accessible to journalists, aid workers, or medical professionals. In societies with rigid gender attitudes, sexual violence against women and girls may be seen instead as promiscuity, and sexual violence against men and boys as illicit homosexual activity – that is, if the possibility of sexual violence against them is acknowledged

² See generally *ibid.*, and V. Vojdik (2014), 'Sexual Violence Against Men and Women in War: A Masculinities Approach,' *Nevada Law Journal*: Vol. 14: 923-952. Both articles discuss reporting rates of sexual violence against men in armed conflict. Males also suffer sexual violence outside of armed conflict—in domestic partner relationships, or in situations of incarceration—but there are few comprehensive reports on the topic. However, to give an example of the scope of the problem, in the United States, it is estimated that male victims account for approximately 14 per cent of rapes and sexual assaults committed each year: 'Male Victims', National Alliance to End Sexual Violence (undated; last accessed 23 October 2015).

³ C. Dolan (2014), 'Into the Mainstream: Addressing Sexual Violence Against Men & Boys in Conflict', Briefing Paper prepared for the Overseas Development Institute.

⁴ UNICEF UK (2014), 'Sexual Violence in Conflict'. This figure relates to all forms of sexual violence against children, both within and outside of conflict. Notwithstanding the title and specific focus of this report, it also includes information and statistics about sexual violence against children in general, some of which have been reproduced here.

⁵ See e.g., Save the Children (2013), 'Unspeakable Crimes Against Children: Sexual Violence in Conflict'.

by society at all.⁶ Underlying each of these factors is the constant threat of armed violence, instability and collapsed governmental authority that is present in every warzone. These factors can weigh heavily on a victim's decision over whether or not to seek help. As one victim of conflict-related rape in the Democratic Republic of the Congo (DRC) said: *"It was the middle of the war. There were other things to worry about, and how would I report it, anyway?"*⁷

Africa is currently the continent with the highest prevalence of conflict-related sexual violence. In 2014, rape and other sexual assaults were documented in conflicts underway in the Central African Republic, the DRC, Libya, Mali, South Sudan and Sudan.⁸ However, wartime sexual assault is by no means limited to the African continent; Afghanistan, Colombia, Iraq, Myanmar, Syria, and Yemen all witnessed large-scale sexual violence between 2013 and 2015.⁹ The aforementioned challenges that give rise to substantial underreporting make it likely that the actual prevalence of such conduct extends far beyond this list.

There are also several countries that have previously endured intense armed conflicts involving large-scale sexual violence, including Bosnia-Herzegovina, the Côte d'Ivoire, Liberia, Sri Lanka and Uganda. While the immediate threat of armed violence may have ended in these contexts, the legacy left behind by widespread sexual abuse persists, preventing these nations from fully recovering. High rates of sexual violence may continue or even increase in the aftermath of conflict as a consequence of insecurity and impunity. Indeed, the experience of violence for victims does not begin nor end with war. Moreover, manifestations of sexual violence in armed conflict extend far beyond individual rape to include sexual slavery, forced prostitution, forced pregnancy, enforced sterilisations, castration, genital mutilation and deliberate infection with HIV/AIDS.¹⁰

The challenges for survivors

The damaging consequences of such assaults on the mental, physical, and emotional health of distraught populations cannot be exaggerated. Female survivors may suffer from physical trauma to their reproductive system, fistula,¹¹ sexually transmitted infections, unwanted pregnancies, pelvic inflammatory disease, and infertility.¹² Male survivors may have to endure rupture of the rectum, abscesses, damage to the penis and testicles, sexually transmitted infections, and incontinence.¹³ Both male and female rape survivors have reported experiencing post-traumatic stress disorder, severe depression and crippling anxiety, all of which can be further heightened in the inherent volatility of a conflict zone, having acute practical implications for daily life.

⁶ There is a widespread belief in many parts of the world that it is not physically possible for men to be raped. M. McMahon (2012), 'Access to Justice for Male Victims of Sexual Violence: Focus on Refugees in Uganda', *The Researcher*.

⁷ Interview with female survivor, Minova, eastern DRC, May 2015.

⁸ See generally the 'Report of the United Nations Secretary General on Conflict-Related Sexual Violence', 23 March 2015, (S/2015/203), [hereinafter 'UNSG Report 2015'].

⁹ A. Priddy (2014), 'Sexual violence against men and boys in armed conflict', in Casey-Maslen, Stuart (ed.), *The War Report*, pp.271-296; see also UNSG Report 2015.

¹⁰ Priddy (2014).

¹¹ A fistula is a small hole between the vagina and rectum or bladder that may render victims incontinent, prompting shame or ostracisation among those who suffer from it. Fistulas can be caused by prolonged obstructed labour and the constant pressure from the fetus, or from violent sexual assaults such as rape and sodomy. More information is available at 'What is Fistula', <https://www.fistulafoundation.org/what-is-fistula/#/sthash.bGr2VJ2t.dpuf>

¹² Trust Fund for Victims at the International Criminal Court Donor Appeal: 'Rehabilitating And Supporting Survivors of Sexual Violence', 10 September 2008, http://www.icc-cpi.int/iccdocs/asp_docs/library/vtf/TFV_Donor_Appeal_Eng.pdf [hereinafter 'TVF Donor Appeal'].

¹³ Priddy (2014).

¹⁴ Harvard Humanitarian Initiative (2011), 'A Patient Heart: Stigma, Acceptance and Rejection around Conflict-Related Sexual Violence in the Democratic Republic of Congo'.

In societies where a woman's primary purpose is perceived as that of a wife, mother and caregiver,¹⁴ women who are unable to perform the duties of this role because of the psychological and physical trauma caused by sexual violence can be viewed as having lost their 'value' within the community. For male and female victims afraid of another attack, the inability to feel safe may impact on household finances.¹⁵ For example, a study of male survivors of sexual violence in the DRC found that all of those interviewed were no longer working outside the home and had abandoned their previous occupations because of their feelings of shame, as well as fears of encountering their attackers. As a result, their families lacked the funds to meet their basic needs.¹⁶ Children who have suffered sexual violence often struggle to return to school – feeling ostracised and finding it difficult to concentrate. For girls who become pregnant as a result of rape, the challenges for them and their children are even greater. It is in these ways that a climate of victim-blaming adds to survivors' woes.

Looking forward

Despite these bleak circumstances, there may be scope for optimism that things are changing. Since 2010, there has been a dedicated Office of the United Nations Special Representative of the Secretary-General on Sexual Violence in Conflict,¹⁷ and the UN Secretary-General has issued annual reports documenting conflict-related sexual violence since 2012.¹⁸ In parallel, the Government of the United Kingdom has drawn attention to sexual violence in conflict through the Preventing Sexual Violence Initiative. This has led to a global Declaration of Commitment to End Sexual Violence in Conflict (2013), as well as a Global Summit to End Sexual Violence in Conflict (2014). Such moves are a welcome reflection of the fact that the global political agenda is seemingly beginning to prioritise the need to address sexual violence in armed conflict more consistently.

However, the focus of work undertaken thus far in this arena has largely been on prosecuting those using rape as weapon of war, in a bid to deter future violence. While that issue is certainly in need of attention, a broader approach is necessary to ensure that the needs and views of all types of victims – including men, girls and boys – are taken into account. Any attempt to address the phenomenon of sexual violence in conflict must have a survivor-centred focus that ensures that essential medical, psycho-social, emotional, legal and other support is provided where needed. In all of this, the spectre of stigma cannot be ignored. Survivors of sexual violence, especially during armed conflict, engage in a complicated calculation of the potential costs and benefits of reporting crimes perpetrated against them before deciding to come forward. Therefore, reducing the social and economic costs and increasing the benefits will increase the numbers of survivors willing to come forward, helping to increase prosecution rates. Any efforts hoping to make a significant contribution to eliminating sexual violence in conflict must give all of these factors equal weight.

¹⁵ M. Christian et al (2011), 'Sexual and gender based violence against men in the Democratic Republic of Congo: effects on survivors, their families and the community', *Medicine, Conflict, and Survival*.

¹⁶ *Ibid.*

¹⁷ The resolution establishing the Office was adopted in 2009, but the Office began work in earnest in 2010; More information is available at <http://www.un.org/sexualviolenceinconflict/>

¹⁸ See, for example, UNSG Report 2015 and 'Report of the United Nations Secretary General on Conflict-Related Sexual Violence', 13 March 2014, (S/2014/181) [hereinafter UNSG Report 2014].



A child at a Women Stand Up Together shelter in northeast DRC near Goma for abused women and girls. WorldVision supported 10 of the 20 shelters where they receive psychosocial and emotional help, training in sewing, baking and handicraft making.

Sexual violence: weapon of war and an everyday reality

“Rape is cheaper than bullets.”

Sexual violence as battlefield tactic

Sexual violence in armed conflict is rampant, and always has been. The ability to dehumanise your enemy through sexual means has been a tactic of military commanders dating back to the ancient Persian and Egyptian armies,¹⁹ through the Spanish civil war, the ‘rape of Nanking’²⁰ and the conflicts in the Balkans in the 1990s.²¹ In 2014 alone, the United Nations recorded 19 ‘country situations’ for which credible information about widespread conflict-related sexual violence was reported.²²

Motives for the commission of sexual violence vary, and sexual gratification is often not one of them.²³ Perpetrators can use it to strategically advance military objectives (for example, to clear the civilian population from a certain region), to punish or humiliate their enemies, or to dilute the bloodlines of a particular ethnic group.²⁴ In one instance, rape was reportedly used by the armed groups in the DRC as a punishment for those who interfered in poaching and mineral trafficking activities.²⁵ As succinctly put by one Amnesty International campaign, ‘rape is cheaper than bullets’.²⁶

When an internal armed conflict involves non-professional armed groups – as is the case in most current conflicts²⁷ – the inherently chaotic and lawless circumstances present fertile ground for acts of sexual violence. Yet the temptation to employ sexual violence as a military strategy can be enticing even for the most professional of armies. This is evinced in the disturbing reports of widespread sexual abuse of Iraqi detainees by American soldiers in Abu Ghraib prison²⁸ and certain tactics used by CIA interrogators at Guantanamo Bay.²⁹ Such acts demonstrate that when the desire to degrade your enemy is paramount, sexual violence is often a preferred methodology. In fact, the use of sexual violence in detention situations is one of the more commonly-reported expressions of conflict-related sexual assault against male victims, and has been recounted by detainees in the former Yugoslavia, El Salvador, Syria and Sri Lanka.³⁰ Despite the prevalence of this phenomenon, such incidents are often not recorded as sexual violence, since victims – if they choose to report it at all – will often only testify to ‘abuse’ or ‘torture,’ not rape.

¹⁹ Ibid. (discussing in particular male sexual violence).

²⁰ Ibid.

²¹ See, for example, A. Lajka, ‘Balkan Wartime Rape Victims Continue to Face Hardship Decades after Conflict’, Vice News, 23 April 2015.

²² UNSG 2015 Report.

²³ Priddy (2014).

²⁴ Save the Children (2013).

²⁵ UNSG Report 2014.

²⁶ H. Harvey, ‘Rape is cheaper than bullets’, The Guardian, 24 February 2009, available at <http://www.theguardian.com/commentisfree/2009/feb/24/warcrimes-congo>

²⁷ N. Schrijver and L. Van Den Herik (2010), Leiden Policy Recommendations on Counter-Terrorism and International Law, 57 Netherlands International Law Review 531.

²⁸ S. Hersh, ‘Torture at Abu Ghraib’, The New Yorker, 10 May 2004.

²⁹ One of the most disturbing procedures employed by CIA interrogators at Guantanamo was ‘rectal rehydration’, a rather clinical terminology for the unspeakable practice of force-feeding a detainee rectally, which in one case involved pureeing the contents of a prisoner’s lunch tray and rectally ‘infusing’ him with the contents. US Senate Select Committee on Intelligence: Committee Study of the Central Intelligence Agency’s Detention and Interrogation Program, Declassified Executive Summary, published 3 December 2014.

³⁰ Vojdik (2014); Human Rights Watch (2014) ‘Syria: Sexual Assault in Detention’.

Opportunistic sexual assault

Most sexual violence carried out during armed conflict takes place off the battlefield. A number of reports have stated that sexual violence in conflict zones is predominantly committed by family members, acquaintances and other community members.³¹ A study in the DRC of 440 child survivors found that 74 per cent of perpetrators were known to the family and 81 per cent of attackers were civilians.³² Assaultants exploit the chaos and impunity that exists in conflict to perpetrate sexual violence.³³ Here, sexual violence is more often a product of rage, opportunism, and power imbalance than a clearly articulated military strategy. It arises in the vacuum generated by the breakdown of state authority and community cohesion.³⁴

Already high levels of peacetime domestic and sexual violence around the world are exacerbated when conflicts and disasters take place, due to the attendant breakdown in social structures. One of the key enabling factors of sexual violence is the general erosion of law and order in these contexts. This can include the destruction of previously 'safe spaces', such as schools, churches and community meeting points, which are either physically damaged or their protective function in the community corroded by violence and displacement.

Eastern DRC has endured grinding armed conflict for nearly 20 years. The perpetration of sexual violence has become infamous in the context of this conflict. Women and girls are raped when they go to the fields to work, or when they go to buy produce to sell in the market – the assaults being commissioned by both men in uniform and farmers. Girls report being raped by classmates at school. In some cases, men are reportedly 'entrapped' by women who threaten to cry 'rape' if the men refuse to sleep with them. Here, sex has become so weaponised that the consequences of reporting rape can be seen as an administrative hurdle best avoided.

Odette, age 15, from Goma, DRC, told World Vision about being raped by an acquaintance. Odette reported the rape and her attacker was convicted. However, her decision to report the rape saw Odette lose friends, be made to feel 'bad' for putting the boy in prison, and have to leave her school. She now says that she wants the boy to be released so that life can return 'to normal'.³⁷

For communities enduring extended armed conflict – or struggling to recover following the negotiation of tenuous peace agreements – behavioural norms can deviate significantly from universally accepted standards. Sexual violence is perpetrated by armed forces, government officials, police, civilians and humanitarian personnel.³⁸ It can be carried out on the street, in homes, at checkpoints, in places of detention and in places of refuge.³⁹ The mass rape of at least 135 women by Congolese soldiers in Minova in November 2012 demonstrates just how routine sexual violence can become in conflict zones.⁴⁰ However, even if it is

³¹ Human Security Report (2012) 'Sexual Violence, Education and War: Beyond the Mainstream Narrative'; J. Ward., et al (2007), 'The shame of war: Sexual violence against women and girls in conflict'; UNESCO (2010) 'The response of the international community to sexual violence in conflict-affected states'; Save the Children (2013).

³² Save the Children (2012), 'Hidden Survivors: Sexual Violence against Children in Conflict'.

³³ J. Ward. et al, 2007; R. Nordas (2013) 'Preventing Conflict-related Sexual Violence', Peace Research Institute Oslo (PRIO) Policy Brief 02

³⁴ World Vision UK, Submission to the House of Lords Select Committee on Sexual Violence in Conflict (September 2015) [hereinafter; WVUK Submission to the House of Lords].

³⁵ J. Spangaro et al (2013) 'What Evidence Exists for Initiatives to Reduce Risk and Incidence of Sexual Violence in Armed Conflict and Other Humanitarian Crises?' A Systematic Review. PLoS ONE 8(5).

³⁶ Interviews and focus group discussions, North and South Kivu, DRC, April-May 2015.

³⁷ Interview with survivor, Goma, May 2015 (name changed to protect identity).

³⁸ Priddy (2014).

³⁹ Ibid.



Pictured left: 14 year-old rape victim with her newborn baby at a hospital, Goma, DRC. World Vision has given medical supplies to the hospital and supports shelter, counseling, and skill training programmes for women and girls who are victims of sexual violence.

not a deliberate tactic of war; commanders are also culpable for acts of sexual violence by those under their command if they knew or should have known in the circumstances that the crimes were being committed, and did not take appropriate measures to stop them or punish the soldiers involved.⁴¹

Prevention

In contexts characterised by such a high degree of social disintegration, finding a way to effectively combat sexual violence becomes a monumental task. Pre-existing gender and power inequalities mean that sexual and gender-based violence are often prevalent in communities long before conflict erupts and are then exacerbated in conflict situations. Prevention more broadly must, therefore, become central to any global effort to end sexual violence in conflict going forward.

Rendering sexual violence unacceptable within communities requires large-scale and long-term changes in attitudes and in community perceptions. To achieve this, everyone — particularly women and children — must become active and equal contributors to anti-sexual violence efforts in their communities. Such an approach may be aided by engaging with faith and community leaders who have the ability to promote the rights and responsibilities of individuals and prevent acts of sexual violence both in peacetime and during conflict.

World Vision has found that addressing rigid and harmful gendered roles attributed to males and females by society, as well as building the resilience of those at risk, can go a long way to addressing all forms of gender-based violence.⁴² In doing so, it is essential to engage men and boys as allies in efforts to stop discriminatory traditions, and to enable constructive spaces for all members of the community to help end harmful practices such as sexual violence, domestic violence, and child marriage.

Concrete practical measures can make communities and displacement camps safer and provide the foundation for a culture of prevention. For example, in times of conflict, men's fear of abduction into armed groups can further compound existing gender roles, for example leaving children and women responsible for chores such as fetching water and collecting firewood for cooking, leaving them in their turn vulnerable to abduction and the risk of sexual violence themselves. Taking this into consideration, it is important to design refugee and internally displaced person (IDP) camps which proactively address these risks, such as building water points inside camps and ensuring separate water, sanitation and hygiene (WASH) facilities are both constructed distinctly for women and men and are located in well-lit locations.

⁴⁰ P. Jones, 'Congo: We did whatever we wanted, says soldier who raped 53 women', *The Guardian*, 11 April 2013, available at: <http://www.theguardian.com/world/2013/apr/11/congo-rapes-g8-soldier>

⁴¹ Rome Statute of the International Criminal Court, Article 28. For further discussion of the topic in relation to Minova, see Human Rights Watch (2015) 'Justice on Trial: Lessons from the Minova Rape Case in the Democratic Republic of Congo'.

⁴² Through World Vision's Channels of Hope model, we have successfully seen the breakdown of harmful gender norms and replaced with an increased respect for and the participation of all members of the community. In the Solomon Islands, for example, this has resulted in a decrease in domestic violence and the greater participation of women in community decision-making. Through its Programme Partnership Agreement with DFID, World Vision has worked with children to realise their rights to care and protection, and raise awareness of reporting mechanisms for children affected by violence.

Peacekeeper rape

Among the most disturbing manifestations of sexual violence in conflict zones are repeated reports of rape and sexual abuse perpetrated by peacekeepers and humanitarian workers against the vulnerable populations that they are supposed to be protecting. In 2003, the UN Secretary-General issued a Bulletin dedicated to 'preventing and addressing cases of sexual exploitation and sexual abuse by UN Staff'. The Bulletin set out regulations applicable to 'all staff of the United Nations', as well as 'forces conducting operations under United Nations command and control'. It explicitly states the following:

- (a) *Sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal;*
- (b) *Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence; and*
- (c) *Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance.*

Concrete evidence of such transgressions is difficult to come by because, in many cases, both the United Nations (which manages the missions) and troop-contributing States choose to carry out internal investigations behind closed doors. Despite the standards set out in the Bulletin, sexual exploitation and abuse by peacekeepers is still disturbingly frequent. For example, continued allegations of abuse by French troops and UN Peacekeepers in the Central African Republic in 2015 have alarmed aid agencies and donors alike, prompting heightened calls for greater accountability and transparency in peacekeeping missions.

⁴³ Information in this box is taken from R. Gladstone, 'U.N. Details Sexual Abuse Claims Against Troops', New York Times, 20 August 2015; and from the UN Secretary-General's Bulletin: 'Special measures for protection from sexual exploitation and sexual abuse', 9 October 2003, ST/SGB/2003/13.

Lifting the mask: disaggregating the profile of sexual violence victims

Whilst the demographics of sexual violence survivors extend far beyond adult women, most current advocacy efforts centre on this group. Such concentrated attention is understandable—females are certainly the most visible victims of sexual violence, and women and girls make up the majority of victims.⁴⁴ However, such a narrow focus ignores the particular challenges faced by male victims in coming forward, as well as the distinct adversity juvenile survivors experience. Those affected by conflict-related sexual violence cannot hope to heal until and unless targeted treatment and support is made available to all of them.

Sexual violence against women

The majority of victims of conflict-related sexual violence are undeniably female.⁴⁵ Reported figures are staggering: an estimated 100,000 to 250,000 women raped during the three months of the Rwandan genocide;⁴⁶ the widespread and systematic use of rape as a weapon of war in the 1990s Balkan conflict touching the lives of around 60,000 women;⁴⁷ and the World Health Organization estimates that between 61 - 77 per cent of Liberian women experienced sexual violence during that country's armed conflict.⁴⁸ Widespread sexual violence against women has likewise been reported during conflict in Sierra Leone,⁴⁹ Colombia,⁵⁰ Sri Lanka and Nepal.⁵¹

The eastern provinces of the DRC have been particularly plagued by wartime rape. Once labelled the 'rape capital of the world' by the then-Special Representative of the UN Secretary General,⁵² the DRC has also become the poster-child of sexual violence for the Trust Fund for Victims of the International Criminal Court. According to one United Nations estimate, 200,000-400,000 women have been raped in the DRC since 1998.⁵³ Although some progress has been made, the United Nations Population Fund alone recorded 11,769 cases of sexual and gender-based violence during the first nine months of 2014 in the eastern provinces, where the conflict continues to ebb and flow. Considering the overwhelming extent of underreporting of sexual violence, annual statistics on reported sexual violence are likewise indicative of high prevalence rates.⁵⁴

Although the DRC is one of the most renowned theatres for conflict-related sexual violence, it is far from being the sole contemporary example. In 2014 there were allegations of mass rape perpetrated by the Sudanese Army against civilians in Tabit, North Darfur,⁵⁵ and by Islamic State forces against women from the Yazidi minority in Iraq.⁵⁶ The Syrian conflict likewise continues to be a source of reports of extensive sexual violence perpetrated against civilians by all parties to the conflict.⁵⁷

⁴⁴ World Vision UK (2014), 'Journey of a Survivor'.

⁴⁵ Historically, statistics on sexual and violence have not been broken down by age. As a result, published numbers, including those referred to here, are cited as 'women' but in fact also refer to reported cases of sexual violence against girls.

⁴⁶ United Nations, 'Background Information on Sexual Violence used as a Tool of War', available at <http://www.un.org/en/preventgenocide/rwanda/about/bgsexualviolence.shtml> [hereinafter UN Background Information].

⁴⁷ Lajka (2015).

⁴⁸ N. Jones et al (2014), 'The fallout of rape as a weapon of war', Overseas Development Institute.

⁴⁹ Save the Children (2013).

⁵⁰ Nordas (2013); Ward and Marsh (2006).

⁵¹ UNSG Report 2015.

⁵² UN News Centre (2010) 'Tackling sexual violence must include prevention, ending impunity', quoting Margot Wallström, the then-Secretary-General's Special Representative on Sexual Violence in Conflict.

⁵³ UN Background information.

⁵⁴ UNSG Report (2015).

⁵⁵ Human Rights Watch (February 2015), 'Sudan: Mass Rape by Army in Darfur'.

⁵⁶ Human Rights Watch (April 2015), 'Iraq: ISIS Escapees Describe Systematic Rape'.

⁵⁷ FIDH (2012), 'Violence Against Women in Syria: Breaking the Silence'.

Sexual violence against men

In a study of 6,000 inmates at a concentration camp in the former Yugoslavia, 80 per cent of men reported having been raped while in detention.

Although not widely reflected in news reports or public policy debates, the sexual abuse of men in armed conflict is by no means rare. In contemporary history, conflict-related sexual violence against men has been recorded in Afghanistan, Argentina, Burundi, Cambodia, Chile, the Central African Republic, Chechnya, Croatia, the DRC, El Salvador, Guatemala, Iraq, Iran, Kenya, Kuwait, Liberia, Libya, Northern Ireland, Rwanda, Sierra Leone, Sri Lanka, Sudan, Syria, Turkey, Uganda, the former Yugoslavia and Zimbabwe.⁵⁸ Reliable statistics are very hard to come by.⁵⁹ Indeed, male survivors of sexual violence are unlikely to report attacks for a number of social reasons (loss of status and authority in their community) or pragmatic concerns (fear of prosecution for homosexuality),⁶⁰ as well as fear of the stigma that haunts many survivors of sexual violence (as discussed below).

The little reliable data that does exist is eye opening: in a study of 6,000 inmates at a concentration camp in the former Yugoslavia, 80 per cent of men reported having been raped while in detention.⁶¹ The sheer scale of the sexual violence perpetrated in the Balkan conflict may be exceptional, but the phenomenon of modern-day conflict-related sexual assault against male victims has also been described in various other contexts. Over 20 per cent of Sri Lankan Tamil males held in detention centres recounted stories of sexual abuse⁶² and, according to one study, nearly 40 per cent of male survivors fleeing conflict in eastern DRC had experienced sexual violence in their lifetime.⁶³

Sexual violence against men in conflict can include different forms of physical and mental abuse, oral and anal rape, castration, electric shocks to the genitals and forced incest or masturbation.⁶⁴ In Uganda, it is reported that men were forced to 'sit with their genitals over a fire, to drag rocks tied to their penises, to give oral sex to queues of soldiers, and [be] penetrated with screwdrivers and sticks'.⁶⁵

Perpetrators of sexual violence against males are often themselves male, but female aggressors also exist. In Sierra Leone, male survivors recounted abuse by female combatants, and in the DRC, women were reported to have been involved in perpetrating 10 per cent of the conflict-related sexual violence toward male victims.⁶⁶ As with all statistics regarding sexual violence, the prevalence of female aggressors is no doubt underreported, and in many cases this may be because legal frameworks can fail to recognise males as anything other than the perpetrators of rape.⁶⁷ Indeed research shows that existing rape laws affecting over one billion men in parts of Asia, Africa, and South America do not recognise male victims and simultaneously criminalise same-sex acts. In light of this, the dearth of data on sexual violence against men and boys is not surprising.

⁵⁸ Priddy (2014); Dolan (2014).

⁵⁹ Sivakumaran (2010).

⁶⁰ Priddy (2014).

⁶¹ T. McGinn et al (2013), 'Reproductive Health for Conflict-Affected People: Policies, Research, and Programs'.

⁶² Spangaro et al (2013).

⁶³ Dolan (2014).

⁶⁴ See, e.g. Vojdik (2014).

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Dolan (2014).

Recognising sexual violence against men and boys⁶⁸

- 90 per cent of male victims of sexual violence in active conflicts have no access to justice (the law provides no protection for them)
- 63 countries, representing almost two-thirds of the world's population, only recognise female victims of rape
- 70 countries criminalise men who report abuse
- 28 countries only recognise males as perpetrators of sexual violence – not females

Sexual violence against children

Save the Children estimates that 'nearly 30 million children living in conflict-related countries have been or will be sexually abused before their 18th birthday'.⁶⁹ The majority of these victims are girls, and the statistics show the particular vulnerability of children to abuse:

- In Sierra Leone, more than 70 per cent of the sexual violence cases seen by the International Rescue Committee (IRC) were girls under 18, and more than 20 per cent of those were girls under 11;
- In 2009 in Colombia, more than half of the victims of sexual violence helped by the International Committee of the Red Cross (ICRC) were children;
- Almost one-fifth of girls in Haiti's capital Port-au-Prince were raped during an armed rebellion in 2004 and 2005; and
- During the post-election crisis in Côte d'Ivoire between November 2010 and September 2011, children made up 51.7 per cent of reported cases of sexual violence.⁷⁰

It is clear that some children, including refugees and IDPs (particularly those who are separated from their families), child soldiers, children born of rape, members of child-headed households, working children and young mothers are especially vulnerable.⁷¹

GIRLS As starkly illustrated by the plight of the Chibok girls kidnapped by Boko Haram militants in Nigeria in 2014,⁷² and widespread reports of Yazidi females as young as 12 being abducted and used as sex slaves by Islamic State forces in Iraq,⁷³ girls are particularly vulnerable to sexual violence in conflict and post-conflict situations. The breakdown or disintegration of family networks, and the loss of fathers through combat or death can force girls to take on new roles and responsibilities of caring for other children or earning a livelihood.⁷⁴ These roles often challenge traditional cultural and social identities. Girls may then become vulnerable to attack from their own communities for not conforming to traditional roles. Conversely, conflict can also lead to an increase in forced marriage as a means of 'protecting' young girls from harassment, sexual violence or recruitment by armed groups.⁷⁵ Moreover, transactional sex is a common side effect of conflict-affected communities, where economic desperation can lead girls (and others) to engage in survival sex – exchanging sex for essential items or money to buy them.⁷⁶

⁶⁸ Ibid.

⁶⁹ Save the Children (2014).

⁷⁰ Ibid.

⁷¹ Save the Children (2012); S. Delaney (2006), ECPAT International, 'Protecting Children from Sexual Exploitation and Sexual Violence in Disaster and Emergency Situations: A Guide for Local and Community Based Organizations.

⁷² H. Sherwood, 'Boko Haram abductees tell of forced marriage, rape, torture and abuse' Guardian, 27 October 2014.

⁷³ Human Rights Watch (April 2015).

⁷⁴ Women's Refugee Commission (2009), 'Refugee Girls: The Invisible Faces of War'.

BOYS As previously noted, there is a glaring lack of reliable data about juvenile male victims of sexual violence in conflict situations. Nevertheless, there is evidence to show that the sexual slavery of boys in Afghanistan is rampant, and was likewise widely reported in the Liberian conflict.⁷⁷ In the DRC, boys report being given alcoholic drinks by older women and then forced to have sex against their will.⁷⁸ Boys are thought to be particularly vulnerable in IDP and refugee camps.⁷⁹ For example, in Sri Lanka, boys (and men) faced sexual violence by security forces while in detention.⁸⁰ A 2012 Human Rights Watch report documented similar abuse at the hands of Syrian Government forces against male children in detention facilities.⁸¹

When viewed next to evidence of the high prevalence of sexual violence perpetrated against female victims, reports of sexual violence against boys can seem dwarfed. In fact, lower figures in relation to boys must be treated with scepticism as they are likely to reflect a vicious cycle of under-reporting and the scarcity of tailored programming for them. A lack of inclusive programming keeps reporting levels even lower than for women and girls, resulting in the paradoxical perception that no specific programming is required for men and boys. Many of those programmes that do exist are specifically tailored to women and girls (for example, medical response programmes that focus on female reproductive health) or unintentionally dissuade male victims from attending by being situated in locations seen as only for women and girls (for example, within gynaecological or maternity wards). In many cases, there is great confusion over where men and, especially, boys can and should be referred to for help, leading them to suffer in silence.

No 'one size fits all' solution

Given that each survivor of sexual violence has to contend with both his or her own personal circumstances as well as the larger tableau of gender, age, and sociological characteristics applicable to him or her, there cannot be a 'one size fits all' solution when creating a policy framework to address this issue. Initiatives focusing solely on women survivors will alienate men, boys and girls. The pervasive shorthand use of 'women and girls' to classify all female victims of sexual violence into one indistinct cluster means that resources are wasted on the creation or duplication of projects which cannot hope to comprehensively address the needs of the community they are trying to serve. Programmes that fail to address the distinct medical and psycho-social needs of male victims risk inadvertently creating a subclass of survivors who will never be able to fully reintegrate into society. Thus, those with the power and resources to influence the direction of this agenda should work to ensure that future initiatives attempt to tackle the needs of all survivors, and not solely those most visible.

⁷⁵ Forced Migration Review (2007) *Sexual Violence: Weapon of War; Impediment to Peace* (Issue 27); World Vision (March 2013), 'Untying the Knot: Exploring Early Marriage in Fragile States'.

⁷⁶ Save the Children (2013).

⁷⁷ Vojdik (2014).

⁷⁸ Interview, Defenses des Femmes Juristes, Goma, May 2015 (confirmed in community focus group discussions).

⁷⁹ Forced Migration Review (2007).

⁸⁰ Human Rights Watch (February 2013), "'We Will Teach You a Lesson': Sexual Violence against Tamils by Sri Lankan Security Forces'.

⁸¹ Human Rights Watch (2012), 'Syria: Sexual Assault in Detention'.



A 13 year-old boy looks out onto his family's compound in northern Uganda. He spent the first decade of his life living in captivity but has since received support and counselling at World Vision's Children of War centre in northern Uganda. He now lives with his grandmother in her community.

Uganda: a distinct example of sexual violence against children⁸²

Uganda's experience of conflict-related sexual violence is somewhat different to other well-known examples, although it is being worryingly revisited in other conflicts today. Everyone in northern Uganda has been affected by the internal conflict that took place between the Ugandan Army and Joseph Kony's Lord's Resistance Army (LRA) in the 1990s and early 2000s. At least 1.5 million people were forced into IDP camps and observers have stated that both the LRA and the Uganda People's Defence Force (UPDF) committed widespread sexual violence in the course of hostilities.

Children were particularly vulnerable. They constituted over half of the IDP population and were subject to a higher risk of abduction by the LRA. From 1992 to 2005, the LRA reportedly abducted between 20,000-30,000 children from northern Uganda. Girls were used as combatants and routinely forced to be 'wives' to soldiers as soon as they attained puberty. Women and girls subjected to forced marriage were required to have sex with the deliberate aim that they bear children. At least 2,000 children conceived in these circumstances have already been documented by advocacy groups in northern Uganda's provinces, with thousands more likely remaining hidden because of the stigma their mothers feel.

The recovery and rehabilitation of these 'wives' is a complex process, further exacerbated by the reality that they must return to their former lives now with children of their own. For the children themselves, even greater challenges remain. Like their mothers, they require health care and counselling, which they may or may not receive. Moreover, in some cases children have been left stranded. Orphaned or rejected by their parents for fear of reprisals, these children have had to 'return' to communities that they do not know and to extended families that may not have wanted them. The ramifications of this particularly pervasive type of violence against children are therefore enormous.

⁸² Information in this box is based on interviews and workshops conducted with children born in captivity, female returnees and key stakeholders in northern Uganda in August-September 2014. See also, K.T. Seelinger (2014), 'Domestic accountability for sexual violence: The potential of specialised units in Kenya, Liberia, Sierra Leone and Uganda', International Review of the Red Cross Vol. 96.

The incalculable costs of stigma

“After the violence, I didn’t understand anything anymore. I couldn’t take care of my children. I wanted to kill myself.”

Origins and manifestations of stigma

Stigma is a term of Greek origin referring to a mark that was cut or burned into the skin of criminals, slaves or traitors to demarcate them as immoral to those in the wider community.⁸³ Whilst modern-day stigma is no longer such a distinctly physical phenomenon, its ability to brand rape survivors as ‘other,’ ‘immoral’ or ‘not one of us’ is no less devastating. Stigmatisation can take many forms. These can include stigma survivors impose on themselves, familial stigma and community stigma, and can result from both the actual act of sexual violence and from its long-lasting impacts.

Despite some geographic and cultural variation, evidence indicates that sexual violence-related stigma prevails in societies as diverse as the former Yugoslavia, Rwanda, Sierra Leone, El Salvador, the DRC and Myanmar.⁸⁴ Although the phenomenon of stigma is widely documented, discussions on how to address its destructive impact on survivors is largely absent from mainstream discourse among donors and policy-makers trying to end sexual violence in conflict. This is a serious oversight that ignores what is perhaps one of the most destabilising consequences of sexual violence in armed conflict, and certainly one of the biggest barriers to holding perpetrators accountable. Addressing stigma in all of its manifestations must be prioritised by both those looking to help survivors and those seeking to end impunity.

The ramifications of stigmatisation are immense. They can include victim-blaming, spousal abandonment, rejection, isolation, physical abuse, exclusion from public life, reduced access to services and economic insecurity.⁸⁵ At their most vulnerable, survivors of sexual assaults are exiled, imprisoned for adultery, beaten or forced to build their own huts outside the family compound.⁸⁶ Survivors may even become targets of acid attacks or further rape at the hands of authorities as ‘punishment’.⁸⁷

Self-imposed stigma

The stigma survivors place on themselves often manifests as guilt or shame. Research by the Harvard Humanitarian Initiative in 2011 found that one in ten women in the DRC believed rape to be a punishment from God, while one in fourteen thought it to be a punishment for bad behaviour.⁸⁸ The feelings of powerlessness and defeat generated by sexual assault led one survivor of the Minova rapes to tell World Vision: *“after the violence, I didn’t understand anything anymore. I couldn’t take care of my children. I wanted to kill myself.”*⁸⁹ Similarly, in a focus group discussion with women in eastern DRC, one woman reported feeling that she was *“no longer supposed to exist”*.⁹⁰

⁸³ A. Bos et al., (2013), ‘Stigma: Advances in theory and research.’ Basic and Applied Social Psychology.

⁸⁴ J. Kelly et al., (2011), ‘Hope for the Future Again: Tracing the Effects of Sexual Violence and Conflict on Families and Communities in Eastern Democratic Republic of the Congo’.

⁸⁵ Harvard Humanitarian Initiative (2011).

⁸⁶ L. Bates, (2012), ‘A Crime upon a Crime: Rape, Victim-Blaming, and Stigma’.

⁸⁷ Ibid.

⁸⁸ Harvard Humanitarian Initiative (2011).

⁸⁹ Interview with female survivor in Minova, May 2015.

⁹⁰ Focus group discussion, Sake, May 2015.

Stigma or the fear of being stigmatised often leads survivors to stop engaging in public activities. Survivors often speak of the shame that they experience in the community: when they go in public places, villagers may whisper, giggle, or exchange knowing looks in their presence. A community member in Sake, eastern DRC explained the thoughts common for survivors: *“Maybe I should keep my secret...if I talk, no one will speak to me again”*.⁹¹

For children born of rape, their mothers may not want to acknowledge their origins in order to make for easier integration into the community,⁹² a practice that can cause a sense of confusion or alienation for a child. However, the alternative is no easier to deal with: if and when their origins become known, children born of rape risk being stigmatised by neighbours, classmates and even teachers, who may irrationally fear that such children have inherited the nature of their rapist fathers, and be prone to violence.⁹³

Familial stigma

Feelings of shame or guilt experienced by survivors of sexual violence in war zones can be magnified by those closest to them. For example, some societies believe that it is impossible to become pregnant from rape,⁹⁴ leading to false accusations that the victim was not really attacked. Husbands may find it personally or socially impossible to accept another man’s child as their own, leading to rejection of both the child and mother. Young girls who fall pregnant as a result of sexual violence may unexpectedly find that their impending motherhood means that they lose their own status as children within the community, together with all the parental care and support they desperately need.⁹⁵ These girls are suddenly expected to become parents themselves, with little education or resources.

Familial stigma can also be occasioned by a perceived association of the survivor with ‘the enemy’ – a characterisation that can readily be projected onto the victim’s family, including their spouse. Men who refuse to reject their wives who have been raped can themselves be subject to high levels of stigma, and may face heavy pressure from friends and family to abandon her. In a survey on familial attitudes towards rape survivors, of nearly 200 men interviewed more than half said that they themselves or a relative had been pressured to choose between their family and their survivor spouse.⁹⁶ Even where wives are permitted to remain within the family, their parental authority may be undermined. For example, children who were forced to witness their mother’s rape may later show disrespect, or blame her for not having resisted the attacker.⁹⁷

Sometimes families or spouses choose to ostracise a victim as a result of a calculated economic decision. Survivors of sexual violence from poor families may be perceived as financial burdens, either because the physical and mental trauma they have endured renders them unable to work, or because no one will hire them due to associative stigma. The impact of survivors’ situation on the financial status of the family can become a decisive factor in their treatment. Indeed, victims may also require expensive medical help, including drugs and therapy. A survivor’s reduced economic contribution to the household, coupled with the added burden of medical expenses for treatment, may see the family reject him or her.⁹⁸

⁹¹ Ibid.

⁹² WorldVision, Watye Ki Gen and CAP International, workshop on social, legal, cultural and family issues affecting the lives of children born in captivity in northern Uganda, 3-4 September 2014. [Children Born in Captivity workshop].

⁹³ Ibid.

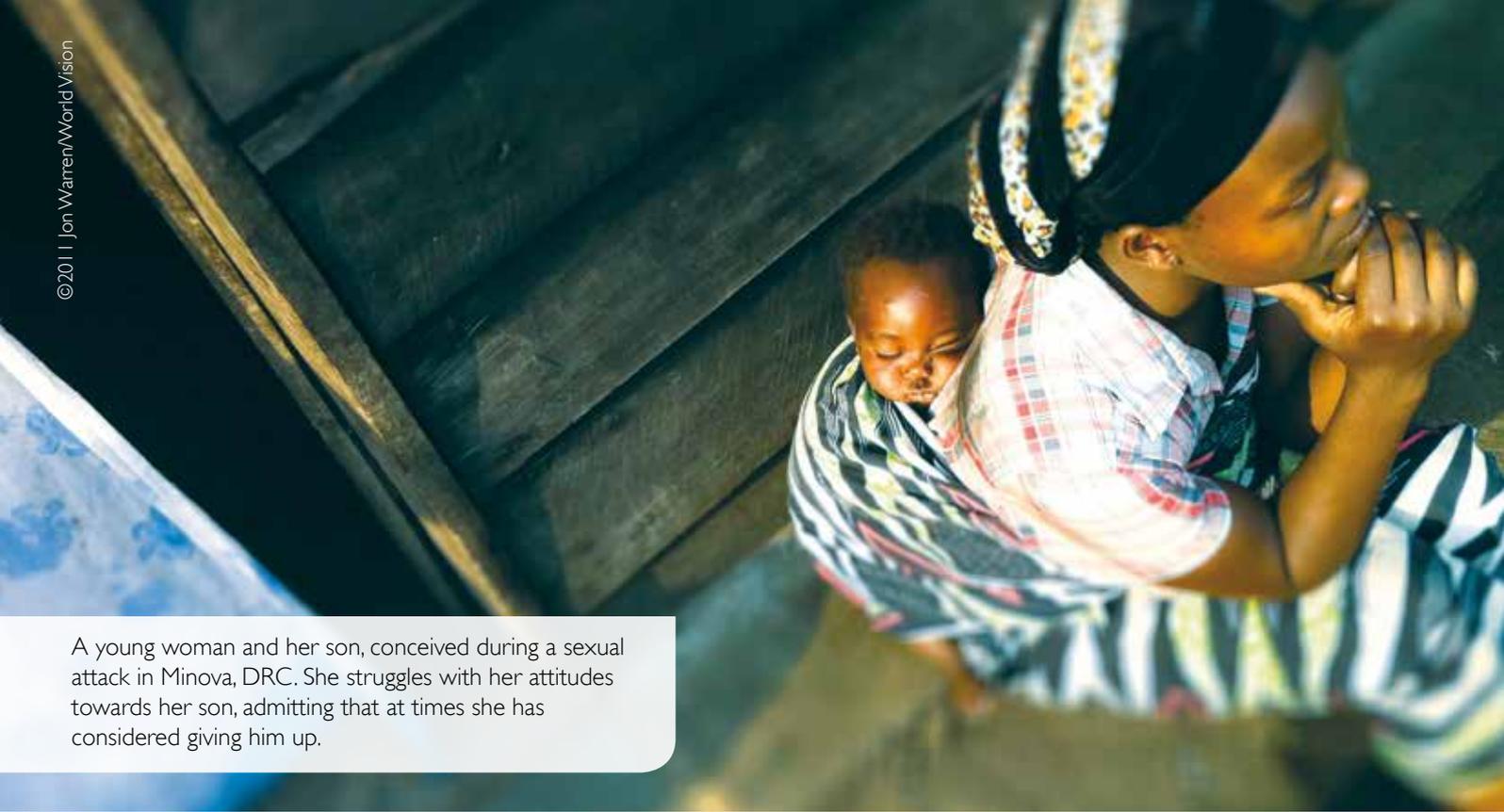
⁹⁴ C. MacDonald, ‘Collateral Damage’, The Independent (Uganda), 1 October 2011.

⁹⁵ H. Liebling, et al. (2012), ‘Bearing Children through Rape in Eastern Congo: Community and State Responses’.

⁹⁶ Harvard Humanitarian Initiative (2011).

⁹⁷ Ibid. and Josse (2010).

⁹⁸ All information in this paragraph from the Harvard Humanitarian Initiative (2011).



A young woman and her son, conceived during a sexual attack in Minova, DRC. She struggles with her attitudes towards her son, admitting that at times she has considered giving him up.

Community stigma

Community stigma can reflect deeply entrenched societal or cultural beliefs, especially regarding women and girls. Here, responsibility for the attack is attributed to the survivors themselves, with suggestions that they dressed inappropriately, or that their families failed to educate them properly.⁹⁹ More insidiously, it may be suggested that a victim of sexual assault has somehow broken the bonds of fidelity in her marriage.¹⁰⁰ Some Congolese men report that within their communities, the definition of marriage is founded on an exclusive sexual contact between a man and his wife. Rape breaks this exclusivity, and therefore survivors of sexual violence risk rejection for this reason. Evidence that a woman resisted her attack may be the only proof of fidelity acceptable to some husbands.¹⁰¹

In some places, victim-blaming is so automatic that responsibility for the attack is transferred wholesale onto victims with suggestions that 'women should know not to go out in places where there are armed men'.¹⁰² Indeed, single women and girls may be seen as no longer marriageable following an attack, particularly in communities emphasising virginity before marriage and forbidding sexual activity outside marriage, whether consensual or not. Assaulted women are thus considered 'unclean' or 'unfit for marriage',¹⁰³ either losing any chance of marriage or, in some cases, having pre-existing engagements broken off.¹⁰⁴

In other instances, women bearing children following rape may lack the means to support their new family and will thus be forced to marry anyone willing to accept them, rendering them vulnerable to further abusive situations. The stigma impacts every aspect of the survivor's life. One survivor in Minova said: "I am called the 'wife of the M23' [armed group]. The landlord did not want to rent to me because I was taken by soldiers. I hear another war is coming. What will happen to us? Will I be raped again? I live day-to-day. If war comes, what will I do?"

⁹⁹ Focus group discussions, Sake and Mushaki, DRC, May 2015.

¹⁰⁰ Harvard Humanitarian Initiative (2011).

¹⁰¹ Ibid.

¹⁰² R. Feely, et al. (2008), 'Getting Serious about Ending Conflict and Sexual Violence in Congo'.

¹⁰³ V. P. Fynn, (2010), 'Stigmatisation and Sexual & Gender-Based Violence: an African/Liberian Perspective on Public Health Law'.

¹⁰⁴ E. Josse, (2010), 'They Came With Two Guns': The Consequences Of Sexual Violence For The Mental Health Of Women In Armed Conflicts', International Review of the Red Cross, Vol. 92

The impact of stigma on the mother-child relationship

In addition to the above pressures, stigma can also create complexities in the relationship between mothers and children born of rape.

One documented example of this difficult situation can be found in the relationships between children and mothers who were former LRA captives. In some cases, there can be an overwhelming feeling of love and protectiveness towards the child. The mother will have nursed the infant throughout turbulent and dangerous times and, in many cases, escaped LRA commanders, motivated to provide a better and safer future for her child. In other cases, however, there can be an almost complete separation of parent from the child. Here, whilst a child can maintain some contact with their mother, they nevertheless reside with grandparents or other relatives. Most often this is because the mother has remarried and the new husband feels uncomfortable providing for a child he has not fathered.

While this dynamic is not unique to children born of captivity, the situation is exacerbated by the fact that the child's biological father is an LRA commander and the fear that the children, especially adolescent boys, may have inherited their fathers' violent nature.

The unpredictable impact of stigma by association

Stigma 'by association' can manifest itself in different ways. One common manifestation is a fear on the part of a survivor's neighbours that he or she is now infected with HIV/AIDS and therefore poses a danger to the community.¹⁰⁵ The fear that survivors may be infected with HIV or other sexually transmitted infections (STIs) is not entirely unfounded: in the DRC, almost two-thirds of 310 women surveyed by the Harvard Humanitarian Initiative reported having contracted an STI as a result of rape perpetrated during war.¹⁰⁶ Similarly, doctors from Rwanda stated that the most common problem they encountered among raped women during the genocide who sought medical treatment was sexually transmitted disease.¹⁰⁷ Common-sense explanations about disease transmission and clarifications that any survivors who may have contracted an STI do not pose an inherent threat to the daily life of their traumatised communities often fall on deaf ears.

The fear of infection by HIV or STIs contracted through rape is one reason why raped women and girls are often ostracised by their families and communities following a sexual attack. Even if a rape victim is tested and found to be negative for sexually transmitted diseases, her partner may still leave her, as he is unable or unwilling to work through the sense that the victim is still somehow 'tainted'.¹⁰⁸ Girls in one community explained: "some teachers will say to students 'you see that girl...she has this problem [she has been raped]...you should not talk to her or you will get sick'".¹⁰⁹

Similarly, survivors who become incontinent as a result of rape-related fistula are ostracised because of the odour they cannot avoid having. Survivors, whose poverty is increased after the sexual assault because they are unable to earn a living, also face the double stigma of sexual violence and needing to live on handouts from others in the community.

¹⁰⁵ J.C. Omba Kalonda, et al. (2013), 'Stigma of Victims of Sexual Violence's in Armed Conflicts: Another Factor in the Spread of the HIV Epidemic?'

¹⁰⁶ Harvard Humanitarian Initiative, 2011.

¹⁰⁷ Human Rights Watch/Africa et al. (1996), 'Shattered Lives Sexual Violence during the Rwandan Genocide and its Aftermath'.

¹⁰⁸ Children Born in Captivity workshop.

¹⁰⁹ Focus group discussion, Sake, May 2015.

Men and stigma

The statistically smaller demographic that male victims of sexual violence occupy mean that the adverse effects of stigma on men and boys is less widely documented, though no less damaging. At its most basic, male victims can find that their experience is not believed, with some survivors in Uganda being told when they reported the rape to police that “*you are a man, you cannot be raped*”.¹¹⁰ Chillingly, more than one-third of countries in the world today only recognise female victims of rape, or criminalise men who report abuse.¹¹¹

Where victim status is acknowledged, men who have been raped are often perceived to have lost their inherent masculinity.¹¹² On a personal level, they may be unable to come to terms with being attacked in the first place; or they may feel deep shame about involuntary physical reactions induced by the assault, such as erection or ejaculation.¹¹³ Moreover, strong societal taboos against homosexuality can leave victims scrambling to avoid being identified as victims of sexual violence. The Penal Code of Uganda, for instance, does not differentiate between consensual or non-consensual ‘carnal knowledge against the order of nature’,¹¹⁴ an offence which can result in life imprisonment. In the face of such a risk of condemnation, male survivors often have no option but to suffer in silence.

Stigma undermines male survivors and prevents recovery. According to doctors and some community members, some men do seek medical care, but under the guise of ‘haemorrhoids’ or seeking prophylactics to prevent STIs.¹¹⁵ Addressing the stigma suffered by all survivors of conflict-related sexual violence must be accorded equal importance with addressing their physical and psychological needs. A failure to do so risks not only maintaining the enabling conditions that perpetuate sexual violence and impunity, but also allows such violence to undermine the social fabric of the communities on which it is visited.

Manifestations of stigma in northern Uganda¹¹⁶

A child born of rape or forced marriage in conflict can face many difficulties in their attempts to be accepted by their communities. In Uganda, the relevant social dynamics are particularly complicated by the length of the conflict and the length of time sexual violence survivors spent in the hands of ‘the enemy’. For those mothers and children returning to their familial homes or starting afresh in a new community, there is often a risk of a hostile reception. In some communities, children born of war are a reminder of the LRA commanders who visited acts of violence directly against community members. Indeed, obtaining identity papers for a child born in the bush, can be particularly difficult, with distinct complexities surrounding the issue of including the father’s name on the birth certificate.

¹¹⁰ McMahon (2012).

¹¹¹ Dolan (2014).

¹¹² Sivakumaran (2010).

¹¹³ Priddy (2014).

¹¹⁴ McMahon (2012).

¹¹⁵ Interview, Heal Africa, Goma, May 2015.

¹¹⁶ All information in this section is drawn from the Children Born in Captivity workshop.



A boy carries his sibling in a camp for internally displaced people in Warrap State, South Sudan. The IDPs come from Unity State, which is rich with oil. Unity State has been the scene of much conflict since South Sudan erupted into civil war in December 2013.

The journey to recovery: rebuilding lives

Recovery for survivors of conflict-related sexual violence is a long, multi-faceted process that can take many different forms depending on a survivor's particular needs. The journey to recovery is complex and contingent on the survivor's personal situation. Importantly, this process must encompass not only physical and psychological rehabilitation to address bodily harm and emotional injury, but must also entail the ability to demand accountability from a survivor's attacker, and access credible justice mechanisms. Without this latter component, closure will inevitably remain elusive and rehabilitation incomplete.

The day after: a winding road

It is essential that where a survivor has medical needs resulting from their sexual assault that these needs be met. In prioritising this imperative it is likewise essential to recognise that it is linked to other crucial factors such as psychosocial, educational, and livelihood issues, which are no less important to recovery. Moreover, even where medical assistance is generally available, unexpected barriers to help can arise: survivors may be unaware that medical help could save their lives or reduce suffering; they may feel too ashamed to seek medical help or ask others for it; they may fear that medical staff will mistreat them or pass their personal details on to others, highlighting the significance of confidentiality in encouraging victims to seek help and feel safe. Logistical complications can also present difficulties. For example, medical services may be dangerous to reach, too far away or not functioning properly. For survivors who do find medical assistance, the provision of care needs to take into account their gender and age. Women, men, boys and girls suffer the physical effects of sexual violence differently and need specialised treatment.

Physical scars may fade with time. But the psychological trauma occasioned by a sexual attack can last a lifetime, rendering psychological support crucial for as long as a survivor needs it. Depression can damage relationships, causing isolation and loneliness that can lead to self-harm and even suicide. Just like medical help, emotional support must take into account the gender, age and circumstances of the survivor. It needs to be personalised and meet the specific needs of what survivors feel works best for them.

Another factor often overlooked is the sheer extent of the trauma suffered by survivors of violent conflict. Children interviewed in northern Uganda spoke of watching their parents or siblings die in the bush, marching barefoot for days on end through jungles and thick mud, or watching people bleed to death from their injuries as they passed by, 'walking through [their] blood'.¹¹⁷ Their mothers endured similar experiences, compounded by repeated sexual violence and the associated physical and psychological trauma. Expecting survivors of armed conflict to successfully reintegrate without dedicated emotional support structures in place is futile.

Particular complexities for children conceived through rape

Survivors are not alone in being affected by sexual violence related stigma. Estimates of the number of children born of rape are vague. They are often not officially registered and underreporting is common. Nevertheless, even a decade ago, such children were believed to have numbered in the tens of thousands¹¹⁸ and today, could total more than 100,000. Situations in which women, who are raped, bear

¹¹⁷ Interviews with children born in captivity conducted by CAP International, 2014.

¹¹⁸ See R.C. Carpenter (2007), 'War's Impact on Children Born of Rape and Sexual Exploitation: Physical, Economic and Psychosocial Dimension'.

children vary: in Uganda, girls and women were abducted by the LRA to fight and become 'forced wives' with the strategic aim of bearing children to create a new generation of fighters. They were associated with the LRA for years, sometimes a decade, and so the children were born in captivity. In Bosnia-Herzegovina, mass rape campaigns — predominantly by Serbian forces against Muslim girls and women in so-called 'rape camps' — had the purported aim of forcibly impregnating these women as a means of ethnic cleansing.¹¹⁹

It is clear from the above that children conceived through rape are among the most vulnerable, requiring additional resources and specialist care in a manner that does not further set them apart from the community. Even where they have not experienced direct sexual violence themselves, the reality of the violent circumstances in which children born of rape have been conceived stays with them throughout their lives, leading to a great deal of emotional damage.

The complex response to children conceived through rape is multi-layered. In some scenarios, a child represents evidence of an assault that could otherwise have been denied by the mother. The child may also or alternatively be seen by the community as a reminder of the violent conflict. Moreover, hostility towards the child may be projected on to his or her mother, who may be accused of being complicit with the enemy for not rejecting the child herself. All of these factors may persuade women to abandon their children, and those who choose to keep their babies can face tremendous stigma.¹²⁰

Layers of complexity

Children born in captivity may not have innate feelings of hostility towards their biological warlord fathers as theirs is the only life they have ever known. This can lead to these children being viewed with even more suspicion by their mother's families and communities. Many boys feel bitter, resenting the fact they are called 'rebels' and do not trust anyone. In fact, many boys seek to return to their father's family. For example, in Acholi culture, their identity is linked to their clan and their father's family. However, these families do not want to accept the children, reportedly because they do not want to take responsibility for the children and, more significantly because acceptance would imply that the child has a right to his father's land.¹²¹

Children born to LRA captives in Uganda are not the only example of children conceived through rape. The International Criminal Tribunal for Rwanda concluded that rape was an 'integral part' of the 1994 genocide,¹²² with at least 5,000 children born as a result of these rapes, though many NGOs think the actual number may be as high as 20,000.¹²³ These children are often referred to by their mothers and their communities as 'children of bad memories'. The memories as well as the reality of their genetics (the recognition that 50 per cent of their DNA comes from a genocidaire), has created great difficulties and stigma for these children. Many did not discover their true history until they were teenagers. Acceptance of the situation of their birth, by their mothers and the children themselves, has been a struggle.

¹¹⁹ See e.g., Todd A Salzman, 'Rape Camps as a Means of Ethnic Cleansing: Religious, Cultural and Ethical Responses to Rape Victims in the Former Yugoslavia', *Human Rights Quarterly* 20.2 (1998) 348; *Prosecutor v. Radislav Krstic (Trial Judgement)*, International Criminal Tribunal for the former Yugoslavia (ICTY), 2 August 2001.

¹²⁰ Information in this paragraph taken from R. C. Carpenter (2007), 'Gender, Ethnicity, And Children's Human Rights: Theorizing Babies Born Of Wartime Rape and Sexual Exploitation'.

¹²¹ Children Born in Captivity workshop.

¹²² *The Prosecutor vs. Jean-Pal Akayesu*, Case No ICTR-96-4-T, Judgement, para 731.

¹²³ Foundation Rwanda (Undated), 'The Genocide', available at www.foundationrwanda.org/thegenocide.aspx



Men with guns - not an uncommon sight in Warrup State, South Sudan, where World Vision works with those who have been internally displaced whilst fleeing conflict.

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Mothers who choose to raise such children can be rejected by their partners or their families, jeopardising the mother-child relationship. In the eyes of partners, these children can be seen as belonging to 'another' man — reports of domestic violence towards returned abductees and their children are depressingly common. However, mothers too can contribute to this stigmatising atmosphere. Children have spoken of their mothers publically denouncing them. This has a damaging impact not only on the relationship between mother and child but also on the child's ability to fully integrate into the community.¹²⁴

In the eyes of a raped woman, her child may be a constant reminder of the suffering caused by both rape and stigma. The child — who carries her attacker's DNA — may have been considered an enemy 'occupying the womb', a feeling that can translate into naming practices that reinforce stigma towards these children.¹²⁵ In northern Uganda, some children born in captivity are named 'Komakech' ('I am unfortunate'), 'Anenocan' ('I have suffered'), 'Odokorac' ('things have gone bad') and 'Lubanga kene' ('only God knows why this happened to me'), signalling both to the child and society that he or she was unwanted.¹²⁶ One Ugandan child reported that her sister's name was 'Acayo', meaning 'insult'.¹²⁷

Children born of rape can also fall into the cracks of complex social situations because of their early experiences. One such example is that of missed educational opportunities, which are common to children born of rape. Community stigma and other factors may mean that these children struggle to integrate into normal school-life, or that their mothers struggle to afford basic supplies like uniforms, pens and notebooks. Such privations can lead to a lag in development. As a result, children born of rape can enter the school system in classes with peers who are much younger than them, which they may find embarrassing. They may also struggle to progress academically, and therefore opt not to attend formal education at all, choosing instead to find a job. Without a solid educational base, however, their chances of finding meaningful employment are limited. Sexual violence and its impacts can therefore cast a long shadow over its victims in conflict affected societies.¹²⁸

¹²⁴ Interviews with key informants, eastern DRC, May 2015.

¹²⁵ P. Weitsman, (2008), 'The Politics of Identity and Sexual Violence: A Review of Bosnia and Rwanda', *Human Rights Quarterly* 30, 561-578.

¹²⁶ E. Apio (2004) 'Ugandan's Forgotten Children of War'.

¹²⁷ Interviews with children born in captivity in northern Uganda in 2014, conducted by CAP International.

¹²⁸ Children Born in Captivity workshop.

Labels matter: accountability versus access to justice

All international policymaking initiatives to end sexual violence in conflict tend to conflate accountability and access to justice, categorising both under the umbrella of increased prosecutions for sexual crimes. While unquestionably essential, prosecutions alone do not translate into comprehensive accountability, nor do they necessarily provide survivors with a clear means of accessing justice. Improving legal systems and training those in the justice system is important, but it is not enough. A survivor-centred focus on addressing conflict-related sexual violence must take a more comprehensive approach.

Prosecutions are no panacea

Field research conducted by World Vision in the DRC in 2015 suggests that an increased focus on prosecutions is having an inadvertently negative impact on the well-being and recovery of survivors. Here, quality support for victims has sometimes been sacrificed to ensure the expedience of the judicial process. Survivors do a cost-benefit analysis in their head before reporting crimes perpetrated against them. Currently, the benefit of perpetrators potentially being punished does not outweigh the personal cost to survivors of coming forward and participating in the justice process.

For example, women, girls, men and boys affected by sexual violence in the DRC will, almost without exception, be stigmatised by their families and communities if the violence they have suffered becomes known. Women and girls interviewed for this report consistently stated that they were seen to be at fault regarding their assault, even in communities where the sexual violence was perpetrated as part of a widespread campaign of violence by an armed group. While manifestations of stigma can differ depending on a range of factors, it is always devastating. Indeed, many survivors report that the stigma they experience is worse than the violence itself. Thus, the financial, social and emotional costs of identifying themselves as victims of sexual violence and of participating in a judicial process must be addressed in order for any increased focus on prosecutions to be successful.

Moreover, definitions of 'success' in litigation can vary between survivors and legal bodies. For example, 18 months after the mass rape in Minova in eastern DRC, military trials of implicated soldiers found only two soldiers guilty. This result was hailed as a 'victory' by supporters of international justice, though was viewed as a 'disaster' by victims' advocates¹²⁹ in the global movement to end conflict-related sexual violence. Seeing 37 of 39 accused walk free¹³⁰ reinforced erroneous beliefs in communities that survivors are not telling the truth when they decry what happened to them, further reducing their willingness to participate in judicial processes.

What does justice look like?

"Why would a victim go to the police? They are the first ones committing rape."

Securing justice for a victim of sexual violence is not simply a matter of reporting the perpetrator to the relevant authorities. In conflict-affected communities, law enforcement actors, like the police and the courts, may be non-existent, or else may be so under-resourced that they do not have the capacity or inclination to carry out investigations into sexual assault. This leads many victims to find the idea of reporting sexual violence futile. Indeed, for a number of survivors, levels of distrust towards the authorities can extend to fear for their personal safety, with some stating *"why would a victim go to the police? They are the first ones committing rape."*¹³¹ Here, 'accessing justice' can in fact be seen as inviting further criminality.

¹²⁹ Interviews with local and international NGOs, Goma, May 2015.

¹³⁰ FIDH (2014), 'Acquittal of Minova soldiers: a new insult to victims of sexual violence in the DRC'.

¹³¹ Interviews with victims, Minova and Goma, May 2015.

However, decades of advocacy efforts by victims' rights groups may finally be bearing fruit. Nowhere is this more evident than in the DRC. Until very recently, all discussion of conflict-related sexual violence in eastern DRC generally lacked any mention of punishment for perpetrators, or justice for survivors. Survivors' advocacy groups spoke about the prevalent lack of access to justice: police officers who would not believe them or demand money to file reports, perpetrators who paid bribes to be released, corrupt judges, and long and sometimes risky voyages to appear in court.¹³²

This is slowly changing. In 2009, the United Nations, in conjunction with the Congolese Government, developed the Comprehensive Strategy on Combating Sexual Violence in the DRC, which creates a common framework for action in the country. The strategy aims to strengthen prevention, protection and responses to sexual violence through four strategic components: combating impunity; prevention and protection; security sector reform and support for survivors.

Despite the disappointments of the Minova trial, prosecutions against members of the military have also increased. In November 2014, the FARDC Military Court convicted General Jerome Katwavu to ten years' imprisonment for crimes including conflict-related sexual violence. Twenty-five other members of FARDC and the Police Nationale Congolaise were also convicted of rape. Former FARDC Lieutenant Colonel Bedi Mobuli Engagela, was convicted of crimes against humanity in December 2014, including for acts of sexual violence.

These are all welcome signs that the culture of impunity for perpetrators of conflict-related sexual violence in the DRC is finally being addressed and it is hoped that it will serve as an example to other countries where sexual violence is rampant. However, as the Minova trial demonstrated, rushed or imperfect justice can be completely counterproductive. Survivors don't only need the outer trappings of a justice system: they require a fundamental change in the conversation about sexual violence.

The difficulties of designing a transitional justice system

Countries transitioning from armed conflict to peacetime are faced with many overwhelming challenges. One common such challenge is the creation and design of a successful transitional justice system. Here, there are numerous stakeholders with competing interests and priorities. For example, in Uganda, the return of tens of thousands of abductees and their children can be very controversial in the local communities where they are trying to reintegrate.

Uganda's ability to manage the significant problems this raises for its transition from a post conflict society will require support and assistance. As such, the international community is encouraged to aid the country in devising a methodology to enable children born of sexual violence to be legally regarded as 'victims' of this violence; to address the issue of children born to female soldiers within the Children and Armed Conflict agenda; and to help end the stigma faced by children born in captivity by supporting programmes that ensure all children have access to education, health and protection services.

The plight of children born of sexual violence is unique neither to Uganda nor to Africa. Nevertheless, the scale of the issue in Uganda renders it an important testing ground for best practices. Such practices include:

- ensuring that these children and their mothers are involved in the design of transitional justice mechanisms and that their voices are heard throughout the process;
- providing transitional justice mechanisms that include official recognition of the harm done to children born of rape and their mothers; and
- supporting the work of community-based organisations to identify and document all children born in captivity throughout the country.

If governments, donors and the international community can ensure that these children receive the support they need and equal access to services, they can help prevent a lost generation from growing up to become adults living on the margins of society.

¹³² Interviews with local and international NGOs, Goma, May 2015



A mural that adorns the memorial to the 139 pupils kidnapped by the Lord Resistance Army on October 10, 1996, northern Uganda. 30 were held captive for years. Some escaped or were rescued but many remain missing, some feared killed.

Uganda: conceptualising justice for children born in captivity¹³³

Uganda's 2010 Amnesty Act enabled those escaping or being demobilized from the LRA to receive a certificate of amnesty from prosecution. However, children born in captivity are too young to be linked to the amnesty, despite being in many ways unfairly associated with the 'enemy'. Moreover, children born as part of the LRA's 'forced wife' system also find themselves in a legal vacuum under international criminal law. The International Criminal Court has indicted five individuals involved in Uganda's conflict for war crimes and crimes against humanity.¹³⁴ However, none of the indictments make reference to children forcibly born in captivity. The harm done to them simply does not fit neatly into definitions of international crime.

Whilst the mothers of these infants demand 'justice' for their children, there is no clear archetype to follow. Traditional courtroom models (gathering witnesses, finding evidence, going to trial, passing judgement) fail to address any of the children's immediate physical, social or emotional needs, potentially exposing their mothers to unwanted scrutiny about their actions in the conflict. However, alternative methods of justice can also be problematic. Specific programmes providing financial support to such children through scholarships and extra tutoring can further obstruct a community's acceptance of them, especially if families who were not affected by the conflict in the same way need the additional support, but do not qualify. Similarly, programmes that encourage children to pursue vocational training because 'it is too late for them' to progress academically are not necessarily the right answer as they are likely to be enrolled in programmes with peers who are much older than they are. Again, this sends a message that children born in captivity are different, instantly creating a barrier between them and their peers.

¹³³ All information in this section taken from the Children Born in Captivity workshop.

¹³⁴ These individuals are: Joseph Kony (still at large), Dominic Ongwen (surrendered to the Court in 2014, with the confirmation of charges set for January 2016), Vincent Otti (still at large, rumoured to be dead), Okot Odhiambo (died in 2013), and Raska Lukwiya (died in 2006).

Addressing stigma to end sexual violence: setting the agenda for action

Sexual violence has been used as a tactic in or perpetrated as a consequence of armed conflict since at least the beginning of recorded history. Indeed, the suggestion that this wartime practice might easily be extinguished is implausible. Nevertheless, well-trained armies with solid chains of command and ingrained expectations of accountability are much less likely to commit sexual violence. It is hoped that slowly, over time, international criminal justice mechanisms like the International Criminal Court will help to shape the behaviour of those non-state actors fighting the majority of today's non-international armed conflicts to reflect this.

However, when it comes to devising solutions to lessen the impact of sexual violence on civilians in conflict-affected areas, progress may be achieved more quickly. Whilst wartime rape cannot be eradicated overnight, substantial investments can be made in the health, social and legal infrastructures of countries experiencing armed conflict to ensure that adequate services exist to support victims. Large-scale awareness raising campaigns can be carried out to eliminate the stigma that sexual violence survivors encounter; and programmes can be designed to address the particular traumas of children born in captivity. In the interests of stamping out the insidious practice of sexual violence in conflict, it is essential to recognise such activities as crucial not only to mitigating past harm but to preventing future wrong. Where survivors and their children continue to labour under stigma in its various guises, their ability to engage with the very justice processes instituted to protect them will be forever undermined. Survivors will always calculate the cost – economic and social – and benefit of coming forward to report sexual violence. If the costs are not decreased while we attempt to increase the benefits of the judicial process itself, survivors will continue to remain hidden. Perpetrators will continue to win.

The international community has a crucial role to play in this regard. Survivors today continue to shudder in the long shadow of injustice cast by wartime sexual violence. Governments in war-torn countries cannot combat that injustice alone. It will take a dedicated and collaborative effort on the part of donors, international organisations, academics, military leaders, civil society and government policymakers to give survivors hope that they can heal and have something to live for. This can be done.

General recommendations

- **End sexual violence for all – women, girls, men and boys:** We know this is not an issue that only affects women, and so policy makers must ensure that messaging systematically encompasses ending sexual violence against all individuals including men, boys and girls. This must be done through political and programmatic channels.
- **Make sexual violence unacceptable to everyone, everywhere:** The ultimate solution to preventing sexual violence is to render it unacceptable in communities. This requires large-scale and long-term changes in attitudes towards gendered roles, as well as empowering everyone, particularly children and women, to be recognised as active and equal contributors in their communities. Faith leaders play an important role in this process.
- **Ensure justice for all by ending impunity and addressing stigma:** Perpetrators of sexual violence must fear retribution. Improving legal systems and training those in the justice system is not enough. Renewed emphasis must be placed on eliminating barriers to survivors' participation in justice processes by recognising the stigma and other obstacles they face. This should be framed from the survivor's perspective, as an 'access to justice' issue.

- **Make children a priority in initiatives to end sexual violence:** The risks and impacts of sexual violence for children are distinct. Children's specific needs should be taken into account, and they must be included fully in prevention and response initiatives. Weak protection systems and a lack of law enforcement leave many children highly vulnerable to sexual violence and their protection should be a priority.
- **Give survivors a meaningful role in prevention, protection and response initiatives:** Survivors should be at the centre of all of these initiatives, and all survivors must receive the support they need – based on what they say they need (not what others decide they need). This may include: immediate medical support; long-term psychosocial support; justice and legal support; or livelihood/education support.
- **Take a comprehensive approach to ending sexual violence:** This can be achieved through investing in projects that seek to prevent sexual violence in the long-term, protect vulnerable individuals and respond to sexual and other forms of gender-based violence when it occurs, particularly in humanitarian situations.

Recommendations for the Government of the United Kingdom

- **HMG must take a survivor-centred approach, ensuring for example that legal reform and training on investigation and documentation are accompanied by legal literacy in communities:** The FCO's approach to implementing the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict¹³⁵ should also be carried out in combination with legal system reform for target countries. This should also encompass increased training and recruitment of legal practitioners, as well as the promotion of legal literacy for survivors and communities.
- **Ending sexual violence requires a cross-Whitehall approach:** Greater coordination is needed across UK governmental departments, with priority given to the relationship between the FCO and DFID, to ensure a joined up approach is central to all PSVI, humanitarian, recovery and development interventions. The FCO has provided funding for civil society projects through Human Rights Department funding and soon the cross-government Conflict, Stability and Security Fund (CSSF), and this is complemented by DFID programming in justice sector reform, social norm change and support to survivors. However, greater cohesion would ensure that change is sustainable and addresses the range of prevention, protection and response initiatives needed.
- **HMG must continue to be at the forefront of changing attitudes towards sexual violence and survivors:** Addressing attitudes towards sexual violence and survivors must be seen as part of broader social norm change, and not a stand-alone initiative. As with other areas of social norm change, working with faith leaders is central to changing attitudes towards sexual violence.
- **HMG should champion efforts to recognise and respond to the full range of impacts of sexual violence on children, including children born of rape:** The PSVI has always recognised that children are victims of sexual violence. However, the work and messaging of the Initiative and of wider work on sexual violence in emergencies is often conflated with the violence against women and girls and/or women, peace and security agenda. While these agendas ostensibly work to combat violence against girls, there is currently more emphasis on women. Moreover, sexual violence against boys is entirely absent from the discourse, as are children born of rape.

¹³⁵ The Protocol, which outlines standards for investigating cases of sexual violence under international criminal law and best practice in documenting it (including interviewing witnesses, includes was launched at the Global Summit

Bibliography

- ABColumbia et al** (2013), 'Colombia: Women, Conflict Related Sexual Violence and the Peace Process', available at <http://www.christianaid.org.uk/images/ABColumbia-conflict-related-sexual-violence-report.pdf>
- Abrahams N. et al** (2014) 'Worldwide prevalence of non-partner sexual violence: a systematic review', *The Lancet*
- Bates, L.** (2012), 'A Crime upon a Crime: Rape, Victim-Blaming, and Stigma', *Women Under Siege* available at <http://www.womenundersiegeproject.org/blog/entry/a-crime-upon-a-crime-rape-victim-blaming-and-stigma>
- Bos A. et al** (2013), 'Stigma: Advances in theory and research,' *Basic and Applied Social Psychology* <http://portal.ou.nl/documents/3034841/0/Bos%20Pryor%20Reeder%20Stutterheim%202013.pdf>
- Carpenter, R. C.** (2007), 'Gender, Ethnicity, And Children's Human Rights: Theorizing Babies Born Of Wartime Rape and Sexual Exploitation' in 'Born of War: Protecting Children of Sexual Violence Survivors in Conflict Zones', edited by Charli Carpenter. San Francisco, CA: Kumarian Press, 2007.
- Carpenter, R. C.** (2007) 'War's impact on children born of rape and sexual exploitation: Physical, economic and psychosocial dimensions'. Accessed online: <http://people.umass.edu/charli/childrenbornofwar/Carpenter-WP.pdf>
- Christian M., Safari O., Ramazani P., Burnham G., Glass N.** (2011) 'Sexual and gender based violence against men in the Democratic Republic of Congo: effects on survivors, their families and the community', *Medicine, conflict, and survival*. Oct-Dec 2011 available at <http://www.tandfonline.com/doi/full/10.1080/13623699.2011.645144#abstract>
- Dammers, T.** (2010) 'The response of the international community to sexual violence in conflict-affected states', prepared for UNESCO, available at <http://unesdoc.unesco.org/images/0019/001907/190705e.pdf>
- Delaney, S.** (2006) 'Protecting Children from Sexual Exploitation and Sexual Violence in Disaster and Emergency Situations: A Guide for Local and Community Based Organizations', ECPAT International, available at <http://www.humantrafficking.org/publications/434>
- Dolan, C.** (2014) 'Into the Mainstream: Addressing Sexual Violence Against Men & Boys in Conflict', Briefing Paper prepared for the Overseas Development Institute; co-sponsored by Refugee Law Project, Plan UK and War Child; available at <https://www.warchild.org.uk/sites/default/files/Into-the-Mainstream.pdf>
- Feely, R. and Thomas-Jensen, C.** (2008), 'Getting Serious about Ending Conflict and Sexual Violence in Congo', ENOUGH Strategy Paper #15, available at <http://www.enoughproject.org/files/publications/CongoSerious.pdf>
- FIDH** (2012) 'Violence Against Women in Syria: Breaking the Silence', Briefing Paper Based on an FIDH assessment mission in Jordan in December 2012, available at https://www.fidh.org/IMG/pdf/syria_sexual_violence-web.pdf
- FIDH** (2014) 'Acquittal of Minova soldiers : a new insult to victims of sexual violence in the DRC', available at <https://www.fidh.org/International-Federation-for-Human-Rights/Africa/democratic-republic-of-congo/15510-acquittal-of-minova-soldiers-a-new-insult-to-victims-of-sexual-violence-in>
- Forced Migration Review** (2007) *Sexual Violence: Weapon of War, Impediment to Peace*, Forced Migration Review (Issue 27), <http://www.fmreview.org/sites/fmr/files/FMRdownloads/en/FMRpdfs/FMR27/full.pdf>

Foundation Rwanda (Undated) 'The Genocide' www.foundationrwanda.org/thegenocide.aspx

Fynn, V. P. (2010), 'Stigmatisation and Sexual & Gender-Based Violence: an African/Liberian Perspective on Public Health Law', available at http://www.academia.edu/308791/Stigmatisation_and_Sexual_and_Gender-Based_Violence_An_African_Liberian_Perspective_on_Public_Health_Law

Gladstone, R. (2015) 'U.N. Details Sexual Abuse Claims Against Troops', New York Times, http://www.nytimes.com/2015/08/21/world/africa/un-details-sexual-abuse-claims-against-troops.html?_r=0

Harvard Humanitarian Initiative (2011), 'A Patient Heart: Stigma, Acceptance and rejection around Conflict-Related Sexual Violence in the Democratic Republic of Congo', Working Paper, available at <http://hhi.harvard.edu/publications/patient-heart-stigma-acceptance-and-rejection-around-conflict-related-sexual-violence>

Harvey, H. (2009) 'Rape is cheaper than bullets', The Guardian, at <http://www.theguardian.com/commentisfree/2009/feb/24/warcrimes-congo>

Hersh, S. (2004) 'Torture at Abu Ghraib', The New Yorker, at <http://www.newyorker.com/%20magazine/2004/05/10/torture-at-abu-ghraib>

Human Rights Watch (February 2015) 'Sudan: Mass Rape by Army in Darfur', available at <https://www.hrw.org/news/2015/02/11/sudan-mass-rape-army-darfur>

Human Rights Watch (April 2015) 'Iraq: ISIS Escapees Describe Systematic Rape', available at <http://www.hrw.org/news/2015/04/14/iraq-isis-escapees-describe-systematic-rape>

Human Rights Watch (2012) 'Syria: Sexual Assault in Detention' <http://www.hrw.org/news/2012/06/15/syria-sexual-assault-detention>

Human Rights Watch. (1996), 'Shattered Lives Sexual Violence during the Rwandan Genocide and its Aftermath' HRW available at <http://www.hrw.org/reports/1996/Rwanda.htm>

Human Security Report (2012) 'Sexual Violence, Education and War: Beyond the Mainstream Narrative', available at http://hsrgroup.org/docs/Publications/HSR2012/HSRP2012_Chapter%203.pdf

Jones, N. et al (2014) 'The fallout of rape as a weapon of war', Overseas Development Institute, available at <http://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/8990.pdf>

Jones, P. (2013) 'Congo: We did whatever we wanted, says soldier who raped 53 women', The Guardian, available at <http://www.theguardian.com/world/2013/apr/11/congo-rapes-g8-soldier>

Josse, E. (2010), 'They Came With Two Guns': The Consequences Of Sexual Violence For The Mental Health Of Women In Armed Conflicts', International Review of the Red Cross, Vol. 92 (877), available at <https://www.icrc.org/eng/assets/files/other/irrc-877-josse.pdf>

Kelly J. et al (2011), 'Hope for the Future Again Tracing the Effects of Sexual Violence and Conflict on Families and Communities in Eastern Democratic Republic of the Congo', Harvard Humanitarian Initiative available at <http://hhi.harvard.edu/sites/default/files/publications/hope-for-the-future-again.pdf>

Lajka, A. (2015) 'Balkan Wartime Rape Victims Continue to Face Hardship Decades after Conflict', Vice News, at <https://news.vice.com/article/balkan-wartime-rape-victims-continue-to-face-hardships-decades-after-conflict>

Liebling, H. et al (2012), 'Bearing Children through Rape in Eastern Congo: Community and State Responses', Coventry University UK & Institute of Mental Health, available at <http://www.svri.org/ExecutiveSummaryCongoFinal.pdf>

- MacDonald, C.** 'Collateral Damage', *The Independent (Uganda)*, 1 October 2011, <http://www.independent.co.ug/News/regional-news/4684-collateral-damage>
- McGinn T. et al** (2004) 'Reproductive Health for Conflict-Affected People: Policies, Research, and Programs', Humanitarian Practice Network at the Overseas Development Institute, Network Paper No. 45
- McMahon, M.** (2012) 'Access to Justice for Male Victims of Sexual Violence: Focus on Refugees in Uganda', *The Researcher*; at http://www.legalaidboard.ie/lab/publishing.nsf/content/The_Researcher_April_2012_Article_2
- National Alliance to End Sexual Violence** (Undated) 'Where We Stand: Male Victims of Sexual Violence', at <http://endsexualviolence.org/where-we-stand/male-victims>
- Nordas, R.** (2013) 'Preventing Conflict-related Sexual Violence', Peace Research Institute Oslo (PRIO) Policy Brief 02
- Office of the High Commissioner for Human Rights** (2011), 'Report of the Panel on Remedies and Reparations for Victims of Sexual Violence in the Democratic Republic of Congo to the High Commissioner for Human Rights', available at http://www.ohchr.org/Documents/Countries/CD/DRC_Reparations_Report_en.pdf
- Omba Kalonda, J.C. et al** (2013), 'Stigma of Victims of Sexual Violence's in Armed Conflicts: Another Factor in the Spread of the HIV Epidemic?', *Epidemiol* 3:124, <http://omicsonline.org/stigma-of-victims-of-sexual-violences-in-armed-conflicts-another-factor-in-the-spread-of-the-hiv-epidemic-2161-1165.1000124.php?aid=15713>
- Priddy, A.** (2013) 'Sexual violence against men and boys in armed conflict', in Casey-Maslen, Stuart (ed.), *The War Report*, p.271-296
- Save the Children** (2013) 'Unspeakable Crimes Against Children: Sexual Violence in Conflict' available at http://www.savethechildren.org.uk/sites/default/files/images/Unspeakable_Crimes_Against_Children.pdf
- Save the Children** (2012) *Hidden Survivors: Sexual Violence against Children in Conflict*, available at http://www.savethechildren.org.uk/sites/default/files/images/Hidden_Survivors.pdf
- Schrijver, N. and Van de Herik, L.** (2010) 'Leiden Policy Recommendations on Counter Terrorism and International Law', 57 *Netherlands International Law Review* 531
- Seelinger, K.T.** (2014) 'Domestic accountability for sexual violence: The potential of specialized units in Kenya, Liberia, Sierra Leone and Uganda', *International Review of the Red Cross* Vol. 96 (894)
- Senate Select Committee on Intelligence** (2014) *Committee Study of the Central Intelligence Agency's Detention and Interrogation Program, Declassified Executive Summary* at http://fas.org/irp/congress/2014_rpt/ssci-rdi.pdf
- Sherwood, H.** (2014) 'Boko Haram abductees tell of forced marriage, rape, torture and abuse', *The Guardian*, 27 October 2014, available at <http://www.theguardian.com/world/2014/oct/27/boko-haram-forced-marriage-rape-torture-abuse-hrw-report>
- Sivakumaran, S.** (2007) 'Sexual Violence Against Men in Armed Conflict'. *The European Journal of International Law*, 18:2
- Sivakumaran, S.** (2010) 'Lost in Translation: UN Responses to Sexual Violence Against Men and Boys in Situations of Armed Conflict', *International Review of the Red Cross* Vol 92 (877)

Spangaro J. et al (2013) 'What Evidence Exists for Initiatives to Reduce Risk and Incidence of Sexual Violence in Armed Conflict and Other Humanitarian Crises? A Systematic Review', PLoS ONE 8(5)

Trust Fund for Victims Donor Appeals (2008) Trust Fund for Victims at the International Criminal Court Donor Appeal: Rehabilitating And Supporting Survivors of Sexual Violence, available at http://www.icc-cpi.int/iccdocs/asp_docs/library/vtf/TFV_Donor_Appeal_Eng.pdf

UN News Centre (2010) 'Tackling sexual violence must include prevention, ending impunity', UN Press Release, available at <http://www.un.org/apps/news/story.asp?NewsID=34502#.VhQIXIRViko>

UNICEF (UK) (2014) 'Sexual Violence in Conflict', Briefing Paper, available at <http://www.unicef.org.uk/Documents/Public-Affairs-Briefings/UNICEF-UK-Briefing-Sexual-Violence-in-Conflict.pdf>

United Nations 'Background Information on Sexual Violence used as a Tool of War', available at <http://www.un.org/en/preventgenocide/rwanda/about/bgsexualviolence.shtml>

United Nations Secretary General (2015) 'Report of the United Nations Secretary General on Conflict-Related Sexual Violence' [S/2015/203]

United Nations Secretary General (2014) 'Report of the United Nations Secretary General on Conflict-Related Sexual Violence' [S/2014/181]

United Nations Secretary General (2003) 'Special measures for protection from sexual exploitation and sexual abuse' [ST/SGB/2003/13]

Vojdik, V. (2014) 'Sexual Violence Against Men and Women in War: A Masculinities Approach', Nevada Law Journal: Vol. 14: Iss. 3, Article 15

Ward J. and Marsh, M. (2006) 'Sexual Violence Against Women and Girls in War and its Aftermath: Realities, Responses and Required Resources', Briefing Paper prepared for UNFPA, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/CCEF504C15AB277E852571AB0071F7CE-UNFPA.pdf>

Ward, J. et al (2007) 'The shame of war: Sexual violence against women and girls in conflict', OCHA/IRIN, available at <http://lastradainternational.org/lsidocs/IRIN-TheShameofWar-fullreport-Mar07.pdf>

Weitsman, P. (2008) 'The Politics of Identity and Sexual Violence: A Review of Bosnia and Rwanda', Human Rights Quarterly 30, 561 - 578.

Women's Refugee Commission (2009) 'Refugee Girls: The Invisible Faces of War', available at http://womensrefugeecommission.org/images/stories/ref_girls_FINAL.pdf

World Vision UK (2014) 'Journey of a Survivor', available at <http://www.wvi.org/world-vision-european-union/publication/journey-survivor>

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