

## GENDER-BASED VIOLENCE

Sexual and gender-based violence is one of the most pervasive violations of the rights of women and girls during armed conflict and displacement. It is often employed as a strategy of war by armed actors to gain power. Women and girls are at risk of sexual and gender-based violence in most internal displacement situations. This can include rape, forced impregnation, forced abortion, trafficking, and sexual slavery. While men and boys may also be affected, research indicates that sexual and gender-based violence predominantly affects women and girls.<sup>51</sup>

Despite progress in the development of law and policy on addressing sexual and gender-based violence in armed conflict, individual cases as well as patterns of abuse against displaced women and girls continued to be reported during 2006. As pointed out in a report on Uganda by a consortium of NGOs, gender-based violence is often neglected in humanitarian programming, in spite of being one of the most serious protection issues facing IDPs.<sup>52</sup> Sexual violence against displaced women and girls remains an under-reported aspect of conflict. In many countries, displaced women and girls do not report incidents of abuse and violence to medical and humanitarian organisations. Nevertheless, cases of sexual and gender-based violence were reported among IDP communities in a number of countries, particularly in the DRC, Sudan, Colombia, Nepal, the Philippines, Iraq, Chad, Uganda, CAR, Somalia, Burma, India, Liberia, Kenya, Côte d'Ivoire and the Russian Federation.

Rape was used as a weapon of war – to punish communities for their political allegiances, as a form of ethnic cleansing, and to forcibly displace civilians – in countries including Colombia, the DRC and Sudan. Armed groups engaged in acts of sexual violence to attack the values of the community, punish or terrorise communities and individuals accused of collaborating with enemy forces, or provide gratification for fighters. In the DRC, various armed groups have abducted and kept as sex slaves thousands of women to provide sexual, domestic and agricultural services.

In the DRC, Sudan and Uganda, there were widespread reports of systematic sexual and gender-based violence against displaced women and girls. The number of reports of incidents of rape against internally displaced women rose sharply during 2006 in parts of the

DRC. Incidents were reported more frequently along the Kanyabayonga-Kayna road, North Kivu province, where fighting between the army and rebel soldiers has displaced at least 70,000 people. Some 4,000 displaced women were reported to have been raped in South Kivu.<sup>53</sup>

In Darfur, girls and women have been targeted in inter-ethnic fighting both in a deliberate attempt to dishonour them and as a means of ethnic cleansing, particularly in areas inhabited by displaced populations. Many victims were under 18 years of age. In May 2006, for instance, a group of about 25 armed men in Sudan Liberation Army uniforms threatened, beat and robbed six separate groups of women and girls in Hajar Jalanga, in West Darfur. During the same month, Janjaweed militia attempted to rape women and girls displaced from villages near Kutum, in North Darfur. And in July, approximately 25 armed militias, some in army uniforms, assaulted 20 women outside the Kalma IDP camp in Nyala, South Darfur. Increasing numbers of rapes by displaced men of displaced women were also reported within IDP camps in Darfur.

In Chad, members of armed groups, including the Janjaweed, targeted displaced women and girls in attacks on IDP sites in the eastern part of the country. UNICEF received reports that 33 women and girls from the Biledigue and Haraza tribes at the Koubigou IDP site had been raped.<sup>54</sup>

In Uganda in 2006, there continued to be cases of sexual exploitation and sexual violence against women and girls by government and military personnel in IDP camps. The issue worsened with an increase in the numbers of displaced people leaving the camps for new settlement areas. A lack of schools and health facilities in the new areas has meant that men are the first to go, leaving women and children behind in the existing camps, where they are able to gain access to basic services but where they are also exposed to a greater risk of gender-based violence, abuse and exploitation. In January 2006, a Ugandan soldier was reported to have been responsible for the rape of a 17-year-old girl outside Pagal camp in Gulu district, and in February 2006 a 17-year-old soldier was arrested and charged with rape in Lira Palwo in Pader.<sup>55</sup> Patterns of sexual violence were also reported in IDP camp settings in Somalia and Sri Lanka during the year.

Poverty and a lack of any other income-generating activity forced many internally displaced women into prostitution and trafficking during 2006. In Nepal, according



A displaced woman from Darfur, where many cases of gender-based violence were reported in 2006. (Photo: Petterik Wiggers, Panos)

to local NGOs, displaced women fleeing their homes or living in IDP camps have sometimes been forced into prostitution to survive or have fallen prey to traffickers. In IDP camps in Uganda, many girls and women engage in “survival sex” to obtain food or “transactional sex” in exchange for spending money or small objects.<sup>56</sup> Lack of access to income sources has forced displaced women to collect firewood in the Kieni forest of Kenya, where if caught, they are subjected to sexual abuse, severe beatings and imprisonment by forest guards.

**D**isplaced women and girls are often exposed to sexual and gender-based violence in the course of obtaining basic resources such as food, water and fuel for themselves and their families. In Sudan, rapes and other forms of sexual abuse were frequently reported when displaced women and girls had to leave camp areas to gather firewood. In Liberia, displaced women have been forced to exchange sex for aid, including food from national and international peace workers, according to a report by Save the Children.

**T**here were also reports that displaced women and girls were subject to multiple forms of harassment and abuse by both government forces and non-state actors in Nepal, India and Colombia. In Nepal, an inter-agency mission in the east of the country received informal reports that displaced women were subject to harassment and abuse by both government forces and rebels. A June 2006 study by Terre des Hommes showed that displaced girls working in carpet factories in Nepal were at high risk of abuse, including sexual and verbal harassment. A number of women of the Hmar minority group, living in Manipur, North India, were raped during attacks by militants that displaced thousands of people from the area to the neighbouring state of Mizoram. Violence against women may also increase within the family due to the stress of displacement. A government survey in Colombia showed that almost half of all displaced women there reported physical violence at the hands of their partners in 2006.<sup>57</sup>

**P**eacekeepers were also involved in sexual abuse against displaced women and girls. In August in the DRC, the international media reported allegations of a soldier-run prostitution ring involving girls as young as 15 in the South Kivu area. Some of the implicated soldiers are believed to be United Nations peacekeepers. Allegations of sexual exploitation and abuse committed by UN peacekeepers in several countries were under investigation in 2006. In December, senior UN and NGO representatives issued a statement addressing sexual exploitation and abuse by aid workers, emphasising a zero tolerance approach.

## National responsibility to protect

**T**he Guiding Principles on Internal Displacement explicitly call on governments to provide protection for women and girls. Provisions regarding displaced women and girls are guided by two core concerns: to safeguard them from gender-specific violence and to uphold their rights to equal access to services and participation in assistance programmes.

**B**ut abuses against displaced women and girls have generally been perpetrated with impunity, and a majority of displaced women and girls did not have adequate access to physical, legal and social protection during 2006. A number of investigations into sexual abuse were ongoing at the international level last year, although the process is lengthy. At the end of the year, the lead prosecutor of the International Criminal Court said in a briefing to the Security Council that it had “reasonable grounds to believe” that crimes against humanity, including rape, had been committed in Darfur.<sup>58</sup> Similar investigations have been under

Displaced women and girls are vulnerable to sexual abuse when venturing outside camps to gather firewood. (Photo: Roald Høvring, NRC)



way in the DRC and northern Uganda, where there have been widespread allegations of systematic patterns of rape of displaced and other women.

Progress was made in strengthening the legal protection afforded to displaced women who have survived acts of sexual and gender-based violence in some conflict-affected countries. Countries where legislation criminalising sexual violence was adopted or amended during 2006 included Liberia and the DRC. Liberia passed a Rape Amendment Act, and the DRC adopted a bill on sexual and gender violence as a result of lobbying by local NGOs and the UN. The law strengthens the legal protection available to victims of sexual violence, broadening the definition of rape to include those committed with objects, a practice that has been common in the Congolese war.

In some countries, national laws may prevent displaced women and girls from gaining access to assistance. In post-war Bosnia and Herzegovina, legislation related to civilian war victims, including victims of rape, differs between the country's two entities, which may create unequal access to social benefits or support depending on the area of displacement or return.

## Regional and international response

At the regional level, a protocol on the Prevention and Suppression of Sexual Violence against Women and Children in the Great Lakes region of Africa was adopted in 2006 within the framework of the International Conference on the Great Lakes region. The protocol calls on states to take particular measures to ensure that internally displaced women are protected.

The UN and NGOs continued to develop initiatives to address sexual and gender-based violence in humanitarian situations during 2006, including medical and psycho-social assistance, and legal and income-generating activities. While advances have been made, much still has to be done to improve prevention of and response to gender-based violence in IDP communities. For instance, a 2006 study by the International Medical Corps on the mental health of displaced women in South Darfur found that almost one-third of displaced women surveyed suffered from a major depressive disorder. Almost all the women said that counselling provided by humanitarian agencies would help them.<sup>59</sup>

At the interagency level, progress was made in the elaboration of practical guidelines and tools to prevent and respond to gender-based violence. The creation of a standby force of gender experts for deployment in humanitarian emergencies was part of efforts to more effectively integrate gender issues into the UN system.

In 2006, following a comprehensive review of the extent to which humanitarian interventions address the needs of women, girls and boys, the Inter-Agency Standing Committee, the primary mechanism for inter-agency coordination of humanitarian assistance, identified key gaps. Based on these, it proposed five areas for action: developing gender equality standards; ensuring gender expertise in emergencies; building capacity of humanitarian actors on gender issues; using sex and age disaggregated data for decision-making; and building partnerships for increased and more predictable gender equality programming in crises.