

# Preventing Conflict-related Sexual Violence

Most policies on conflict-related sexual violence have focused on helping the survivors of such abuse. However, we also need to focus on prevention: how to stop sexual violence from occurring in the first place. The fact that many armed groups manage to effectively prohibit sexual violence shows that prevention *is* possible. Several routes to prevention are outlined here:

- ***Changing norms*** – including changing how survivors are perceived and treated in their communities;
- ***Creating safer spaces*** – including improving infrastructure and reporting practices;
- ***Improving reporting*** – including protection of witnesses;
- ***Ending impunity*** – substantially increasing the likelihood that crimes of sexual violence will be punished;
- ***Assuring accountability*** – strengthening commander responsibility for acts committed by troops; and
- ***Mitigating sexual violence after war*** – including more systematic and integration of sexual violence prevention in DDR processes and security sector reform.

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## Prevention better than cure

Wartime sexual violence has garnered increasing public attention in recent years. The main focus of the response has been on assisting affected individuals and communities by establishing programmes to help survivors of such violence. Yet, we need also to establish *preventive measures* – to stop sexual violence from occurring in the first place.

This policy brief outlines avenues for policies of prevention. The focus is specifically on violence committed by the parties to an armed conflict – state militaries, rebel groups and militias. Sexual violence perpetrated by other actors in a conflict zone (e.g. civilians or peacekeepers) is outside the scope of the present brief.

**Prevention is possible.** Sexual violence is not inevitable in war. There is considerable variation in how it occurs, and some conflict actors do *not* engage in sexual violence at all. This has been shown by a number of well-documented case studies (e.g. Wood, 2006; Cohen, 2010), and the literature also shows how restraint can be found among state militaries, rebel groups and militias.

Restraint with respect to sexual violence can also be seen even among armed actors with a record of engaging in killings and other brutal violence against civilians. This indicates that the problem of sexual violence is not inevitable, and that it can be controlled.

Policymakers should not neglect victims and perpetrators that fall outside the common expectations of female victims and male perpetrators (Cohen et al., 2013). Female perpetrators and male victims are more common than is often assumed. Abuses involving ‘unexpected’ perpetrators and victims must also be prevented.

## Causes of wartime sexual violence

What causes wartime sexual violence? Why do some groups not restrain from using sexual violence? These questions are key to policies of prevention.

Several explanations for sexual violence have been advanced in the literature. These explanations are not complete, as there is still unexplained variation. Yet, they do offer valu-

able insights into possible mechanisms in various conflict settings.

Existing arguments often revolve around either gratification (opportunity, substitution) or instrumentality (strategic use). According to the **opportunity** arguments, sexual violence is explained as the result of wartime creating chaos and lawlessness. It has been assumed that many men will rape if given the chance and there is impunity for such behaviour. We do see, however, that many armed groups refrain from committing sexual violence even when presented with ample opportunity (Wood, 2006, 2012).

**Substitution** has also been suggested as a mechanism: When soldiers do not have access to consensual or transactional sex, it has been argued that they will commit rapes. From this, it has been assumed that groups with female combatants will not perpetrate sexual violence. This does not seem to hold. For instance, in the war in Sierra Leone, the Revolutionary United Front included a relatively large share of women, but the group was also notorious for extreme sexual violence (Cohen, 2010).

Sexual violence can also be a **strategy** of the warring parties to achieve particular goals. Instrumental use of sexual violence is believed often to be ordered, or at least clearly condoned, by military leaders.

One goal that sexual violence is thought to sometimes promote is that of **clearing an area of a particular population** – as people will flee in the face of imminent threats of sexual violence. Sexual violence can also be used as a **form of torture** used in particular **for punishment of enemies or for extracting information**. In Peru, for instance, Leiby (2009) has found that state forces used sexual torture both to extract information and to terrorize and punish assumed supporters of the insurgency in that country. In some instances, commanders may also use **rape as a ‘reward’ for soldiers** (Wood, 2012).

Cohen (2010) finds that, for armed groups, sexual violence – gang rape in particular – can also be a **method for generating cohesion within a military organization**, particularly in cases where recruitment has taken place through forcible means.

The question of under what conditions strate-

gic sexual violence is most likely has not yet been sufficiently researched. In many accounts, norms and cultures – such as militarized masculinities and patriarchal societies lacking gender equality – are highlighted as contextual factors that matter. However, such factors often fail to account for all the observed variation and may therefore not be a sufficient explanation, but potentially exacerbating conditions (Wood, 2012).

## Reasons for restraint

The relative *absence* of sexual violence in some cases can give important insights for thinking about preventive policies.

The organization and structure of military organizations, and the types of training, indoctrination and punishment schemes that exist within armed groups, could explain the relative absence of sexual violence in some cases. Hoover Green (2011), in particular, has highlighted the role of internal group discipline and training for explaining the types of violence in which rebel groups engage.

Wood (2006) has documented how, in some rebel organizations, leaders have effectively built a highly disciplined organization with clear rules prohibiting sexual violence and effectively preventing such violence from occurring.

Wood also describes how leaders may have several reasons for establishing such rules, including **normative** (ideological) reasons, **strategic** reasons (as sexual violence may reduce access to high-quality intelligence from the civilian population), and **practical** reasons (such as risk of diseases or a general deterioration of discipline).

**If the perceived ‘costs’ of engaging in sexual violence are sufficiently high for armed groups, the latter may refrain from using such violence as a weapon of war** – the assumed benefits from this type of violence might not be viewed as worth the potential damage to the organization and its war effort. This presumes, of course, that there is a certain command and control within the organization through which decisions are implemented throughout the military hierarchy.

External factors could potentially also influence the perceived and real costs of particular acts – such as various forms of sanctions and

punishment. International naming and shaming of governments has been suggested as one such mechanism (Sikkink, 2008) – although the effects can vary depending on the type of violation in question (Hafner-Burton, 2011), which indicates that **more research is needed to uncover whether and how naming and shaming may reduce conflict-related sexual violence – particularly by states.**

From theories and findings in the literature on sexual violence, how can we approach the topic of prevention? Important focus areas are discussed below.

## Avenues for prevention

### ▪ Changing norms

A dominant theme in the feminist literature on sexual violence – particularly rape – is the role of patriarchy (Stiglmayer, 1994). When **patriarchal norms** are strong, the apparent ‘utility’ of sexual violence as a weapon of war is arguably increased. This is because, in such societies in particular, survivors of sexual violence are often shunned by their families and communities, and considered ‘unmarriageable’ on account of their experiences. Hence, rape and other sexual violence can be particularly destructive for communities.

To address this challenge, policies should be directed at promoting a view of gender relations that reduces the power of strategic use of sexual violence. This would include **placing the responsibility for the act on the perpetrator, not the victim; focusing on creating acceptance of sexual violence survivors in the community; and empowering women.**

Skjelsbæk (2011), for instance, has shown how important it has been that raped women in Bosnia have been named war heroes by imams in that country. Doing this, and other similar measures to heighten the status of victims, could have indirect effects on reducing the prevalence of sexual violence, via making rape a less effective weapon for breaking up communities.

Baaz and Stern accordingly emphasize how the fight against sexual violence can be strengthened by situating the prevention of sexual violence in the context of civilian protection and women’s rights more generally (interviewed in Zenko, 2012).

Norms against sexual violence exist in some

military organizations, but not in others. Still, changing the norms and practices of military organizations – particularly non-state actors – is not likely to be a realistic avenue for prevention. Such norms are likely to be particularly difficult to affect from the outside. However, diplomatic and other pressures on *states* could make better training of troops a priority, and through training the perception of what constitutes a good and professional soldier (and man) could be slowly altered.

**Norms and practices are likely to become ingrained in the course of war, and soldiers may become desensitized to sexual violence.**

In terms of stopping sexual violence, success is probably more likely the earlier an intervention occurs, before the violence escalates. Traumatized individuals who may have experienced sexual abuse and/or extreme violence in the past are more prone to becoming perpetrators (Skjelsbæk, 2013). Wartime experiences often desensitize soldiers to atrocities over time.

Jocelyn Kelly of the Harvard Humanitarian Initiative points to the ‘stickiness’ of dehumanization, emphasizing how this makes it ‘vitaly important to identify trends of sexual violence in conflict early and to address this issue through political pressure on armed parties and consistent punishment of perpetrators’ (interviewed in Zenko, 2012). **Intervention must come before escalation, before the ‘stickiness’ makes the problems significantly more difficult to solve.**

### ▪ Creating safer spaces

One route to prevention is to improve the security situation of vulnerable populations. **Security can be improved through changes to the physical infrastructure in which vulnerable populations are situated – such as through improved lighting, more secure buildings, patrolling, etc.** In addition, the duty of peacekeepers to act can be strengthened to create more safe spaces for vulnerable populations

Prevention can also be facilitated through a focus on safety around high-risk situations – which might, for instance, be associated with checkpoints or the performance of chores such as fetching firewood and walking to fields. Improving access to potable water and equipment needed for cooking – such as slow-burning stoves – can also reduce vulnerability

by making women less reliant on daily unprotected transportation.

Such measures will make access to victims more difficult for potential perpetrators and increase the costs of perpetrating sexual violence for armed actors, and thereby both make such violence a less preferable weapon (all else equal), and prevent opportunistic rape.

### ▪ Improving reporting

**Better access to reporting mechanisms for victims and witnesses, as well as increased monitoring of situations where sexual violence is likely to occur, should also contribute to prevention.** However, this presupposes that reports are taken seriously and are met with appropriate measures (investigation, prosecution, etc.). Promoting female police officers and peacekeepers could make reporting easier for women in particular. Furthermore, *witness anonymity and protection* must be assured.

Spreading information about risks and reporting mechanisms can make people less vulnerable to attack, and also make interventions to protect civilians more effective.

### ▪ Ending impunity

There is little research on the potential effects on the ground of trials and prosecution of sexual violence. In part, there is a lack of evidence on signalling effects – for the obvious reason that there have been very few cases of wartime rape that have ended up in trials and subsequent punishment. Also, when there have been such trials, they have occurred after a conflict has ended, and can therefore only affect other ongoing conflicts or future conflict behaviour.

In a study of African conflicts, Lindgren (2011) suggests that impunity for past violations could be a recipe for new ones post-conflict. Because amnesties exist, conflict parties may expect impunity. However, the study finds that a link cannot be established without more systematic data and analysis.

The hypothesized impact of trials is that military leaders and the rank-and-file will take into consideration the possibility that violations will be punished and therefore abstain from sexual violence. However, **the probability of punishment must be significantly heightened** for such a threat to be credible.

## ▪ Assuring accountability

Proving sexual violence and providing sufficient evidence for justice to be carried out is often a challenge – particularly in conflict settings. In most instances, finding evidence of direct orders to commit sexual violence, or concrete evidence of commanders encouraging troops to carry out such atrocities, is difficult. **A preventative measure could be to increase the degree to which commanders of troops that commit sexual violence are held accountable for acts they had a responsibility to prevent.**

Wood (2012) suggests various ways to increase accountability for crimes of sexual violence. First of all, **sexual violence must be prosecuted as a war crime, as a crime against humanity or as genocide.** This will increase the costs for armed group of committing sexual violence more than prosecution under other laws would do. The higher costs could have a stronger deterrent effect – as well as providing stronger incentives to military leaders to build strong organizations that can effectively prohibit sexual violence.

Second, **accountability can be assured through careful documentation and analysis of patterns of sexual violence – to prove command responsibility in the absence of direct proof.** Key here is to document effective control of troops in other circumstances (Wood, 2012: 418).

Several indicators could be documented and analysed to prove command and control:

- A leader's proven ability to order combatants into harm's way, and a low degree of desertion or refusal to fight.
- An armed organization's proven ability to carry out coordinated attacks over time and space.
- The occurrence of sexual violence only or

predominately in places/times when it was strategically beneficial. Analyses of patterns of location and timing might assist in establishing this. However, sexual violence does not have to be ordered to occur on a massive scale (Cohen et al., 2013).

- An armed group's ability to effectively distribute resources within the organization without significant private skimming off up or down the hierarchy.
- An organization's practice of routinely punishing breaches of orders or instructions.
- Evidence of collective targeting of particular groups, indicating that commanders have prohibited some forms of sexual violence, and hence that the documented violence has been purposeful and commander-directed.
- Occurrence of the violence in locations under commander control or with commanders present (e.g. prisons, camps or barracks).

Continued documentation and analysis of patterns of sexual violence is therefore a premise for accountability.

## ▪ Mitigating sexual violence after war

Sexual violence often continues post-conflict. But the processes through which this occurs have not been sufficiently analysed. Still, one possible step to take would be to **systematically include sexual violence prevention programmes as an integral part of DDR processes and security sector reform.** This could break the cycle of violence whereby of combatants continue the practice of sexual violence upon returning to civilian life.

Designing programmes for reforming past wrongdoers, however, is a challenge, as fighters often are desensitized during war. Sustained effort and careful local anchoring of programmes are likely to be necessary.

Furthermore, post-conflict continuation may be more likely in contexts with impunity and a lack of accountability – suggesting the need for a multi-pronged prevention policy. ■

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