

## *Conflict-related Sexual Violence: Summary of the Report of the United Nations Secretary-general, 2018<sup>1</sup>*

Original report: <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/04/report/s-2019-280/Annual-report-2018.pdf>

### Acronyms:

CRSV = Conflict Related Sexual Violence

DRC = Democratic Republic of Congo

MINUSCA = United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic

MONUSCO = United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

NGO = Non-Governmental Organisation

UN = United Nations

UNMISS = United Nations Mission in South Sudan

UNSOM = United Nations Assistance Mission in Somalia

### AFRICA

#### Central African Republic

- In 2018 the south-east region witnessed cycles of violence between anti-Balaka and Union pour la paix en Centrafrique, resulting in mass displacement and multiple attacks on civilians
  - Due to farming being the primary source of income, 75% of populations lost the means of their livelihood;
  - This mass displacement was a large reason for conflict related sexual violence against vulnerable women and girls.
- The United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) documents 179 incidents of conflict-related sexual violence (CRSV), affecting 259 individuals
  - From these 259 people, 144 are women, 78 are girls, 1 is a man, 1 is a boy and 35 are females of unknown age
  - These events include rape, forced marriage, sexual slavery and other forms of sexual violence

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<sup>1</sup> This summary was written by Millie Sullivan, who has been collaborating with the SEMA network since 2019.

- Almost 70% of the crimes were committed by more than one perpetrator
- The Panel of Experts on the Central African Republic, in its report for 2018, notes that sexual violence is largely underreported, mainly due to victims' fear of retaliation
  - High percentage of instances happened in rural areas
- Most instances were committed by multiple armed groups, due to political differences
- In November 2018, the joint rapid response unit to prevent sexual violence against women and children undertook its first field investigation outside of Bangui to investigate allegations of a mass rape allegedly committed by armed Fulani groups.
  - This helped to increase survivors trust in criminal justice system
  - However, the panel of experts found that, of the 320 cases submitted, few had resulted in trials
- Several women received training on case management to ensure psychosocial care for survivors of sexual and gender-based violence and to facilitate referrals to relevant service providers
  - As a result of community-based engagements, 80% of victims who reported their cases to the UN and its partners were able to gain access to clinical and psychosocial care

## Democratic Republic of the Congo (DRC)

- Intensified activity in conflict by both non-state actors and military increased documented cases of sexual violence in 2018
  - Non-state armed groups using sexual violence to enforce control over illicit economic activities, including the exploitation of natural resources were responsible for most reported cases (741 cases)
  - The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) documented 1,049 cases of sexual violence against 605 women, 436 girls, 4 men and 4 boys
  - Armed forces of the DRC and the Congolese national police were responsible for 308 of those cases
- The Mission engaged with the Armed Forces' action plan against sexual violence and also with non-state actors on the prevention of conflict-related sexual violence.
  - In March 2018 with MONUSCO support, the national police developed an action plan against sexual violence
- Ntabo Ntaberi Sheka and Serafin Lionso are being tried in military courts for mass rapes committed in Walikale province in 2010
  - Similarly, the guilty verdict in the Kavumu child rape case was upheld on appeal
- However, despite his conviction in November for acts of rape constituting crimes against humanity, Colonel Mabilia Ngoma is still at large
  - Victims have not yet received the reparations awarded by the military court

## Libya

- The rampant and uncertain climate of conflict in Libya, and the underlying gender discrimination has greatly restricted the monitoring of and reporting on sexual violence
- Migrant women and girls are particularly vulnerable to rape and other forms of sexual violence and many are exposed to forced prostitution in conditions amounting to sexual slavery
  - Libya lacks anti-trafficking legislation and systems to identify and protect survivors
  - UN support mission in Libya documented accounts by migrant women and girls who were victims or witnesses of sexual abuse by smugglers, traffickers and members of armed groups
  - There were also multiple accounts of abuse by Ministry of Interior officials during their journey through Libya and migrant detention centres
- Unknown fate of 17 women and girls who suffered sexual violence at the Surman detention centre under the reported abuse by Mamduh Miloud Daw and another guard, known as 'Rasta', who refused to transfer the 17 women and girls to protection agencies
  - Mr Daw also reportedly allowed other staff of the Surman detention centre to sexually abuse women in his custody
- 7<sup>th</sup> June 2018, the Security Council imposed sanctions on 6 individuals involved in the trafficking and smuggling of migrants

## Mali

- Sexual violence remained heavily underreported due to insecurity, unwillingness or failure to investigate suspects and the stigmatization of survivors
- Of 138 reported, almost all were rapes or gang rapes committed by armed group individuals – to date, no investigation has been opened by the gendarmerie of Ansongo regarding any of those cases
  - Despite consistent reports since 2014 of cases of CRSV there has not been a single prosecution
- While a coalition of 6 Non-Governmental Organisations (NGOs) filed two collective complaints on behalf of 115 victims of sexual violence five years ago, those cases have been pending ever since
- A one-stop centre in Bamako, launched in June 2018, provides medical, psychosocial, protection and legal services to survivors

## Somalia

- Persistent insecurity and lack of protection by state authorities coupled with recurring humanitarian crises in Somalia continue to expose civilians to heightened risks of sexual violence
  - Cases against boys have also been documented
- Fragile justice system and limited access to areas controlled by Al Shabaab place women and girls in a state of vulnerability
- Dominant patterns of sexual violence between both non-State armed groups and State agents, militias associated with clans and unidentified armed men
  - Internally displaced women and girls from marginalized groups are particularly high risk
- In 2018, the United Nations Assistance Mission in Somalia (UNSOM) verified cases of sexual violence against 20 women, 250 girls and 1 boy
- Impunity for the perpetrators of crimes of sexual violence, mistrust of the criminal justice system, gender biases of police officers and victims' lack of knowledge of their rights restrict access to justice
  - May 30<sup>th</sup> 2018, the Federal Council of Ministers adopted the Sexual Offences bill – if acted upon, the bill would create a strong survivor-centred legal framework
- UNSOM continues to support the Government in implementing a project aimed at empowering women affected by violent extremism – mainly aimed at female defectors from AL Shabaab

## South Sudan

- The United Nations Mission in South Sudan (UNMISS) recorded an alarming increase in sexual violence in 2018 and documented 238 incidents, involving 1,291 victims, including 10 men and 153 children
  - The most common violation was abduction for the purposes of sexual slavery followed by rape and gang rape
- Sexual violence is likely massively underreported owing to the shift of the conflict to more remote areas
  - Criminalisation of same-sex conduct also likely reducing the amounts of reports
- Multiple violations of the ceasefire agreement in 2018 saw a rise in major clashes and sexual violence to terrorize, punish and displace civilians
- September 2018, a special military court was established to try cases involving the rape of humanitarian workers at Terrain Hotel and convicted 10 soldiers of the South Sudan People's Defence Forces
  - However senior officers largely evaded liability

- Sentences were only given after intense international pressure
- The Revitalized Agreement on the Resolution of the Conflict in South Sudan calls for the creation of a Hybrid Court to try serious international crimes, including sexual violence, but there has been little progress on the creation

## Sudan (Darfur)

- Despite a substantial increase in overall security in Darfur, sexual violence remains a concern as a result of some ongoing clashes among armed
  - Sexual violence displaces civilians and restricts their access to land and thus is a devastating outcome for many who once earned an income from farming
  - many incidences against women and girls were committed during their engagement farming outside of camps
- In 2018 the African Union-United Nations Hybrid Operation in Darfur documented 122 incidents of sexual violence involving 199 victims
  - Cases are underreported owing to fear of reprisal and restricted access to conflict areas
- The Armed Forces Act of 2007 criminalizes sexual violence that may occur during military operations, but despite this, accused perpetrators are from State, non-State and Security factions.
  - Whilst the Government has also made specific police structures and judges to try and enhance the investigation and prosecution of sexual violence, there have been few prosecutions of such crimes
- On the invitation of the Government, a Special Representative visited the Sudan in February 2018 to establish a dialogue with national authorities to try and create a framework of cooperation to address sexual violence

## Côte d'Ivoire

- Whilst no incidents of sexual violence were reported during the October elections, the political climate ahead of the 2020 presidential election remains fragile
- Despite positive developments in the prevention of and response to sexual violence by the Ivorian Defence and Security Forces, no cases of sexual violence committed during the 2010-2011 post electoral crisis period have progressed to trial
  - A presidential decree publicised on the 8 august 2018 was deeply concerning as it granted amnesty "to those individuals prosecuted or convicted for offences related to the post-electoral crisis of 2010-2011"
  - No reparations for crimes of sexual violence have been awarded

- The Criminal Code and the Code of Criminal Procedure are under review in order to strengthen accountability for violence against women and children
  - The Ministry of Women, Child Protection and Solidarity has proposed a comprehensive law against gender-based violence, including sexual violence

## Burundi

- Risk of sexual violence was greatly exacerbated by the 2015 political crisis – International Commission of Inquiry on Burundi refers to multiple instances of rape and gang rape against women and girls due to perceived political identity
  - Also reported sexual violence against men, including genital torture and acts of sexual humiliation during interrogation
  - High levels of violence and impunity post 2015 crisis
- Government suspension of International NGO activities and closure of the Office of the High Commissioner for Human Rights is greatly restricting survivors' access to essential care services
- Migrant women and girls who were sexual violence victims face challenging restriction to medical and psychosocial support due to their asylum seeker status

## Nigeria

- Ongoing conflict in north-east Nigeria is characterized by widespread attacks against civilians, including sexual violence – primarily attributed to Boko Haram
  - February 2018, 110 schoolgirls were subjected by members of Boko Haram to force marriage, rape and physical and emotional violence. On 21 March, they released 107 of the girls
  - Ostracization from the community limits the reintegration of returnees, which leads to further exclusion from social protection and assistance
  - Approximately 38% of incidents of sexual violence reported were done in the context of trafficking or other forms of detention
- In October 2017, Nigerian authorities began trials of Boko Haram suspects. The third round of trials in July 2018 convicted 113 defendants, but not one of the accused were charged with sexual violence
  - This is of grave concern as sexual violence plays a dominant role in Boko Haram operations and strategies
- UN continues to support 278,194 people, primarily women and girls, who require medical and psychosocial services

- 18 new women friendly safe spaces were established in areas newly liberated from Boko Haram, enabling social networks, vocational skill learning and secure referral to find care