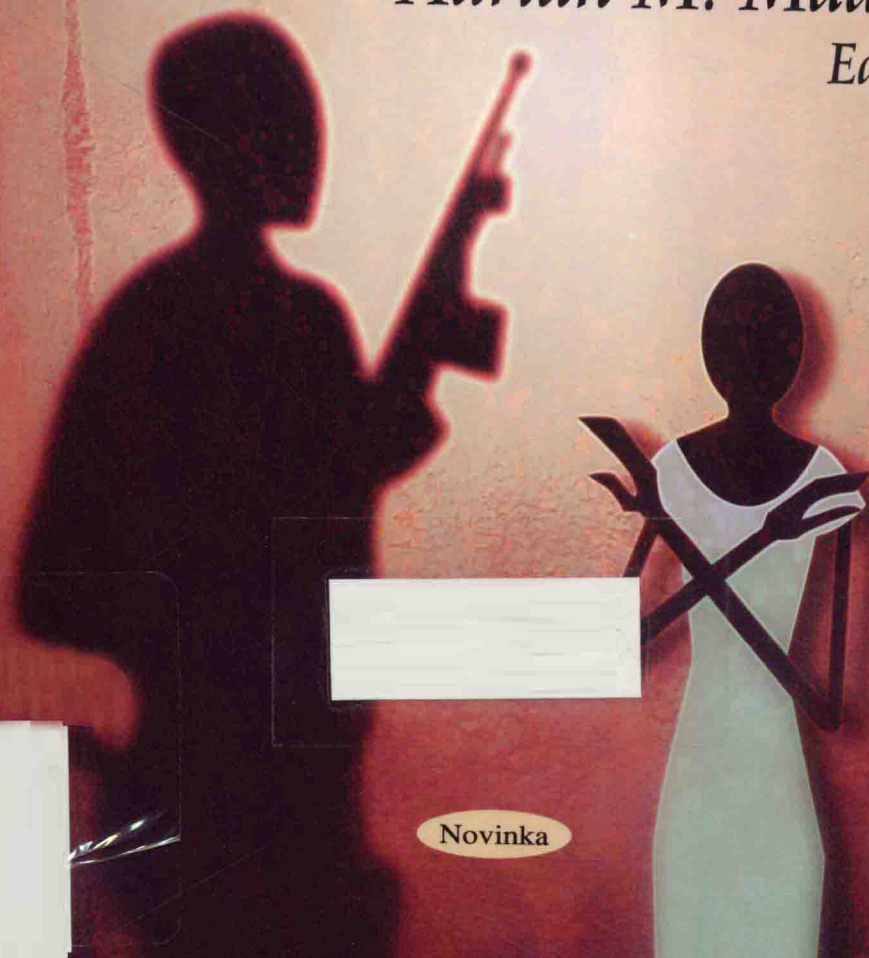


AFRICAN POLITICAL, ECONOMIC
AND SECURITY ISSUES

SEXUAL VIOLENCE IN AFRICA'S CONFLICT ZONES

Jordan A. Prescott
Adrian M. Madsen
Editors



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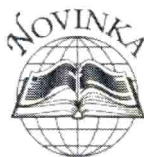
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JORDANA. PRESCOTT
AND

ADRIAN M. MADSEN
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PREFACE

Civilians in Africa's conflict zones, particularly women and children, are often vulnerable to sexual violence, including rape, mutilation and sexual slavery, carried out by government security forces and non-state actors. While such abuses are by no means limited to Africa, weak justice systems in many African states can mean that victims have little legal redress. This new book examines the issue of sexual violence in African conflicts and reports on the programs Congress seeks to address them through legislation, hearings, and other congressional actions.

Chapter 1- Civilians in Africa's conflict zones—particularly women and children, but also men—are often vulnerable to sexual violence, including rape, mutilation, and sexual slavery, carried out by government security forces and non-state actors, including, rebel groups, militias, and criminal organizations. Some abuses appear to be opportunistic, or the product of a larger breakdown in the rule of law and social order that may occur amid conflict. Combatant groups have also deployed sexual violence as a strategic tool to wreak damage on entire communities. While such abuses are by no means limited to Africa, weak justice systems in many African states can mean that victims have little legal redress. In addition to health and psychological consequences, survivors are also often shunned by their families and communities.

Chapter 2- Let me preface my remarks by saying that gender-based violence (GBV) as a tool of war is in no way limited to the Democratic Republic of Congo (DRC) and Sudan, or in Africa. We've seen this in Bosnia, Burma, Sri Lanka, Nepal, and elsewhere. The underlying problems – gender inequality and the dehumanization of women – are often the same, and our assessment of needs and recommendations would be similar across regions.

Chapter 3- Founded in 1933, the IRC is a global leader in emergency relief, rehabilitation, protection of human rights, post-conflict development, resettlement services and advocacy for those uprooted or affected by violent conflict and oppression. The IRC is on the ground in 42 countries, providing emergency relief, relocating refugees, and rebuilding lives in the wake of disaster. Through 24 regional offices in cities across the United States, we help refugees resettle in the U.S. and become self-sufficient.

Chapter 4- I am here because you—the United States government—are the most powerful government in the world. You have great influence in the Great Lakes region of Africa. It can be your legacy to inspire and provoke the world community to put an end to the worst femicide on the planet.

Chapter 5- Rape and sexual violence is used as a weapon and tactic of war to destroy the community. The rapes are targeted and intentional, and are meant to remove the people from their mineral-rich land through fear, shame, violence, and the intentional spread of HIV throughout entire families and villages.

Chapter 6- Today, the situation in Darfur is grave and the suffering of our people has gone on far too long. As a Darfuri woman who was forced to flee the current genocide in Darfur, I feel sometimes that I have left my people behind. I am often overwhelmed and ashamed. But on a daily basis, through my work and my ability to speak out publicly in the United States, I carry with me the plight of my mother, aunts, sisters, and countless other women in Darfur who face brutality and violence as part of their daily life. Beyond my own story, I know many others with similar experiences – we have been threatened and harassed to the point that we must leave our beloved homeland, our families and our friends. Still millions more have been forced to leave their homes to exist in unspeakable conditions in internally displaced persons camps as they continue to endure unimaginable pain.

Chapter 7- These two conflicts are characterized not just by appalling death tolls – nearly 8 million and counting since 1983 – but also by widespread crimes against humanity. Indeed, heinous crimes against women and girls occur with numbing regularity in Congo and Sudan, where rape has become the tool of choice of many of the armed groups as a means to control, subjugate, humiliate, intimidate, and ethnically cleanse.

Chapter 8- Today, I will share with you my personal experience and thoughts on the subject. I will also strive to represent some of the voices and experiences of the hundreds of national and expatriate humanitarian workers devoted to this issue, many of whom are themselves civilian victims of war and displacement.

Above all, I wish I could share with you the voices, concerns and hopes of the tens of thousands of women and girls who come forward for help, having been assaulted, tortured, humiliated and disabled simply for having been born female and getting caught in the cross-fire of war.

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Chapter 1

SEXUAL VIOLENCE IN AFRICAN CONFLICTS

Alexis Arieff

SUMMARY

Civilians in Africa's conflict zones—particularly women and children, but also men—are often vulnerable to sexual violence, including rape, mutilation, and sexual slavery, carried out by government security forces and non-state actors, including, rebel groups, militias, and criminal organizations. Some abuses appear to be opportunistic, or the product of a larger breakdown in the rule of law and social order that may occur amid conflict. Combatant groups have also deployed sexual violence as a strategic tool to wreak damage on entire communities. While such abuses are by no means limited to Africa, weak justice systems in many African states can mean that victims have little legal redress. In addition to health and psychological consequences, survivors are also often shunned by their families and communities.

Sexual atrocities have been reported in many African conflicts, including in active conflict zones in Central African Republic (CAR), Chad, Democratic Republic of Congo (DRC), Ethiopia, Nigeria, Somalia, and Sudan. Sexual violence was also a salient feature of recently silenced conflicts in Burundi, Congo-Brazzaville (Republic of Congo), Côte d'Ivoire, Liberia, Rwanda, Sierra Leone, and Uganda. The issue has been particularly prevalent in eastern DRC, where security forces, rebel organizations, militias, and other armed groups have inflicted sexual violence upon the civilian population on a

massive scale. This chapter provides a detailed case study of DRC and an index of active U.S. programs there.

Multiple U.S. government agencies and implementing partners contribute to efforts to prevent and respond to sexual violence in African conflicts, including the Department of State, the U.S. Agency for International Development (USAID), the Department of Justice, and the Department of Defense, among others. Secretary of State Hillary Clinton has taken the lead on the Obama Administration's initiative to address the issue through speeches, official travel, public remarks, writings, and actions at the United Nations. In August 2009, Clinton traveled to Goma, in eastern DRC, where she pledged \$17 million to support U.S. government efforts to prevent and respond to sexual and gender-based violence in that country. The pledge includes \$10 million in Economic Support Funds (ESF) for "programs and activities to assist victims of gender-based violence" in DRC provided by the Supplemental Appropriations Act, 2009 (P.L. 111-32).

The 111th Congress has repeatedly expressed interest in bringing attention to the issue of sexual violence in African conflicts and support for programs to address it through legislation, hearings, and other congressional actions. Potential issues for Congress include the authorization and appropriation of targeted assistance programs; oversight of Administration and multilateral policies; and oversight of coordination between U.S. government agencies and international donors. For further background, see CRS Report RL34438, *International Violence Against Women: U.S. Response and Policy Issues*, coordinated by Luisa Blanchfield.

OVERVIEW AND SCOPE

Civilians in Africa's conflict zones—particularly women and children, but also men—are often vulnerable to sexual violence, including rape, sexual assault, mutilation, forced prostitution, sexual slavery, and other abuses.¹ Some incidences appear to be opportunistic, the product of a larger breakdown in the rule of law and social order that may occur amid conflict. In other cases, sexual violence has also been employed by combatant groups as a strategic tool. Perpetrators may include members of the state security forces, rebel movements, militias, or other non-state armed groups. In some cases, individuals at the highest levels of the state have been accused of ordering, condoning, or tolerating such violence. There have also been instances where

humanitarian and peacekeeping workers have been accused of sexual abuse and exploitation.²

The issue of sexual violence in conflict is far from confined to Sub-Saharan Africa (henceforth, “Africa”), and it has not been a salient feature of all African conflicts.³ Sexual violence by combatant groups in the former Yugoslavia in the 1990s, for example, drew widespread international attention. Moreover, conflict settings are not necessarily those in which sexual abuse is most prevalent.⁴ Sexual atrocities have nevertheless been a feature of many African conflicts over the past two decades, including in active conflicts in Central African Republic (CAR), Chad, Democratic Republic of Congo (DRC), Ethiopia, Nigeria, Somalia, Sudan; and in recent conflicts in Burundi, Congo-Brazzaville (Republic of Congo), Côte d’Ivoire, Liberia, Rwanda, Sierra Leone, and northern Uganda. Such acts have been particularly apparent in eastern DRC, where security forces, rebel organizations, militias, and other armed groups have inflicted sexual violence upon the civilian population on a massive scale.

This chapter focuses on conflicts in Africa in which sexual violence is reported to be widespread or systematic.⁵ It describes the context in which such violence takes place, selected cases where it is currently occurring, and U.S. policy responses. The report concludes with a discussion of potential policy considerations, including the design and effectiveness of U.S. programs; coordination between agencies and between international donors; and the question of whether policy responses to sexual violence can be separated from the broader context in which such violence occurs. The report includes a detailed case study of DRC, which has drawn particular attention from the Obama Administration and the 111th Congress.

MEASURING THE PREVALENCE OF SEXUAL VIOLENCE

Accurate information on the prevalence of sexual violence is difficult to obtain in any circumstances, as victims often decline to report their experiences due to personal trauma, fear of reprisals, and societal stigma. Moreover, in many African countries, law enforcement institutions, state investigatory entities, and provisions for the protection of victims are near-absent, which inhibits accurate reporting. These difficulties are compounded in conflict settings by general chaos and population displacements, safety fears, and a breakdown or lack of systems to collect and report information. Data from medical surveys and judicial investigations, information obtained through U.N. agencies and programs, humanitarian and human rights

organizations, research studies, and press reports may nevertheless indicate where and in what context high levels of sexual violence are occurring.

Congressional Activities

In recent years, Congress has demonstrated an interest in drawing attention to sexual violence in conflict zones, including through legislation, hearings, and other activities. Congressional interest has encompassed the humanitarian, health-related, socio-economic, and security implications of such violence, and ways in which U.S. and multilateral policies can respond to or prevent it. In May 2009, the Senate Foreign Relations Committee held a hearing on “Confronting Rape and Other Forms of Violence Against Women in Conflict Zones—Spotlight: DRC and Sudan.” The House Foreign Affairs Committee and the Senate Foreign Relations Committee also held several hearings in 2009 on the broader topic of international violence against women.

Recent legislation includes the Consolidated Appropriations Act, 2010 (P.L. 111-117), which states that funds for bilateral Development Assistance, Economic Support Fund assistance, and International Narcotics Control and Law Enforcement assistance “shall be made available for programs to address sexual and gender-based violence” overseas, and that bilateral economic assistance and international security assistance programs that provide funding for foreign police, judicial, and military officials “shall address, where appropriate, gender-based violence.”⁶ In an explanatory statement attached to the Omnibus Appropriations Act, 2009 (P.L. 111-8), appropriators directed the State Department and USAID to report to Congress on “programs addressing sexual and gender-based violence and how these issues are being integrated into foreign police, judicial and military training programs.”⁷ Both of these bills also specifically directed funding toward related programs in DRC, as does the draft FY2010 supplemental appropriations bill, H.R. 4899 (introduced March 21, 2010). In addition to legislation broadly focusing on international violence against women, several pieces of legislation pending before the 111th Congress directly reference sexual violence in ongoing African conflicts.⁸

SELECTED CASES AND CONTEXT

Sexual violence has been reported as a significant feature of several active conflicts in Africa. Most prominent in scale are the conflicts in eastern DRC and the Darfur region of Sudan. Other active conflicts featuring significant sexual violence include the Central African Republic (CAR), Chad, the Ogaden region of Ethiopia, the Niger Delta region of Nigeria, and Somalia⁹:

- CAR has seen a proliferation of anti-government armed rebellions—some of which exercise territorial control in the north and northeast—as well as community defense militias and organized criminal gangs. Sexual violence has reportedly been committed by the security forces—especially the army, presidential guard, and police—and non-state armed groups, as well as Chadian troops stationed within CAR and other factions. According to the U.N. Office for the Coordination of Humanitarian Affairs, over 15% of women and girls in CAR’s violence-ridden North have been victims of sexual violence.¹⁰
- In Chad, multiple rebel groups based largely in the East are challenging the government’s rule. Chadian security forces—particularly the army, police, and gendarmerie—have been accused of perpetrating sexual violence, along with ethnic militias, bandits, and armed groups connected to the spillover of conflict from neighboring Darfur. Rape and other forms of sexual violence are reportedly pervasive in and around Darfuri refugee camps in eastern Chad.¹¹
- In DRC, which will be discussed in the “Case Study” section, armed groups have committed sexual atrocities on a massive scale during recurrent internal conflicts.
- In Ethiopia, according to human rights groups, systematic rape has been a feature of the Ethiopian government’s counterinsurgency campaign since 2007 against the Ogaden National Liberation Front (ONLF), a largely ethnic Somali rebel group operating in the east. Ethiopian security forces have allegedly frequently raped women detained on accusations of aiding the ONLF.¹²
- In Nigeria, state security forces deployed to the oil-producing Niger Delta region have reportedly used rape to intimidate the local population and retaliate for attacks on oil installations by militant groups. There have also been occasional reports of rape by militant groups.¹³

- In Somalia, forces allied with the Transitional Federal Government (TFG) and clan militias have been accused by human rights groups of perpetrating sexual violence against civilian residents and displaced populations. During Ethiopia's occupation of south-central Somalia between mid-2006 and January 2009, Ethiopian troops were also accused of sexual assault.¹⁴
- In Darfur, rape has reportedly been perpetrated by government and government-allied forces since 2003 amid fighting between Sudanese security forces and allied pro-government militias known as *janjaweed*, rebel groups, and other irregular forces. United Nations officials, advocacy groups, news reports, and witness accounts allege that sexual violence has been systematically employed in Darfur as a weapon of war and ethnic cleansing, part of a government counterinsurgency strategy that has focused on orchestrating violence against civilians. Similar allegations were made against the Sudanese government in the context of the North-South civil war, which officially ended in January 2005.¹⁵ According to advocacy groups, assistance for rape survivors in Darfur was "largely eliminated" in March 2009, when Sudan expelled 13 international relief organizations operating in the region in response to the International Criminal Court warrant for Sudan's president.¹⁶
- In northeast DRC, southeast CAR, and southern Sudan, sexual violence has been carried out not only by domestic armed groups, but also by members of the Lord's Resistance Army (LRA), an insurgent group that originated in northern Uganda over 20 years ago. LRA fighters have reportedly raped and mutilated civilians and abducted boys and girls for sexual slavery.¹⁷

Context

Sexual violence has long been described as the "collateral damage" of fighting; its prevalence in Africa is often seen as a by-product of internal conflicts involving irregular forces, which are thought to result in disproportionate civilian casualties.¹⁸ However, while sexual violence may appear to be random, it is often deployed strategically by combatant groups. Sexual violence in conflict settings may be employed as a "benefit" for victorious troops and commanders; a means of initiation and social bonding between combatants; a punishment meted out to men and women associated

with opposing groups; a means of humiliating male opponents and who were not able to protect “their” women; a method of destroying the opposing community and culture; and a means of ethnic cleansing by impregnating women or furthering their displacement.¹⁹ In many cases, sexual violence has been referred to as a “weapon” or “tool of war.”

The incidence of sexual violence nevertheless varies significantly between conflicts and groups. In many conflicts, sexual violence is employed simultaneously by multiple combatant organizations and for different purposes; motivations may vary between units, individuals, and settings within a larger war.²⁰ In Sierra Leone, for example, where the majority of conflict-affected women and girls are thought to have been subjected to rape during the decade-long civil war, a 2002 study found that combatants inflicted sexual violence on civilian populations both amid the anarchy of fighting and as a tool of political intimidation.²¹

Opportunistic Violence

In conflict settings, sexual violence often occurs amid—and reinforces—a general breakdown in the rule of law, social systems, and discipline within combatant groups. Sexual violence may be more or less opportunistic and indiscriminate, as combatants experience a sense of impunity for their actions. Indeed, rape in African conflict settings has frequently been associated with combatant groups that lack an effective chain of command or disciplinary mechanisms, for example in CAR, Chad, and DRC.²² Furthermore, women in conflict zones, due to their relative lack of economic resources, may be particularly vulnerable to exploitation in order to meet material needs. Situations in which sexual violence is widely perpetrated by combatant groups often see a concurrent increase in sexual assault by civilians, due to the same breakdown in social order as well as the normalization of sexual violence within conflict-affected communities.²³

Rape and other forms of sexual assault may also be encouraged by commanders in the field as a way of placating or “paying” their troops. Even without active encouragement, combatants who do not regularly receive wages may view rape—like the looting of food and other goods from local populations—as “justified” as part of their upkeep. Similar dynamics also sometimes lead to the abduction of women and children as sexual slaves, a practice in which LRA fighters and leaders have reportedly frequently engaged, for example.²⁴ Describing the high incidence of looting during Liberia’s civil war, one account noted, “to judge from the frequency with which male fighters committed rape or abducted women as concubines and