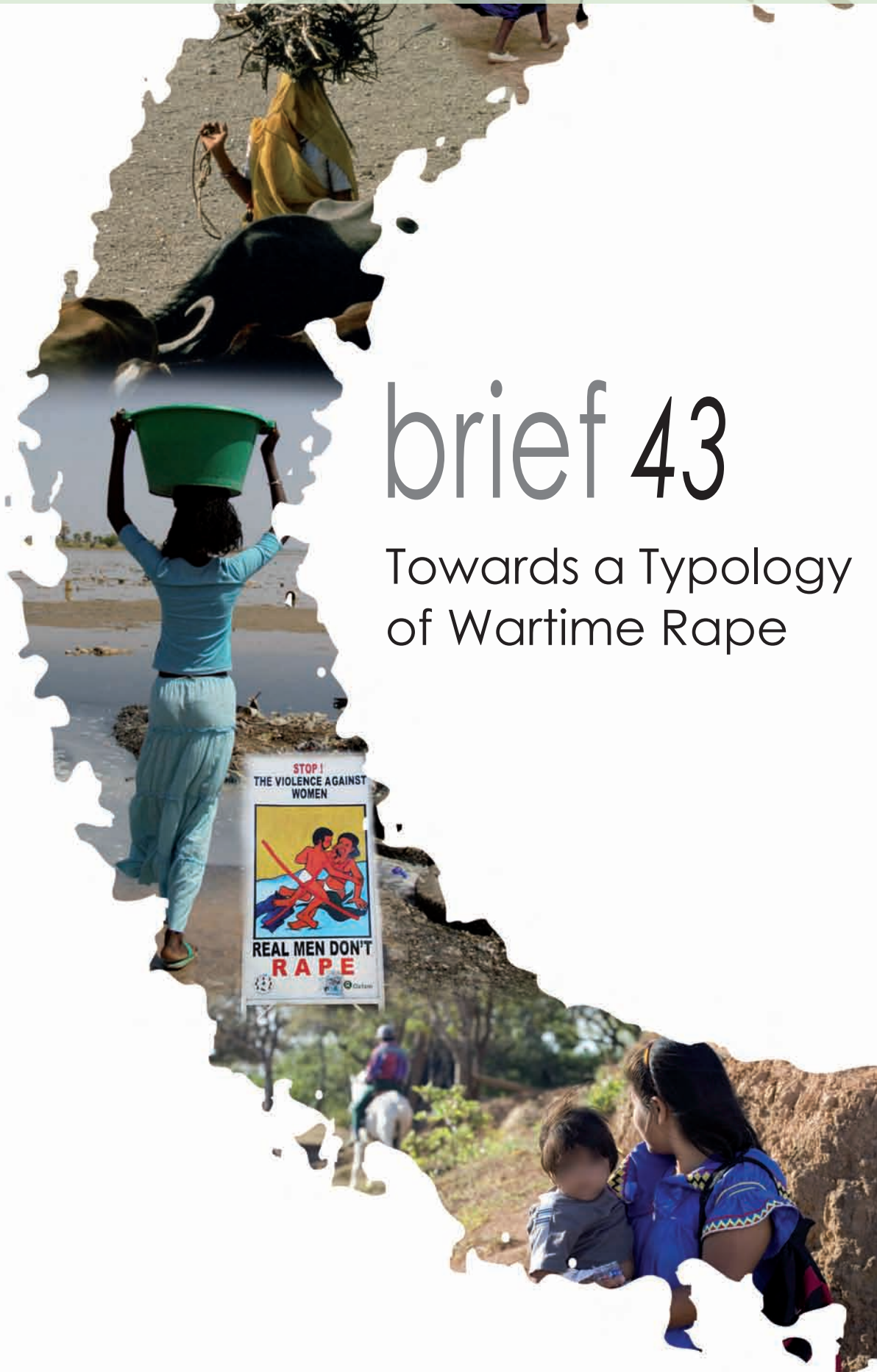




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# brief 43

Towards a Typology  
of Wartime Rape

# Contents

List of Acronyms and Abbreviations	4		
Executive Summary	5		
Acknowledgments	5		
Introduction	7		
<b>1 Methodology</b>	9		
Phase I: Creating a typology	10		
Phase II: Refining the Typology	12		
<b>2 Review of Scholarly Literature on Rape and War</b>	15		
The prevalence of wartime rape	16		
Explanations of wartime rape	17		
The meaning of wartime rape	17		
Factors that contribute to wartime rape	18		
The functions of wartime rape	19		
Consequences of wartime rape	19		
Gaps in the literature on wartime rape	21		
<b>3 Developing a Typology of Wartime Rape</b>	24		
What is wartime rape?	25		
Why develop a Typology of wartime rape?	25		
The basis for designing a Typology	26		
The interplay between themes	28		
The role and usefulness of this Typology	28		
<b>4 The Founding Cases of the Typology</b>	30		
The case of Bosnia and Herzegovina	31		
The case of El Salvador	32		
<b>5 Review of Additional Country Cases</b>	35		
Africa	36		
Democratic Republic of the Congo (DRC)	36		
Liberia	37		
Rwanda	37		
Sierra Leone	38		
Asia	38		
Cambodia	38		
Nepal	38		
Latin America	39		
Colombia	39		
Peru	39		
Oceania	40		
Papua New Guinea (PNG)/ Bougainville	40		
Timor Leste	40		
<b>6 Wartime Rape Against Civilians</b>	41		
Category B: Rape perpetrated by an armed group or armed force against a member of the civilian population	42		
Type B-1: Rape by an ally.	42		
Type B-2: Sexual slavery.	43		
Type B-3: Rape as a military strategy.	49		
Type B-4: Rape by a neighbor.	54		
Type B-5: Rape camps.	55		
Type B-6: Rape in detention.	57		
Type B-7: Opportunistic rape.	59		
Type B-8: Targeted rape.	61		
Conclusions	63		
Annex I: Summary of types, consequences and implications	66		
Annex II: List of interviewees	68		
References and Bibliography	70		

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# brief 43

## Towards a Typology of Wartime Rape

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# List of Acronyms and Abbreviations

AFRC	Armed Forces Revolutionary Council
APC	All People's Congress
AUC	Autodefensas Unidas de Colombia
BCL	Bougainville Copper Limited
BiH	Bosnia and Herzegovina
BRA	Bougainville Revolutionary Army
CAVR	Comissao de Acolhimento, Verdade e Reconciliacao
CNDP	Congres nationale pour la defense du peuple
DRC	Democratic Republic of the Congo
ELN	Ejercito de Liberación Nacional
FAR	Rwandan Armed Forces
FARC	Fuerzas Armadas Revolucionarias de Colombia – Ejercito del Pueblo
FARDC	Forces Armees de la Republique Democratique du Congo
FDLR	Forces democratiques de liberation du Rwanda
FMLN	Frente Farabundo Martí para la Liberación Nacional
GBV	Gender-based violence
HRW	Human Rights Watch
ICTY	International Criminal Tribunal for the former Yugoslavia
IDP	Internally Displaced Persons
IHL	International Humanitarian Law
LURD	Liberians United for Reconciliation and Development
MODEL	Movement for Democracy in Liberia
MONUC	United Nations Organization Mission in the Democratic Republic of the Congo
NGO	Non-governmental organization
NPFL	National Patriotic Front for Liberia
PNG	Papua New Guinea
PNGDF	Papua New Guinea Defence Forces
PTSD	Post Traumatic Stress Disorder
RPF	Rwandan Patriotic Front
RUF	Revolutionary United Front
SLA	Sierra Leonean Army
TNI	Indonesian military forces
TRC	Truth and Reconciliation Commission
UNICEF	United Nations Children's Fund
UN	United Nations
USIP	United Institute of Peace

# Executive Summary

This *brief* presents the progress to date in developing a typology of wartime rape as a first step toward understanding the different consequences of this form of violence in war. This publication focuses solely on wartime rape perpetrated by armed groups against civilians, though this form of violence is perpetrated more widely by, and against, different actors during war. The wider perpetration of rape against other actors is not presented in this *brief*, but is nevertheless included in the Typology. The Typology is a product of two phases of research: a) an initial phase (November 2008–May 2009) where a preliminary typology was created based on an examination of two country cases of wartime rape: Bosnia and Herzegovina, and El Salvador; and b) a second phase (September 2009–May 2010) where the typology was refined according to data collected from a review of the literature on ten additional country cases of wartime rape (Cambodia, Colombia, Democratic Republic of the Congo, Liberia, Nepal, Papua New Guinea/Bougainville, Peru, Rwanda, Sierra Leone, Timor Leste). The Typology was designed on the basis of a definition of wartime, which includes a myriad of war dynamics that surround and influence the perpetration of rape, and which can be organized into the following 'themes':

- type of conflict in which wartime rape occurs;
- characteristics of the armed group;
- motivations for the rape;
- characteristics of the rapist;
- characteristics of the raped person; and
- characteristics of the rape.

Eight different types of wartime rape against civilians have been identified to date and are presented in this *brief*.

This research has demonstrated that there are indeed different types of rape in war, and that the consequences of wartime rape are largely influenced by the type of rape, which was perpetrated. The data is not available to establish causal paths between the different types and consequences, though our research shows that some consequences are more likely than others depending on the type of wartime rape that was committed. Our examination of the consequences of wartime rape focuses on socio-economic issues and how these affect not only the raped individual, but also his/ her family, community and the interactions within and between them. We do not explore questions of trauma and the psychological

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We would also like to thank the participants of our workshop entitled "Understanding Wartime Rape: Some Current Research Questions" from 11 to 12 March 2010 in Bonn for a thoughtful discussion and for their feedback on our work, which helped move our research forward. We would like to thank Virginia Bouvier (USIP) in particular for spending some extra time with us after the workshop to offer her valuable insight and advice on the way forward for our research.

Above all we would like to thank all of the interviewees with whom we met in El Salvador, and Bosnia and Herzegovina for their time and willingness to speak with us about such a difficult topic. We are deeply grateful for their honesty, openness and their support for our research. Without their invaluable contribution this work would not have materialized in the way that it did. We sincerely hope that we have done justice to their recollection of experiences and insights.

Only the authors are responsible for the contents of this *brief*.

impact of rape on the individual, though these remain important issues of concern.

What is more, this Typology demonstrates that the consequences are not always influenced by the same characteristics, such as the motivation for rape, for example. Rather, different characteristics and factors of these characteristics may influence the consequences, including the perpetrator–raped individual relationship, and how the rape itself was perpetrated (i.e. in detention, as a domestic sexual slave, in rape camps, etc.). These consequences have different implications for interventions by donors and practitioners, which are outlined in this *brief*. While there are some similarities across different types, interventions should be informed by the greatest level of detail possible to ensure that no information critical to the success of an intervention is missed. This includes a consideration of the social context in which the rape occurs, which is not taken into account in our Typology.

While it remains a work in progress, the Typology can be used by donors and practitioners to help identify the necessary data to design more informed and targeted interventions, and to evaluate interventions that aim to meet the needs of individuals, families and communities that result from wartime rape. Our Typology could, after further development, also be used to develop operational tools and strategies to protect vulnerable populations from victimization, and to deter the orchestration and/or perpetration of wartime rape in the future.

# Introduction

It is often said that rape in war is as old as war itself. Yet, we know very little about this particular phenomenon. Its systematic<sup>1</sup> and widespread<sup>2</sup> perpetration in the wars in Bosnia and Herzegovina (BiH) and Rwanda have led to the description of rape as a 'weapon of war', which has led in turn to international condemnation and the adoption of UN Security Council Resolution 1820 (June 2008) to prevent its use as a method of warfare. However, the reality is that there are many uses of and motivations for wartime rape, many ways in which rape is perpetrated by members of armed groups and many different characteristics of these armed groups. In this *brief*, we will show how these and other aspects may influence the consequences of wartime rape. Accordingly, we maintain that a multitude of aspects surrounding the perpetration of wartime rape should be explored in order to design effective actions and interventions to counter the negative consequences of this form of violence in war, and to halt or prevent it altogether.

To date, the consequences of wartime rape have been generally addressed through the implementation of a standard set of recovery measures targeting individuals in areas where there was a high incidence of wartime rape. These measures are often mobilized fairly quickly precisely because they are standardized. The prevailing assumption here is that the act of rape itself is the only important feature of wartime rape, and thus all raped persons will share the same consequences. Such an approach risks missing the mark completely, however, by promoting standardized assistance, which may not meet the actual needs of those raped in wartime. On the other hand, an approach, which would require careful analysis of each individual's experience of and reaction to wartime rape is also not feasible for the timely delivery of a variety of assistance measures to a large number of individuals. What is more, both approaches largely focus on the individual psychological consequences of wartime rape at the exclusion of a host of other outcomes, which may influence an individual's ability to lead a productive life. They also overlook the fact that the consequences of wartime rape are not confined to the individual, but rather affect whole families, communities and the society at large in ways that

are not yet understood. A complementary approach is necessary, one that examines wartime rape on a case-by-case basis, but which looks for general trends in its perpetration and consequences for those who experienced wartime rape either directly (individual raped) or indirectly (his/ her family and community). Assistance would then be promoted on the basis of these trends. Such an approach is still able to mobilize widespread and timely responses, while providing more accurate indications of what sorts of assistance are needed in a particular case of wartime rape, so that the needs of affected populations are more effectively and efficiently addressed.

This *brief* presents such an approach to understanding and addressing wartime rape by presenting the progress we have made to date in developing a wartime rape typology. It departs from the hypothesis that the consequences of wartime rape vary according to the type<sup>3</sup> of rape perpetrated in war, and hence different assistance, recovery and prevention measures may be needed in the post-conflict period. In formulating our hypothesis, we have made the following assumptions:

1. There are different dynamics at play in the perpetration of wartime rape, and these take the form of certain themes that can be identified and organized into different types;
2. Each form of sexual violence in war—for example, rape, sexual exploitation, trafficking—involves different dynamics and are distinct, and thus should be examined separately.

Our Typology of wartime rape is a product of two phases of research: a) an initial phase (November 2008–May 2009) where a preliminary typology was created and the linkages between types and consequences considered based on an examination of two country cases of wartime rape: Bosnia and Herzegovina, and El Salvador, and b) a second phase (September 2009–May 2010) where the typology was refined according to data collected from a review of the literature on ten additional country cases of wartime rape (Cambodia, Colombia, Democratic Republic of the Congo, Liberia, Nepal, Papua New Guinea/ Bougainville, Peru, Rwanda, Sierra Leone, Timor Leste). While the Typology presented herein is a work in progress, the findings thus far may be

<sup>1</sup> By systematic, we mean "the organized nature of the acts of violence and the improbability of their random occurrence. Patterns of crimes are a common expression of such systematic occurrence", as noted in the Report of the Secretary-General pursuant to Security Council Resolution 1820 (15 July 2009).

<sup>2</sup> By widespread, we mean far-reaching and the high number of individuals attacked.

<sup>3</sup> Type is defined by the interplay of a number of aspects of the rape, which are encapsulated within the following themes: Type of conflict; characteristics of the armed group; motivations for the rape; the characteristics of the rapist; the characteristic of the raped person; the characteristic of the rape. See Section 3.

useful to donors and practitioners in highlighting crucial pieces of information, which are necessary in designing and implementing more targeted and effective programs dealing with individuals, families or communities affected by wartime rape. It is important to underscore that this *brief* only focuses on rape perpetrated against the civilian population by an armed group, and hence deliberately excludes other types of rape where the raped person is not a civilian or where the rapist is not part of an armed group.<sup>4</sup>

The following *brief* is divided into six sections followed by a conclusion. We begin by providing a detailed overview of how we conducted our research over the two project phases (Methodology). This is followed by a Review of Scholarly Literature on Rape and War, which presents the main arguments and gaps in the work on wartime rape and how our research aims to contribute to filling these gaps. Section 3 presents our rationale for developing a Wartime Rape Typology and the general themes, and the many characteristics within these themes. Section 4 provides a thematic review of the two Founding Cases of the Typology, while Section 5 provides backgrounders on the ten additional Country Cases of wartime rape reviewed in the second phase of our research. The final section presents the types of Wartime Rape against Civilians within the Typology, and the different consequences and implications linked to each type. A Conclusion summarizes the main points presented, and some general findings that are relevant for donors and practitioners dealing with populations affected by wartime rape. A summary of types, consequences and implications can be found in Annex I. A list of interviewees in El Salvador and BiH is included in Annex II.

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<sup>4</sup> These types of rape are included in our Typology, though are not presented in this *brief*.



# 1

## Methodology



In this section, we explain in detail how our research was conducted, beginning with the first phase of our project (November 2008–May 2009) and ending with the second phase (September 2009–May 2010). We hope that this section is sufficiently detailed to allow the reader to understand the process we undertook in our research.

## Phase I: Creating the Typology

### Literature review

We began our research with a search of academic and non-academic literature in English, German, Spanish and French. Our literature search included first 'war and rape', as key words, and later also 'sexual violence and war' in an effort to focus our attention on gathering and reviewing literature, which discussed wartime rape specifically rather than gender-based violence (GBV) more generally. Whilst we reviewed literature in multiple languages, the majority of the material was found in English, particularly papers of an academic nature.

### Case studies

Two case studies of wartime rape were selected to build a preliminary typology: El Salvador and Bosnia and Herzegovina (BiH). We selected these cases because:

- rape was extensively perpetrated by at least one armed group during the civil war in both cases;
- the motivations for, and manner in which rape was perpetrated varied not only across, but also within each case;
- more than 10 years have passed since the end of the war in both selected cases, allowing sufficient time to consider the long-term implications of wartime rape on individuals, their families and communities.

Furthermore, we felt that while selecting BiH was important due to the attention placed on cases of wartime rape during the conflict itself, it was also important to use our project as an opportunity to shed some light on a lesser known case of wartime rape: El Salvador. Moreover, given the limited time of our project, we felt that choosing a case where we had some knowledge of the context and in-country contacts would positively contribute to the quality of our work, which was the case in El Salvador.

There is a great deal of documentation on wartime rape in BiH; indeed, much of the literature we collected discusses this case. By contrast, there is no literature focusing specifically on wartime rape in El Salvador; rather, the issue is discussed in the context of state terrorism, gender relations during the war, and within the testimonies of female combatants. Discussions with respondents during our field work suggest that rape in particular, and sexuality more generally, particularly within the FMLN, were issues that were not deemed to be of great importance when the war ended. Many respondents mentioned that next to surviving, rape within the FMLN was almost regarded as unimportant and hence it yielded little attention in the literature. The rape of civilians was categorized as one more way by which the government brutalized the population. Thus rape was understood as one additional barbarity committed against civilians and not as an act, which may have particular consequences (authors' interview, Carolina Paz; authors' interview, Ruth Polanco). The absence of literature on wartime rape in El Salvador, however, did not prove to be a barrier for our research, but rather an opportunity to examine and contribute to filling a gap on the issue of wartime rape and its effects on Salvadoran society today.

The main themes of our research introduced below are captured in our Methods Matrix, which has served as a detailed guide throughout our research. The Matrix is composed of a series of questions or factors that fall within each of the themes we identified as being involved in the perpetration of wartime rape (see Section 3). Prior to our field research, we collected feedback on our Matrix from two external institutions with experience on the issue of wartime rape, and who had agreed to act as advisors to our research: medica mondiale and the German Technical Cooperation (GTZ). The Matrix was modified on the basis of the aforementioned consultations and remains a working document subject to further change as our research on this topic progresses.

### Selecting the interviewees

During our field research it was our aim to interview individuals working in research on rape or related subjects, organizations involved with women's rights, legislation professionals, politicians or political representatives, individuals with knowledge of the conflict either first hand or students of the history of the conflict and, where applicable, individuals working with raped individuals. In this phase of our research,

we decided not to interview individuals raped in war, unless volunteers emerged through other interviewees, which happened during our field work in El Salvador. First we felt that interviewing raped individuals for this project was not essential, and that we would be able to gather the necessary data on the consequences of wartime rape through interviews with professionals who have contact with these individuals. Second, interviewing raped individuals presented us with two intertwined challenges, namely access and trust, which we felt would be difficult to overcome given the scope and time frame for this particular project.

Accessing these individuals is a sensitive issue and often not possible without the support and approval of those who work with them, such as public health workers, therapists and NGOs. Even if we had access, the time of our studies would have made trust-building difficult. Very often with human subjects, trust-building is lengthy and cumbersome. Still we were open to the possibility of interviewing raped individuals. The protocol we intended to use for this kind of interview, and indeed used in El Salvador, was the "oral history" interview approach. In other words, after explaining to the respondent the goals of the project and the type of information we were collecting, to invite the respondent to tell us as much or as little as they wanted, focusing primarily on the post-war livelihood, but also, to the degree they felt comfortable with, the characteristics of the event itself (i.e. conditions leading to the rape(s), location, perpetrators, etc.). Interviewees were at liberty to stop the interview at any time. Our approach was to remain as neutral<sup>5</sup> as possible during their testimony in an effort to keep analytical distance. This view was supported by some of our respondents (cf. authors' interview, Nidzara Ahmetasevic; authors' interview, Teufika Ibrahimfendic). Other researchers have taken different approaches and may not agree that a neutral approach to testimony is important for analytical distance (cf. Skjelsbaek, 2006; Lusby, 1994). It is important to highlight that while we did, in the end, interview one raped individual, and this interview was undoubtedly interesting, it was by no means key to the development of our Typology. In line with our plan, our work did not rely on first hand raped individual respondents.

In El Salvador, there is currently no organization devoted to the issue of wartime rape. Rather, there are a number of women's organizations dealing with issues of women's rights and equality, which cover

the issue of rape and violence against women, particularly in peacetime. We identified several organizations through existing contacts in El Salvador. In the interest of time, and to expedite the process, we hired an interview fixer to schedule our interviews in San Salvador. Our fixer also suggested a number of contacts, but these were only scheduled following our approval.

In BiH, there are a number of organizations dedicated to working with individuals who were raped during the war. Most of these are NGOs offering medical and/or psycho-social support. Medica mondiale, an international institution based in Germany, which was the founder and now sister organization to Medica Zenica, was an advisor to this project, so contacts within BiH were sought through them. Additional contacts were identified mainly through the Internet site [www.peacewomen.org](http://www.peacewomen.org). All interviews were scheduled by us directly without the assistance of fixers.

### **Field research**

In February 2009, we undertook two week-long field trips to El Salvador (2 to 9 February) and BiH (15 to 22 February). We conducted a total of 26 interviews with 28 people. Our interviews were non-scripted, semi-structured, generally driven by open-ended questions with a limited number of closed questions used for clarification purposes. The themes of our questions followed the research themes introduced in Section 3 of this *brief*, though not all of these themes could be addressed through interviews, or even existing literature in some cases (i.e. information on perpetrators and their backgrounds). Our interview method allowed for the possibility to tailor our questions according to the work and knowledge of the interviewees, which is important given the diverse range of interviewees we met with. It also allowed us to probe interviewee responses and explore new, interesting or unexpected points that were raised, and helped make the atmosphere more relaxed and comfortable. Almost all interviews took place at the offices of the individuals/ organizations interviewed, and were recorded with their consent (for a list of interviewees see Annex II).

In El Salvador, we conducted 15 interviews with 17 people in the cities of San Salvador and Suchitoto. The interviews were conducted in Spanish. On average, our interviews lasted 90 minutes, and only two involved more than one interviewee. With one exception, all

<sup>5</sup> We define neutrality as striving for emotional distance.

interviewees were female. The interview atmosphere was very open, cooperative and friendly. Interviewees were ready and willing to talk about the issue; in some cases, they discussed their own experience as female guerrillas, referring more broadly to gender relations in the FMLN during the war. One of our interviewees was a former female commander of the FMLN who since the end of the war has been involved in women's rights. She suggested we interview a woman raped during the war who she felt was keen to tell her story. In our discussion with the respondent who had been raped during the war, we made sure that she was well aware of the goals of our research, the way her information would be used, and her rights as a respondent.

In Bosnia and Herzegovina (BiH), we conducted 11 interviews with 11 people in Sarajevo, Zenica and Tuzla. The interviews were mainly conducted in English, but in some cases responses were given in Bosnian and an interpreter was used. In all cases where an interpreter was used he/ she was provided by the interviewee. On average, our interviews lasted 60 minutes. With the exception of one, all interviewees were female. The interview atmosphere was friendly and cooperative. However, interviewees were much more reserved in discussing the issue of wartime rape compared to our experience in El Salvador. In general, respondents limited their answers to the question asked, but we were able to ask more exploratory questions and to probe deeper into areas or subjects that were brought up by the interviewees which we found of interest. We developed a sense that it would take some time to earn the full trust and confidence of some interviewees in order for them to share with us more openly. Continued contact and additional interviews with these organizations may therefore yield more results/ information.

### **Data analysis**

The interviews were transcribed during April and May 2009. Spanish interviews were transcribed directly into English. Qualitative data analysis software (NVivo8) was used to code the interviews according to the themes outlined in our Methods Matrix. The information was analyzed and compiled into the results discussed in this *brief*.

## **Challenges**

### Limited timeline/ project duration

The timeline for implementing this phase of the project was limited and thus all activities were undertaken on a very tight schedule. The limitations imposed by first encounters (i.e. lack of trust) may therefore have affected the amount of information we gained. The limited time frame also meant that some interviews that could have yielded very interesting information were not scheduled.

### Language

In El Salvador we benefited from the fluent Spanish knowledge of one of our researchers, hence the data gathering was not infringed upon by the language. In BiH, language may have been a limiting factor. Moreover, the use of translators provided by the interviewee's institution may have also influenced the data provided as in many cases these were not professional translators. In our future work in such environments, we would seek the use of a professional translator during interviews, and a fixer to arrange meetings with institutions where there is no English-speaking staff in order to avoid language limitations.

## **Phase II: Refining the Typology**

The goal of this phase was to test and ultimately refine our Typology against additional cases of wartime rape. Given a limitation on the funds available for this phase, we decided to conduct a literature review of ten additional cases of wartime rape. A review of the literature would allow us to consider a greater volume of cases with the limited resources available than if we were to have conducted field research, and would serve to help isolate characteristics of wartime rape that appear significant in determining its consequences and in identifying mechanisms to prevent its perpetration in the future.

### **Country case selection**

Due to the expressed interest of our donor, the German Federal Ministry for Economic Cooperation and Development, on this issue, the desk review only examined those cases of rape within the selected countries that were perpetrated by an armed group/ force against members of the civilian population

(see Section 3). The following ten country cases were examined:

- Cambodia,
- Colombia,
- Democratic Republic of the Congo (DRC),
- Liberia,
- Nepal,
- Papua New Guinea,
- Peru,
- Rwanda,
- Sierra Leone,
- Timor Leste.

These country cases were selected because:

- a. wartime rape has been reported in these countries and documented in the literature;
- b. they are either post-conflict countries as defined by more than 10 years since the end of war, or countries emerging from war (i.e. less than 10 years since the official end of war or with a war still ongoing); and
- c. they are distributed across continents, allowing us to test our Typology against different regional and cultural settings.

With regard to the countries emerging from war (i.e. Colombia, DRC, Liberia, Nepal, Sierra Leone), the long-term consequences (i.e. more than 10 years) of wartime rape are not yet evident, hence the data collected on these cases focuses primarily on the characteristics of wartime rape in these contexts, with only some reference to observable consequences since the end of the conflict. Peru is excluded from the list of countries emerging from war even though the civil conflict has not officially ended, because the conflict is generally recognized as having subsided since 2000. We therefore consider it to be a 'post-conflict' country.

The documents reviewed include journal articles, non-governmental organization (NGO) reports, Truth Commission reports and news articles with an express focus on wartime rape or wartime sexual violence. The same search terms were used as in the literature review in the first phase of our project, though with a country-specific focus. Literature was found and collected primarily in English, but also in Spanish. In cases where there were large quantities of literature, such as for the DRC, only the works referenced are included in the bibliography of this *brief*. The quality of the documents reviewed in this phase varied a great

deal for a particular country case, as well as across country cases. Hence, not all types in our Typology were refined based on the same level of detail and quality of the data, but rather based on what was available.

### Challenges

All of the challenges we faced in this phase of the project stem from our reliance on existing research. For example, much of the country-based literature we reviewed did not meet the needs of our Typology. A great deal of data we required for our Typology was neither collected nor documented in the literature. This includes data on the rapes themselves (i.e. the characteristics of rape), the perpetrators of rape, and the consequences of rape, particularly the socio-economic consequences. What is more, since very few authors distinguish between different types or patterns of rape, it was very difficult to identify linkages between a particular type and consequences of wartime rape, for the most part, with any degree of certainty.

In addition, assumptions on wartime rape abound in the literature. A clear example is the motivations for rape, where it is often assumed that the *result* of rape—for example, the breakdown of families, HIV/AIDS, or pregnancy—is the *reason* for its perpetration. Also, the perceptions of individuals raped as to why they were raped are often assumed to be the same as the motivations of the perpetrators, which may or may not be true. The problem is that the perpetrators of rape are rarely asked themselves, which leads to the propagation of unverified claims and different views of why wartime rape was committed in a particular context. This presents a challenge for refining our Typology solely on the basis of these studies. Many pieces of literature also focus on the individuals raped and not on the families, communities, or the perpetrators of rape. This provides a limited understanding of the dynamics, which not only surround the perpetration of wartime rape but also help influence or determine its outcomes.

Finally, many documents, particularly those produced by NGOs, are intended to serve the purpose of advocacy and/or awareness-raising. The focus, therefore, is not necessarily on understanding the rape itself, but rather on proving that rape occurred and that it was widespread and/or systematic. This is done through the documentation of many testimonies of individuals raped. The problem for research such

as ours is that these testimonies are rarely analyzed for patterns, trends or other information that would lead to a better understanding of how wartime rape was perpetrated in a particular context, as well as its outcomes. Hence, these documents often lacked information needed for our Typology.

Despite these challenges, the literature reviewed nevertheless provides sufficient data to test our Typology—albeit in a more limited fashion than we originally desired—as well as to suggest types that we had not previously identified in our initial two case studies. In the future, we would address these challenges by combining the review of literature with field research on the countries investigated, so that our own research questions can be directly asked and answered.

# 2

## Review of Scholarly Literature on Rape and War



There is a growing body of scholarly literature on the issue of wartime rape. Interestingly, most authors document the use of 'sexual violence', though their discussion mainly focuses on rape as the most prevalent form of sexual violence. Literature on wartime rape can be broadly organized into three main groups: authors who discuss the prevalence of wartime rape; writings that focus on explaining the purpose, conditions that give rise to and functions of wartime rape; and works that discuss the consequences of wartime rape. While the main thrust of a work generally falls within one of these three groups, many authors overlap between these themes in their discussions. In this section, we first present and take stock of the principal arguments in the literature on rape and war and show how these may complement our work; and second, identify the main gaps in existing literature, which our research aims to address.

### The prevalence of wartime rape

Several authors aim to demonstrate the prevalence of wartime rape by documenting cases or providing a historical overview of rape during war (Askin, 1997; Brownmiller, 1975; Niarchos, 1995; Wood, 2006; Mischkowski, 2005; Seifert, 1996). One of the first authors to document wartime rape was the journalist and feminist activist, Susan Brownmiller. In her landmark book focusing on the phenomenon of wartime rape, entitled "*Against our Will: Men, Women and Rape*", Brownmiller (1975) reviews the occurrence of rape in war, beginning with accounts from World War I and ending with Vietnam. Other authors go even further back, tracing the capture and abuse of women amongst ancient civilizations such as the Greeks, Romans and the Hebrews, and argue that wartime rape is as old as war itself (Koo, 2002; Niarchos, 1995; Mischkowski, 2005). Aside from Brownmiller's (1975) seminal work on wartime rape, most of this literature was written after the wars in BiH and Rwanda, where women in particular were targeted with this form of violence in a widespread, consistent, and organized fashion. The documentation of wartime rape in BiH and Rwanda brought to the fore an issue that had been, until then, largely omitted by historical accounts of war.

More recently, Bastick et al. (2007) published a global overview of sexual violence in war, which is essentially a compilation of reported accounts of rape and other forms of sexual violence in conflicts around the world from 1987 to 2007. Accounts and cases of

wartime rape are also documented in the literature on international law, which focuses on explaining and tracing how international law has dealt with rape since the Geneva Conventions (Askin, 1997; Aydelott, 1993; Chinkin, 1999; Farwell, 2004; Mutschler, 1997; Niarchos, 1995). With reference to cases such as BiH, Rwanda and Sierra Leone, these authors trace the progress made in having rape recognized as a war crime and a crime against humanity in international law. The fact that rape in these cases occurred in massive numbers was integral to the explicit identification of rape as a crime under international law. However, arguably, a continued focus on mass rape can obscure the importance of other types or incidences of wartime rape, as well as the significance of individual experiences and variations of these experiences (see also Kappeler et al., 1994).

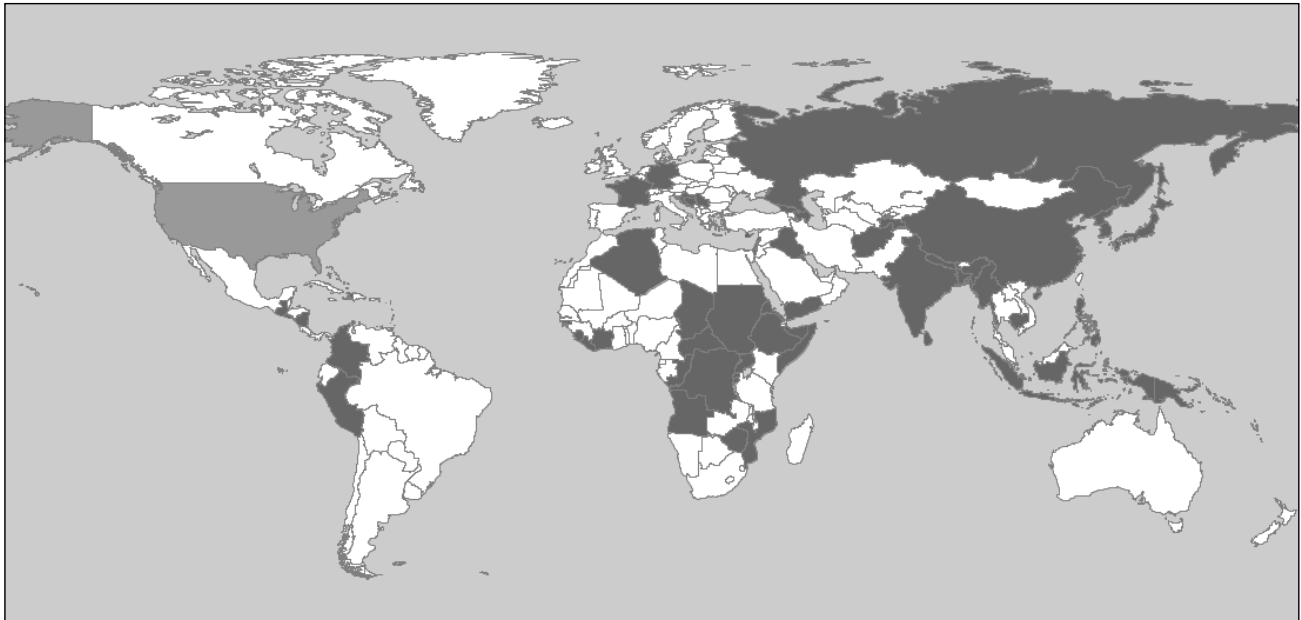
Based on these and other sources, BICC published a global map of wartime sexual violence and rape since World War II, showing its documented occurrence in 56 countries (see Map). These cases involve the rape of civilians and combatants by male combatants during wartime. The majority of these wars are internal (intra-state), involving the control of natural resources, territory, the maintenance of political power, or the secession of a nation from a particular territory. Among these wars, perhaps the most widespread and under-reported case of wartime rape occurred during the war of independence of Bangladesh in 1971, where a reported 200,000<sup>6</sup> women were raped by Pakistani soldiers (Niarchos, 1995; Seifert, 1996; Mischkowski, 2005). Aside from this number, little is known about the aftermath and consequences of these events, and little action has been taken to counter the injustices perpetrated against these women, their families, and the Bangladeshi society as a whole.

The remaining cases of wartime rape in BICC's world map occur in the context of inter-state wars or wars involving the occupation of another territory, such as the US invasion of Iraq, where reports have emerged of the rape of female soldiers by their male counterparts within the US military (Bastick, et al., 2007; Lilly, 2007). We avoid assigning any numbers of raped individuals to the cases reflected in the map because the real numbers will never be known. The lack of reporting due either to the lack of institutions to report to, or because raped individuals choose not to report, have no access to an agency to which they could report, or are prevented from reporting the crime,

<sup>6</sup> It is impossible to verify this statistic, but the number does suggest that the use of rape was widespread.



## Countries affected by wartime rape since World War II (1945–2009)



- countries
- citizens (soldiers/ combatants/ civilians) raped in armed conflicts on national territory
- citizens (soldiers) raped in armed conflicts on foreign soil

is one cause of unreliable statistical data. Another cause, which is perhaps counter intuitive, is the phenomenon of over-reporting, which is often done for matters of crime or intense suffering by individuals or agencies who believe that augmenting numbers is the best way to bring issues to international attention.<sup>7</sup> Unfortunately this tactic also hinders the attainment of accurate statistical data. In addition some argue that our ability to procure accurate statistics is further hindered because many individuals are killed after the experience (i.e. post-rape execution), die from the injuries inflicted upon them, die as a result of the conflict before the event can be reported, or decide to take their own life (cf. Griese, 2005). This map therefore reflects only those cases where reports of wartime rape were documented in reliable public sources, and demonstrates the prevalence of this form of violence in both inter- and intra-state wars alike.

<sup>7</sup> This phenomenon is well documented in many other humanitarian fields, such as anti-personnel landmines and HIV/AIDS, where the manipulation of statistics is used to ensure that the number of affected individuals appears very large. For a discussion of this phenomenon on HIV/AIDS, see Pisani, 2008.

## Explanations of wartime rape

A second group of authors focus on providing explanations of wartime rape (Farwell, 2004; Koo, 2002; Milillo, 2006; Niarchos, 1995; Snyder et al., 2006; Mischkowski, 2005). These authors seek to answer one or more of the following questions: What is the meaning of rape? What factors give rise to wartime rape? What function(s) does it serve? In exploring these questions, the authors generally accept and use Seifert's idea that "rape is not an aggressive expression of sexuality, but a sexual expression of aggression" (1994, p. 1) as a starting point for discussion. For example, medica mondiale—a German non-governmental organization working with traumatized women and girls in conflict and post-conflict situations around the world—uses the term "sexualized violence" to reflect this notion, which places emphasis on their belief that these acts are, first and foremost, acts of violence (Mischkowski, 2005, p. 16).

## The meaning of wartime rape

Early feminist writings conceptualize rape as a form of male violence perpetrated exclusively against women—a form of violence "from which there

could be no retaliation in kind—a rape for a rape ...” (Brownmiller, 1975, p. 16). This form of violence, they argue, is a symbol of, and originates from a socially and culturally entrenched hatred of all women (Brownmiller, 1975; Seifert, 1992; Stigmayer, 1994). In extreme situations such as war, these deeply entrenched feelings of hostility toward women surface more easily and manifest themselves in acts such as rape.

This argument has been largely refuted in academic scholarship, mainly because it is not empirically valid: for example, not all women are targeted with rape; not all men rape in times of peace or war; men also rape other men (Carpenter, 2006; Jones, 2006) and in some cases women lead, orchestrate or facilitate cases of “sexualized violence” towards men or towards other women<sup>8</sup>. Feminist scholarship has since developed a broader conceptualization of rape as a gendered phenomenon. In this conceptualization, forced penetration is an assertion of one’s power, strength and dominance over another—qualities that are typically associated with masculinity (Milillo, 2006). The individual who is forcefully penetrated is placed in a sexually submissive role, something that is associated with the role of the female (Skjelsbaek, 2001). Rape can therefore be understood as an assertion of one’s masculine qualities of power and dominance. Proponents of this argument use this conceptualization to explain the rape of men by male combatants in war, such as in the former Yugoslavia, as a means of ‘feminizing’ their enemies (Card, 1996; Jeffreys, 2007; Jones, 2006; Milillo, 2006; Mischkowski, 2005; Hague, 1997; Skjelsbaek, 2001; Zarkov as cited in Skjelsbaek, 2001). This explanation also admits that women can commit rape as a means of asserting their dominance over others. It also provides a framework in which to explain how or why some women facilitate the rape of other men or women, as noted earlier. To date, only anecdotal evidence exists of this phenomenon. Much more data is needed in order to better understand the dynamics at play.

<sup>8</sup> This was indeed the case at Abu Ghraib, where three of the seven US soldiers charged with abuse against male Iraqi prisoners were female. Incriminating photos surfaced in April 2004 showing, in particular, Specialists Lynndie England and Sabrina Harman posing with hooded, naked Iraqi men. These photos, and the consequent trial of the seven US soldiers, spurred a great deal of debate within feminist literature on the role of women in sexualized violence. In Bosnia and Herzegovina, there are also reports of Serbian women serving as guards in the so-called ‘rape camps’, hence facilitating the rape of mainly Bosnian women (authors’ interview, Nidzara Ahmetasevic; see also Vranic, 1996).

## Factors that contribute to wartime rape

Several authors argue that socio-cultural norms which define gender roles can contribute to the use of wartime rape (Farwell, 2004; Koo, 2002; Milillo, 2006; Snyder et al., 2006; Seifert, 1996). They argue that this is particularly true in patriarchal societies, where masculinity is equated with dominance, power and control. In such societies, there is a clear hierarchy: women are subordinate to men and often seen as their ‘property’, objects to be protected from ‘invasion’. Women’s bodies are the bearers of future generations—within them rest not only the ‘honor’ of men, but also the ‘honor’ of a nation and culture. Their purity and fertility is thus synonymous with that of the nation and culture. In many societies, women are also seen as the bond that holds families and communities together, and thus as the source of social and cultural cohesion (Seifert, 1996). In these societies, Seifert (ibid) asserts that the rape of women in war is particularly effective in destroying families, communities, and overall cultural cohesion.

Other authors have looked at the perpetrators of wartime rape—namely armed combatants—to explain which dynamics promote or discourage this type of behavior (Baaz and Stern, 2009; Cohen, 2010; Henry et al., 2004; Hague, 1997; Kelly, 2009; Littlewood, 1997; Lilly, 2007; Milillo, 2006; Morrow, 1993; Rejali, 1998; Stigmayer, 1994; Wood, 2006). For example, Lilly (2007) has focused extensively on explaining wartime rape perpetrated by the US military since WW II, and cites the enlistment of poorly screened men into the military as part of the problem (p. 74). Mischkowski (2005) argues that today’s wars, which are characterized by the presence of multiple warring entities with changing goals, allegiances and objectives, provides fertile ground for the indiscriminate perpetration of wartime rape without the fear of reprisal or consequence. Henry et al. (2004) suggest that we need to consider three different levels in order to understand which factors contribute to the perpetration of wartime rape:

- the individual level, which involves the psychology and background of individual soldiers;
- the socio-cultural context in which the perpetrators exist and the way in which sexuality, gender and rape is understood in that particular context; and
- the situational level, which refers to the dynamics and objectives of the war.

Wood (2006) also argues for a levels-of-analysis approach in considering the perpetrators of wartime rape, but limits this analysis to the armed group itself. She considers the individual, small unit and armed group levels as most important for examining the dynamics of group pressure, group bonding, accountability, authority and discipline, all of which, she argues, contribute to the promotion or deterrence of wartime rape. New scholarship by Cohen (2010) underlines the dynamics of group bonding and pressure within the Revolutionary United Front (RUF) during the Sierra Leonean war, which served to promote the rape of civilians by RUF combatants. What is more, poverty amongst combatants is found to be an influencing factor in promoting the rape of civilians by combatants in the Democratic Republic of the Congo (DRC) according to research conducted by Baaz and Stern (2009) and Kelly (2009).

### **The functions of wartime rape**

There is broad recognition in the literature that the purpose, function and hence motivation for wartime rape varies significantly from case to case, and even within cases. A number of authors have therefore focused on identifying and explaining these motivations (Benard, 1994; Brownmiller, 1975; Diken and Laustsen, 2005; Mischkowski, 2005; Seifert, 1994, 1996). Most prominent among them is Seifert (1994) who presents five hypotheses or 'types' of wartime rape, four of which relate directly to its purpose and function: first, rape is part of the "rules of war", which she bases on a recounting of cases throughout history where the reward for battlefield victory was often the 'rape and pillage' of enemy women and territory—in other words, 'rape as reward'. Second, rape is also committed as a form of male-to-male communication; in other words, of communicating to enemy men their inability to protect their women and hence fulfill their duty as men. Rape is also a form of communication between men of the same side—a way of solidifying their bond and loyalty to the group by making them culprits to, and witnesses of, the crime of rape (cf. Cohen, 2010; Diken and Laustsen, 2005; Milillo, 2006; Hague, 1997; Stiglmayer, 1994). Third, she hypothesizes that wartime rape is a way of destroying social cohesion, particularly in societies where women are the bind within, and between families and communities. Her fourth hypothesis is that rape is an expression of a deeply ingrained hatred of women, which manifests in extreme situations, an argument that, as mentioned above, has been largely refuted.

Since Seifert's work, the wars in BiH and Rwanda have led to the identification of another hypothesis on the function of wartime rape: rape as a strategy or weapon of war. In these two country cases, the function of rape is to fulfill a particular war strategy. This particular function of rape—which people have been subjected to long before the wars in BiH and Rwanda—has galvanized international attention due to the perpetration of rape as part of, rather than as consequence of the war. It was against this particular function of wartime rape that the United Nations Security Council adopted Resolution 1820 in June 2008, which demands a complete halt of all acts of sexual violence against civilians in armed conflict. While Resolution 1820 is a welcome achievement, it presents the risk that only those cases of wartime rape where rape can be defined as a 'tactic' or method of war will receive international attention and aid, obscuring many other forms of widespread rape in war, such as forced sexual partnerships. As Lindsey (2005) notes, it is not easy to determine when rape or sexual violence reaches the level of a 'method of war' or indeed when it is clearly conceptualized by its perpetrators as a 'method of war' (p. 113). In the absence of any evidence or record of an 'order' to rape, which is typically the case, it is not easy to confirm whether rape is used as a weapon of war, or whether it is simply condoned within an armed group. This presents another risk that any and all forms of rape in war may be labelled as a 'tactic' or weapon of war simply because they occurred during wartime or in order to attract attention, further obscuring other types of wartime rape such as those mentioned above. The term 'rape as a weapon of war' may also give the impression that it is inherently more destructive than other types of wartime rape, such as rape within an armed group. Whether any one type of rape is more destructive than others has not yet been investigated. By focussing only on cases where rape is or can be defined as a weapon of war, Resolution 1820 may unintentionally condone or make tolerable other forms of wartime rape and miss the opportunity to address the problem of wartime rape as a whole.

### **Consequences of wartime rape**

A third group of literature identifies and discusses the consequences of wartime rape. This literature comes mainly from the public health sector and focuses predominantly on the physical and psychological consequences of wartime rape on individuals (Aron et al., 1991; Bastick et al., 2007; Loncar et al., 2006; Milillo,

2006; Joachim, 2005a, 2005b; Folnegovic-Smalc, 1994; Filice and Vincent, 1994; Richters, 1998; Giller, 1998). Depending on the brutality of the rape, direct physical consequences can include chronic pain, infection, infertility, sexually-transmitted diseases or HIV, and gynecological fistula, which is a tear between a woman's vagina and her bladder or rectum (or both), resulting in her inability to control the flow of bodily excretions (Bastick et al., 2007, p. 15). Psychological consequences can include, among other things, severe anxiety, sleeping disorders, nightmares, loss of confidence, depression and suicidal impulses (Seifert, 1996).<sup>9</sup> Joachim (2005a) explains that individuals often experience multiple traumatic events in war in addition to rape, such as the loss of a family member, forced displacement, or the witnessing of atrocities. The trauma of these experiences manifest over time as the individual processes the sequence of events, though not necessarily in chronological order (Joachim, 2005a). Isolating the trauma of rape from that caused by other wartime events is therefore extremely challenging, but effort is increasingly made in theory and practice to do so.

Nevertheless, Joachim (*ibid*) cautions against a strict focus on 'symptoms' and 'disorders' in identifying the consequences of wartime rape, because she believes this focus obscures a more critical point: the meaning of the rape to an individual and its influence on their perception of self. A number of authors point to the importance of one's socio-cultural context in shaping their understanding of wartime rape, which then affects how they feel about themselves, their lives and their prospects for the future (Filice and Vincent, 1994; Joachim, 2005; Giller, 1998; Morrow, 1993; Richters, 1998; Skjelsbaek, 2001). For example, if a woman interprets her rape as confirmation of male dominance—essentially, the biologically-based limitation to female sexual self-determination—how does this affect her relationships with men and her participation in society? Joachim (2005a) further asks whether and how an individual who interprets their rape as an affront against their purity and value as a human being, is affected in terms of their ability to succeed in developing prospects for the future? Some

insight into these questions is offered by Loncar et al. (2006) who find in their survey of 68 Bosnian female refugees raped in the war that those with higher levels of education have a harder time functioning socially as a result of their rape than others. On the other hand, individuals who interpret their rape as an act of war against them or as a consequence of their revolutionary struggle, rather than a devaluation of their person, may be better able to accept and recover from the event. For example, Skjelsbaek (2006) examines the narratives of five different women raped in war in BiH and finds that those who defined themselves as ethnic rather than gendered victims of war were better able to construct a survivor identity in the post-conflict period, and hence move on from the experience. These and other findings in the literature suggest that we need to identify the socio-cultural interpretations and meaning of rape in a particular context in order to better understand an individual's, and indeed their family's and community's reactions to and capacity to recover from this experience in wartime. Doing so may also help bolster post-conflict peacebuilding processes, which aim to empower and protect women in particular, in line with the goals laid out in the United Nations Security Council Resolution 1325 (2000) on Women, Peace and Security.

While the meaning of rape is largely determined by one's socio-cultural context, reactions to it nevertheless vary, which suggests that there are other factors at play. Skjelsbaek (2001) posits that the nature of the conflict has something to do with it—in other words, the objectives of the war, which determine how and to what extent rape is perpetrated. Folnegovic-Smalc (1994) maintains that the sort of rape that is perpetrated—whether there are single or multiple attackers, whether it was accompanied by physical and/or oral abuse or threats, whether family members were forced to witness it, etc.—and the types of physical consequences that result from it (i.e. pregnancy, fistula, invisible physical effects) affects how an individual handles the experience. In her therapeutic work with 29 raped individuals in Zagreb, she finds that suicidal thoughts are more prevalent in women who have become pregnant from the rape, and that the number of attackers often determines the intensity of her trauma (*ibid.*). In addition, Loncar et al. (2006) find that Bosnian women who did not know their rapists before the event were often raped more violently and "were more likely to have suicidal thoughts and impulses after the rape" (p. 74). To explain the variance in these individual reactions, Filice and Vincent (1994) refer to the literature on sexual

<sup>9</sup> Post-traumatic stress disorder (PTSD) is often identified in the literature as another psychological consequence of wartime rape. However, there is a growing body of literature that questions the universality of PTSD. As the diagnosis and consequent treatment of PTSD is based on a Western conception of trauma, many authors argue that it is not applicable to or relevant in non-Western contexts. This critique is in response to a number of humanitarian projects that are often set up to treat PTSD in individuals in conflict-affected countries, but which largely fail because of their Western approach to and understanding of trauma. For a critique of PTSD as a universal approach, see Bracken and Petty, 1998.

torture, which suggests that the duration, intensity and extent of the sexual abuse affect the manifestation and severity of the trauma experienced. This would imply that we need to consider more systematically factors such as the length of exposure to rape, the number of rapists, the brutality of the rape, its purpose, its physical consequences, and whether or not rape was accompanied by other violence or abuse, among other things, in understanding individual reactions to this form of violence in war.

These factors, however, are too often overlooked in both the analysis of, and response to individuals raped in war. The experience of rape in war is often homogenized in the literature on prevention, protection and action against wartime rape (see for example UNICEF Gender-Based Violence Guidelines 2005). Referring to the discourse on BiH, Hromadzic (2007) critiques what she calls the “boxing” of women’s experience into the category “powerless raped Bosnian woman” (p. 169). This category is treated as the object of analysis, which Hromadzic (ibid.) argues is problematic because it prevents an understanding of the variance of individual experiences and reactions to wartime rape and how these reactions interact with an individual’s multiple identities—ethnic, religious, educational, personal, etc. Skjelsbaek (2006) further asserts that individuals ultimately have agency in defining their own experience of wartime rape and their perception of self as either victims or survivors, sometimes changing their view over time, of this experience. These and other authors agree that there is no universal reaction to this type of violence, and the way in which it affects one’s life is not pre-determined (Hromadzic, 2007; Jacobs et al., 2000; Skjelsbaek, 2006). Lusby (1994) also recognizes this diversity, arguing that the law is unable to serve as a remedy for rape because it has not come to terms with the complexity of motivations and diversity of reasons that rape is perpetrated in the first place. It can therefore be said that only with an understanding of the diversity of these experiences and reactions can the needs of individuals raped in war be better addressed. The central aim of our research is to do just that: to better understand the variation and diversity of wartime rape, whilst identifying some trends that may make the recovery from and prevention of wartime rape a more easily attainable goal.

## Gaps in the literature on wartime rape

Based on the literature reviewed, a number of gaps emerge, which our research aims to address. Listed below are those areas to which we aim to make a contribution.

**Limited consideration of patterns:** The majority of authors reviewed focus on explaining the functions and purpose of rape. Very few pay attention to the way in which rape is perpetrated to fulfill these functions. Fewer still attempt to compare the perpetration of rape within and across countries. Exceptions include Leiby’s (2009) comparative analysis of wartime sexual violence in Guatemala and Peru, Wood’s (2009) analysis of the absence of sexual violence in certain conflicts, as well as her comparative analysis of the variation of sexual violence during war (2006), and Green’s (2004) comparative analysis of political sexual violence. In addition, Farr (2009) performs a comparative analysis of ‘extreme war rape’<sup>10</sup> in 27 countries and introduces four patterns of wartime rape—field-centered/ opportunistic, field-centered/ woman-targeted, state-led/ ethnic-targeted, and state-led/ enemy-targeted—based on an examination of five characteristics of the rape, including rape prevalence, primary perpetrators, primary rape sites, primary victim target source, and primary perpetrators of forced child/ female conflict-related labor. She also considers a number of contextual characteristics of the conflicts in question and identifies a link between how wartime rape is perpetrated and the nature of the conflict itself. Butler et al. (2007) attempt to explain sexual violence perpetrated by government security forces by examining variables in 163 countries, which may help to predict the use of sexual violence by these forces, but only for the year 2003. While these authors make an important contribution to the literature, much more data is needed. Also, there is no consideration of patterns when it comes to discussing the consequences of wartime rape and whether/ how these consequences link to how the rape is perpetrated. Such an understanding could help protect vulnerable targets of wartime rape in emerging or ongoing conflict situations, and promote the recovery of individuals, families and communities in post-conflict contexts.

**Limited discussion of rape within armed groups during war:** The functions of wartime rape explained in the literature focus exclusively on rape perpetrated by

<sup>10</sup> Farr (2009) defines ‘extreme war rape’ as rape that aims to intentionally injure and psychologically torture individuals, and which occurs on a large scale.

armed groups against civilians. However, rape within armed groups during wartime is largely unexamined. The only group of literature, which discusses wartime rape within armed groups focuses exclusively on the Armed Forces of the United States (Benedict, 2008a, 2008b; Jeffreys, 2007; Morris, 1996). Our research suggests that rape also occurred within the guerrilla activities of the Farabundo Marti National Liberation Front (FMLN) in El Salvador, and it is highly likely that this form of violence occurs in other militaries or armed groups where both men and women are serving. Little is known about wartime rape within armed groups: the conditions that give rise to it; the motivations for perpetrating rape against one's fellow fighters; and the consequences of this type of violence at the individual, group and organizational levels. As mentioned earlier, the UN Security Council Resolution 1820 has brought attention to the use of sexual violence in war as a critical security issue; however, its focus on rape as a weapon of war against civilians may in fact further obscure other functions of rape, particularly this form of rape within armed groups during war. While this *brief* only examines the different types of wartime rape perpetrated by armed groups against civilians, wartime rape within and between armed groups are separate categories of rape that make up our Typology (see Section 6).

**Focus on the wartime rape of women:** The literature focuses mainly on rape perpetrated by armed groups against civilian women in situations of war. However, men are also raped in wartime. Several authors cite examples from the wars in BiH and Croatia in the early 1990s, where civilian or military men were raped, or forced to rape other prisoners as a form of torture during their detention (Jones, 2006; Oosterhoff et al., 2004; Sivakumaran, 2007). Men were also raped, or forced to rape others in the civil war in Sierra Leone (Carpenter, 2006). Even if they are not the direct targets of wartime rape, men often witness, or are forced to witness the rape of their female relatives or family members, which has in part led some authors to understand one of the motivations for rape as a form of male-to-male communication. However, with the exception of this, hardly any data exists or is collected on the incidence of the rape of males and/or the male witness of rape and its consequences. As Carpenter (*ibid.*) suggests, we need to ensure that gender-based violence does not become synonymous with violence against women, which can be prevented by consistently and systematically applying gender mainstreaming instruments. Only then can the manner in which both men and women

experience gender-based violence in war—whether as the targets and/or witnesses of this crime—be better identified and understood. Notwithstanding the fact that the literature reviewed for our research focuses mainly on cases of wartime sexual violence against women, and the fact that women are more frequently targeted, we use the term 'individuals raped in wartime' in our research to avoid limiting our discussion to the rape of women only.

**Lack of longitudinal research on wartime rape:** The literature reviewed focuses mainly on describing the physical and psychological consequences of wartime rape. However, very few authors make clear whether these consequences occur immediately after the experience or several years later; or whether they endure forever. In other words, there is no attempt to delineate short-, mid- and long-term consequences of wartime rape on individuals. Nor is there any research/ discussion on whether these consequences manifest differently, if at all, in conflict versus post-conflict periods. In some articles, consequences are discussed while the conflict is ongoing, while in others, the conflict has ended. To date, we are not aware of any longitudinal studies, which would allow some understanding of how and which consequences manifest over time, and how individuals deal with them.

The lack of longitudinal research has also limited our understanding of other consequences of wartime rape. As noted earlier, the literature reviewed focuses mainly on the physical and psychological consequences, which may be more visible immediately following and within a few years of the event. However, we do not know whether or not this affects how individuals organize and live their lives, and in what way. In addition, reports from a number of post-conflict zones indicate that some women raped in war are rejected by their families, which Olonisakin (2005, p. 246) suggests exacerbates the feminization of poverty. There is very little research or data on this phenomenon—for example, how a woman's rejection as a result of rape affects her life, her family and family structure, and her dependents. Along the same lines, we do not know how widespread the rejection phenomenon is or who instigates it. The lack of longitudinal research presents a major gap in our understanding, which is critical for the design of more appropriate responses and the delivery of aid to populations affected by wartime rape.

**Narrow definition of wartime rape:** In the literature reviewed, wartime rape is generally defined as the forced penetration of an individual's body by the perpetrator's sexual organ, or the penetration of an individual's sexual organs with the perpetrator's body parts or with an object.<sup>11</sup> There are two key elements of this definition: the physical nature of the attack, resulting in penetration, and that the attack takes place under coercion or the threat of coercion, and thus cannot be consensual. While these two elements are critical to the definition of rape, they are but one component of *wartime* rape. For example, the many different dynamics of war determine who rapes who, for what purpose, in what way, where and when, all of which load the rape with meaning and change the way it is perpetrated from context to context, and possibly its outcomes as well. Understanding wartime rape as only a forced, non-consensual physical act that occurs during wartime misses these distinctions and leads to the conclusion that all rape is the same. Such a limited understanding appears to have precluded a consideration of how the dynamics of war, which surround the perpetration of rape, influence the experience and consequences of rape, as well as the most effective means of responding to these consequences. This remains a gap in the literature that our research aims to address.

**Implications of wartime rape on families and communities:** Finally, there is a lack of research on the consequences that wartime rape has on the family and the community. This is largely because focus has remained on the direct, or individual, targets of rape. However, the family and the wider community are also targets of rape, not only as witnesses, but also when the acts themselves are employed to terrorize, or bring shame to the whole population. Whether accidental or intentional, Aron et al. (1991) suggest that the witnessing of rape can be equally as traumatic as rape itself. Indirect targets also experience shame and remain silent about wartime rape, which influences not only how the raped individual interprets their experience, but has wider implications on the family structure, community trust, gender relations within society and ultimately, development. These implications need to be better understood in order to promote the well-being of individuals and communities who have experienced wartime rape, and to help prevent its destructive legacy.

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<sup>11</sup> This understanding of rape in the literature is commonly based on the definition of rape in the 1998 Rome Statute of the International Criminal Court (ICC), Elements of Crimes, Article 7 Crimes Against Humanity, 7 (1) (g)-1. Crime against humanity of rape.

# 3

## Developing a Typology of Wartime Rape





In this section, we present our rationale for developing a typology of wartime rape, as well as introduce the different themes upon which our Typology is based, and the potential role and usefulness of this Typology.

## What is wartime rape?

For the purposes of this study we first define rape as an act that:

- involves the penetration of the mouth, vagina or anus by any object or bodily part;
- is forced or non-consensual.

Second, we understand *wartime* rape as involving the following two components:

- the physical act of rape (i.e. forced penetration) as defined above, which is perpetrated by an armed group during wartime; and
- a myriad of war dynamics that surround and influence the perpetration of rape, which can be organized into a number of different 'themes' introduced in this section.

These two components interact and together determine the consequences of the rape. Whilst arguably the physical act of rape (i.e. forced penetration) can be the same for many individuals raped, the dynamics of war, which are captured in the themes we introduce in this section, serve to give meaning to the act of rape and in so doing, change the experience. As mentioned in Section 2, we understand wartime rape to be more than the physical act of forced penetration and hence we cannot regard all rape experiences in war as the same, nor is it possible for the sorts of consequences that result from it to be the same as well.

## Why develop a typology of wartime rape?

The idea of developing a typology of wartime rape originated from our preliminary research on the subject, which showed that there is no universal experience of, causal factors for or consequences of wartime rape. Rather, there is a great deal of variation in how and why wartime rape is perpetrated, and its outcomes. Amidst this variation, however, we still found that there are observable patterns or trends across different country cases, which require more systematic analysis. These findings led us to initiate

the development of a typology of wartime rape, which is based on the diversity of the crime (i.e. different types), while also taking into account visible patterns in the way this crime is perpetrated around the world (i.e. key characteristics). Understanding types allows us to understand the variation of wartime rape, its consequences and whether or how these consequences vary according to the type. This, in turn, provides the capacity to respond to the post-war challenges that are often brought on by this type of violence, as well as for finding ways in which to prevent, wherever possible, this crime from happening in the first place.<sup>12</sup> The literature reviewed puts forth the following arguments:

- There are many different functions of and motivations for perpetrating rape in war;
- There is a great deal of variation in the way in which rape is perpetrated in war, which may result from the nature of the armed group, the dynamics within the armed group, the individual perpetrator, and/or the nature of the conflict, among other things.
- There is a great deal of variation in the way that individuals raped in war react to and deal with their experience. Apart from idiosyncratic and socio-cultural factors, it is argued that factors related to the manner in which rape is perpetrated may be responsible for this variation.

Considered together, these arguments suggest that there are potential linkages between why wartime rape is perpetrated, in what way, and how affected populations react to it. Without an understanding of these possible linkages and how they influence the rape itself, all rape in war, along with other forms of sexual violence, is likely to be dealt with on the ground as one and the same. A good example of this is the UNICEF Guidelines for Gender-based Violence Interventions in Humanitarian Settings (2005), which advises the following course of action in responding to the consequences of gender-based violence in complex humanitarian settings:

The exact nature and severity of physical and emotional trauma vary greatly among survivors/ victims; not all available response services will be wanted or needed by all survivors/ victims. Response to GBV must,

<sup>12</sup> The focus of our research has been on delineating the experience of wartime rape and the consequences of this form of violence. However, research on the causal factors of wartime rape is also lacking.

however, include a set of available services to reduce the harmful consequences and prevent future injury and harm to the survivor/ victims (p. 4).

Clearly, the Guidelines recognize that individual experiences vary, as well as their needs. However, the approach they advise dismisses the relevance of this variation. Instead, they advocate for a generic set of services, essentially placing the onus on individuals to pick and choose what services they want and/or need. Not only is this a potential waste of resources, but more importantly, none of the services offered may in fact be relevant or helpful at all. They may be used because they are available, but not necessarily because they are effective. Emphasis in this approach is also placed on the individual, when in fact it should include families and communities as well, since rape is not only a crime against an individual, but often also a crime against a group. Contrary to what the Guidelines suggest, the 'harmful consequences' of GBV, including wartime rape, cannot be properly addressed if they are not first identified. Lindsey (2005) offers a similar critique of programs implemented to promote the recovery of individuals raped in wartime, few of which "embrace a thorough knowledge of the particular context, the specific population, and even fewer are evaluated as to their efficacy" (p. 117). The issue of evaluation is an important one—even with a more nuanced understanding of the consequences of wartime rape and the design of more targeted programs, evaluations are important to help determine whether these programs are in fact responding to the needs of individuals or not. Ultimately, both targeted programs and evaluation of these programs can ensure that resources are efficiently used. Our Typology was created to serve as a first step toward the design of more targeted programs and services for individuals raped in war, their families and communities.

In addition to better understanding how to respond to wartime rape, a typology of wartime rape can also serve to counter what one might call a potential '1820 effect'<sup>13</sup> whereby the only form of rape recognized and/or responded to in wartime is that which is believed to be used as a tactic of war and which affects large numbers of a population. Already, international attention has focused on cases where rape is widespread and systematic. Attention to these cases is definitely warranted and critical; however, it should not come at the expense of attention to

<sup>13</sup> Based on UN Security Council Resolution 1820 (2008).

other types of wartime rape, all of which requires a more in-depth and nuanced understanding of the phenomenon.

It is important to note that by developing a typology of wartime rape, our intention is not to minimize the complexity of this phenomenon, but rather to try to organize its complexity into more digestible bits of information. For example, our Typology allows us to better understand the events by considering many different themes, and factors within these themes, surrounding wartime rape all at once, and to examine the interplay and linkages between these themes and factors—in other words, to move away from a one-dimensional perspective. It also brings to the fore new questions, missing data and knowledge gaps, which promote further investigation of this type of violence in war. The ultimate goal of such a typology is to engender a greater understanding of the phenomenon of wartime rape, and thus to promote more informed responses on the ground.

### The basis for designing a typology

The design of our Typology is founded on the definition of rape introduced above and driven by the need to identify the socio-economic consequences of wartime rape at the individual, family, and community levels. We focus predominantly on the socio-economic consequences of wartime rape because these have been seldom examined/ relatively neglected in the research and literature on the phenomenon to date. These consequences are often highly intertwined with the physical and psychological consequences of wartime rape—for example, pregnancy and/or HIV may be a physical consequence, which is connected to many psychological, social and economic effects. Our attention in this *brief* on the latter should not be interpreted as a denial of this intertwinement, but rather as an attempt to draw attention to lesser known consequences of this form of violence. We are also not proposing that the responses to wartime rape should be based solely on or aim to address only the socio-economic consequences at the exclusion of the physical and psychological needs of the individuals raped, their families and communities. Clearly, all consequences of wartime rape must be identified and addressed in order to promote recovery from this form of crime, but this is beyond the scope of our research at this time. It would indeed be very useful in the future to examine whether different physical and psychological consequences of wartime rape can be

linked to the different types of wartime rape identified in our Typology, similar to what we have done with the socio-economic consequences presented in this *brief*.

The types of rape, which we have identified are by no means exhaustive; rather, they are mainly a product of the two initial cases (i.e. Bosnia and Herzegovina, and El Salvador) we focused on through desk and field research in the first phase of our research, and which we refined in the second phase of our project through a literature review of ten additional country cases of wartime rape (Democratic Republic of the Congo, Liberia, Rwanda, Sierra Leone, Cambodia, Nepal, Colombia, Peru, Papua New Guinea/Bougainville, Timor Leste).

Based on our definition of rape and rationale for designing a typology, we identified and organized the myriad of war dynamics that we believe surround and influence the perpetration of wartime rape into general themes that would be necessary to explore in the design of our Typology. They include:

- type of conflict;
- characteristics of the armed group;
- motivations for the rape;
- characteristics of the rapist;
- characteristics of the raped person;
- characteristics of the rape.

**Type of conflict:** In the cases of BiH and El Salvador, the conflicts were of an internal nature and hence all the types identified here correspond to internal conflict dynamics.<sup>14</sup> But wartime rape has taken, and continues to take place in international conflicts. To what extent the type of conflict determines the consequences of the rape is hard to know without further analysis. It can be presumed that the consequences of rape within the ranks of an armed group or army will not be influenced by the type of conflict. However, the consequences of armed groups raping civilians from their own country as opposed to raping civilians from foreign countries may differ.

**Characteristics of armed groups who perpetrate rape:** This theme aims to identify which characteristics of an armed group make any one type of rape more likely/

unlikely. Factors within this theme that we examine include, among other things, the structure of the armed group (i.e. is there a clear hierarchy, reporting structure and a functioning chain of command?); group dynamics (i.e. are the soldiers disciplined?); substance abuse amongst the ranks (i.e. alcohol and drug usage); and rape dynamics within the armed group (i.e. are there rules or laws on rape within the armed group and if so, are these enforced?).

**Motivations for perpetrating rape in war:** What are the reasons for perpetrating wartime rape both at the individual and group levels? The most important factors here include whether individuals perpetrate rape as a result of peer pressure, as an act of group solidarity, for their own individual reasons—among other things, sexual desire or a desire for power/domination over another individual—or because they were ordered to do so. At the armed group level, the reasons for perpetrating rape and the objectives of the war to which rape contributes are also considered.

**Characteristics of the rapist:** This theme considers information regarding the individual who perpetrates the rape itself. For example, what background factors make an individual more likely to perpetrate rape in war? This does not refer to psychological factors, but rather to the circumstances and reasons for which an individual joined a particular armed group; the level of education of this individual; their religious and/or political beliefs; their marital status; and whether or not substance abuse is a factor involved in the perpetration of rape. The theme of perpetrators is included within our overall research design; however, it is excluded from the our Typology at this stage of the research due to the lack of data or access to data. Still, we mention it here to highlight its importance and the need to better understand these individuals, which ultimately may provide indications as to how to end and prevent the perpetration of wartime rape.

**Characteristics of raped individuals:** This particular theme examines an individual's background information such as their sex, age, ethnicity, religious affiliation, profession/ livelihood, educational background, as well as their experience of rape (i.e. by whom, where, how often, in what way, and whether or not they were witnesses to other rapes, etc.); and the physical outcomes of the rape (i.e. physical injuries, pregnancy in the case of female targets). These variables aim to capture the experience of both male and female targets of rape, and may reveal factors

<sup>14</sup> It has been debated whether the conflict in BiH was an international or internal conflict. We consider an international conflict to be one where two or more state armed forces representing national interests are at war with each other. This is not the case in the Bosnian war, and thus we have included it here as an internal conflict.

associated with an individual's ability to cope with and recover from this experience in the long term.

**Characteristics of the rape:** These variables refer to the manner in which rape was perpetrated in the war and its level of brutality. Variables include, among other things, the location of the rapes (i.e. public spaces, private homes, designated areas, etc.); when rape is most frequent (i.e. before, during, after a military operation); the use of weapons or objects to commit rape; the number of attackers at a time; how widely rape is perpetrated; and whether or not rape is accompanied by other forms of violence. Understanding how it happened and the events that led to it, we believe, is critical to understanding its effects.

### The interplay between themes

Over the course of developing and refining our Typology, it has become clear that no single theme described above is consistently predominant in determining the consequences of wartime rape. Rather, in certain types of rape one theme or factor within a theme emerges as decisive in influencing the consequences, while in another type of rape, a different theme, or factor within a theme, has a more decisive role. For example, in some cases the motivation for perpetrating wartime rape affects how the rape is perpetrated, against whom, and how individuals and communities interpret their experience, while in other cases the key influencing factor may be who perpetrates the rape and their affiliation to the raped person. Our Typology therefore refrains from placing a focus on and being defined by a particular theme, such as the motivations for rape or the type of conflicts in which rape occurs.

In designing our Typology, we have also strived to refrain from understanding or explaining the rape event from the perspective of the individual raped—a so-called 'victim-based' perspective. Hence, we define 'method of war' from the perspective of the conflict aims (i.e. does rape contribute to fulfilling the goals of the conflict?) and not from the perspective of the population affected by the rape (i.e. rape was so widespread and brutal that it was like a weapon of war). We understand an event or action to be a method of war only when it serves a military objective in line with the objectives of the conflict. Therefore, the act of rape in conflict is not automatically a weapon of war. This distinction is important because it allows

us to differentiate cases where rape is not ordered or encouraged by military personnel in charge of conflict strategy, from cases where it is, even though rape may be widespread and/or systematically committed in both.

By not taking a victim-based perspective, we aimed to allow different themes or factors within these themes to emerge as predominant in determining the consequences of wartime rape. All too often, interventions to both prevent wartime rape and respond to its consequences focus solely on the individual raped or in danger of being raped, and completely exclude the possible roles played by the family, the community, the perpetrator and the perpetrator's organization/ armed group. This, we believe, results from a narrow definition of wartime rape, and thus a limited view of the complexities involved, which allow for wartime rape to be committed in the first place, and which influence its outcomes. Limiting the way in which we look at this form of violence in war automatically reduces the number of ways in which wartime rape can be overcome or halted. The solution to wartime rape does not lie with the raped individuals alone.

### The role and usefulness of this Typology

While we believe our Typology can, at this time, offer valuable insights for those formulating interventions on wartime rape, it is important to highlight that the Typology itself is a work in progress. While much has been achieved by studying BiH and El Salvador, and later by carefully reviewing the literature of ten additional country cases, we would need to conduct more field case reviews in order to finish the development of the Typology itself.

In addition, our Typology is disassociated from any particular social context in an attempt to identify factors that may be found across many different contexts. We consider social context to include, among other things, legal and cultural norms, practices, attitudes and beliefs regarding rape, sexuality, masculinity, and gender roles, which may lead to country-specific consequences of wartime rape. Our exclusion of contextual factors from the Typology means that when our Typology is used to try to understand wartime rape and its consequences in any given case, contextual factors must be introduced into the equation on a case-by-case basis.

We recognize, of course, that many consequences are clearly linked to the social context where the rape took place.<sup>15</sup> Therefore, it is important to highlight that here we are only able to account for the Type (T) and for some possible Outcomes<sup>16</sup> (OS), and not for the role played by Context (C), which would also affect the Outcomes (OS).

We can visualize this problem using the following formula:

$$C + T = OS$$

The value of identifying T and possible OS is important because we can begin to narrow down the possible OS. This means that intervention efforts can start by identifying T, examine some key issues regarding C and, based on this, identify which of a limited number of OS are most probable. What this *brief* does not delve into is how to mitigate the Outcomes (OS). In other words, even if we know what the OS are, the best ways to respond to them have not been investigated within the scope of our research. We nevertheless highlight the implications of the OS for each type of wartime rape and elements that should be considered in order to design effective responses or interventions. A key consideration here as well is the social context in which these responses are to be implemented. Factors mentioned above such as the local understanding or interpretations of what constitutes rape within a society; the implications of rape for both the raped person and for the perpetrator; the legal repercussions of rape; and the way gender roles are understood and attributed in the society, *inter alia*, not only influence the outcome of rape, but also determine the nature of the responses that are needed.

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<sup>15</sup> We also recognize that many consequences are linked to idiosyncratic factors of the raped individual themselves, such as personality, upbringing, mental health, personal levels of resilience, etc. These factors are outside the scope of our research, though we recognize that they present an additional layer of influence in determining the outcomes of the rape event, as well as the sorts of post-conflict responses that may be needed.

<sup>16</sup> In this *brief* we use the term 'outcomes' and 'consequences' interchangeably to mean the results or effects of wartime rape, which are endured by the individuals raped, their families and communities. These can be direct, indirect, immediate or long-term.

# 4

## The Founding Cases of the Typology



In this section, we provide a thematic review of the two country cases of wartime rape from which our Typology was developed. The following data led to the creation of eight different types of wartime rape perpetrated by armed groups within their own groups, against civilians, and against other armed groups, some of which are presented as part of the Typology in Section 6.

## The case of Bosnia and Herzegovina

**Type of conflict:** The conflict in Bosnia was an internal conflict between entities with different national and political identities. In the literature, ethnic division is credited with playing a key role in the conflict and by extension also in the use of wartime rape, though the main divisions between the parties were based on religion and national affiliation to different political bodies. Arguably in this case, unlike others, at least some types of rape seem to have had a clear strategic conflict aim. It is important to note that while Serbians were also raped, the focus here is on the rape of Bosnians.

**The characteristics of armed groups that perpetrate rape:** Members from Serbian armed groups—those comprised of Bosnian Serbs and the Serbian Armed Forces—were well organized entities and were responsible for raping Bosnians. These groups had a clear command structure and a clear war strategy. While there are no documents confirming that rape was committed by order, the characteristics of some of the types of rape witnessed in BiH indicate that the events were masterminded at high levels of command within the different armed groups.

Like in many cases, little is known about the perpetrators. Most of the information on perpetrators has been gained during their trials at the International Criminal Tribunal for the former Yugoslavia (ICTY). Some of the perpetrators were reportedly recruited into the ranks of the armed groups from hospital psychiatric wards (authors' interview, Nidzara Ahmetasevic). In addition, some combatants have stated that they experienced a kind of "war fever", understood as heightened exhilaration, adrenaline and feelings of power that can be felt by combatants when involved in unspeakable events of sadism, cruelty, etc. (ibid.). More research and data is needed on the perpetrators of these crimes in order to better understand how their backgrounds, histories, etc., influenced their involvement in wartime rape.

**Motivations for perpetrating rape in war:** The BiH case gained considerable public attention in the 1990s. This attention was linked to the alleged motivations for the rapes and the number of individuals who were raped. While no military documentation from the time can attest with certainty that rape was ordered by the military High Command, today there is a strong consensus within the literature on wartime rape in BiH that rape was used as a tool to so-called "ethnically cleanse"<sup>17</sup> the area. In order to achieve this, individuals were raped:

- in their homes as a scare tactic of subjugation that would lead to flight;
- at concentration camps where both men and women were held; and
- at centralized locations established to conduct rape, often called rape camps.

At the latter locations, women were raped often and repetitively. Some have argued that this was a further way to ensure general subjugation and promote flight upon release from the camps, while others maintain that one of the main purposes of such repeated rapes was to forcibly impregnate Bosnian women (United Nations Security Council, 1994). It is unknown if the motivations for the rapes remained constant throughout the war or changed at different stages of the conflict (authors' interview, Nidzara Ahmetasevic; authors' interview, Teufika Ibrahimovic). We do know that the number of rapes declined towards the end of the conflict, but the reasons for this are unclear. Notably, some presume that the general condemnation of mass rape at the international level was a principal factor in this shift. The goal of "ethnic cleansing" seems evident today when we examine the characteristics of the conflict (Folnegovic-Smalc, 2005). It was manifested with the execution and extermination of the Bosnian Muslim men. Among women it was manifested by promoting their emigration through the terror of rape and by impregnation through rape, which was supposed to dilute the Bosnian blood line and potentially increase the number of ethnic Serbs.

**The characteristics of the rapists:** No data was collected at this stage on the perpetrators of wartime rape in BiH due to a lack of access. While we do not

<sup>17</sup> While the term 'ethnic cleansing' is widely used in the literature on the Bosnian war and wartime rape more specifically, we recognize that its use is problematic, not least because it inadvertently propagates the perpetrators' rationale for committing violence and expulsion as a form of 'cleansing' or purification. For a more detailed discussion of this, refer to Shaw (2007).

believe the lack of data at this stage will significantly affect the usefulness of the types presented in this *brief*, further research will aim to collect and compile data on individual perpetrators. As noted in the previous section, we include this theme here to highlight its importance and relevance.

**The characteristics of raped individuals:** Raped individuals in BiH were mostly Muslim Bosnians, and the majority appears to have been female. We did not detect any other overarching common characteristic. The age of the victims varied quite considerably, as accounts exist indicating that women as young as 11 and as old as 55 were raped. The majority of raped women, however, seem to have been of childbearing age (authors' interview, Nidzara Ahmetasevic; authors' interview, Teufika Ibrahimfendic).

It is noteworthy that men were also raped, but little is known about these cases. Therefore it is impossible to know if there were any patterns or trends amongst raped men, which would allow us to better understand the phenomenon.

**The characteristics of the rape:** The characteristics of rapes varied. In some cases individuals were raped in their homes, sometimes alone and sometimes with witnesses, the latter seemed to be aimed at further terrorizing populations by forcing family members to witness and, in some cases, partake in the rape. In other cases, women were placed in a central location where they were raped or from where they were taken to a place destined for the rape. In other cases, women held in concentration camps were also raped. In other cases still, women were taken from a central location, some kind of camp, to the front lines to be raped there. In all mentioned scenarios, rape was perpetrated by a single attacker or in groups. In some cases, women or girls in central locations were identified by men in authority as women for their 'use' only, hereby reducing the number of individuals who were allowed to rape her. In a limited number of cases, the rapists removed an individual in custody and placed her in private housing of his choosing to serve as his sexual slave. It appears that young girls were most often the targets of the latter type of rape (authors' interview, Nidzara Ahmetasevic; authors' interview, Teufika Ibrahimfendic). In some cases, women were kept with their children and although the children may not have been raped themselves, they were either witnesses to their mother's rape, or were aware that something terrible was happening.

## The case of El Salvador

**Type of conflict:** The conflict in El Salvador was an internal conflict with clear class and wealth divisions between the parties, but no ethnic<sup>18</sup> or religious divides. The conflict was led by the peasant majority, which demanded a change in the distribution of goods and services against an oligarchic class minority, which controlled the armed forces. On the side of the guerrilla, there was a strong rhetoric of equality amongst men and women, young and old, which was essential for the war effort. Indeed, whole families joined the movement as "equals". To what extent this rhetoric actually materialized is, however, a different matter.

**The characteristics of armed groups that perpetrate rape:** The Salvadoran armed forces were an organized armed force composed of a military leadership under the command of the oligarchy with a very subservient body of recruits who, despite their peasant roots, followed the orders they were given. It is important to note that there is evidence to suggest that the punishment for mutinous attitudes was extremely severe. The Salvadoran army had a clear command structure and a clear war strategy. While there are no documents, which state that rape was committed by order, the characteristics of some of the types of rape witnessed in El Salvador, at the hands of the armed forces or police structures, indicate that the events were masterminded at high levels of command within the perpetrating group.

Like in many cases, little is known about the perpetrators on the government side. Unlike BiH, no one in El Salvador has been tried for war crimes of any kind, including rape; therefore in this case information on perpetrators is non-existent. It is important to highlight that a few cases, which included rape, have captured international attention, but even here little is known of the individual perpetrator. It seems that the perpetrators mainly raped women under order and threat of punishment. When rape was used as a way to torture individuals in order to attain further information from the person raped or from a witness, there is no evidence to suggest that it was ordered by high commands, but rather that it was used at the discretion of the torturer.

<sup>18</sup> Although individuals with stronger ethnic ties to the indigenous population have historically been part of the lower income classes, and numerous massacres and attacks against the civilian population over the years prior to the conflict tended to target indigenous people leading local populations to abandon traditional dress codes, for example, the conflict was not defined as an ethnic, but rather a class struggle.



While the majority of rapes seem to have been perpetrated by the armed forces or military police, FMLN combatants were also responsible for some instances of rape, also within their ranks. The FMLN was also a well organized and structured armed group that established a clear code of conduct prohibiting the rape of civilians, with the death penalty as punishment. This severe punishment is largely credited with the low number of reported incidences. However, the punishment for rape within the FMLN is less clear: a perpetrator could be sentenced to death for raping a fellow comrade, which seems to have led some raped comrades to under-report the incident, presumably for fear of sentencing one of their 'own' to death, though this remains unknown. On the other hand, however, reported cases did not all end with the death of the perpetrator, but rather sanctions such as forced labor and/or the removal of one's weapon. In some cases still, the raped female comrade was punished along with her perpetrator(s) (authors' interview, Morena Herrera). This shows that the FMLN policy on rape within the armed group was neither standard nor clear, but rather left to the discretion of the local commanders.

**Motivations for perpetrating rape in war:** In El Salvador, the motivations for committing rape varied. As previously mentioned, in all cases where the perpetrators were FMLN combatants, the motivations appear purely opportunistic.<sup>19</sup> In other words, none of the types of rape perpetrated by FMLN had a military or war-related objective. In some cases, the rapes of colleagues was more the result of individual sexual desire, the argument being that "men have sexual needs" that must be fulfilled, and the difficult conditions of the conflict only served to exacerbate these (authors' interview, Gladys Noemy Anaya Rubio; authors' interview, Aracely Linares). Rape, while not excused, was somehow understood or tolerated. Moreover, in cases where it is unclear whether a woman was raped, but it is clear that some kind of pressure was exerted on her in order to "consent" to sexual intercourse, this pressure was often collective. The fulfillment of a woman's sexual self-determination was of little or no importance. Notably, these kinds of rape were not accompanied by additional physical violence.

<sup>19</sup> By opportunistic we mean the proximity or ease of access to individuals to rape in a context or situation where there is little threat of being caught or punished.

On the part of the armed forces, the motivations of rape varied, in cases of scorched earth operations ("*tierra arrasada*"), the goal of raping was the brutalization of the population to induce either emigration or subjugation to the oligarchic government. Ironically, rape was one of the factors which led whole families to join the FMLN movement (authors' interview, Iris and Maira). It is impossible to know if the same would have happened if the armed forces had not used rape, but it is conceivable that fewer women would have joined the movement actively and rather remained behind in villages and rural areas. The other use for rape in El Salvador by the armed forces was rape as a tool of torture where the rape seems to have had as its main objective the acquisition of information from the detainee regarding the FMLN's plans, members, etc.

**The characteristics of the rapists:** No data was collected at this stage on the perpetrators of wartime rape in El Salvador due to the difficulty in identifying and gaining access to said individuals. While we do not believe the lack of data at this stage will significantly affect the usefulness of the types presented in this *brief*, further research will aim to collect and compile data on individual perpetrators. As noted in the previous section, we include this theme here to highlight its importance and relevance.

**The characteristics of raped individuals:** Individuals raped by the FMLN seem to have always been females and generally of a young age (late teens and young adults). There is little information of women who were raped when the FMLN incursioned into villages, but this is also a result of the low level of incidence of this kind of rape. There is no incidence of rape, or alleged rape, amongst older women who were members of the FMLN. Indeed, it appears that age was a protecting factor for older women, as only young girls and young women seem to have been targeted during these incursions.

As regards rape by the armed forces or police, the raped individuals were females and often young. Again, late teens and young adults were the females under most threat. In the case of rape as a torture tool, most female detainees, if not all, were raped; in some, perhaps all cases men were also raped while in detention. The principal characteristic here appears to be that the individual was suspected of being a member or a collaborator of the FMLN (authors' interview, Cayatana del Transito Lopez Ascancio; authors' interview, Nidia Diaz).

**The characteristics of the rape:** The characteristics of rapes varied. Rape which was perpetrated by the FMLN members was opportunistic, and as such aimed at having no witnesses and did not include the use of objects, or the mutilation of the raped person. Rape by the armed forces, on the other hand, was generally more brutal. There was no objective to use witnesses, but these were not discouraged either. In some cases, more than one woman was raped simultaneously or in close proximity to one another. They were often raped in the location where they were found, which most often was their home or in the vicinity of their home. In some cases, rape during scorched earth operations also included the use of objects, and additional bodily harm was inflicted on the raped person. Rape used for purposes of torture, on the other hand, always took place in a detention center; often the raped person did not know where he/she was being held and was continuously blindfolded. In some cases, witnesses were present, but it is impossible to know how often. At times the rape was used to torture both the raped person and fellow detainees by forcing them to witness the rape (i.e. see and/or hear the event). It seems that the use of rape as a tool of torture in detention is the only situation in El Salvador where men also appear to have been raped (authors' interview, Cayatana dal Transito Lopez Ascancio; authors' interview, Iris and Maira; authors' interview, Nidia Diaz).

# 5

## Review of Additional Country Cases



In this section, we provide short backgrounders on the following ten country cases of wartime rape examined in Phase II of our research:

- Democratic Republic of the Congo (DRC),
- Liberia,
- Rwanda,
- Sierra Leone,
- Cambodia,
- Nepal,
- Colombia,
- Peru,
- PNG/ Bougainville,
- Timor Leste.

The purpose of these backgrounders is not to provide a thorough review or history of the conflict, but rather to introduce the period(s) of conflict in which wartime rape occurred and which informed our Typology, and to introduce the main perpetrators of rape who were identified in the literature. The countries are listed in alphabetical order according to their continental distribution. This section also serves to contextualize the discussion in Section 6 where our Typology is introduced.

## Africa

### Democratic Republic of the Congo (DRC)

The literature on wartime rape in the DRC documents two very distinct periods in which this type of violation was perpetrated. The first is the period of conflict from 1996 to 2003 in which two sets of regional wars took place in the DRC with the intervention of armed groups from Rwanda, Uganda, Burundi and Angola, among others. Almost all sides of these conflicts, both internal and foreign, are accused of committing rape in the DRC during this period, though these rapes are not well documented. This conflict officially ended in 2003 and a new transitional government was installed, which included the formation of a new Congolese national army, *Forces Armees de la Republique Democratique du Congo* (FARDC). The FARDC brought together soldiers from all of the main rebel groups, as well as the former government army, in a process of *brassage* or integration. From 2003 to present, armed conflict has been mainly confined to the east of the country where fighting has occurred between a Congolese militia group led by Laurent Nkunda, the *Congres nationale pour la defense du peuple* (CNDP), the Rwandan Hutu militia group,

*Forces democratiques de liberation du Rwanda* (FDLR), and FARDC. In January 2009, the DRC and Rwandan governments joined together to remove the threat posed by the FDLR in North and South Kivu. Two successive joint military operations were launched: the first was known as *Umoja Wetu* (loosely meaning 'our unity') which resulted in the capture and removal of Nkunda whose rebel group, the CNDP, had previously received support from Rwanda in fighting the Congolese government. This removal eventually led to the dismantling of the CNDP and the integration of its members into the FARDC. The second operation, *Kimia II*, was launched with the direct support of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). Both operations involved the perpetration of violations by the armed groups against the civilian population and have not been successful in dismantling the FDLR or in bringing peace and security to the region. In fact, there has been a documented increase in violations against civilians committed by the FDLR since the beginning of these joint operations as a form of retaliation against them (Sawyer and van Woudenberg, 2009).

A good part of the literature on wartime rape deals with rape in the post-2003 period in eastern DRC. According to Sawyer and van Woudenberg (*ibid.*), the bulk of the rapes committed between January and December 2009 alone were committed by FARDC or the FDLR, though the exact breakdown of cases perpetrated by each is unknown (p. 47). The FARDC in particular is not a homogenous group—many rebel groups, including members of the CNDP, were integrated into the new national army from 2003 onward, but remain loyal to their original rebel movements, some even wearing their old uniforms (Kippenberg, 2005). What is more, integration into the new national army took place without vetting those responsible for committing human rights violations, such as rape (Sawyer and van Woudenberg, 2009, p. 40). The result is a national army with multiple and parallel chains of command, a poor human rights record, and no clear standard operating procedure vis-à-vis the civilian population. There is also anecdotal evidence suggesting that the use of drugs and alcohol may have influenced some FARDC soldiers to perpetrate rape (cf. Baaz and Stern, 2009, p. 512). On the other hand, the FDLR is a relatively homogenous and highly organized armed group with a clear chain of command (Sawyer and van Woudenberg, 2009, p. 48). Interviews carried out with former FDLR combatants revealed that orders from the military leadership were needed for all major military operations to be carried out (*ibid.*, pp. 52–53).

By virtue of the literature, therefore, the documented cases of wartime rape in the DRC that contributed to our Typology have mainly occurred since 2003 in eastern DRC, most of which can be attributed to the FARDC—an inhomogeneous group—and the FDLR, a relatively homogenous group.

## Liberia

The literature documents cases of wartime rape, which occurred during the country's two civil wars of 1989–96 and 1999–2003. The first conflict began with the invasion of Charles Taylor's National Patriotic Front for Liberia (NPFL) from Cote d'Ivoire in 1989 to overthrow the generally undemocratic regime of President Samuel Doe. The Liberian Army reportedly retaliated by attacking all civilians of the region and burning down villages. The NPFL and other rebel groups were mainly composed of members of the Gio and Mano ethnic groups who had been victimized by Doe's predominantly ethnic Krahn regime. The conflict ended with the signing of the Abuja Supplement in 1996 and a year later, Charles Taylor was elected President of Liberia. The second civil war began in 1999 when a rebel group backed by the government of Guinea, the Liberians United for Reconciliation and Development (LURD), attacked Liberia from Guinea. The rebels were thought to be mainly from the Krahn and Mandingo ethnic groups, though this round of conflict saw fighting factions divided more along political lines and loyalty to Taylor's regime than along ethnic lines. In 2003, a second rebel group emerged, the Movement for Democracy in Liberia (MODEL) backed by Cote d'Ivoire and together with LURD captured a third of the country. The conflict ended with Taylor's resignation and the signing of the Accra Comprehensive Peace Agreement in 2003.

There is very little information in the literature on the perpetrators of rape in Liberia. According to one source, all sides of the conflict in the second Liberian civil war committed rape—the Liberian armed forces, LURD and MODEL (ai, 2004, p. 12). Rape is mainly discussed in the context of the second Liberian civil war, and the LURD and Liberian army is most often implicated for abducting women as sexual slaves, among other things. No further distinctions can be made with regard to the types of rape perpetrated by these different groups, nor did we find any research investigating the motivations for perpetrating rape. There is evidence that suggests that the use of drugs among male combatants was high during the war, which may

have been a contributing factor in the perpetration of wartime rape (Johnson et al., 2008, p. 683).

## Rwanda

Wartime rape was perpetrated during the 100-day genocide, which began in April 1994 and in which close to one million people were killed. The genocide was orchestrated by the Rwandan Hutu leadership against the Tutsi population and implemented by the Rwandan Armed Forces (FAR) who trained and equipped two Hutu militias: the *Interahamwe* and the *Impuzamugambi*. According to the literature, the *Interahamwe* perpetrated the vast majority of rapes.<sup>20</sup> Members of the FAR reportedly also raped, but more often encouraged members of the *Interahamwe* to rape, and there are reports that the Tutsi Rwandan Patriotic Front (RPF) perpetrated retaliatory rapes as they advanced toward Kigali in 1994 (Sharlach, 1999, p. 395). According to Sharlach (2000, p. 100), there is evidence that the leaders of the genocide planned the killings carefully, but it is not clear whether they also planned the mass rapes. The *Interahamwe* were mainly composed of illiterate peasants who followed orders to kill out of the fear of punishment, as well as the fear of the Tutsis that had been promulgated through mass propaganda (cf. Berkeley, 2002; Mukomeze, 2008). Some members of the *Interahamwe* were witnessed drinking and smoking marijuana, though it is not clear whether the use of these substances was widespread and/or contributed to the perpetration of rape (cf. United Nations, Economic and Social Council, 1998a). Sharlach (2000, p. 100) notes that there is consensus in international and Rwandan courts that the mass rapes meet the criteria for genocide, as they were intended to cause “serious bodily or mental harm to members of the group” as defined in Article II of the Convention on the Prevention and Punishment of the Crime of Genocide.<sup>21</sup>

<sup>20</sup> The literature speaks mainly of the *Interahamwe* as the main perpetrators of rape, but this term may have been used as an umbrella term for all Hutu militia, including the *Impuzamugambi*.

<sup>21</sup> Article II of the Convention defines genocide as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:  
(a) Killing members of the group;  
(b) Causing serious bodily or mental harm to members of the group;  
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;  
(d) Imposing measures intended to prevent births within the group;  
(e) Forcibly transferring children of the group to another group.”

## Sierra Leone

Wartime rape was perpetrated during the civil war from 1991 to 2002. The war began with the invasion of the Revolutionary United Front (RUF) from Liberia, a rebel group led by Foday Sankoh and formed out of frustration with the level of corruption, resource mismanagement and ethnic nepotism of the ruling All People's Congress (APC) government. The RUF endeavored to overthrow the government, though the control of Sierra Leone's diamond mines preoccupied most of its efforts. The conflict was marked by attacks against civilians, and the RUF became notorious for amputating their victims (Eaton, 2004). The RUF were also the main perpetrators of rape against women, though not the only perpetrators. The Armed Forces Revolutionary Council (AFRC), a group of disaffected soldiers of the Sierra Leonean Army (SLA) who overthrew the elected government of President Ahmad Tejan Kabbah in 1997 and who invited the RUF to join its subsequent government, is also accused of rape, as are the West Side Boys, a splinter faction of the AFRC comprised of many youth who were forcibly abducted into the SLA. The literature, however, does not distinguish between rapes committed by these different groups. The RUF is nevertheless accused of the majority of rapes reported by victims in Sierra Leone (cf. Cohen, 2010). The RUF mainly kidnapped or forcibly recruited its combatants from among the civilian population, including women and girls who served as active combatants and sexual slaves. Many women and girls in the RUF were first raped as civilians and then recruited as combatants; some were forced to be the wives of combatants. Drug abuse was also common in the RUF, where many combatants, particularly children, were forced to take a series of drugs in preparation for battle to help numb their fear (cf. Reis et al., 2002; Human Rights Watch, 1999; Peters and Richards, 1998). It is therefore likely, but not known for certain, that perpetrators committed rape under the influence of drugs. The conflict ended in 2002, when the RUF was converted into a political party.

## Asia

### Cambodia

Wartime rape in Cambodia reportedly took place during the internal, revolutionary war, which was fought between the Khmer Rouge and the Cambodian army (1970–75), as well as during the subsequent reign of the Khmer Rouge regime (1975–79). The literature,

however, only provides testimonies of rape during the Khmer Rouge regime, the perpetration of which was not widespread. The Khmer Rouge imposed a communist regime and classified all educated people, such as teachers, civil servants and doctors as 'enemies' of the state. The monarchy was abolished and all property became collectively owned. The country's urban population was 'evacuated' to the countryside to begin a collective agricultural system. Children were indoctrinated into the Khmer Rouge principles and made to spy on their families to ensure that they remained loyal to the regime. Male and female adults were routinely captured, detained and tortured for being suspected 'enemies' of the state. While this was not necessarily a period of armed conflict, the Khmer Rouge regime created a state of terror and launched an attack against the Cambodian population—no one was safe from the threat of torture or execution by the regime, which is why we believe it fits in our study of wartime rape. Gender equality was part of the rhetoric of the Khmer Rouge, though most women occupied the lower ranks of the regime (Ledgerwood, 2008, p. 71). Khmer Rouge soldiers were the main perpetrators of rape against civilians. The Khmer Rouge had strict codes of sexual conduct and any sexual relations had to be sanctioned by the regime (*Associated Press*, 27 August 2004, p. 5). There was a functioning chain of command and any sexual misconduct by members within the regime and its army was punishable by death (*ibid.*). While rape was not widespread, it may also be under-documented due, among other things, to the clear punishment for sexual misconduct, as well as the fact that many raped individuals were executed after their rape (Etcheson, 1999) (see Section 6, Type B-6).

### Nepal

Armed conflict in Nepal raged from 1996 until 2006. It was a civil war between the Communist Party of Nepal, also known as the Maoist group, and the Nepali government forces. The Maoists launched their war against the Nepali state with the aim of overthrowing the Nepali Monarchy and establishing a people's republic in its place. The hostilities ended with the signing of a comprehensive peace agreement.<sup>22</sup>

The conflict is known for the use of very basic, yet deadly and effective armament on the part of the

<sup>22</sup> See South Asia Terrorism Portal and Institute for Conflict Management at <<http://www.satp.org/satporgtp/countries/nepal/document/papers/peaceagreement.htm>>.

Maoist group. The Maoist insurgents were traditionally from peasant backgrounds and a low caste.<sup>23</sup> It is worth noting that in Nepal most jobs are determined by caste. This means that in order to be a military officer, a teacher, a doctor, etc., an individual must first belong to a caste entitled to fulfill such a position.<sup>24</sup> While the Maoists stated that abolishing the caste system was one of their goals in waging war, it is worth noting that the grand majority of Maoists came from the same caste, or castes that are hierarchically close to one another. Hence, doing away with the caste system was one way of redistributing wealth, another goal of the Maoists (Murshed and Gates, 2005).

It appears that rape was primarily perpetrated by the government security services. This included both the armed forces and the police. The goals of using rape seemed to have varied from opportunistic to method of war. In some cases, the literature makes a link between the caste of the perpetrator and that of the raped person by arguing that higher caste individuals raped lower caste individuals (ai, 2005). This, however, could be the result of a Maoist group comprised of primarily low caste individuals and a security force, which is comprised of a higher caste. In this *brief*, wartime rape perpetrated by the Nepali government forces and police are the only types of rape considered; this does not mean that the Maoists did not commit rape, but rather that the limited data makes no mention of rape perpetrated by Maoist combatants (see Hamal, 2007; ai, 2005).

## Latin America

### Colombia

Arguably the conflict in Colombia dates back to the post-colonial period. The actors involved in the most recent phases of the conflict, however, date back to the creation of different guerrilla groups such as the *Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo* (FARC-EP) more commonly known as the FARC; and the *Ejército de Liberación Nacional* (ELN) in the 1960s who were joined in the late 1970s and early 1980s by numerous paramilitary groups who united in the mid-1990s as *Autodefensas Unidas de Colombia* (AUC). Alongside these parties, the Colombian Army has been a constant party to the conflict.

<sup>23</sup> A caste is a system of social classification, which is based, among other things, on culture, political power, and occupation.

<sup>24</sup> Millard, field notes, Nepal field research, May 2008.

The AUCs were created by landowners and sanctioned by the government to protect landowners from the FARC and ELN and/or given the absence of military and police, to protect the general civilian population. The AUCs became the law and order providers in large areas of the country. This was primarily in peripheral areas where the national government did not exert solid control to support law and order. The absence of government law and order agencies allowed paramilitary groups to be police, judge and jury; making their own laws and implementing these laws with a great degree of impunity. Paramilitary groups came to exert such power that in many areas of the country they ousted the little national government representation that existed (Millard, interview, Palou Trias and Juan Carlos<sup>25</sup>; Millard interview, Arias Gerson<sup>26</sup>). In fact, at the time of the collective demobilizations of paramilitaries, which started in 2002, approximately 250 municipalities did not have an operating city mayor living in the municipality (Millard, interview, Alejandro Eder<sup>27</sup>). Government officials were under such threat that they ceased to carry out their duties altogether leaving the civilian population at the complete mercy of the paramilitary forces. Ironically, the paramilitary forces were widely regarded, in the early days, as allies of the national government, as they echoed the government's sentiment toward guerrilla groups and were believed to be effective in countering guerrilla insurgencies. In this *brief* we focus exclusively on rape committed by the AUCs, primarily on events that took place in the 1990s until the 2002 demobilization. While other groups involved in the conflict are believed to have raped as well, the AUC is the only group known to have raped large numbers of civilians, hence our focus on them.

### Peru

The conflict in Peru has not officially ended, but is commonly understood as having raged from 1980 to 1992. It started with strong anti-election campaigns by the Peruvian Communist Party, also known as the Shining Path (*Sendero Luminoso*) in 1980, and ended with the capture and jailing of the Shining Path's leader and founder in 1992. The conflict is known for its extreme levels of brutality perpetrated by both

<sup>25</sup> Palou Trias and Juan Carlos. Ideas para la Paz. Presentation on 31 January 2010 as part of Gira Técnica: Consolidación de Paz en Colombia (29 January to 7 February 2010).

<sup>26</sup> Arias, Gerson. Ideas para la Paz. Interview conducted on 6 February 2010 in Cali, Colombia.

<sup>27</sup> Alejandro Eder, Political Advisor to the High Council for Reintegration; Mr. Frank Perl, Personal interview/ correspondence, e-mail 16 February 2010.

sides—the government security services and the Shining Path—against the civilian population. In 1991, the Peruvian government added self-defense groups to the mix by allowing the arming of civilian groups and providing them with military training. Given that this move came shortly before the halting of Shining Path's activities it is difficult to say how these new groups would have affected the conflict dynamic. It is important to note that while the conflict is often understood as having raged for the 12 years between 1980 and 1992, the Shining Path does not consider itself a disbanded institution; to the contrary, they claim to be returning. It is also worth noting that like other insurgent groups the Shining Path is regarded as a terrorist organization by the national government of Peru (cf. Gorriti, 1999). Still, for our study the focus is on acts of wartime rape committed during 1980 and 1992. While both the Shining Path and the Peruvian government security forces are known to have committed terrible crimes against the civilian population, it seems that the majority of the rapes against civilians were perpetrated by the Peruvian government's security forces (Americas Watch, 1992).

## Oceania

### **Papua New Guinea (PNG)/ Bougainville**

A great deal of the literature on wartime rape in PNG focuses on the island of Bougainville. Wartime rape occurred during Bougainville's struggle for independence from PNG between 1988 and 2001. This struggle began as a confrontation between security forces and local landowners over land being used by the Bougainville Copper Limited (BCL), for which the landowners were neither consulted nor compensated. The PNG Defence Force (PNGDF) was deployed to the island to quell the uprising by the militant landowners who formed the Bougainville Revolutionary Army (BRA). Resistance forces made up of government-backed Bougainvillean militias assisted the PNGDF. The PNGDF established a base on Bougainville's island of Buka and took control of many areas of Bougainville. The conflict ended with the signing of the Bougainville Peace Agreement in 2001, which granted autonomy to Bougainville and promised a referendum in 10–15 years on its independence.

While it is noted in the literature that both sides of the conflict perpetrated rape against civilians, there is mainly evidence and documentation of rapes

perpetrated by the PNGDF. Rape perpetrated by the BRA is therefore not taken into account in our study. There are reports that the PNGDF suffered discipline problems and poor command and control, which resulted in drunkenness and the harassment of local women by their soldiers (ai, 1997). It is also possible that this resulted in the rape of women, but the PNGDF's motivations for perpetrating rape are not systematically discussed in the literature.

### **Timor Leste**

Wartime rape was perpetrated over the course of the Indonesian occupation of East Timor between 1975 and 1999. The Report of the Commission for the Reception, Truth and Reconciliation in East Timor (herein referred to by its Portuguese acronym, CAVR) defined three phases of conflict during this period: the initial invasion and occupation of East Timor from 1975 to 84; the consolidation and normalization of the occupation from 1985 to 98; and the period leading up to and after the UN-sponsored Popular Consultation Process in 1999 where a vote for independence resulted in the establishment of the state of Timor Leste. Wartime rape was perpetrated throughout all three phases of the occupation, predominantly by the Indonesian military forces (TNI), but also by members of the Timorese militias collaborating with the TNI. It appears from the literature that these groups perpetrated rape for different reasons and in different ways in each phase of the occupation. Nevertheless, CAVR found that "Institutional practices and formal or informal policy of the Indonesian security forces tolerated and encouraged the rape, sexual torture and sexual humiliation of East Timorese women by members of the Indonesian armed forces and the auxiliary groups under their command and control" (2005, p. 104). The perpetration of rape by the TNI and Timorese militia is well documented by the CAVR and in other literature, though information on and analysis of the perpetrators of the crime is lacking.



# 6

## Wartime Rape Against Civilians



In this section we present the Typology<sup>28</sup> of wartime rape, which remains a work in progress. The Typology is organized according to three general categories of wartime rape based on the perpetrator–raped individual relationship, within which there exist multiple types of wartime rape:

#### **Category A:**

##### **Rape perpetrated by members of an armed group toward members of the same armed group or armed force**

This category of wartime rape is perhaps the least publicized, but by no means the least common. Its principal characteristic is that both the rapist and the raped person belong to the same armed group. Generally speaking there appear to be rules to govern sexual assault within an armed group or army, but in many cases the rules do little to prevent or bring justice to this kind of event.

#### **Category B:**

##### **Rape perpetrated by an armed group or armed force against a member of the civilian population**

This is the most well-known and recognized category of wartime rape. Within this general category there are a number of types of rape with different *modi operandi*.

#### **Category C:**

##### **Rape perpetrated by members of one armed group towards members of another armed group**

Unlike in Category A, rape is not perpetrated against members of the same armed group, but rather against members of another or an opposing armed group.

While it is critical to examine all three categories of wartime rape, this *brief* focuses exclusively on types of rape and their consequences found in Category B.

All together, eight different types of wartime rape were identified to date within Category B:

B-1: Rape by an ally

B-2: Sexual slavery

B-3: Rape as a military strategy

B-4: Rape by a neighbor

B-5: Rape camps

B-6: Rape in detention

B-7: Opportunistic rape

B-8: Targeted rape

What follows is a review of the foundations, key characteristics, country examples, consequences and implications of each of the above types. This information can be used by donors and practitioners to help inform the design and/or evaluate their activities on wartime rape in a particular context.

## Category B

### **Type B-1: Rape by an ally**

Rape perpetrated by members of an armed group against the civilian population they represent.

#### Foundations for the type:

There is evidence which suggests that rape perpetrated by members of an armed group against civilians they are trying to either fight for, represent, or protect is different from rape perpetrated against civilians deemed as 'enemies'. For example, this type of rape is primarily motivated by individual reasons and has nothing to do with fulfilling a military or war-related objective. We expect that the consequences of this type of rape will differ from other types of rape where civilians are targeted as 'enemies', precisely because the civilian population has a great deal of trust in, support for, and loyalty toward the armed group, and thus does not expect to be raped by members of armed groups that represent their ideals, goals and objectives.

#### Key characteristics

- Rape appears to serve individual interests of the perpetrators, though it is counter-productive to the interests of the armed group.
- Rape is not accompanied by additional kinds of physical violence, and objects are not used to rape with.
- The targeting of females is random, though they are generally of a young age.
- This type of rape is not widespread.

<sup>28</sup> As mentioned earlier, this *brief* focuses exclusively on rape by armed groups against the civilian population. Our Typology, however, also examines wartime rape that is perpetrated within an armed group or by members of one armed group against members of another. In the future, the Typology may also include rape committed by peacekeeping forces.

## Country cases where this type is exhibited

- El Salvador

**El Salvador:** The FMLN perpetrated this type of rape at the start of its 12-year long struggle against the oligarchy for more equal distribution of wealth, goods and services. Rape perpetrated by members of the FMLN against civilians who supported them was mainly opportunistic and appears to have been motivated primarily by individual sexual desire. Perpetrators targeted female civilians, generally of a young age (late teens and young adults). In response to these rapes, the FMLN developed a clear code of conduct, which prohibited rape and punished perpetrators by death. By consequence, this type of rape was not widespread or systematic, and only occurred in the beginning of the FMLN's struggle.

## Consequences

A key consequence that can be directly attributed to this type of rape is the **loss of civilian support** for the armed group. This type of wartime rape has a direct negative consequence on the armed group itself. Community and individual trust in the FMLN was abused by rape against the rural civilian population, threatening a key source of the FMLN's livelihood, sustenance and survival through the ability to recruit new members into the FMLN. The costs were too high to bear, and hence punishment of the individual was strongly enforced by all factions within the FMLN. The establishment of a strong anti-rape policy had the necessary deterrent effect, as this type of rape reportedly stopped from occurring altogether in the later years of the conflict. It is possible that this consequence only results when the armed group depends on the allied civilian population for their sustenance, as was clearly the case with the FMLN.

## Implications for interventions

It is unclear how individuals and families of individuals raped in this way interpret the violation against them, how they are perceived by the community, and ultimately how they react to their rape. We believe one of the critical factors, which determine their reaction is the fact that they are raped by an 'ally', though we do not know if and/or how this affects the reactions of individuals, families and communities differently. It is conceivable that aside from withdrawing support from the armed group, rape committed by the allied armed group during the war may lead civilians to

expect those responsible for civilian security and well-being during peacetime, including the police, to abuse the human rights of civilians. Hence, civilians may not respect or support such institutions, or may even accept this behavior as normal. In El Salvador today, members of the new police force are often found to have committed rape against members of the civilian population, yet the population demands little by way of change (authors' interview, Ruth Polanco). The reasons for this needs to be further examined. In the meantime, this type of rape should be carefully, though not exclusively, considered when conducting security sector reform processes, particularly when multiple armed groups are being integrated into a new security force, to ensure that:

- agents of the security apparatus are vetted and those who have committed human rights violations such as rape are not accepted within the state security apparatus;
- adequate training is conducted to inform security sector agents of the consequences of raping to prevent them from perpetrating this kind of crime;
- the community is educated on their rights *vis-à-vis* members of the security sector and can be mobilized to report, document and campaign for justice and greater reform;
- this kind of crime by the security forces is adequately investigated and punished so that it can serve as a deterrent in the future.

A final implication is that this type of wartime rape can be effectively deterred if the costs of this behavior are too great for the armed group to bear, and if the armed group has a functioning hierarchy, which can bring its combatants under control. If so, the fear of punishment at the combatant or unit level can create a norm against perpetrating the rape of civilians and contribute to deterring rape from the bottom-up in addition to the top-down.<sup>29</sup> The cost-benefit calculation of perpetrating rape and the command structure of armed groups that perpetrate wartime rape should be more thoroughly examined in order to understand possible entry points for deterring this type of violence in war.

## Type B-2: Sexual slavery

Rape perpetrated by members of an armed force against members of the civilian population seen as the 'enemy' and whom they have detained for sexual services.

<sup>29</sup> See Wood (2009) for a discussion of the top-down and bottom-up implications of deterring armed groups from perpetrating wartime rape.

## Foundations for the type

In this type, individuals are forcibly detained by an armed group, or individual members of an armed group, for the purpose of providing those individuals or group with sex, as well as for performing other tasks such as cooking, cleaning, and carrying ammunition and/or weapons for the armed group. Rape is thus a primary, but not the sole purpose for detaining individuals as sexual slaves. Evidence from the country cases suggests that detaining individuals for the purpose of forced sex has unique characteristics, which may affect how individuals raped respond to it and are responded to by their peers, families and/or communities in a way that is different from other forms of wartime rape. For example, individuals detained as sexual slaves are often perceived as having consented to having sexual relations, and are frequently shamed by their family and community.

Sexual slavery is defined in the Rome Statutes (2002) as “the exercise of any or all of the powers attaching to the right of ownership over one or more person” in which the perpetrator “caused such person or persons to engage in one or more acts of a sexual nature” (Elements of Crimes, Crime against humanity of sexual slavery, Article 7 (1) (g)-2). According to the Report of the Special Rapporteur on systematic rape, sexual slavery, and slavery-like practices during armed conflict (1998), sexual slavery also involves cases where women and girls are forced into domestic servitude, “marriage” or other forced labor, which “ultimately involves forced sexual activity, including rape by their captors” (United Nations, Economic and Social Council, 1998b, paragraph 30). We understand sexual slavery to mean the detention of women for the purposes of forced sexual relations, but which also includes forced labor or domestic duties.

## Key characteristics

- Armed groups perpetrating this type of rape generally have a functioning chain of command, and rape is neither condemned nor punished.
- Females are the targets of sexual slavery, particularly girls and young women who are virgins.
- Slaves are often held captive under the threat of death or injury to themselves or to their family members.
- Where sexual slavery was widely practiced, the military hierarchy was generally aware of the practice and either encouraged or condoned it.

## Country cases where this type is exhibited

- Bosnia and Herzegovina (BiH)
- Colombia
- DRC
- Liberia
- Peru
- PNG/ Bougainville
- Rwanda
- Sierra Leone
- Timor Leste

**Bosnia and Herzegovina (BiH):** Some girls and women were detained for use as sexual slaves. In some cases, these women were detained in the private dwellings of their captor who were generally leaders of Serbian armed groups. These girls and women were forced to sexually service their captor, as well as to cook, clean and bathe him. They were either taken from their homes or taken from among the many women detained in other locations. Why these women were taken as sexual slaves over others is unknown. Known cases of sexual slavery occurred in Foca, for example. Many girls and women kept as slaves reportedly developed Stockholm Syndrome<sup>30</sup> for their captors, as some were allegedly allowed to occasionally leave their detention and speak with neighbors or do some shopping, and did not escape (cf. Dzidic, 26 October 2006, <<http://www.iwpr.net/report-news/serb-women-defend-accused-%E2%80%9Csex-slaves%E2%80%9D-trial>>). One woman held as a sexual slave of Bosnian Serb military police member Gojko Jankovic testified that she did not escape from her captor because she had nowhere else to go and was afraid (authors' interview, Nidzara Ahmetasevic). Females were the targets of this type of rape, and young girls were apparently targeted more than older women (authors' interview, Teufika Ibrahimfendic). This type of rape does not appear to have been widespread in the conflict.

**Colombia:** In Colombia some commanders of the AUCs were known to routinely pick young girls or women and demand that they provide sexual favors. It was understood that refusal would endanger the individual herself as well as her family. There is anecdotal evidence of cases where family members were murdered because a woman or girl was not made available for sexual use. There is the well-

<sup>30</sup> Stockholm Syndrome is a term used to describe a condition where an individual held hostage develops positive feelings towards his/her captor, despite the fact that the captor is responsible for violating and endangering the life of the hostage.

known case of Hernan Giraldo, the leader of a strong paramilitary group that was part of the AUC, who is known to have fathered numerous children and to have favored very young girls to use as sexual slaves. These girls and young women would most often spend the night and be allowed to go home the next day. The practice of Hernan Giraldo was not limited to him, nor does it appear to have been limited to high-ranking commanders. There is little data, however, and hence it is not possible to confirm the extent of this type of rape in Colombia. Commanders generally maintained that when their rank in file committed rape it was the product of “men getting out of hand” and not a practice condoned by the group. But it is also worth noting that this form of rape is also believed to have been used as a form of payment of families to the AUCs. It is unclear why a payment was required in the first place, but it is known that in some cases families did ‘volunteer’ their young girls to become sexual slaves. It is believed this was, in some cases, used to guarantee additional protection to the families in question (cf. SISMA Mujer, 2009; Brodzinsky, 2009).

**DRC:** Women were and continue to be taken as sexual slaves in this conflict and raped regularly, though this type of rape is not as widespread in the DRC as in other conflicts (i.e. Sierra Leone). Mainly mobile units of the FDLR and FARDC who moved through rural areas abducted women from their homes and villages and took them as the ‘property’ of one or more combatants for whom they had to provide sexual services and perform other domestic duties such as cooking, collecting wood or working in the fields. Bartels’ (2010) study finds that women who reported being taken as a sexual slave were on average younger than women who reported other types of sexual violence (p. 17). The girls and women were kept for days, weeks, months or years, often released when the armed group abducted others.

**Liberia:** Many women and girls were abducted by different armed groups during the civil war, namely the government forces, LURD, and MODEL. It appears from the literature that older girls and women were recruited into the fighting forces, while the younger girls were made to carry ammunition, clean and cook for a soldier or group of soldiers. Some girls and women recruited as combatants were made to be ‘bush wives’ and assigned to a soldier or group of soldiers, while the younger girls were kept as civilian sexual slaves (ai, 2004). Only the detention of civilian sexual slaves is considered within this type, as the rape

of female combatants falls into another category of wartime rape (Category A: Rape within an armed group). The literature indicates that when soldiers took control of a village, they would often force women to cook for them. Swiss et al. (1998) found that girls who were forced to cook for a soldier or fighter were at a greater risk for sexual violence than those not forced to cook (p. 628). These girls were forced to serve as sexual slaves to combatants in their own homes, within their own village, and had to be available to whoever wanted them (Morgan et al., n.d., p. 37). In other cases, women were abducted and kept as sexual slaves at the provisional military base of the armed group. The detention of women as sexual slaves lasted anywhere from one day up to ten years (Omanyondo, 2005, pp. 46–47).

**Peru:** Government soldiers used peasant women as sex slaves in the areas where they were stationed during the conflict. Soldiers identified individual women on any given day and forced them to perform sexual acts with them. The raped persons included married women—the soldiers appeared to have disregarded the fact that women were married, which the literature suggests is important because it shows that the soldiers were not only committing a crime against the woman, but also insulting the family and community by disrespecting the institution of marriage (Americas Watch, 1992). It is also noted that in some cases women ‘volunteered’ as sex slaves in the hope that this would provide them with a degree of protection from the soldiers. When these women became pregnant, the soldiers refused to accept paternity. It is unknown what the consequence of this was at the socio-cultural level. It is worth noting that testimony collected by Americas Watch seems to highlight that women who ‘volunteered’ were only doing this as a strategy to save themselves and were not ‘immoral’ or ‘bad’ women (ibid.). The issue of morality in the context of rape in Peru is important because until recently, rape was only punishable when it was also an injury against the “morality of the woman” (ibid.).

**PNG/ Bougainville:** During the fight for independence of Bougainville, there is testimony in the literature that the PNG defense forces (PNGDF) took one of the Bougainville leaders’ wives into detention in their camp and used her for sex (Miriori, 2004, p. 64). It is unclear whether this is an isolated case, or whether detaining women for sex was commonly practiced by the PNGDF.

**Rwanda:** Many women were captured during the raids of homes of Tutsi or Hutu moderates and the abducted women would be taken to serve as sexual slaves of the *Interahamwe*. Women were detained as sexual slaves in two main ways: 1) as collective sexual slaves, where women were kept at a central location and gang raped<sup>31</sup> by the militias. Some of these women were taken forcibly by the militia to neighboring countries as the *Interahamwe* fled Rwanda at the end of the genocide and have remained with their captors (Nowrojee, 1996, p. 26); and 2) as domestic sexual slaves, where a woman was raped by and taken to be the 'wife' of an *Interahamwe* militia member. Many of these 'wives' were locked into their own homes or in the home of their captor and hidden in the space between the roof and the ceiling to prevent them from being discovered or killed by other members of the militia, keeping them available for their captor's exclusive use. These women were often referred to as "women of the ceiling" for this reason (Nowrojee, 1996, p. 27). Women held as sexual slaves in Rwanda were detained anywhere from several days to a number of years (Weitsman, 2008, p. 576).

**Sierra Leone:** The most documented type of rape in the literature on Sierra Leone is sexual slavery. Many women were abducted by the RUF and detained as sexual slaves. According to the literature, the RUF perpetrated sexual slavery in two key ways: 1) by abducting and detaining women in provisional rebel 'bases', such as empty houses or buildings, where women were kept at gunpoint and used for sex by multiple combatants; and 2) by assigning women to certain rebels to be their 'wives'. The manner in which these 'bush wives' were treated varied—in most cases, these women were protected from rape by other soldiers, and many women assigned themselves to a particular rebel for this purpose (Taylor, 2003, p. 43). That some women were able to assign themselves to a rebel begs the question as to why not all women did this to receive some protection from rape by multiple rebels. Nevertheless, a 'bush wife' was regularly raped by her 'bush husband', and at least in some cases was also shared with other combatants. While some of these women were able to escape, others chose to stay with their captor especially if they had become pregnant (Reis et al., 2002, p. 76). Women were held as sexual slaves for prolonged periods of time, from several days to years (Sierra Leone TRC, 2004, Vol. 3b, p. 164). Some women were not physically detained and allowed to return home, but were ordered to

come back the following day or be killed (Human Rights Watch, 1999, p. 26). The case of Sierra Leone is unique in that many women detained as sexual slaves also became combatants in the RUF. They continued to be raped by the rebels (Category A: Rape within an armed group), but also perpetrated crimes against civilians. Some even facilitated the abduction of other women to be detained as sexual slaves. The focus of this type, however, remains on the rape of female civilians held as sexual slaves rather than the experience of the female combatants.

**Timor Leste:** The most commonly reported type of wartime rape in the literature on Timor Leste was the rape of women detained as sexual slaves. According to the literature, women suspected or known to actively support the pro-independence movement, or to be married or related to a pro-independence guerrilla group such as *Falintil* or *Fretelin*, were especially targeted as sexual slaves and subjected to repeated rapes. The main perpetrator of this type of rape was the Indonesian military (TNI), though some Timorese militias fighting alongside the Indonesian military either participated in the rapes and/or assisted in capturing and detaining women for the military.

As captured in the CAVR (2005), there were several ways in which the Indonesian military used women as sexual slaves: 1) by detaining them in a guarded, central location where women were used against their will to service multiple soldiers as many times as they wanted; 2) by 'summoning' them from their own homes under a clear threat of death to themselves or members of their family if they refused. It is reported in the literature that the military kept a 'list' of women who were considered the sexual slaves of a particular military unit and passed this list along for use to the incoming battalion during rotation. Some of these women were also given as 'gifts' by local soldiers to their visiting superiors as a way of earning favor with them (CAVR, 2005, p. 30). There are other reports that women were summoned during 'militia parties,' which occurred in 1999 before the vote of independence, and where many were raped by the Timorese militias; 3) by detaining women as domestic slaves, where they were forced to be the 'wife' or 'mistress' of an Indonesian soldier. Women in this case were first raped by an Indonesian soldier who then declared her his 'wife.' Whether or not the woman was already married appears to have been irrelevant—the declaration was made under the threat of violence and death to herself and her family. Women taken as domestic slaves were not kept at a central location

<sup>31</sup> We define gang rape as rape by two or more perpetrators in rapid succession.

but rather allowed to remain at home, where the soldier would turn up and demand to be serviced sexually, and demand her to perform other domestic duties for him, such as cook, wash and clean. These women effectively became the 'property' of a particular soldier, but were then transferred to an incoming soldier when there was a rotation of battalions. In general, sexual slavery increased during periods of known Indonesian military offensives, and women were detained anywhere from several days to a number of years.

### Sub-types

During the first phase of our research, this type of wartime rape was based on the experience of some women in BiH, which was relatively homogenous. Evidence from the additional country cases described above, however, makes it clear that sexual slavery has a variety of different forms. It is conceivable that the motivations for each form differ slightly from one another, and that the consequences vary according to how the individuals are detained. However, this remains unknown since sexual slavery has generally been examined in the literature as a homogenous crime. We have therefore divided sexual slavery into the sub-types listed below in order to highlight its many forms and to promote the examination of the possible consequences of each sub-type in the future. Only the consequences of Type B-2, sexual slavery, and not the sub-types of B-2, are examined below.

#### **Sub-type B2-1: Sexual slavery in a centralized location.**

Women and girls are often detained together at a location such as a military base, whether static or mobile, and raped repeatedly by multiple partners. This sub-type of sexual slavery occurred in:

- Bosnia and Herzegovina (BiH)
- DRC
- Liberia
- PNG/Bougainville
- Rwanda
- Sierra Leone
- Timor Leste

#### **Sub-type B2-2: Sexual slavery in a centralized location where individuals are 'assigned' to a combatant.**

While in detention, some women and girls are forcibly 'married' and taken as the 'wife' of a particular combatant. She is raped repeatedly by her captor, but less often by other combatants, if at all. This sub-type of sexual slavery occurred in:

- DRC
- Sierra Leone

**Sub-type B2-3: Sexual slavery 'on demand'.** Women and girls are not detained in a centralized location, but rather are forcibly summoned at the will of the combatants occupying the area to service them sexually. The women and girls are allowed to return home afterwards. This sub-type of sexual slavery occurred in:

- Colombia
- Peru
- Sierra Leone
- Timor Leste

#### **Sub-type B2-4: Sexual slavery in a domestic setting where individuals are considered the 'property' of a combatant.**

Women and girls are not detained in a centralized location, but rather forced to act as the 'wife' of a particular combatant and perform sexual acts and other domestic duties for the combatant in their own homes. A combatant frequents the woman or girl's home at his will in order to be serviced. This sub-type of sexual slavery occurred in:

- Bosnia and Herzegovina (BiH)
- Liberia
- Rwanda
- Timor Leste

### Consequences

Many women held as sexual slaves become financially and socially dependent on their captor(s), particularly those detained as 'wives' of combatants, and are unable to escape. These women often resign to or rationalize such abuse, including rape, out of economic and/or psychological necessity during wartime, which can translate into the **naturalization of this form of violence** long after the war has ended. For example, the Truth and Reconciliation Commission (TRC) in Sierra Leone notes that most victims of sexual slavery suffered some form of Stockholm Syndrome toward their captors—they claimed that their captors treated them well even though the Commission considered many of the experiences they described to them as abusive (Sierra Leone TRC, 2004, Vol. 3b, p. 174). No examples of these experiences are given, though it was common practice for captors to give their 'wife' to fellow combatants for sexual purposes (ibid.). The risk is therefore higher that rape and other forms of sexual and physical violence become

'normalized' for women in intimate partner relations after the rape event. It is also likely that such violence becomes 'normal' for men to perpetrate as well. Some of the perpetrators who committed or were exposed to rape in Sierra Leone were so young that they have become accustomed to rape as a typical form of sexual behavior (*IRIN*, 20 June 2008).

Many women may not be able to return home or even remain at home within their communities after the experience of sexual slavery, for a variety of different reasons including social stigmatization (see discussion on social stigmatization below). With no resources or perceived prospects for the future, many women, especially young girls, resort to **prostitution and sexual exploitation in exchange for goods and services**. This has been the case to date particularly in Sierra Leone and Liberia, where sexual slavery was common (ai, 2007, p. 14; ai, 2004, p. 35; Omanyondo, 2005, p. 43). In some cases, the women or girls are accepted by their families, but the community stigma is so great that the whole family needs to relocate, rendering the family unit **economically vulnerable** (authors' interview, Nidzara Ahmetasevic).

**Pregnancy and the birth of children born of rape** is a common consequence of sexual slavery due to the long-term and repeated nature of the crime. Women returning home with children born of rape in captivity often cannot hide or deny their rape, and consequently face a great deal of stigma from their own family and community (see discussion on social stigmatization below). This consequence is certainly not exclusive to sexual slavery and may also result from other types of rape where women or girls are detained and raped repeatedly. Many women with children born of rape in Liberia have since been rejected by their families, leaving them alone to raise and provide for the child. In Rwanda, the birth of these children created rifts in some families because they were regarded as 'little *Interahamwe*', "children of bad memories", "children of hate", or "unwanted children" (McKinley, 1996, p. 2; Weitsman, 2008, p. 567). According to a survey of over four thousand records of sexual violence at the Panzi Hospital in Bukavu between 2004 and 2008, Bartels (2010) found that many women became pregnant as a result of rape, particularly if they were held as sexual slaves. She found that women who became pregnant appeared to feel more shame than others who did not become pregnant, and pregnant women who were married appeared more likely to be abandoned by their husbands as a result (p. 27).

Women raped as sexual slaves face **social stigmatization** often because they cannot deny or hide what happened to them even if the rape did not result in pregnancy. Personal and social reactions to this type of rape are often based on a total misunderstanding of the element of 'choice' in becoming a sexual slave and/or the 'wife' of a particular commander. For example, in Timor Leste, the community perception of women who were taken as sexual slaves "did not distinguish between consensual or non-consensual extra-marital sexual relations" and so these women were considered "cheap", as "whores" (CAVR, 2005, pp. 98–99). This stigma brought shame to the families of the individuals, including their children. In Rwanda, many Tutsi returnees accused these women of having "collaborated" with the Hutu militias, of having "sold their bodies" to survive (Nowrojee, 1996, p. 35; Sharlach, 2000, p. 99). Enormous internal conflict is often experienced by the individual held as a sexual slave. On the one hand, they recognize their lack of choice, but on the other hand they realize that they would likely be dead if not for their captor, and suffer extreme guilt for having survived (Nowrojee, 1996, p. 28). Social stigmatization only adds to this personal suffering, and can limit the opportunity for raped individuals to live well or lead to their rejection by the family, which can in turn lead to economic vulnerability. Interestingly enough, anecdotal evidence suggests that women held as sexual slaves in Colombia do not seem to face social stigmatization in general, as more and more of the perpetrators are coming to be recognized as perverted individuals.<sup>32</sup> The information available on Colombia, however, does not allow us to determine whether stigma occurs at a very local level.

#### Implications for interventions

It is unclear whether women and girls abducted as sexual slaves, particularly those forced to become the 'wife' or domestic slave of a particular combatant, understand or interpret their experience as rape. Similarly, it is not clear whether the male combatants interpret their own actions as rape. This understanding is critical in order to prevent this behavior from carrying over into and becoming a normal feature of intimate partner relations in peacetime. Indeed, many post-conflict countries suffer from a high degree of domestic violence, including rape, where many of the perpetrators are in fact ex-combatants.

<sup>32</sup> Field notes from discussions with individuals working on women's rights in the Colombian context. Millard, October 2009.



Income-generating activities may be useful in preventing individuals raped as sexual slaves from entering into prostitution and/or from becoming vulnerable to sexual exploitation in order to provide for themselves and their family. Children born of rape may be especially vulnerable to abuse or rejection by the family, though there is little to no information on the experiences and well-being of these children, and what becomes of them.

The struggle of women raped as sexual slaves to provide for children born of rape is often complicated by their mixed feelings about the child. The child is the product and reminder of the rape experience, and thus the mother's feelings toward the child may be ambivalent. In some cases, she may choose to keep her child, but may not be willing or able to take care of her child at some points in time. For example, mothers in Liberia admitted to feeling a strong sense of rejection toward these children (ai, 2008, pp.19–20). Consequently, many children born of rape in a variety of different contexts are abused, neglected and/or abandoned. The implications of this on the growth and development of the child are unknown. In addition, the implications of a child or youth learning that they were conceived as a result of wartime rape are also unknown. For example, children born of wartime rape in BiH are now entering their youth and are likely to be questioning their origins and background. According to our interviews in BiH, some of these youth have learned of their conception and are now struggling with this knowledge (authors' interview, Sabiha Husic). Others have yet to gain this knowledge, but it is only a matter of time (ibid.). What will become of these youth? How can they, their mothers and families be assisted? These questions have not yet been asked in the public sphere, largely because the issue of children and motherhood in general is treated as a private matter. However, as Watson (2007, p. 25) points out, "the sexual act may be private, but the crime of wartime rape is not." She argues that "war babies" should not be treated as a private, but rather a public matter and should be provided for and represented under international humanitarian law (IHL). The well-being of these children, she maintains, has implications on the development and security of the post-conflict environment. To date, there is very little data on children born of wartime rape and thus research is needed to better understand and address this particular consequence.

The post-war period is an opportunity to conduct mass public education on rape and gender-based

violence in order to prevent such violence from becoming normalized. Planned interventions or efforts at the local, national and international level on gender-based violence should consider whether this type of rape occurred in war and target their activities accordingly. For example, sexual slavery that occurs in a less centralized fashion, such as forced marriage or domestic slavery, can be more difficult to address in the public sphere because individuals may perceive these as 'personal' or 'private' violations and be reluctant to speak about them openly. These cases require different efforts to bring experiences of sexual slavery into the public conscience. A lesson may also be learned from the case of Colombia, where the perpetrators of sexual slavery are increasingly being recognized as 'perverts'. How this is achieved warrants further attention, as it suggests that the direction of stigmatization can be shifted toward the perpetrators away from the individuals raped, freeing them from the many burdens of social stigmatization.

### **Type B-3: Rape as a military strategy**

Rape perpetrated by members of the armed forces against the civilian population identified with 'enemy' forces or identified as an 'enemy'.

#### Foundations for the type

In examining the conduct and objective of wartime rape, evidence suggests that identifying civilians as 'enemies' and targeting them with rape because they are 'enemies' has different motivations and is perpetrated differently from other types of rape. This type is characterized by indiscriminate, systematic and widespread attacks against the civilian population and for often being used to fulfil the goals of the war. The information we collected also suggested that the consequences of this type of rape may differ from other types of rape because of the way civilians are targeted and attacked as 'enemies' of the perpetrators.

#### Key characteristics

- This type of rape is usually perpetrated by a well-organized armed group under an order to attack civilians. Whether the perpetrators are ordered to rape or not is unclear in all cases, but the use of rape during these attacks is systematic and widespread.
- Rape is perpetrated during military attacks in rural or urban areas. In many cases, individuals are raped in their homes or village.

- Rape of this type is often, but not always, used as a method of war. A key objective is to destroy, terrorize into submission or induce the flight of civilian populations in order to further the goals of the war. Rape also serves as a form of communication to the 'enemy' that they have been defeated and/or are unable to protect their population.
- Females are overwhelmingly the targets of this form of rape. Females in the reproductive years of 15 to 24 are primarily targeted.
- Group rape is very common in this type.
- This type of rape is commonly perpetrated along with the murder of civilians, looting and burning of villages to further terrorize and destroy the livelihoods of civilians.
- This type of rape is often very brutal. Females are frequently raped with objects intended to scar and damage them, even cause death. In some cases, individuals raped have also been mutilated or had their limbs amputated.
- The deliberate use of witnesses, particularly family members, is common in this type of rape. Rapes are also frequently committed in public places, where witnesses are likely. The rapes are often preceded or followed by brutality against other family members.

Country cases where this type is exhibited:

- Bosnia and Herzegovina (BiH)
- Colombia
- DRC
- El Salvador
- Liberia
- Peru
- PNG/ Bougainville
- Rwanda
- Sierra Leone

**Bosnia and Herzegovina (BiH):** Before staging any attacks on the civilian population, members of the Bosnian Serb forces and/or irregular Serb militia often entered a village and broke into the homes of individuals, intimidated the residents, and raped several women of different ages either in their own homes where family members were made to witness, or out in plain view of other residents. It appears that these actions were meant to incite fear and terror among the village residents. These armed groups would then return to the village several days later and, counting on the fear of the residents, offer them safe passage out of the village on the condition that

they never return (Allen, 1996). Most of the residents accepted and fled their village, though it is unknown whether they all fled to the same place or whether they fled to separate destinations. These rapes were often also accompanied by looting and stealing of the residents' property, and male residents were often beaten up by the armed groups. Some of the reported rapes were committed by single perpetrators, while others involved multiple perpetrators. These groups also committed rapes during surprise attacks on towns and villages where women were often raped publicly in front of other residents, or in their homes in front of family members. The difference with these surprise attacks, however, is that the residents were usually transported to detention centers after the attacks where they continued to face violence and abuse, including rape (United Nations Security Council, 1994). We account for these rapes in other types within our Typology (i.e. B-5: Rape camps and B-6: Rape in detention) and only consider here the characteristics and consequences of rape where individuals were not detained.

**Colombia:** It is believed that women were raped by the AUCs before they were massacred along with other members of the village (SISMA Mujer, 2009) but there is little forensic evidence to verify that women, or men, were raped before being killed. The objective of raping people prior to their execution particularly when all members of a community are executed is unknown. Some have argued that it is done to brutalize the population in other areas, though it could also be argued that it serves as a unifying mechanism amongst the combatants or a way to prevent them from unilaterally abandoning arms, a tactic that has been seen in many countries around the globe in relation to child soldier indoctrination (see for example Goodwin-Gill and Cohn, 1994; Brett and McCallin, 1996). Similar to in El Salvador, rape of civilians deemed the 'enemy' was also used as a tactic to promote the flight of communities. There is anecdotal evidence that these kinds of rape took place in public, but it is not known if this was intentional or accidental. Besides the flight of some of the raped people and their families, it is too early to know what the consequences of this type of rape will be (SISMA Mujer, 2009).

**DRC:** The FDLR were the main perpetrators of this type of rape in 2009. They perpetrated rape in retaliation to the DRC government's policy to abolish them through *Umoja Weta* and *Kimia II* operations in 2009. Kippenberg (2009) refers to written evidence

of a deliberate tactic of retaliatory killings issued by the central FDLR command (p. 12). There is no evidence of a specific order to rape, but rather to create "a humanitarian catastrophe with the intention of pressing the international community to call off its support for the military operations against them" (Sawyer and van Woudenberg, 2009, p. 53). The FDLR deliberately attacked civilians in communities in which they were based, accusing these civilians of 'betrayal'. Human Rights Watch (HRW) has documented over 30 cases where raped individuals reported that their FDLR attackers said they were being raped as 'punishment' for their supposed collaboration with the government. These rapes were deliberately perpetrated in front of witnesses, such as family members, and gang rape was common. This type of rape often went hand in hand with looting and the execution of family members. FDLR is also known to have used objects such as knives, glass, rusty nails, stones, peppers, bottles, and green bananas to rape with, and to have even fired gun shots into women's vaginas (International Alert, 2005, Section 5.1.2; Csete and Kippenberg, 2002, p. 54; ai, 2004, p. 23; Sawyer and van Woudenberg, 2009, p. 73; Kelly, 2009). FDLR soldiers are accused of perpetrating the most severe rapes during January and September 2009, many of which were also accompanied by the mutilation of women's body parts such as their breasts, genitals, ears, lips/ mouths. Some of these mutilations were fatal to the woman.

**El Salvador:** During the conflict, government security forces often regarded civilians as the enemy either because they were believed to be supporting, in some way or another, the insurgent groups, or because they could do so in the future. This translated into a government conflict policy, which deliberately targeted civilians on a regular basis. The attacks against civilians by the armed forces included air raids, incursions into villages, etc, which were characterized by a large number of soldiers entering a village by land and terrorizing the local population by systematically raping the young women, burning and stealing property. The objective of these incursions was to prompt the population to flee El Salvador and to become refugees in neighboring countries. Over time, villagers adopted a variety of tactics to protect themselves including hiding the young women during the raids. It is clear that incursions into villages included a number of actions intended to brutalize the population, such as beatings and executions; interestingly the rape of the female youth is, however, identified by interviewees as one of the more

successful strategies in forcing populations to leave the area, although in many cases their departure was not to refugee camps as had been intended by the armed forces, but rather to join the FMLN (authors' interview, Iris and Maira).

**Liberia:** Much of the violence during Liberia's civil wars appears to have been ethnically motivated (see Section 5). Women and girls who were accused of belonging to a particular ethnic group were therefore at risk of sexual violence. During both civil wars, many women were attacked within their own homes. Combatants frequently forced their way into homes and raped all the women in the house while other family members were forced to watch. According to Munda (2007), raping 'enemy' women in this way was seen by the perpetrators as a sign of victory and a display of power over them. This type of rape was also commonly committed in gangs.

**Peru:** Soldiers from the armed forces committed rape of the peasant population during incursions into villages. Women were raped systematically, and it appears that there were often multiple perpetrators. In some cases, women were raped in front of the men, while in other cases they were taken to nearby buildings and raped there, presumably out of sight of others except for the other women being raped. In other cases, men and women from the same community were separated in a central location in the village (i.e. women on one side of the road and men on the other), and the women were raped in full view of the men. This type of rape in Peru appears to have very similar characteristics to this type of rape in El Salvador but little information is available to identify the goal (if there was any) of this type of rape in Peru. According to Americas Watch (1992), punishment and degradation of the raped person, as well as their family and community, could have been the reason as the rapes often took place in areas where the guerrilla had formerly controlled the area.

**PNG/ Bougainville:** During the fight for independence of Bougainville, rape was used as a means of demoralizing the opponent, as women were highly respected by men and revered for having distinctive powers as "mothers of the land" (Zale, 2004, p. 47; Braithwaite, 2006, p. 7). Braithwaite (ibid.) also notes that women were raped as a form of revenge over those they conquered. These rapes invoked fear and the flight of communities, though this does not appear to have been the prime motivation for using rape in war (ibid.). The literature does not provide any

data on the nature of the rapes—level of brutality, whether one or more perpetrators were involved, etc.—though there is a testimony of a woman who claims that military officers would wear the handle of a coffee mug during rape, which caused additional physical damage to the women. One military officer called the object ‘a bearing’ (Miriori, 2004, p. 65). It is, however, impossible to discern from the literature how common or isolated the use of such objects was during rape.

**Rwanda:** Tutsi women and Hutu wives and daughters of Tutsi men were raped during the genocide as the *Interahamwe* attacked villages. Tutsi women in particular were seen as the ‘enemy’ of Hutu men. For example, the extremist newspaper ‘*Kangura*’ published the ‘Hutu Ten Commandments’ in December 1990, three of which related to Tutsi women, portraying them as cunning seductresses who should not be trusted (Mukomeze, 2008, p. 2). Propaganda in the build-up to the genocide continued to depict Tutsi women as sexual weapons who would be used by the Tutsi to weaken and ultimately destroy Hutu men (ibid.). Many Tutsi women were consequently brutally raped during the genocide and left to die or to be permanently scarred from their injuries. According to Sharlach (1999), some *Interahamwe* militias apparently refused to kill the woman they raped because they reportedly believed that the psychological and physical scar resulting from rape—including the transmission of HIV—would be worse for the woman than death (p. 396). Most women were gang raped and raped in very public places.

**Sierra Leone:** The RUF treated all civilians as ‘enemies’ who were to be punished for their perceived support of the existing government, whether or not they actually supported the government (Human Rights Watch, 1999, p. 1; Eaton, 2004, p. 880). Within this context, rape was used indiscriminately against the civilian population. It was perpetrated during attacks on major cities, which were part of the RUF’s military strategy; for example, it is reported that rape peaked in 1998 and 1999 as the rebels were fighting for the capture of Freetown. Overall, however, it is likely that this type of rape only accounts for a small portion of wartime rape that occurred in the Sierra Leonean conflict, as research indicates that most rapes were perpetrated outside of these years, when there were no major military operations of the RUF (cf. Cohen, 2010). This type of rape was nevertheless organized, very brutal and intended to be displayed publicly

(Cohen, 2010). It was also the only type of rape where superiors actually ordered the RUF rebels to perpetrate rape (ibid.).

#### Sub-types

Within the context of rape perpetrated as a military strategy, forced incest was also perpetrated within three of the conflicts we examined (BiH, DRC, Sierra Leone), which we believe warrants greater examination. We have therefore included it here as a sub-type of B-3. Nevertheless, only the consequences of Type B-3 and not its sub-type are examined below.

**Sub-type B-3-1: Forced incest:** Perpetrators force civilians whom they identify as the ‘enemy’ to commit incestuous rape under the threat of death.

#### Foundations for the type

This is distinguished as a sub-type of rape as a military strategy because it appears that the motivations of armed groups who force incestuous rape among civilians deemed the ‘enemy’ differ from the motivations of armed groups who perpetrate the rape of civilians themselves. It is also conceivable that the consequences of this sub-type will differ from rape where forced incest is not involved, primarily because forced incest targets the family unit directly, rather than indirectly as witnesses, or not at all.

#### Countries where this type is exhibited

- Bosnia and Herzegovina (BiH)
- DRC
- Sierra Leone

**Bosnia and Herzegovina (BiH):** There are a number of testimonies documented in the literature of forced incest perpetrated by the Bosnian Serb forces and the irregular Serb militia (cf. Vranic, 1996; United Nations Security Council, 1994). These rapes occurred within the context of invasions and armed attacks of towns and villages by members of these groups, and largely took place within the home of the residents. Fathers were forced to rape their daughters; brothers were forced to rape their mothers and sisters, and so on. If the males refused or were unable to commit the incest, they were often severely beaten or killed. It is possible that some of the residents forced to commit incest were later sent to and raped in detention centers, though this is not clear in the literature.

**DRC:** According to a study conducted by International Alert (2005) in South Kivu, armed groups would often force members of the same family to commit incestuous rape with each other—between mother and son, father and daughter, brother and sister, aunt and nephew (section 5.1.3). The study notes that this was often done after the armed group gang raped an individual, presumably forcing a family member to rape the same individuals though this is not entirely clear. Forced incest by armed groups was also described in studies conducted by Kelly (2009) and Bartels (2010), the latter of whom notes that refusal to participate was often met with death (p. 24). The FDLR is identified as one of the armed groups that committed forced incest in 2009 (Sawyer and van Woudenberg, 2009, pp. 75, 12).

**Sierra Leone:** The TRC (2004) noted that “mass incestuous rape was imposed on residents of some whole communities” (Vol. 3b, p. 163). According to Taylor (2003, p. 35), the perpetrators of this crime aimed to subjugate the enemy population by forcing them to commit one of the biggest taboos in Sierra Leonean society. Aside from these sources, however, we know very little about this particular sub-type of wartime rape in Sierra Leone.

### Consequences

Many boys and men were forced to watch the rape of their sisters, wives, mothers, daughters and experience feelings of shame for not having been able to protect them and hence live up to the image of the powerful and dominant male, leading to the **breakdown of family and social cohesion**. In some cases, this even led to the withdrawal from and/or abandonment of the family, while in other cases, such as in Liberia, many men reportedly resort to sexual and physical violence against women as a means of reclaiming their dominance and power (Munala, 2007). Many women in the DRC who were raped in front of family members specifically mentioned the additional shame of having had family members witness the attack (Bartels, 2010, p. 23). This appears to also apply to Peru where in some cases the rapes were carried out in front of the whole village (Americas Watch, 1992).

This type of rape often goes along with the destruction of property and goods, and thus individuals who choose to remain in their communities as well as those who choose to flee have to begin anew with limited to no assets or means, leaving them **economically**

**vulnerable**. Flight is a common response to this type of rape, displacing individuals, even whole communities, and exposing them to the economic hardships that are experienced by refugees and internally displaced persons (IDPs).

### Implications for interventions

Individuals whose family members, particularly husbands, have witnessed their rape may be at a heightened risk of domestic physical or sexual violence by these members. Prevalent attitudes, behaviors and beliefs about rape and masculinity must be first understood and if detrimental, addressed through public education campaigns so that individuals raped are not re-victimized in the domestic sphere. Institutions influential in propagating dominant ideologies and attitudes towards rape and masculinity and influencing behavior change—for example, the secret societies in Liberia and Sierra Leone—should be at the center of these campaigns (Munala, 2007).

It is unclear in the literature whether individuals raped as ‘enemies’ in this way face social stigmatization. While it is safe to assume that there is a great deal of stigma surrounding rape in a variety of social contexts, it is not clear whether the public and widespread nature of some cases of this type of rape preclude social stigmatization, because so many people were witness or subjected to it as well. If this is the case, it would suggest that a critical opportunity exists to tackle silence surrounding this issue, which is often blocked by fear of social stigmatization. It would also suggest that there may be a shared understanding of what happened amongst members in the community, and thus fewer obstacles to social, familial and interpersonal reconciliation. For example, in El Salvador, the individual raped in this way was immediately seen as a clear victim of the event, and often families tried to protect these individuals by hiding them during the government forces’ incursions into villages, recognizing that they were not to blame for their attack (authors’ interview, Iris and Maira).

Since the destruction of homes and livelihoods often accompany this type of rape, addressing these losses is a critical step in assisting the recovery of raped individuals. There is some preliminary evidence from Sierra Leone and the DRC that the result of rape, rather than the rape itself, is often more traumatic to the individual (Ibrahim, 2006, p. 25; ai, 2004, p. 36). The result of rape, amongst other things, is often associated by women in Sierra Leone with the loss of income,

livelihood, assets and general poverty (Ibrahim, 2006, p. 25). Similarly, Kelly (2009) notes that some women in the DRC also believed that their increasing poverty was a result of their rape (p. 31). Many women are no longer physically or psychologically able to work or make a living after their rape, while others are socially excluded from doing so. While the link between rape and poverty requires further research, it is conceivable that meeting the material needs of individuals raped is an important step toward promoting the well-being of these individuals and their families.

Forced incestuous rape has not been distinguished in the literature from other forms of rape and sexual violence, and thus it is not possible to understand the consequences of this type of violation. Nevertheless, in the few reports where forced incest is documented, there are indications that the consequences may differ from other types of wartime rape. For example, in the DRC, children or youth who witnessed the rape of a family member, or who were forced to commit incest are reportedly deeply traumatized, and many display “an altered attitude toward family authority, ranging from lack of respect and intolerance to contempt and even blame for their parents for not having managed to prevent what happened” (International Alert, 2005, section 6.1.2). Indeed, this sub-type of rape appears to undermine family structures, as well as the ties between families and general social cohesion. This may further compromise efforts to promote reconciliation within and between communities.

#### **Type B-4: Rape by a neighbor.**

Rape perpetrated by members of the armed forces against the civilian population seen as the ‘enemy’, where often the rapist and raped person are from the same village/community.

#### Foundations for the type

The data we collected suggests that when the raped person and his/her perpetrator come from the same community and know each other prior to the beginning of hostilities, after which they find themselves on opposite sides of the conflict, the consequences of the rape are predominantly influenced by this acquaintance.

#### Key characteristics

- This type of rape occurs when hostilities break out between members of the same community, where it is often inevitable that individuals raped and their perpetrators will know one another.
- In some cases, an individual who is known to the perpetrator is intentionally targeted with rape in addition to being targeted as the ‘enemy.’ In this case, rape is very personal and, among other things, aims to seek revenge, punishment, or vindication for a perceived wrong committed in the past by the raped person. This motivation at the perpetrator level may in fact lead to more brutal rape—meaning that more physical violence is involved—than if rape was not motivated by the desire for personal revenge.
- This type of rape can be perpetrated as part of an armed group’s use of rape as a method of war, or it may be perpetrated for opportunistic reasons.

#### Country cases where this type is exhibited

- Bosnia and Herzegovina (BiH)
- Rwanda

**Bosnia and Herzegovina (BiH):** There are a number of testimonies of women admitting that they recognized their rapists as their neighbors or members of their community (see for example Skjelsbaek, 2001; Loncar et al., 2006). It does not appear that these women were targeted because they were recognized by their perpetrator, nor did this recognition seem to help the woman in terms of protecting her from rape. A study by Loncar et al. (2006) suggests that rapes where women were not known to the perpetrator may in fact have been more violent and humiliating, though more research is needed to corroborate this finding. It is likely that this type of rape was more common in areas where the armed groups were based in or near their own communities.

**Rwanda:** During the genocide, Mullins (2009) notes that Hutu men were able to rape specific Tutsi women who had slighted or rejected them in the past (p. 732). In this case, it appears that rape had a secondary motivation from the general aim of genocide, which is to seek personal revenge on a particular individual and/or to punish them for whatever personal insult they had (or had not) committed. In other cases, Nowrojee (1996) notes that many of the Hutu militia, the *Interahamwe*, were neighbors or even friends of the Tutsi individuals they raped (pp. 20–21). Hence,

the individual raped may be acquainted with many of the perpetrators or indeed all of them, though the individual was not targeted by the perpetrators because they were acquainted.

### Consequences

This type of rape may contribute to the **breakdown of social cohesion**. Individuals raped in war may return to their villages and live in the same community as their perpetrators, such as in the case of BiH, but these communities no longer resemble their pre-war state in terms of social interactions—they are now highly divided or, as one interviewee put it, separated with fences (authors' interview, Altaira Krvavac). Patterns of interaction and trust between members of these communities have changed, resulting in a much more fragmented and compartmentalized community than before the war and wartime rape.

In the absence of justice, individuals who do not want to risk coming into contact with their perpetrators may have limited mobility within the community and hence opportunities for socializing and earning an income, which may leave them **economically vulnerable**. Some individuals may also migrate from their communities as a means of coping with what happened to them, and to avoid the possibility of living beside their perpetrators. Individuals may migrate to another rural or urban center in the country, or to another country altogether. They will likely be unable to continue their pre-war and pre-rape livelihoods, and must adjust to a new economic landscape that may or may not require different knowledge and skills. All of these factors have implications for the economic security of the individual and their family.

### Implications for interventions

Reconciliation efforts may be critical to rebuild social cohesion. These efforts should not be limited to judicial processes, but should rather encompass a wide range of social and economic processes to build trust between members of the same community. This could include activities ranging from national and/or communal acknowledgment of the crimes committed during the war, to mediation between a perpetrator and the raped individual. Such processes can be encouraged and supported by external actors, but should be devised locally in order to ensure their credibility.

It may be difficult to track the economic and social well-being of individuals and families affected by wartime rape who have migrated to different rural or urban centers in the country, or to another country altogether. It may be easier to track those that have returned to or remain in their home communities. Among these individuals and/or families, it would be important to know whether they have encountered their rapists in the community, and/or whether the possibility of encountering their rapist affects their movements and livelihoods. Based on this knowledge, interventions to promote the economic security of these individuals and families can be developed. These may involve income generating activities, but also measures that help to increase or return freedom of movement and feelings of safety to raped individuals and their families within the community.

### Type B-5: Rape camps

Rape perpetrated by members of the armed forces against the civilian population seen as the 'enemy', where often the raped person is held at a location designated for rape.

### Foundations for the type

Our research suggests that being detained for the sole purpose of rape is perpetrated differently, motivated by different factors, and leads to different consequences than other types of wartime rape. For example, we found that individuals held in these locations are raped more frequently and therefore may sustain more physical injuries and other complications than those who experience other types of wartime rape.

The detention of individuals in rape camps is considered a form of sexual slavery in international law, as it involves the enslavement of individuals for sexual use. We understand rape camps to involve the detention of individuals for the sole purpose of forced sexual relations and therefore distinguish it from sexual slavery where individuals are also forced to perform other household duties and labor. We believe this distinction may be a determining factor for how individuals, families and whole communities interpret and respond to the experience in a way that is different from other forms of wartime rape.

### Key characteristics

- Women are the main targets of this type of rape. They are generally young and of a reproductive age.

- Women are only detained in this way for the purpose of rape, and are not put to any other use as in the case of sexual slavery (Type B-2).
- Women in these centers are raped more than once, some on a daily basis, and by more than one rapist.
- The motivations for detaining women in rape camps tend to differ from case to case.

#### Country cases where this type is exhibited

- Bosnia and Herzegovina (BiH)
- Rwanda
- Timor Leste

**Bosnia and Herzegovina (BiH):** Rape camps were a notorious feature of the war in BiH. These camps reportedly existed across BiH, though they were difficult to verify during the war because they were dissolved upon being discovered (Stiglmayer, 1994, p. 115). These camps were located in abandoned buildings, houses, cellars, cafes, or the military base of the armed group. Women were raped repeatedly and by multiple rapists, including group rape. Women of all ages were detained, particularly women and girls of a reproductive age. It is presumed that one of the key objectives of these camps was the forced impregnation of women so that they could give birth to Serbian children, as nationality was believed to be determined by the father. There is evidence to suggest this; for example, women who did not become pregnant were reportedly beaten, while women who became pregnant were given meals and treated relatively better than other female prisoners (testimony offered in Stiglmayer, 1994, p. 119). Also, most pregnant women were not released from the camp until their seventh or eighth month of pregnancy, when the pregnancy was too advanced to be safely terminated, and gynecologists were reportedly onsite in some camps to examine the women (*ibid.*). Nevertheless, the motivations for detaining women in these camps are not known with certainty.

Some women were also detained in a centralized location such as hotels or large buildings for "the sole purpose of sexually entertaining soldiers, rather than causing a reaction in the women" (United Nations Security Council, 1994, Section F). These women were raped repeatedly by multiple soldiers, particularly during the return of soldiers from the front line every 15 days (*ibid.*). These individuals are often referred to as 'sexual slaves' in the literature, though forced

labor was not a feature of their detention, and so we account for their experience here in our Typology. Many of these women were killed after their detention, while others were either let go, managed to escape, or reportedly committed suicide (cf. Ahmetasevic et al., 2006; Stiglmayer, 1994).

**Rwanda:** One study notes that some Tutsi women were detained in houses specifically for the purpose of rape anywhere from a few days to the duration of the genocide (Nowrojee, 1996, p. 19). It is unclear who detained these women and raped them—whether it was the *Interahamwe*, the Rwandan military or both—and how widespread these types of houses were. The motivation for detaining women in this way is also unclear. It has been assumed that the motivation for rape houses was the same as the motivation for the genocide and rape of women in general, though this has not been verified. The literature also does not discuss what happened to these women—whether they were later executed, released, or escaped from the rape houses.

**Timor Leste:** There are several reports in the literature that 'rape houses' existed over the course of the Indonesian occupation. The CAVR (2005) calls these places 'rape centers' and notes that they existed before and during the Popular Consultation in 1999 (pp. 38–39). The women in these centers were forcibly detained and made accessible for repeated rapes. According to Mason (2005), these centers were used to reward Indonesian soldiers and to humiliate and impregnate Timorese women (p. 744). The objective of impregnation is questionable, however, since by other accounts in the literature, many Timorese women were either forcibly sterilized by the Indonesian army before they were raped, or were forced to have abortions if pregnancy resulted from the rape (Abdullah and Myrtinnen, 2004; Mason, 2005, p. 744). There is no investigation in the literature of why women were forcibly sterilized prior to being raped, even though this information could provide insight into the army's motivations for detaining women for rape. It is also unclear whether these centers were sanctioned by the military authorities, or simply ignored.

#### Consequences

**Children born of rape** is the only consequence, which can be linked to this type of rape based on the data available. Many women in rape camps in BiH became pregnant as a result of the rape, but it is unknown whether or not pregnancy was a common result of



such rape in Rwanda or Timor Leste. According to the literature, becoming pregnant from wartime rape may make it more difficult to overcome the rape experience. For example, Folnegovic-Smalc (2005) found that suicidal thoughts appear more frequently in Bosnian women who became pregnant from the rape. The length of detainment in rape centers may make it highly unlikely, if not impossible, for women to deny the source of their pregnancy from members of their family and community, which can lead to their ostracization or rejection and/or the rejection of their child born from rape.

It is interesting to note that a study by Loncar et al. (2006) of Bosnian refugees raped in the war found that women who were raped once compared to those who were raped repeatedly had a seven times higher risk of pregnancy. This suggests that women raped in other forms of wartime rape may be equally, if not more at risk of pregnancy than women detained for the purpose of rape (whether in rape camps or as sexual slaves). This knowledge may in fact be useful in dispelling any misunderstanding that pregnancy only results from long-term detention where women are commonly believed to have 'consented' to sexual relations with an armed combatant (see Type B-2).

#### Implications for interventions

When it comes to the consequences of this type of rape, the literature does not differentiate between the consequences for women detained in rape camps versus those detained as sexual slaves, and thus it is impossible to know whether both face the same type or degree of social stigmatization and economic vulnerability. It would be important to know how individuals raped in this way made sense of their detention, whether they faced similar issues of guilt as women detained as sexual slaves, and how they were received by their families and communities. It would also be important to know whether the perpetrators of this type of rape interpret their actions as rape, and how these interpretations of the individuals raped and the perpetrators of rape compare to/ differ from sexual slavery. Once again, gathering information on the interpretations of this type of rape provides a better understanding of local beliefs and attitudes towards rape, as well as provides clues or entry-points for how to change these beliefs and attitudes and free individuals raped from facing social stigma. It would also shed light on whether these individuals also faced economic vulnerability, how they coped with it, and whether or not they resorted to prostitution

and sexual exploitation similar to women detained as sexual slaves.

It is nevertheless clear that a woman or girl detained at a rape camp may have a harder time denying that she was raped than if she was detained elsewhere, such as in a concentration camp or prison. Likewise, she will have a difficult time denying her rape if she returns from captivity pregnant or with a child. It is therefore critical that any stigma associated with this experience of rape in war be addressed in the post-war period to protect individuals raped from social and economic isolation. Public acknowledgment and documentation of these experiences may go a long way toward absolving any potential individual and collective feelings of guilt, shame and confusion associated with having been detained for rape, and once again shift the direction of blame toward the perpetrators. The fact that one of the most notorious rape camps and detention centers during the Bosnian war—Vilina Vlas Hotel in Visegrad—reopened after the war essentially denies and silences the atrocities that were committed there and prevents the knowledge of these crimes from becoming a part of collective memory. Public acknowledgment of crimes committed in war is an important first step in the prevention of these crimes in the future.

It is also unknown whether a woman's feelings about her child born of rape differ based on the experience of rape that led to her pregnancy; for example, detention in rape camps, sexual slavery, or other types of wartime rape. This may have implications for how the child is treated and raised, which in turn affects how they participate in society. To our knowledge, this question has not been investigated to date, and should be part of future research on the experience of children born of wartime rape.

#### **Type B-6: Rape in detention**

Rape perpetrated by members of the armed forces against the civilian population seen as the 'enemy', where raped persons were kept in a central location that was not deliberately designed for rape, but where rape occurred.

#### Foundations for the type

This type of rape is based on our observation that rape during detention, whether in prisons or in concentration camps, where individuals were not detained for the purposes of rape involves different dynamics than detention for the purposes of rape (such as in sexual

slavery and rape camps). We found evidence that supports the notion that in these locations individuals raped are exposed to multiple traumatic events, including the rape, starvation and/or death of family members, and that this exposure can manifest itself in a variety of ways including further silencing of the rape events. We also found that rape in detention centers where not all women were raped allowed individuals to hide or deny having been raped; this may have specific consequences, which differ from rape camps where all detainees were raped and unable to hide or deny their experience.

#### Key characteristics

- Rape is not necessarily widespread, but it is systematic.
- Rape of male and female civilians in detention appears to have different motivations, though it is unclear what the motivations for male rape are aside from torture.
- Opportunity and individual reasons, such as sexual desire or a desire for power/ domination over others, appear to be the most prominent motivators of the rape of females in detention.
- Many raped individuals did not survive detention or were executed in detention.

#### Country cases where this type is exhibited

- Bosnia and Herzegovina (BiH)
- Cambodia

**Bosnia and Herzegovina (BiH):** Bosnian Muslim men and women were detained by Bosnian Serb forces in a number of centers during the war, which are commonly referred to as 'concentration camps'. Some of the most well-known camps were located in the villages of Omarska, Keraterm and Trnopolje near the town of Prijedor, though others also existed. These camps served as staging areas for the mass deportations of women, children and elderly adults and the detention and murder of men. Females were the main targets of rape in these centers by members of the Bosnian Serb forces. Women and girls detained in Omarska and Trnopolje were raped systematically, but rape was not necessarily widespread: indeed, some women were not raped at all (authors' interview, Teufika Ibrahimovic). Some of the women in the Omarska camp were also forced to clean the cells in which men were killed or tortured, as well as to serve food. The literature does not specify why some women were targeted with rape over others. Some

women died in the camps for reasons unknown, while others managed to escape.

**Cambodia:** Many men and women were detained as 'enemies' of the Khmer Rouge regime for crimes, which none of them had committed. In these detention centers—for example, Security Prison 21, also known as *Tuol Sleng*—testimonies indicate that women were often raped by male prison guards before they were executed (Etcheson, 1999, p. 3). These guards chose to rape the women despite the regime's strict codes of sexual conduct (see Section 5), most likely because they knew that their crime would be hidden with the women's executions, though this is mere speculation. There are reports that other women were taken to be interrogated and either sexually abused or raped on repeated occasions, sometimes by the same guard, sometimes in a group (cf. *Associated Press*, 2004, p. 5). It is not clear how many women survivors of detention centers were raped, as very few to date have admitted their ordeal.

#### Consequences

Unknown.

#### Implications for interventions

The perpetration of rape in detention centers is often overlooked because little effort has been made to document non-fatal violations of human rights, such as rape, which occur in these centers, and because individuals may remain silent about their rape in detention or be silenced by their families about their experience for various reasons. The lack of documentation prevents us from being able to understand and address this type of rape in war.

It is nevertheless possible that individuals who survive detention centers have witnessed—visually and/or audibly—the rape of other women or men, sometimes members of their own families. Witnessing the rape of family members can often be just as traumatic as an individual's own experience of rape (cf. Folnegovic-Smalc, 1994; Aron et al., 1991). It is therefore conceivable that the resulting trauma can weaken or lead to a breakdown of the family unit. What is more, it may lead to rifts within the community if these members witnessed the rape of others within the community. For example, in BiH, it has been observed that women held in detention centers who were not raped while in detention often distance themselves in the post-conflict period from those who were raped

for reasons that are not entirely clear (authors' interview, Teufika Ibrahimfendic). This distance not only affects individuals but may also weaken social bonds and ties between families and groups within the community. More research is needed to determine whether this is indeed the case.

#### **Type B-7: Opportunistic rape**

Rape perpetrated by members of the armed forces against the civilian population that is not identified with any side of the war.

#### Foundations for the type

This type of rape was identified on the basis of evidence that civilians are often targeted for opportunistic and individual reasons, such as individual sexual desire and/or the desire for power and domination, which have little to do with the war objective. We also found evidence to suggest that this motivation has implications for the way in which rape is perpetrated, and its consequences.

#### Key characteristics

- Armed groups perpetrating this type of rape generally have a weak or ill-functioning command structure, and/or rape is neither condemned nor punished within the armed group.
- Females of various ages are the majority of targets of this type of rape.
- Gang rape is common.
- It appears that sexual desire on the part of the perpetrator plays a large role in motivating this type of rape.

#### Country cases where this type is exhibited

- Colombia
- DRC
- Nepal
- Peru
- PNG/ Bougainville
- Sierra Leone

**Colombia:** Commanders of the AUCs claimed that the rapes committed by their members were examples of "combatants getting out of hand" (Brodzinsky, 2009, p. 2). They argue that their combatants raped for personal pleasure alone or as a one-off abuse of power. From the available data, however, it is not possible to know if this was in fact the case or if the commanders claimed this to be the case in

order to prevent themselves for being blamed for encouraging or condoning the perpetration of rape by their combatants (ibid.).

**DRC:** The literature indicates that the FARDC is mostly responsible for committing this type of rape since 2003, though other armed groups are implicated as well. It is commonly perpetrated by one or more soldiers. A number of testimonies in the literature display a pattern of how these rapes are committed: a soldier(s) approaches a woman and asks her for sex. Once she refuses, the soldier beats and rapes her anyway. In the documentary film entitled *The Greatest Silence*, an interview with a perpetrator of rape illustrates this pattern, where he admits: "We know [rape] is not a good thing, but what do you expect? We spend a long time in the bush and when we meet a woman and she will not accept us then we must take her by force."<sup>33</sup> The soldier believes that he is somehow entitled to rape because he has sexual needs that must be satisfied, but no money to pay for sex (cf. Baaz and Stern, 2009, pp. 505–10). Rape by FARDC soldiers is often explained as a consequence of their own poverty—if they had money to pay for sex or provide for a woman/ his wife in a way that would promote consensual sexual relations, then they would not need to rape (cf. Baaz and Stern, 2009, pp. 505–10; Kippenberg, 2009; Kelly, 2009). This type of rape appears to be opportunistic and motivated by sexual desire as well as a desire for power and domination.

**Nepal:** There is limited evidence that members of the security services and the police raped individuals, primarily young girls, throughout the conflict during group incursions into villages, but also that individual members of the security forces raped single individuals as one-off events. It appears they did this because the security services were able to act with total impunity. This would suggest that in some cases the rapes were not driven by a conflict-related objective, but rather by opportunism (ai, 2005).

**Peru:** It is known that government soldiers raped women in the villages in an opportunistic fashion. This type of rape was not ordered or required by the armed forces, but it was condoned by the army command. In fact, there is anecdotal evidence that soldiers were told that if they felt like raping a civilian they should do so in groups (Americas Watch, 1992, p. 19). There is also evidence to suggest that opportunistic rapes were

<sup>33</sup> *The Greatest Silence* was produced and directed by Lisa F. Jackson in 2008. For more information, visit the documentary's website at <http://thegreatestsilence.org/>.

perpetrated following a petty crime such as stealing a woman's wallet. The literature suggests that neither the petty crime nor the rapes were part of a policy, but rather activities which were allowed by the armed forces as a way to support the constant terrorization and brutalization of the civilian population in areas where they were present (Americas Watch, 1992). The encouragement to rape, however, seems to have been given by commanders who also wanted to rape civilians freely. While this type of rape appears to have been condoned by the army command, the literature suggests that it was not required or seen as part of the conflict strategy *per se*. The literature does suggest, however, that government soldiers were encouraged to abuse their power if they felt like doing so. There is anecdotal evidence that soldiers who reported the crimes or abuse of power, rape or otherwise, were executed by their commanders, but this is seen as "killing a snitch" because the person could not be trusted, rather than killing a soldier for not following orders to commit a crime (Americas Watch, 1992).

**PNG/ Bougainville:** Soldiers from the PNGDF reportedly seduced young girls into their cars and then handed these girls over to their fellow soldiers to be raped in groups (Miriori, 2004, p. 64). The PNGDF apparently had poor command and control and lacked discipline, and thus troops on the ground in Bougainville appear to have had relative freedom of behavior (ai, 1997, p. 8). PNG soldiers are accused of having committed repeated rapes of women in Buka in particular, the location of their main command post in Bougainville (Miriori, 2004, p. 63). These women were not targeted as the 'enemy' but rather because of their proximity to the base. PNG soldiers are further accused of purchasing women from their local resistance forces to use for sex (ibid., p. 64). It is unclear whether these women were raped and then released, or whether they were detained as sexual slaves. It is also unclear how these women were located by the resistance forces, whether this only occurred in Buka or also in other parts of Bougainville, where these women were brought to and whether this practice by PNG soldiers was widespread. One testimony recorded by Miriori (ibid.) shares the belief that the "PNG army did not come to help Bougainville people, they came only for the women" (p. 64). From the little we know of this type of rape in PNG, the motivation appears to be more opportunistic than strategic.

**Sierra Leone:** Some members of the RUF are known to have raped civilians, especially in rural

areas, for reasons which cannot be linked to any military objective. These rapes were occasionally accompanied by looting property and stealing food from the villagers. In the process of committing these rapes, the rebels did not accuse the villagers of supporting any side of the conflict, nor did they claim to be punishing the civilians for this support. This rape was ignored, if not condoned within the RUF hierarchy, and thus appears to be more opportunistic than strategic (cf. Cohen, 2010).

#### Consequences

Unknown.

#### Implications for interventions

More research is needed on the consequences of this type of rape in war. For example, there is the risk that perpetrators continue to rape long after the cessation of hostilities, and that this behavior becomes normalized because there appears to be a sense of entitlement, which drives the rape in the first place. If perpetrators are integrated into the security sector after the war is over, it may be likely that they continue to perpetrate rape against civilians in their new security roles, which in turn may lead to the loss of civilian trust, support or respect for the security sector as a whole (see Type B-1: Rape of an ally). Poverty among the perpetrators during the war and in the post-war period may further exacerbate the problem in contexts where regular sexual relations depend on the ability of the male to provide for the female economically (cf. Baaz and Stern, 2009). Women may even be at an increased risk of rape after the war has ended than before the war began. In this type of rape, it is extremely important to examine perpetrator motivations in order to understand how to prevent the continuation of the rape of women in peacetime, and to ensure the legitimacy and effectiveness of the security sector.

Similar to Type B-1: Rape of an ally, this type of rape should be carefully considered when conducting security sector reform processes, particularly when multiple armed groups are being integrated into a new security force, to ensure that:

- agents of the security apparatus are vetted and those who have committed human rights violations such as rape are not accepted within the state security apparatus;

- adequate training is conducted to inform agents of the security sector of the consequences of raping civilians to prevent them from perpetrating this kind of crime;
- the community is educated on their rights vis-à-vis members of the security sector and can be mobilized to report, document and campaign for justice and greater reform;
- this kind of crime by the security forces is adequately investigated and punished so that it can serve as a deterrent in the future.

The economics of rape and the possible linkages between poverty and rape also require further research. This research has implications for addressing rape perpetrated during and in the aftermath of the war. It is questionable whether legislative and judicial measures are effective in deterring this type of rape, since perpetrators rape of their own free will, are not easily identified by their victims, and are rarely caught or disciplined within their armed group due in part to its weak command structure. Other methods of prevention, including measures to shame the perpetrators of rape, should therefore be investigated.

#### **Type B-8: Targeted rape**

Rape perpetrated by members of an armed group against members of the civilian population who are targeted because they are believed to be associated with the enemy, or engaged in activities that are seen as contentious or threatening to the armed group.

#### Foundations for the type

This type of rape is founded on evidence, which shows that rape is often perpetrated by members of an armed group against civilians who are believed to be associated to the enemy forces or engaged in activities deemed as threatening to the armed group (i.e. human rights workers). The evidence suggests that such targeted rape has specific characteristics that may influence its consequences and which can also lead to its prevention.

#### Key characteristics

- This type of rape is a clear method of war used to punish and deter individuals who are engaged in activities believed to be subversive or threatening to the armed group, or used to punish and deter enemy forces themselves by targeting those perceived to be associated to them (i.e. wives, sisters, mothers, relatives, etc.).

- This type of rape is generally perpetrated by government forces or state-sponsored militia groups.
- Male and female civilians are targeted with rape. In some cases, individuals are raped in their homes, while in other cases they are first detained and raped as a method of torture.

#### Country cases where this type is exhibited

- Colombia
- Nepal
- Peru
- Timor Leste

**Colombia:** In Colombia, human rights activists and political activists have been targeted by the AUC and raped. In such cases, the rape is clearly a warning or a punishment. In cases where it is used as a warning, the rape is accompanied by a threat and it is made clear to the raped person—all of which are reportedly women—that her actions are the reason for the rape. These rapes most often take place in the homes of the raped person. The armed perpetrator makes the reason for the rape clear to the raped person and often threatens to return if the raped person does not comply with a change of behavior/ associations (SISMA Mujer, 2009).

**Nepal:** In Nepal rape seems to have been used by the government security forces during house raids as a way to gain information on the Maoist rebels. It is believed that families of individuals involved in the Maoist movement were targeted. There is little information on characteristics of this type of rape (ai, 2005, p. 3). While the information available points to a caste distinction between the rapist (security forces) and the raped person (peasant with ties to Maoist group), it is not possible to ascertain the degree to which the caste system—for example, a higher caste member raping a lower caste member—was an influential factor for targeting a person with rape given that members of the security services belong to a higher caste than members of the Maoist rebel movement in the first place. It is therefore more likely that Maoist rebels were targeted with rape not because they belong to a lower caste, but because their political activities were deemed subversive by the Nepalese government. It is of course unclear whether rape would still be used as a weapon of war among individuals within the same caste or if lower caste individuals would target higher caste individuals with rape.

**Peru:** In Peru, women were often detained by the armed forces and raped because they were believed to have been associated with the opposition, or they were raped as a form of torture with the aim of gaining information on the opposition. This type of rape was often combined with other forms of torture and included the use of objects, such as firearms, which were introduced into the vagina and/or anus (Americas Watch, 1992). There is evidence that men were also raped, including with objects. This is known as there is some data on the injuries incurred by the victims of rape (ibid.). It is noteworthy that detainees were in some cases only threatened with rape as a way to gain information. In some cases, the threat was sufficient and the act itself was not carried out.

**Timor Leste:** Throughout the Indonesian occupation, the Indonesian military (TNI) and Timorese militia detained and raped women and men for either supporting the pro-independence movement, or for having family members who were involved in the resistance, such as spouses, fathers or brothers. These individuals were targeted and raped in lieu of their family members who often could not be captured, which the CAVR (2005) calls a form of 'proxy violence' (p. 6). It was believed in some cases that raping the spouses or relatives of guerilla fighters would force them out of hiding. Some of these individuals were also forced to accompany the military and provide intelligence of the guerilla's whereabouts. According to the CAVR (ibid.), male civilians were raped in detention, including with objects such as pieces of wood, while they were being tortured. There are also testimonies of male detainees being forced to perform oral sex on Indonesian soldiers (ibid., p. 16). Testimonies of male rape in the CAVR date to the early years of the invasion and occupation. The targeted rape of women in detention occurred throughout the Indonesian occupation, but primarily during the consolidation years. According to the CAVR (ibid.), not all women detained were raped. Some of these women were released, while others were taken as 'sexual slaves' or to be the 'forced wives' of members of the TNI (see Type B-2). It appears that as the military operations of the TNI increased, so too did the rape of individuals (ibid., p. 10).

#### Consequences

Unknown.

#### Implications for interventions

It is conceivable that targeting particular individuals with rape can serve to deter these individuals from continuing their work, and discourage others from taking part in it as well. This type of violence can effectively close the political and social space for civil society actors to engage in human rights or peace activism, further stalling and suppressing social change from within the country. This outcome is not particular to rape, but is certainly possible with the use of rape as a weapon of war. On the other hand, this type of rape helps to predict which individuals are more at risk of rape than others, and consequently to protect these individuals from this form of violence. Round the clock accompaniment, for example, may be effective in certain contexts in preventing or protecting the individual from further victimization, and in allowing the necessary space for social action.

It is unclear how the spouses or family members of individuals raped in this way react to the ordeal. It is possible that, because the rape is used as a weapon of war, it may be easier for the individual and his/her family to accept the rape as a crime of war and not feel any blame or shame. On the other hand, it is also possible that the spouse or members of the family believe that the individual did not resist enough and should have tried harder—even accepting death—to prevent the rape from occurring, which in some contexts may be interpreted as an affront to the family's honor. The reactions of individuals and families to this type of rape are important to document in order to understand how to positively influence them across different contexts and hence to shift the blame from the raped individual to the perpetrator of the crime.

Men are particularly targeted with this type of wartime rape when detained, though there is a severe lack of information on the consequences of male rape, which is only now being examined as a form of violence on its own. How males raped in detention or during torture interpret and handle their experience, and how this interpretation affects those around them, is not yet understood. This understanding may also provide further insight into how men interpret the rape of females and why in some cases they reject, blame, or commit further violence against the raped females.

# Conclusions

In this *brief* we have presented the progress we have made to date in developing our Typology of wartime rape, demonstrating that there are indeed many different types of this form of violence. We have further demonstrated that each type may be linked to different consequences in the post-conflict period, all of which have implications for the effectiveness of interventions. We did not intend, nor would it have been possible to establish causal paths between the different types and its consequences—the data is simply not available. Rather, we aimed to show that a relationship between types and consequences exists, and that some consequences are more likely than others based on the type. We have tried to present this work in progress in such a way that it can be used by donors and practitioners to help identify the necessary data to design more informed and targeted interventions, and to evaluate interventions that aim to meet the needs of individuals, families and communities resulting from wartime rape.

The research presented in this *brief* contributes to filling two key gaps in the literature: the narrow definition of wartime rape and a limited consideration of patterns. Wartime rape is not only defined by the physical act of forced penetration, but also by the dynamics of war, which lead to and characterize its perpetration. As such, it is not only the physical act that influences the consequences of this form of violence. Our understanding of wartime rape challenges conventional wisdom by suggesting that there is more to wartime rape than the act of forced penetration. Through an in-depth examination of the two original country cases, and a review of the ten additional country cases of wartime rape, we have confirmed that this is indeed the case by developing a Typology, which has highlighted not only the variation, but also the linkages between the perpetration and consequences of wartime rape against civilians.

In developing our Typology, we have found that the consequences of wartime rape are not always influenced by the same themes, such as the motivation for rape. Rather, different themes may influence these consequences, including the perpetrator–raped individual relationship, and how the rape itself was perpetrated (i.e. in detention, as a domestic sexual slave, in rape camps, etc.). While there are some similarities across different types and their consequences, interventions should be informed by the greatest level of detail possible to ensure that no information, which may be critical to the success of an intervention, is missed. This includes a consideration

of the social context in which the rape occurs, which is not taken into account in the Typology. We hope that our research underscores the need for more longitudinal research on wartime rape, so that the consequences of this form of violence in war can be more thoroughly understood and followed up on.

To date, research on the country cases of wartime rape has generally focused on the individuals raped, which is only part of the equation. Finding the answers to addressing wartime rape is not possible if we do not consider the perpetrators and the way by which the rape was committed. For example, the question of why wartime rape is perpetrated is often answered in the literature based on the effects of the rape (i.e. breakdown of families) or on the perceptions of the individuals who were raped (i.e. the rapist aimed to humiliate us). While these motivations may in fact be true, the perpetrators are rarely asked themselves. This is slowly changing, as more and more researchers and even documentary filmmakers are making a concerted effort to interview self-declared perpetrators of rape, or male combatants from groups that have perpetrated wartime rape.<sup>34</sup> For example, Cohen (2010) has undertaken interesting research on the use of rape in the Sierra Leonean conflict, where she concludes that rape was used within the RUF as a form of socialization among the perpetrators. In other words, it was not the effects of rape on civilians, but rather the act of rape itself and its consequent bonding effects among the combatants that primarily motivated its perpetration. To what degree combatants are willing perpetrators or not, or the consequences of raping individuals on the perpetrators themselves, is also unknown. Understanding these aspects and the cost-benefit calculation of the perpetrators of rape in war has important implications for halting and preventing this type of violence in the future.

What follows are some general findings and conclusions from our research that have important implications for donors and practitioners:

- Interventions on wartime rape must understand and aim to address social stigma surrounding rape.

<sup>34</sup> Please refer to the review of literature in Section 2 for an overview of research to date on the perpetrators of wartime rape. We also recommend the documentary “Weapon of War” by Ilse and Femke van Velzen, which provides insight on the perpetrators of wartime rape in the Democratic Republic of the Congo (<http://www.weaponofwar.nl/>).

While social stigmatization appears to result more prominently in some types of rape than others (i.e. types of rape, which are not easily hidden such as sexual slavery, rape camps or rape resulting in pregnancy and birth), rape is stigmatized in most of the country cases examined. Stigmatization by family and/or community members can have a powerful influence on how an individual interprets and feels about his/her experience (cf. Mukumana et al., p. 383). The nature of the stigma and the attitudes and beliefs that propagate it remain socially and culturally embedded. For example, there is a common belief in Cambodia that “men are gold, women are cloth” and thus a stain on a woman lasts forever, whereas a stain on a man can be washed away (ai, 2010; CAP, 2009; LICADHO, 2007). Rape is a so-called ‘stain’ on a woman, which forces her and her family to either silence the event, or accept social stigmatization. It is critical that social and cultural attitudes and beliefs surrounding rape be examined in the pre-, during and post-war phase in order to design appropriate and effective interventions, which can engage with and constructively challenge these attitudes and beliefs.

- Lessons can be learned by examining the ‘exceptions’.

There are always exceptions to the general rule. For example, not all individuals raped are stigmatized (i.e. sexual slaves in Colombia), and not all children born of rape are marginalized or rejected by their mothers, families or communities. For example, we are aware of at least one case in BiH where the provision of psychosocial and economic support to the mother of a child born of rape led to the acceptance of the child by the mother and by her family (authors’ interview, Sabiha Husic). There are also armed groups that do not perpetrate rape, or conflicts in which rape is not perpetrated at all. Understanding these exceptions may help to provide insight into how to stop or prevent negative consequences from occurring, or to prevent wartime rape in the first place.

- Programming and funding on wartime rape should not exclusively target individuals or families affected by wartime rape.

Stand-alone programs targeting individuals or families raped in war may deepen stigmatization and create a fake market. We know from interventions in other fields, such as assistance to landmine amputees and reintegration support for child soldiers, that singling

out these groups for support and assistance can have unintended negative consequences. These consequences can include further victimization of individuals by publicizing the suffering they have undergone. These targeted interventions can also serve to entice individuals who have not been victimized in a particular way, but who require similar support, to fake their own victimization in order to attain certain services. There is evidence that this may already be occurring at health centers servicing raped women in the DRC (cf. Kelly, 2009). Thus it is important to highlight that whilst our Typology can serve as a useful tool in attempting to identify the kinds of support individuals may need, the delivery of this support should be integrated with measures that were originally designed for other target groups and/or may be offered to individuals/ families and communities with similar needs, but where rape was not experienced.

- Understanding the variations of wartime rape can help condemn all types of rape in war under international and national law.

Understanding the variations of wartime rape has legal implications. Some believe that international legislation should limit its coverage to wartime rape, which is used as a method of war and/or is widespread. The assumption here is that other types of wartime rape will be punished and deterred by national legislation against rape. But for this to be true, there first needs to be a national law condemning rape, and this law must be enforced. Many countries also have legislations, which are very limiting in what they understand as rape and hence are unable to respond to the types of rape occurring during conflict. In Peru, for example, where until 1991 rape was a crime against the honor of a woman rather than against her body, a woman would have to prove that she was honorable to begin with so that a case could be brought against a perpetrator. This means that women who were not virgins were at a marked disadvantage (Americas Watch, 1992). Moreover, our research shows that not all rape in war is used as a method of war, but rather occurs because the war serves to obscure this kind of crime, or because the war itself allows for rape to become part of all the other atrocities that are committed. International legislation should therefore not be limited to condemning only rape used as a method of war, but rather all forms of rape in war, which the Typology has helped to identify. National legislation should be encouraged to condemn all



forms of rape as well, but the international community should not assume that it does.

- Interventions targeting civilians are likely to miss other affected populations because the lines between a 'civilian', 'combatant' and 'perpetrator' in war are often blurred.

Finally, within any given war, there may be multiple or changing types of wartime rape. For example, what may have begun as sexual slavery could easily morph into rape within an armed group (Category A). This occurred in both Liberia and Sierra Leone where some females detained for rape were then recruited into the armed forces and made the 'wife' of a combatant. Limiting interventions to 'civilians' may therefore exclude these individuals. Female combatants are often already excluded from disarmament, demobilization and reintegration (DD&R) programs because they do not meet the eligibility requirements (i.e. possession of a weapon or proof of combatant status) and so may never be informed of or have access to the assistance they need. Data is needed on the types of wartime rape in order to ensure that all those affected by wartime rape, even those who may have perpetrated rape themselves, have access to the programs or services they need.

# Annex I: Summary of types, consequences and implications

Type	Consequences linked to this type	Implications for interventions
Rape by an ally (B-1)	Loss of civilian support of the armed group during the war.	<p>This type of rape can be effectively deterred during the conflict, and possibly prevented in future conflicts, if the costs of this behavior are too great for the armed group to bear, and if the armed group has a functioning hierarchy, which can bring its combatants under control.</p> <p>Need for information on how this type of rape affects the raped individual, their family and community. It is possible that this type of rape leads civilians in peacetime to no longer trust the security sector apparatus nor expect their members to be responsible for civilian protection and safety. These implications, while not exclusive to this type of rape, can and should be dealt with in the post-conflict context through security sector reform processes.</p>
Sexual slavery (B-2)	<p>Naturalization of rape and sexual violence in intimate partner relations in war and peacetime.</p> <p>Economic vulnerability of individuals raped and their families.</p> <p>Children born of rape.</p> <p>Social stigmatization.</p>	<p>Need for information on how individuals raped as sexual slaves interpret their experience, and also how the perpetrators of this rape interpret their actions.</p> <p>Need to address any misinterpretations that sexual slavery is not rape through mass public education campaigns, which could prevent the naturalization of rape in intimate partner relations in peacetime, as well as reverse the direction of stigma toward the perpetrators.</p> <p>Need to promote income-generating activities for individuals raped in this way to reduce their vulnerability to prostitution and sexual exploitation.</p> <p>Need for information on the lives and well-being of children born of rape, which may have implications on the development and security of the post-conflict environment.</p>
Rape as a military strategy (B-3)	<p>Breakdown of family and social cohesion.</p> <p>Economic vulnerability of whole families.</p>	<p>Need for information on prevalent attitudes and beliefs about masculinity, rape, sexuality in order to understand whether and how raped individuals and their families are stigmatized in the post-conflict context. Only with this knowledge can effective strategies of behavior change be designed.</p> <p>Meeting the material needs of individuals, families and communities raped as a weapon of war may go a long way toward promoting their economic and social well-being. Once again, income-generating activities may be useful in this regard.</p> <p>Need for information on whether forced incest took place during the conflict and if so, whether and how this has affected the family unit, ties between families, and general social cohesion. This information is critical to understand whether and how interventions should and can target this particular outcome most effectively.</p>
Rape by a neighbour (B-4)	<p>Breakdown of social cohesion.</p> <p>Economic vulnerability of whole families.</p>	<p>Need for information on whether/ how the experience of rape has affected the movement and livelihoods of individuals and families affected by wartime rape. This information could be used to determine whether and what types of interventions would be necessary to promote the economic well-being of these groups.</p> <p>Reconciliation and trust-building activities may be necessary at the local and national levels. These processes should be devised locally but can be supported/ encouraged by external actors.</p>

Type	Consequences linked to this type	Implications for interventions
Rape camps (B-5)	Children born of rape.	<p>Need for information on how individuals interpret their experience in rape camps, how the perpetrators interpret their actions, whether individuals raped in this way face social stigmatization and economic hardship and how these findings are similar to/differ from sexual slavery. This information would provide the basis for the development of interventions targeted to the actual needs of this group. It should not be assumed that experiences of rape camps and sexual slavery are equal.</p> <p>When it comes to the consequences, the literature does not differentiate between sexual slavery and rape camps. Children born of rape is the only consequence that can be linked to this type of rape based on the data available. Similar to sexual slavery, there is a need for information on the lives and well-being of children born of rape, which may have implications on the development and security of the post-conflict environment.</p> <p>Public acknowledgment and documentation of rape camps is important to prevent this form of rape from being obscured in the collective memory and history of a conflict.</p>
Rape in detention (B-6)	Unknown.	<p>Need for more systematic documentation on the incidence of rape in detention centers during the war and how these rapes were perpetrated.</p> <p>In this type of rape, individuals are more easily able to deny their rape or remain silent about it. It would be important to know whether this denial or silence assists their recovery from the rape experience and under what conditions, or whether it does not.</p> <p>It is likely that many individuals witnessed the rape of family and/or community members in detention, and/or were raped themselves. Evidence from BiH suggests that this may lead to rifts between raped individuals and their witnesses. More data is needed on whether this is also the case elsewhere, as well as on the consequences of this type of rape for both the direct and indirect targets of it.</p>
Opportunistic rape (B-7)	Unknown.	<p>Need for more information on perpetrator motivations for committing this type of rape. This information could provide insight into possible entry-points for deterring this type of rape in war in the future.</p> <p>It is possible that this type of rape becomes normalized in peacetime due to a perpetrators' sense of 'entitlement' to rape, coupled with an environment of impunity. Future research should shed light on this possible linkage by examining male civilian attitudes about rape, masculinity and sexuality and the incidence and perpetrators of rape in peacetime.</p> <p>There is the risk that perpetrators of rape become integrated into the security sector after the war has ended and continue to perpetrate the rape of civilians. This risk should be dealt with in the post-conflict context through security sector reform processes.</p>
Targeted rape (B-8)	Unknown.	<p>This type of rape can be prevented during the conflict when targets are protected. For example, political and human rights activists may be at an increased risk of rape during the conflict and could be provided with protective accompaniment in some country contexts.</p> <p>Need to understand the reactions of guerrilla fighters or family members to this form of proxy violence to see whether individuals are shamed, blamed or stigmatized, and to find entry-points to shift the direction of stigmatization away from the individual raped.</p> <p>Need for information on the incidence, characteristics and consequences of male rape, as rape is commonly committed against males in this type.</p>

# Annex II: List of interviewees

El Salvador  
2–8 February 2009

**Lic. Jeannette Urquilla and Ms. Jimenez Ormuza**

6 February 2009

San Salvador, El Salvador

Notes: Members of a woman's organization, which has operated in El Salvador both during and after the conflict.

**Gladys Noemy Anaya Rubio**

3 February 2009

San Salvador, El Salvador

Notes: Independent consultant and researcher who has written a book on sexual violence in conflict in the Americas.

**Nidia Diaz**

7 February 2009

San Salvador, El Salvador

Notes: Former member of the FMLN, author of a book on her experiences as a detainee and member of government since the peace agreement; Central American Parliament Member.

**Cayatana dal Transito Lopez Ascancio**

6 February 2009

San Salvador, El Salvador

Notes: Ex-combatant affiliated to the FMLN, sharing experiences of life in the FMLN and consequences of rape based on first hand experiences.

**Iris and Maira**

3 February 2009

San Salvador, El Salvador

Notes: Ex-combatants affiliated to the FMLN; sharing experiences from life within the FMLN.

**Morena Herrea**

3 February 2009

Suchitoto, El Salvador

Notes: Independent consultant and former FMLN commander, founding member of a woman's NGO after the peace agreement, current activist and worker on women's issues.

**Aracely Linares**

2 February 2009

San Salvador, El Salvador

Notes: Member of the Family Court, coordination of the multidisciplinary team (*Juzgado de familia, coordinacion del equipo multidisciplinario*).

**Ruth Polanco**

4 February 2009

San Salvador, El Salvador

Notes: Member and representative of Las Dignas, a feminist political organization that was created after the end of the war.

**Lic Doris Montenegro**

4 February 2009

San Salvador, El Salvador

Notes: Member and representative of CEMUJER, an organization working to promote the rights of women.

**Lic. Sandra Edibel Guevara**

5 February 2009

San Salvador, El Salvador

Notes: Member of the Women's Movement Melida Anaya Montes (MAM). Also provided information on her experience as an FMLN member.

**Carolina Paz**

2 February 2009

San Salvador, El Salvador

Notes: Professor of Nursing and Public Health, UCA, with experiences from the war. Reflecting as a health worker on gender issues during and after the conflict.

**Father Gaborit**

5 February 2009

San Salvador, El Salvador

Notes: Staff member Universidad Centro Americana (UCA), also involved with an NGO that supports the reunification of children lost during the conflict.

**Dr. Wilfredo Martinez**

5 February 2009

San Salvador, El Salvador

Notes: Member of staff at ISDEMU, the National Institute for the Advancement of Women, which is responsible for formulating, directing, implementing and monitoring compliance with National Policy on Women.

**Dr. Dinora Aguinada,**

5 February 2009

San Salvador, El Salvador

Notes: Member of staff at the Latin American Faculty of Social Sciences (FLACSO), an intergovernmental organization charged with enhancing teaching and research in social sciences in the region. Also a former staff member of Las Dignas.

Bosnia and Herzegovina  
16–20 February 2009

**Ute Becker**

Project Coordinator Bosnia  
AMICA e.V. in Bosnia and Herzegovina  
Phone conversation, 12 February 2009  
Notes: Background information on gender relations  
and wartime rape in BiH.

**Rubeena Esmail-Arndt**

Project Manager, Development and Support of the  
Youth Sector in BiH  
German Technical Cooperation (GTZ)  
16 February 2009  
Sarajevo, BiH  
Notes: Background information on gender relations in  
BiH.

**Nidzara Ahmetasevic**

Editor, BIRN Justice Report  
Balkan Investigative Reporting Network (BIRN)  
16 February 2009  
Sarajevo, BiH  
Notes: Journalist with extensive experience reporting  
on raped persons and writing stories on related issues.

**John P. Furnari**

Chief Technical Advisor  
UNDP Bosnia and Herzegovina  
16 February 2009  
Sarajevo, BiH  
Notes: Background on transitional justice issues.  
Supporting National Capacities for Transitional Justice  
in BiH.

**Gender Center of Bosnia and Herzegovina**

17 February 2009  
Sarajevo, BiH  
Notes: Official Gender Center position and  
background on the legislation and general situation  
of women in BiH.

**Saliha Duderija**

Ministry of Human Rights and Refugees of Bosnia and  
Herzegovina  
17 February 2009  
Sarajevo, BiH  
Notes: Background on gender relations and legislation  
on wartime reparations.

**Terry Maan**

Public Relations Coordinator  
Zene Zenama  
18 February 2009  
Sarajevo, BiH  
Notes: Background information on gender relations  
and wartime rape in BiH.

**Sabiha Husic**

Executive Director  
Medica Zenica  
19 February  
Zenica, BiH  
Notes: Extensive experience working with wartime  
raped persons and their families.

**Dr. Branka Antic-Stauber**

Medical Practitioner  
President Snaga Zene  
20 February 2009  
Tuzla, BiH  
Notes: General information on war victims.

**Jasna Zecevic**

Director  
Vive Zene  
20 February 2009  
Tuzla, BiH  
Notes: General information on war victims.

**Teufika Ibrahimfendic**

Psychotherapist  
Vive Zene  
20 February 2009  
Tuzla, BiH  
Notes: Extensive experience working with wartime  
raped persons.

**Altaira Kravac**

Psychosocial and Counseling Program  
Prijatelice  
20 February 2009  
Tuzla, BiH  
Notes: General information on war victims.

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