

SEXUAL VIOLENCE IN CONFLICT

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A Threat to Global Security

Francis Chinedu Abara



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*Sexual Violence in Conflict:
A Threat to Global Security*

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DEDICATION

To My Parents
Late Ezinna Anthony Abara Alaribe
and
Ezinne Regina Abara

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PREFACE

The United Nations (UN), humanitarian agencies, non-governmental organizations (NGOs), non-state actors such as the International Criminal Court (ICC), as well as academics and scholars have made consistent and concerted systematic efforts, through their writings in the form of intellectual advocacy to prevail over the prevalence of sexual violence; consequently, this book perceives sexual violence in conflict situations as a threat to global security.

Conflict-related sexual violence (CRSV) is an enormous global security challenge; its magnitude is horrifying, it affects men, women and children and it is now being used as a strategic weapon of war. In view of the persistence of sexual violence in armed conflicts and its reality as a threat to global security, this book offers a balanced and an elucidatory narrative of the perpetrations and impacts of CRSV and it suggests the responses and actions required of the international community.

The eight chapters of this book comprehensively examine the relevant themes arising from the prevalence and perpetration of sexual violence in armed conflicts. Chapter one provides an overview and background with an explanatory analysis and definition of sexual violence. Chapter two conceptualizes sexual violence as a reality within the framework of some feminist theorists and social

constructionists against a background of gender-neutral approach in deciphering the facts and factors of the unabated continuous occurrence of sexual violence in conflict situations. Consequently, Chapter three pragmatically focuses on the discourse of sexual violence using the lens of the human security paradigm as an ultimate approach. The human security paradigm is concerned with and centred on, an individual's security threats; not peculiar to a time of armed conflict, but holistic in nature because it involves the inclusion of both men and women in its agenda.

Stemming from the first three chapters, Chapter four passionately and evidentially analyses the horrific plights of victims and survivors of sexual violence in conflicts: women and girls and men and boys. The emotional and traumatic pain, the psychological agony, the health problems, stigmatization and impoverishment of victims and survivors caused by sexual violence during conflict and post-conflict situations are monumentally devastating.

As a result of the identification of victims and survivors of sexual violence, Chapter five proceeds to examine the perpetrators and the questionable 'victors' of sexual violence in all its ramifications in armed conflicts. This chapter, un-prejudicially and all inclusively examines the recurring and concurrent categories of people who perpetrate sexual violence in armed conflict and even in post-conflict situations. These include humanitarian personnel and peacekeepers, government forces, armed militia and rebel groups, civilian men and combatant women as well as civilian women.

In the light of the continuous occurrence and perpetration of sexual violence in armed conflict, Chapter six procedurally discusses the impacts of sexual violence on global security by meticulously analysing the consequences of sexual violence on the following: victims and survivors, families and communities, health and economics, children, migration and on justice. Flowing from the impacts of sexual violence on global security, Chapter seven investigates sexual violence on the basis of the violation of inalienable human rights and the fundamental

freedoms of basic human security enshrined in the 1948 Universal Declaration of Human Rights.

Chapter seven explores the legal classifications of sexual violence as a war crime and a crime against humanity under both international humanitarian law (IHL) and international criminal law. In this same chapter, this book endeavours to present some of the earliest and contemporary investigations and legal strategies for the prosecution of cases of sexual violence committed in wartime. This is to indicate the possibility of the dispensation of justice in ameliorating the consequences of CRSV on victims and survivors.

The book concludes with Chapter eight by summarizing all the aforementioned seven chapters in a single theme: ‘the need for a balanced narrative of sexual violence in conflict’. The balanced narrative scrupulously looks at sexual violence as a strategy of war that affects, men and women as both victims and perpetrators, and as a result, the international community through the UN, should reaffirm and redouble all their systematic efforts to ensure the cessation of all protracted armed conflict where sexual violence still persists.

This book, therefore recommends that the UN declarations, legal institutions, NGO advocacy and reports centred on sexual violence should be reframed to be more gender-inclusive, while researchers should ask for the sex of the perpetrator and the victim, instead of always assuming that victims are female and perpetrators are male. The same is applicable to healthcare givers and social workers who provide psychosocial care to both men and women.

Essentially, this book touches on all known and documented contemporary armed conflicts across the world. Its analysis covers some of the experiences of victims and eyewitnesses, as well as the motives of perpetrators. All the themes addressed in this book have wide-ranging contemporary scholarly citations underscoring its title—*Sexual Violence in Conflict: A Threat to Global Security*—which clearly underlines the consequences of sexual violence that ravages countless numbers of women, men, children and communities across the world.

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I wish to say a big thank you to my mum, Ezinne Regina Abara for all her love and care in seeing me through to my life aspirations. A happy repose to my dad, who was a great hero and man of faith and made an indelible mark in my life. Dad rest in peace, I love you! To my sister, Geraldine, and brothers, Bethrand, Peter and Jude, thank you for your love and support.

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The encouragement and motivation of Dr Wilson Ozuem and the wife Anne Ozuem will be ever remembered. They encouraged me to publish this manuscript which was just a mustard seed that miraculously

grew to this corpus within six weeks. I am deeply grateful to Prof Georgia Donà, my esteemed lecturer in the University of East London who was delighted to write a forward to this book. I thank you so much for believing in me and taking the time to read the whole manuscript.

My Masters' studies at the University of East London really brought out the best in me since leaving school couple of years ago, through my supervisor Prof Maja Korac. I would say, that I came to the University, I saw and I conquered. I graduated with distinction and as the best overall grade-award-winner (best graduating student) in the school of social sciences and also with the certificate award of the best post-graduate dissertation.

I am deeply indebted to my alma mater, and most especially to the Vice-Chancellor and President of this great University, Prof Amanda Broderick for accepting to write a forward for this book. Thank you so much.

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Lastly, I deeply appreciate Bishop Lucius Iwejuru Ugorji, my home bishop for all the good works he is doing in Ahiara diocese. To all my priest brothers in Brentwood Diocese, England and Ahiara diocese, Nigeria I remain indebted.

FOREWORD

This book makes a convincing argument that sexual violence in conflict is prevalent and persistent and that it is a global threat to human security. The subject matter is timely and Francis Chinedu Abara's writing style is easy to follow without taking down the reader, making this book a suitable reading for students, academics as well as practitioners.

The author defines key terms such as sexual violence, rape, gender-based violence and conflicted-related sexual violence. Whereas gender-based violence is a broad umbrella term referring to harmful acts perpetrated against a person based on socially ascribed gender differences, sexual violence more specifically describes sexual acts as well as attempts to obtain sexual acts; unwanted sexual comments or advances; or acts directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. Sexual violence has become a strategic weapon of war during armed conflicts, genocides and widespread or systematic attacks.

In recent decades sexual violence in conflict has emerged into the academic spotlight but most books tend to focus on women victims of sexual violence and rape. This has come at the expense of neglecting the fact that men too are victims of sexual violence in conflict situations.

This book clearly shows that although sexual violence differently affects both genders, the experiences of both men and women need to be addressed to capture the holistic nature of human security, and in doing so it advances our understanding of the gendered dynamics of sexual violence in conflict.

The originality of the book rests in the application of the human security framework to analyse sexual and gender-based violence in conflict. The human security paradigm is concerned and centred on the individual's security threats holistically and is inclusive of both men and women in its agenda. The author argues that making a balanced narrative of sexual violence that includes both men and women as both victims and perpetrators could be a more effective means of preventing conflict-related sexual violence than when men are excluded.

I cannot imagine how challenging it must be to tackle a sensitive subject like sexual violence in conflict but I know that Francis Chinedu Abara did it with the compassion only a passionate scholar like him could possibly exercise. The book discusses the impacts of sexual violence on global security by meticulously analysing the consequences of sexual violence on victims and survivors, children, families and communities, and on health, economics, and social justice. The protection of war-affected unarmed civilians must be at the centre of the new human security paradigm, a shift that has led local and international agencies and organisations involved in the protection of civilians in war-affected countries to address the issue of gender-based violence both in conflict and post-conflict circumstances.

Another positive feature of the book rests in its analysis of the plights of victims and survivors of sexual violence during conflict and post-conflict situations. The author describes the devastating emotional and traumatic pain, psychological agony, health problems, stigmatization, and impoverishment that sexual violence causes victims and survivors. Moving beyond victims and survivors, the book also examines perpetrators of sexual violence and the questionable part played by a

range of social actors. These include humanitarian personnel and peacekeepers, government's forces, armed militia and rebel groups, civilian men and combatant's women as well as civilian women.

Francis Chinedu Abara has taken on the challenge of writing an interdisciplinary book that draws upon and integrates evidence and concepts from peace and conflict studies, gender studies, law and human rights as well as sociology and psychology to offer a balanced and elucidatory narrative of the occurrence, perpetrations, impacts, as well as responses and actions required of the international community.

The book covers the main conflicts across the world and multiple forms and various degrees of sexual violence. It also describes legal classifications of sexual violence as a war crime and a crime against humanity under both international humanitarian law and international criminal law to highlight gross violations of international law in the perpetuation of sexual violence in conflict.

Having researched and taught about the impacts of conflicts on communities for more than three decades, as well as having lived in conflict-affected societies, I read with interest how Francis Chinedu Abara addressed under-examined connections between sexual violence in conflict and global security. In most contemporary armed conflicts, sexual violence involves deliberate, conscious and intended effort to humiliate and intimidate not only women and men who are the direct targets but all members of the community or ethnic group in order to dominate it and in extreme cases, to achieve ethnic cleansing and the extermination of the ethnic group. Sexual violence poses a series of security threats and challenges that are felt not only by direct victims but also by their families, communities, and society at large. Thus, there is a need for a balanced narrative of sexual violence in conflict that scrupulously looks at sexual violence as a strategy of war that affects, men and women as both victims and perpetrators, as well as their communities.

I have had the pleasure of knowing Francis when he was researching for this book, and I was impressed by his commitment to pursue

this project with keen interest, caring passion and humanity, and by the scope of his project. In the last part of the book, he calls for the international community to reaffirm and redouble their systematic efforts to ensure the cessation of all protracted armed conflict where sexual violence still persists. He also argues that legal instruments, international declarations, and reports centred on sexual violence should be reframed to be more gender-inclusive. Furthermore, he calls for researchers and practitioners to question their implicit assumptions that victims are females and perpetrators are males and to engage in inclusive gender-based analyses of sexual violence.

This book that tackles the subject of sexual violence in conflicts—how people experience it and how it impacts on global security—contains information that is of interest to students of peace and conflict studies, gender studies, and human rights as well as to members of the international community. I think that Francis can be pleased that there will be readers who will have gained a broader perspective on sexual violence in conflict after reading this book.

Professor Giorgia Donà
Co-director of the Centre for Migration,
Refugees and Belonging
University of East London
10 August 2020

FOREWORD II

An awarding-winning, 1st-class graduate from the University of East London, Rev. Abara has produced a critically reflective and thought-provoking text documenting how and when sexual violence is used as a strategic weapon of war, it not only devastates the victims and survivors of that violence but also poses a real and present threat to global security. Rev. Abara draws on the literature in conflict, displacement and human security together with the experiences of both victims and eyewitnesses. His text covers the role of humanitarian personnel and peacekeepers; government forces; armed militia, rebel groups and other combatants as well as civilians as perpetrators of violence in conflict and post-conflict situations.

Importantly, he makes an impassioned case that this strategy of war affects both men and women as victims and perpetrators. Rev. Abara concludes with the role and importance of the international community, through the United Nations, in the cessation of the use of sexual violence in armed conflict and in the dispensation of justice in the amelioration of its consequences.

This is an important book in ensuring that the mental, physical and economic health and diversity of the victims of sexual violence in conflict are central to developments in human security.

Professor Amanda J. Broderick
BA (Hons) PhD DipM DipMRS
PGCTL FRSA MBGS FCIM FHEA
Vice-Chancellor & President
University of East London, UK.
18th August 2020

LIST OF ACRONYMS

CAR	Central African Republic
CRSV	Conflict-related Sexual Violence
DRC	Democratic Republic of the Congo
FARDC	Forces of the Democratic Republic of Congo
FDLR	Democratic Forces for the Liberation of Rwanda
HIV/AIDS	Human immunodeficiency virus/acquired immunodeficiency syndrome
ICC	International Criminal Court
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IDP	Internally displaced person
IHL	International humanitarian law
LRA	Lord's Resistance Army (Insurgent group in North Uganda)

NGO	Non-Governmental Organisation
ONLF	Ogaden National Liberation Front (Somali rebel group)
POW	Prisoner of war
PTSD	Post-traumatic stress disorder
SCSL	Special Court for Sierra Leone
SPLA	Sudanese People's Liberation Army
SPLA-IO	Sudanese People's Liberation Army-In Opposition
SRSB-SVC	Special Representative of the Secretary-General on Sexual Violence in Conflict
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNSC	United Nations Security Council
UPC	Union of Patriotic Congolese (militia group in the DRC, supported by Rwanda)
WHO	World Health Organization

CHAPTER ONE

SEXUAL VIOLENCE—AN OVERVIEW

Introduction

Sexual violence or rape does occur every day. The commonness of this occurrence does not in any way justify the actions of the perpetrator, be it a stranger, a friend or neighbour, partner, husband, wife or close relative. Sexual violence or rape is a violation of the victim's rights to his or her privacy and space. According to Isaiah Berlin in his work, *Two Concepts of Liberty*: "... if the essence of men [women] is that they are autonomous beings, authors of values, of ends in themselves ... then nothing is worse than to treat them as if they were not autonomous, but natural objects ... whose choices can be manipulated ..." (Berlin, 1969, pp. 136–7).

When sexual violence, either in peacetime, when war or conflict is not involved or during conflicts when it is utilized systematically as a tool and weapon of war, involves a high level of manipulation and intimidation. In peacetime, the intention of the perpetrator is usually to express power and dominance, whereas in conflict situations, the intention of the perpetrator might also be to humiliate, desecrate, instil fear,