

## Focus

# ADDRESSING CONFLICT-RELATED SEXUAL VIOLENCE MEANINGFULLY



**TRIGGER WARNING:** This fact sheet contains definitions, descriptions and examples of sexual and gender-based violence.

## A DEFINITION BY SURVIVORS OF CONFLICT-RELATED SEXUAL VIOLENCE

According to the **Kinshasa Declaration**, a declaration by survivors of conflict-related sexual and gender-based violence (from Democratic Republic of Congo, Central African Republic, Chad, Guinea, Kenya, Liberia, Mali, Nigeria, Rwanda, Sierra Leone, South Sudan, and Uganda), **the term is to be understood broadly:**

*"Sexual violence includes not only rape but also sexualized enslavement, forced sterilization, forced marriage, trafficking, imposed motherhood, forced pregnancy, sexual mutilations, among others. Victims can be any person, of any age, young and old as well as their children, families and communities. Children born to survivors of sexual violence are entitled to reparations in their own right. Reparation programs should acknowledge that sexual and gender-based violence can cause trans-generational harm."*

While conflict-related sexual violence (CRSV) occurs in conflict settings, we must address it within the broader context of gender-based violence (GBV). Not least due to deep-rooted political, socioeconomic, cultural and institutional drivers of sexual and GBV in conflict, CRSV is predominantly perpetrated against girls and women, but also experienced by boys, men and LGBTIQ+ individuals. Frequently and deliberately used as a weapon of war, often terrorizing local populations believed to be supporters of their enemies, CRSV has many devastating impacts, inflicting long-term trauma for individuals and societies. Perpetrators of CRSV are usually affiliated with state or non-state armed groups, which can include police and other security entities, militias, national armed forces and terrorist networks. Survivors of CRSV should be at the center of all preventative efforts and responses, such as medical care, psychosocial

support, socio-economic support, physical protection, reporting, support to access justice and reparation systems. The survivor-centered approach requires respecting their rights, needs, and choices at all times, and avoiding re-traumatization and stigma. States are responsible to provide these services to respond to CRSV, as well as to create and conduct preventive measures and to manage emerging risks. We do not longer see conflict-related sexual violence as an inevitable by-product of war, but as acts that constitute a crime that is preventable and punishable under international law (such as the Statute of the International Criminal Court, international human rights law and international humanitarian law). Rape and some other types of sexual violence can be prosecuted as war crimes, crimes against humanity, torture, and a constitutive act with respect to genocide.



**"While the international community should positively affirm the importance of addressing rape in war, the overwhelming focus on penetrative sexual violence (rape) forces attention away from other serious gender-based harms that are widely experienced by women during hostilities. It is critical to evaluate how the severity and cost of this often unseen violence causes the same or greater brutality to women's bodies and lives, a proposition that few policymakers or states have been prepared to take seriously even as they 'talk the talk' about 'protecting' women in war."**

**Fionnuala Ní Aoláin**

*(Fionnuala Ní Aoláin is an Irish academic lawyer specialising in human rights law. She was the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism for the United Nations Human Rights Council from August 1, 2017 - November 2023. Currently professor of law at The Queen's University, Belfast.)*

# WHAT ARE THE STRUCTURAL DRIVERS OF CONFLICT-RELATED SEXUAL VIOLENCE?

To **PREVENT** conflict-related sexual violence we need to address deep-rooted political, socioeconomic, cultural, environmental, and institutional **DRIVERS** of gender-based violence and conflict.

## STRUCTURAL DRIVERS OF GENDER-BASED VIOLENCE

- Gender identity-related power imbalances within a society
- Homophobia
- Childhood exposure to violence in the family
- High levels of power disparity in relationships
- Discriminatory laws on marriage
- Divorce and child custody
- Institutional discrimination on the basis of gender identity or sexual orientation

## STRUCTURAL DRIVERS OF ARMED CONFLICT

- Political, economic and social inequalities
- human rights violations
- extreme poverty or economic crisis
- climate change, environmental degradation, and competition for natural resources
- ideological extremism
- and availability of arms

## STRUCTURAL DRIVERS OF RISK OF CONFLICT OUTBREAK, ESCALATION OR RESURGENCE

- Tension between different groups or lack of social cohesion
- Absence of the rule of law, including conflict-related failure of formal and informal justice and protection systems; arms proliferation
- Forced displacement
- Impacts of climate change, including climate-related disasters and access to natural resources
- Existence of criminal networks or generalized violence

**1** IN **6** CHILDREN LIVING IN CONFLICT ZONES ARE AT RISK OF SEXUAL VIOLENCE BY ARMED GROUPS. OF **749 CONFIRMED CASES** OF SEXUAL VIOLENCE AGAINST CHILDREN IN 2019 ALONE, **98% WERE COMMITTED AGAINST GIRLS**, AND THE CASES ATTRIBUTED TO STATE FORCES ALMOST **DOUBLED** FROM 2018. THE VERIFIED CASES, HOWEVER, ARE LIKELY TO REPRESENT ONLY A FRACTION OF ACTUAL CASES. (SAVE THE CHILDREN)



# WHAT ARE THE MISCONCEPTIONS ABOUT CONFLICT-RELATED SEXUAL VIOLENCE?



## **X CRSV ONLY AFFECTS WOMEN AND GIRLS**

- LGBTQIQI+ persons and communities are targeted for conflict-related sexual violence, often in the name of gender ideologies and religious ideologies.
- Men and boys are harmed by patriarchy and relatedly by conflict-related sexual violence. Attacks on the "masculinity" of men and boys often take place in form of conflict-related sexual violence.
- Persons of various ages and gender identities are distinctly impacted by conflict-related sexual violence. Often the forms of violence committed against them differs. The medical and psychological support needs are equally vastly varying depending on the gender identity, age and physical as well as mental health of survivors concerned.

## **X CRSV IS A BYPRODUCT OF WAR OR MASS VIOLENCE**

- Conflict-related sexual violence is often a central feature of a conflict. It targets the destruction or weakening of the social fabric of communities.
- Conflict-related sexual violence comes with a tremendous intergenerational impact.

## **X CRSV IS VERY DIFFICULT TO PROVE IN A COURT OF LAW**

- There are varieties of means to support a witness testifying about conflict-related sexual violence. These include medical reports, pattern evidence about conflict-related sexual violence in the same or similar locations around the same time, pattern evidence about forms of conflict-related sexual violence committed by the same perpetrator group, corroborating witness accounts and others, such as reports by international organizations.

### **IMPACTS OF CONFLICT-RELATED SEXUAL VIOLENCE ON INDIVIDUALS AND THE SOCIETY**

Impacts of conflict-related sexual violence vary depending on the gender (identity), age, sexual orientation, mental and bodily ability. Yet, they always concern, at a minimum the following:

- Physical health
- Mental health
- Social life
- Economic situation
- Physical and digital security
- Access to justice

IN **1186** CASES OF SEXUAL VIOLENCE IN POST-CONFLICT SETTINGS THE VICTIMS WERE **CHILDREN; GIRLS ACCOUNT FOR 1157 (98%)** OF THE CASES IN 2023 (UN)

**21 CASES** OF CRSV AGAINST **LGBTIQ+** INDIVIDUALS WERE RECORDED IN 2023 (UN)



# EXAMPLES OF CONFLICT-RE

## DISCLAIMER:

1 Every effort has been made to provide information that is current and accurate, taking into consideration that some conflicts as well as investigations of CRSV in the respective areas are ongoing at the time of research

## UKRAINE

According to the United Nations Secretary General's 2023 Report on Conflict-Related Sexual Violence, in 2023 the human rights monitoring mission in **Ukraine** documented 85 cases of conflict-related sexual violence against civilians and prisoners of war, affecting 52 men, 31 women, 1 girl and 1 boy. In most documented incidents involving adult male victims, sexual violence was used as a method of torture during their captivity by Russian armed forces. As of December 2023 the Office of the Prosecutor General in Ukraine documented 252 cases (GIJTR, 2024).

## BOSNIA AND HERZEGOVINA

Between 20 000 and 50 000 of rape cases in the war in **Bosnia and Herzegovina**. As the analysis of ICTY judgments shows, conflict-related sexual violence was not an incidental aspect of the conflict – sexual violence was an integral part of it, systematic and institutionalized, targeting both women and men.

## SIERRA LEONE

More than 60 000 women and girls were raped in the civil war in **Sierra Leone** (1991-2002).

At least 200 000 women and girls were raped in the **Democratic Republic of the Congo**. Estimates vary depending on the source between 200 000 and 1 Million). In 2022 MONUSCO documented 701 cases.

## DEMOCRATIC REPUBLIC OF THE CONGO

In **Haiti** "Brutal patterns of gang-related violence, including mass rape, previously concentrated in the capital, spread rapidly in 2023 to other departments, notably Artibonite and North-West" (UN). Estimates are that for every 10 reported cases, there are 1000 unreported cases.

## HAITI

In the 1994 genocide in **Rwanda**, up to 500 000 women and girls were raped (estimates vary widely).

## RWANDA

# RELATED SEXUAL VIOLENCE<sup>1</sup>

## ISRAEL/PALESTINE

According to the United Nations Secretary General's 2023 Report on Conflict-Related Sexual Violence, **the need persists for** "United Nations bodies to carry out **a fully-fledged investigation** into all alleged violations, including conflict related sexual violence, to ensure justice and accountability".

## SYRIA

According to the 12th annual report on violations against women of the Syrian Network for Human Rights (SNHR, 2023), in the last 13 years the Syrian regime used **sexual violence as a weapon of war and an instrument of punishment** to spread mass fear and to force residents to flee ahead of raids. The SNHR documented 11 541 incidents of sexual violence in total (committed by different armed forces), whereby the regime forces committed no fewer than 8019 incidents of sexual violence including about 881 incidents in detention centers, and no fewer than 443 cases of sexual violence against girls under the age of 18.

## MYANMAR

Numerous qualitative and quantitative studies show a high prevalence but low level of actual reporting of SGBV. The UN Secretary General's 2023 Report on CRSV, stipulates "...deepening patterns of rape and other forms of sexual violence perpetrated against women, men, girls, boys and lesbian, gay, bisexual, transgender, queer and intersex persons. In some cases, victims were killed, including during military operations, largely perpetrated by the Myanmar armed forces".

"In 2023, the United Nations documented cases of conflict-related sexual violence, including rape, gang rape, attempted rape, abduction and trafficking, perpetrated against 98 women, 18 girls, 1 man and 1 boy". The estimated number of survivors is over 60 000.

## SUDAN

According to the United Nations Secretary General's 2023 Report on Conflict-Related Sexual Violence, in 2023, "the United Nations Mission in **South Sudan** (UNMISS) **documented** incidents of conflict-related sexual violence, including rape, gang rape, sexual slavery, forced marriage, forced abortion and forced nudity, **affecting 118 women, 98 girls, 4 men and 1 boy**. A number of **earlier attacks** that occurred between 2020 and 2022, perpetrated against 56 women and 48 girls, were also **verified** in 2023.

## SOUTH SUDAN


In **Ethiopia** The International Commission of Human Rights Experts on Ethiopia concluded that "...in Tigray alone, between November 2020 and June 2023, some 10 000 survivors of sexual violence had sought health care in one-stop centres", as per the United Nations Secretary General's 2023 Report on Conflict-Related Sexual Violence.

## ETHIOPIA

# PREVENTION IN THE UN SE

## WHAT CAN BE DONE TO PREVENT CONFLICT-RELATED SEXUAL VIOLENCE?

According to the United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, the prevention of conflict-related sexual violence is a core aim of the women, peace and security agenda, which was established by Security Council resolution 1325 (2000) and expanded in subsequent resolutions. States are encouraged to implement these resolutions to advance the agenda domestically.

 <https://www.un.org/sexualviolenceinconflict/about-us/about-the-office/>

2009

### RESOLUTION 1888

- Reiterates the threat of CRSV to international peace and security, noting that action by civilian and military leader is a key preventive mechanism to demonstrate commitment and political will, to combat impunity and to enforce accountability
- Urges parties to conflict to report and investigate acts of sexual violence
- Calls for appointment of a Special Representative of the Secretary-General on CRSV

### RESOLUTION 1889

- Reiterates the necessity of women's participation in peace processes, including the **prevention** of conflict
  - Emphasizes factors limiting participation

2000

### RESOLUTION 1325

- Reaffirms the important role of women in the **prevention and resolution of conflicts** and in peacebuilding efforts
- Emphasizes the important **role of women** in maintaining and promoting **peace and security**
- Stresses the need to include women in **decision-making as it relates to conflict prevention** and resolution
- Recognizes perpetration of sexual violence in conflict

2008

### RESOLUTION 1820

- Declares that rape and other forms of **sexual violence** can constitute war **crimes**, crimes against humanity, or a constitutive act with respect to genocide
- Recognizes that **prevention of and response to CRSV** can contribute to the maintenance of international peace and security
  - Urges the Secretary-General and his Special Envoy to include women in peace processes, including those related to prevention of conflict
  - Calls for the **cessation of impunity** and proposes **protection mechanisms** for women and girls

2000

2001

2002

2003

2004

2005

2006

2007

2008

2009

# SECURITY COUNCIL RESOLUTIONS ON WOMEN, PEACE AND SECURITY



2010

## RESOLUTION 1960

- Calls for development of an accountability infrastructure for CRSV to end impunity
- Requests the Secretary-General to list parties that are credibly suspected of committing or being responsible for sexual violence in situations of armed conflict on the Security Council agenda

2013

## RESOLUTION 2106

- Emphasizes the need to increase women's participation in mediation, post-conflict recovery and peacebuilding efforts to address sexual violence in conflict
- Underlines the importance of all actors in accountability measures to end impunity

2015

## RESOLUTION 2242

- Recognizes the critical need to address root causes of armed conflict, references the importance of disarmament in achieving gender equality, and affirms the necessity of an integrated approach to peace processes

2019

## RESOLUTION 2467

- Recognizes structural root causes of sexual violence in conflict, including gender inequality
- Calls for a survivor-centered approach to **prevention** and response efforts, including in peace processes and other reform efforts
- Calls for strengthening justice and accountability mechanisms by use of sanctions and the provision of reparations

## RESOLUTION 2493

- Urges a recommitment to the women, peace and security agenda, noting setbacks in its implementation since adoption of resolution 1325
- Recognizes the importance of civil society organizations, including women's organizations

2010

2011

2012

2013

2014

2015

2016

2017

2018

2019

# PREVENTION OF CONFLICT-

United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict's Framework for the Prevention of Conflict-Related Sexual Violence conceptualizes the prevention of conflict-related sexual violence as having two main aspects:

## PREVENTING OCCURRENCE OF CONFLICT-RELATED SEXUAL VIOLENCE

Preventing the occurrence, escalation, and recurrence of conflict-related sexual violence requires:

1. building upon broader efforts to prevent conflict and atrocities, as well as gender inequality generally;
2. developing structural and operational approaches (such as strengthening social norms and rule of law and developing early warning systems indicators specifically focused on conflict-related sexual violence);
3. interventions tailored to diverse perpetrators and specific forms of conflict-related sexual violence;
4. women's meaningful engagement in peace processes, to increase chances of more durable and stable peace.

## PREVENTING FURTHER IMPACT TO A SURVIVOR OR COMMUNITY ONCE THE VIOLENCE HAS ALREADY OCCURRED

In order to avoid deepening harm to survivors and their communities, preventing conflict-related sexual violence must include efforts to reduce its harmful impacts after occurrence.

Such efforts include strengthening the work of first responders and specialized service providers to be able to offer non-discrimination access effectively to:

1. medical care, including sexual and reproductive health and mental health services
2. psychosocial support
3. care for children born of rape
4. safe shelter
5. police protection
6. peacebuilding efforts
7. transitional justice efforts



A **2021** UN REPORT COVERING SITUATIONS IN 18 COUNTRIES DOCUMENTED **3293** VERIFIED CASES OF CRSV, **97%** OF WHICH TARGETED **WOMEN AND GIRLS**. ADDITIONALLY, **83** CASES CONCERNED **MEN AND BOYS**, WHILE **12 CASES** INVOLVED **LGBTIQ+** PERSONS (UN)

ESTIMATES SHOW THAT FOR EVERY WOMAN WHO COMES FORWARD TO REPORT SEXUAL VIOLENCE IN CONFLICT, ABOUT **10 TO 20 CASES** GO **UNDOCUMENTED**. (UN)





# RELATED SEXUAL VIOLENCE



Both the prevention of occurrence and the prevention of impact must be tackled:

At the **SUPRANATIONAL LEVEL**, measures refer to prevention efforts that operate above or between States, at regional or international levels.

At the **INSTITUTIONAL AND STRUCTURAL LEVEL**, measures include systematic prevention efforts, often undertaken by State entities, with measures taken on large scales, often nationally.

At the **COMMUNITY LEVEL**, approaches address social dynamics and relationships, such as supporting community-based movements aimed at preventing conflict and reducing gender inequality and stigma.

At the **INDIVIDUAL LEVEL**, prevention measures focus on survivors and their immediate family members. In some cases, it may also focus on perpetrators

According to Pramilla Patten, Special Representative of the UN Secretary-General on Sexual Violence in Conflict, in her speech at the UN Security Council meeting on women, peace and security 2023:

“UN VERIFIED **3688 CASES** OF CONFLICT-RELATED SEXUAL VIOLENCE COMMITTED IN THE COURSE OF **2023**, REFLECTING A DRAMATIC **INCREASE OF 50%** AS COMPARED WITH THE PREVIOUS YEAR. AT A TIME WHEN MILITARY SPENDING HAS SOARED TO OVER **US \$2.2 TRILLION**, WHILE HUMANITARIAN AID BUDGETS HAVE BEEN SLASHED. IN 2023, **WOMEN AND GIRLS** ACCOUNTED FOR **95%** OF THE VERIFIED CASES, WITH 5% RECORDED AGAINST MEN AND BOYS.”

She drew attention to the Middle East, where ongoing bloodshed and terror have left survivors of gender-based violence with nowhere to turn.



# HOW CAN CONFLICT-RELATED SEXUAL VIOLENCE BE MEANINGFULLY ADDRESSED?

**FOR CONFLICT-RELATED SEXUAL VIOLENCE TO BE MEANINGFULLY ADDRESSED, RESPONSES NEED TO BE:**

## **MULTI-SECTORIAL**

Survivors of conflict-related sexual violence are confronted with multiplicity of impacts, which run across several aspects of their lives. Any responses that are meant to be transformative and effective need to address the need for multi-sectorial actors to be involved. Consequently, responses must encompass medical and psychosocial support as well as economic support, with some being anchored in law while others are best to come in form of policy or humanitarian nature.

## **ADDRESSING STRUCTURAL ROOT CAUSES AND STRUCTURAL DRIVERS OF CONFLICT-RELATED SEXUAL VIOLENCE**

To prevent and to mitigate (re)occurrence of conflict-related sexual violence its structural drivers of gender-based violence as well as armed conflict and risk of conflict outbreak require attention. Primarily, structural political, economic, and social inequities in all their forms, in particular gender-related power imbalances within a society, need to be addressed to prevent conflict, its furtherance and relatedly conflict-related sexual violence.

## **DISMANTLING MISCONCEPTIONS ABOUT CONFLICT-RELATED SEXUAL VIOLENCE AND PERSONS OF ALL GENDERS AND AGES SUBJECTED TO IT**

Misconceptions towards conflict-related sexual violence and about those affected by it need to be deconstructed. From the reform of procedural laws that governs the way survivors can participate in trials that adjudicate harms committed against them to policy decision and humanitarian responses, any consultations must be informed by survivor's perspective and their demands for what justice means for them.

## **GENDER AND ANTI-DISCRIMINATION COMPETENCY IN LAW, POLICY AND ADVOCACY MUST BE STRENGTHENED**

From the International Criminal Court to universal jurisdiction proceedings on a national level, conflict-related sexual violence and other forms of gender-based crimes are often an afterthought. Gender and anti-discrimination competency must be built and enhanced in the justice sector, as well as within policy and advocacy work so that the structural drivers and misconceptions can be readily identified for the overall benefit of prevention and harm-mitigation of conflict-related sexual violence.

# WHAT CAN I DO TO ADDRESS THE ISSUE OF CONFLICT-RELATED SEXUAL VIOLENCE?

**LISTEN TO SURVIVORS** OF CONFLICT-RELATED SEXUAL VIOLENCE, GENDER-BASED VIOLENCE AND REPRODUCTIVE VIOLENCE AND **SUPPORT** THEIR DEMANDS WHEREVER YOU CAN

**ADVOCATE** FOR STRUCTURAL POLITICAL, ECONOMIC, AND SOCIAL **EQUITY** FOR EVERYONE

BECOME ACTIVE ON JUNE 19TH, THE **INTERNATIONAL DAY AGAINST SEXUAL VIOLENCE IN CONFLICT**

**COUNTERACT** POWER IMBALANCES WITH GENDER OR INTERSECTIONAL DIMENSIONS, SUCH AS **MISOGYNY, HOMOPHOBIA, TRANSPHOBIA, XENOPHOBIA AND RACISM**



## SOURCES AND FURTHER READING

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