Forum: Human Rights Committee
Issue: Preventing Sexual Violence in Conflict Zones
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I. Introduction

Sexual violence occurs throughout the world. It is a global scourge that is especially common in conflict zones. Research suggests that sexual violence is not committed by a stranger but by someone the victim knows, such as a romantic date or an intimate partner like a husband, ex-husband, or boyfriend. On average, one in four women experiences sexual violence by an intimate partner, and up to one-third of adolescent girls report their first sexual experience as being forced (Hakimi M and Jewkes R). Rape is likely to be committed by pedophiles, intoxicated individuals, or strangers. Sexual violence can result in sexually transmitted diseases, e.g. HIV/Aids infection leading to death (e.g. caused by a later suicide) or “Sexual violence can also profoundly affect the social wellbeing of victims; individuals may be stigmatized and ostracized by their families and others as a consequence” (Mollica RF). This paper focuses on the horrifying magnitude of sexual violence in armed conflict, which fits squarely into the conference’s theme: “Ending Human Suffering”.

Far less data exists with respect to sexual violence in conflict zones. The data that exists suggests that sexual violence in conflict zones has a profound impact on physical and mental health, with both short and long-term consequences. In conflict zones, sexual violence is often used as a weapon of war to attack the enemy, this has further devastating consequences for the victims of sexual violence. For the UN to effectively prevent this type of violence, it needs to construct immediate measures that will prevent and combat sexual violence, especially in conflict zones.

II. Definition of Key Terms

a) Term 1: Sexual assault / abuse

According to the Women’s Health Institution, sexual assault is any type of sexual activity that a person does not agree to, including:
a. Rape or attempted rape  
b. Touching a body part or touching someone else's  
c. Incest or sexual contact with a child  
d. Watching or photographing sexual situations  
e. Someone exposing his or her body

b) Term 2: Rape

Rape is a non-consensual sexual intercourse, which is defined by the World Health Organization (WHO) as a “physically forced or otherwise coerced penetration – even if slight – of the vulva or anus, using a penis, other body parts or an object, [while] sexual violence can include other forms of assault involving a sexual organ, including coerced contact between the mouth and penis, vulva or anus”.

c) Term 3: Genocide

December 9, 1948 the International Convention of the Prevention and Punishment of the Crime of Genocide created a definition of genocide that was also adopted by the UN:

“In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

a. Killing members of the group;  
b. Causing serious bodily or mental harm to members of the group;  
c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;  
d. Imposing measures intended to prevent births within the group;  
e. Forcibly transferring children of the group to another group"

d) Term 4: Prevention of Sexual Violence
According to the Association for the Treatment of Sexual Abusers (ATSA), prevention refers to “efforts intended to stop the perpetration of unhealthy, harmful, dangerous, and illegal behavior and acts, as well as victimization and re-victimization by others”. It also includes the prevention of negative short- and long term consequences of sexual violence.

III. General Overview

a) The Three Levels of Prevention

Prevention efforts should ultimately decrease the number of individuals who perpetuate sexual violence and the number of individuals who are victims. It should include the development of attitude, skills, behaviors, knowledge, and resources that are necessary to promote community and individual safety, wellbeing and health. There are numerous methods, such as creating awareness through anti sexual violence programs, to effectively prevent sexual violence and decrease the number of victims.

i. Primary Prevention

Primary Prevention focuses on approaches that are made before any sexual violence occurs. It attempts to tackle the problem before harm is done. This includes the building of a safe and healthy environment. Primary prevention can target two different groups, a selected audience or a universal audience. According to the ATSA (Association for the Treatment of Sexual Abusers), selected audience reflects strategies specifically directed towards those in the population at increased risk for sexual violence perpetration or victimization. And targeting universal audience denotes strategies aimed at everyone in the population of interest, independent of risk. The measures that are taken in both strategies can completely vary from one region to another.
The Social-Ecological Model is a framework to stop violence before it happens, by understanding what circumstances and factors can create and hinder perpetration. The Centers for Disease Control and Prevention (CDC), a United States government public health agency, has designed a four-level social-ecological model, that emphasizes the complex interplay between individual, relationship, community, and societal factors. The individual-level influences include personal factors that increase the probability of an individual becoming a perpetrator of violence or a victim. Intervention for individual-level influences are usually “designed to target social and cognitive skills, and include counseling, therapy, and educational training sessions” (CDC). Interpersonal relationship-level influences are factors that emerge within families and or friends, such as peers and intimate partners. Intervention strategies for interpersonal-level influences would therefore include e.g.: “family therapy, bystander intervention skill development, and parenting training” (CDC). The third level of the model targets community-level influences, that concentrates on the social environment of the victims and perpetrators and their community (e.g. schools, workplaces and neighborhoods). The intervention methods for community-level influences “are typically designed to impact the climate, systems, and policies in a given setting” (CDC). The last tier of this model, the societal-level influence, focuses on larger factors (gender inequality, religious or cultural belief system, race and policies which all create tension between individuals and groups). Intervention methods for societal-level influence
typically involve "collaborations by multiple partners to change laws and policies related to sexual violence or gender inequality" (CDC). Understanding the interrelations among various personal and environmental factors, that are accomplished with this framework/model, enables the UN to fight sexual violence before it occurs.

ii. Secondary Prevention

Secondary prevention deals with the avoidance of negative consequences directly after sexual violence has taken place. This is done by reducing the harm to the victim in the immediate aftermath of the violence, e.g., providing the victim with immediate counseling and psychological help or separating the perpetrator from the victim. According to ATSA, secondary and tertiary prevention can be directed towards "indicated" audiences, reflecting strategies aimed at individuals who have perpetrated sexual violence or those who have been victimized.

iii. Tertiary Prevention

Tertiary prevention addresses the long term negative consequences, such as discrimination, depression, anxiety, posttraumatic stress disorder and psychological distress, that follow after sexual violence perpetration. It deals with the lasting after effects of victimization, and seeks solutions, such as providing psychological help and counseling until the victim is mentally and/or physically stable. Tertiary prevention also includes intervention in family violence patterns to prevent reoccurrence of a situation and behavior that has caused harm.

b) Sexual Violence as a Weapon of War

According to the Commission on Human Rights, “the key element of the crime of genocide is the specific intent on the part of the perpetrator to physically destroy, in whole
or in part, a protected group, namely a national, ethnic, racial, or religious group”.
However, gender is not listed as a protected group under the Genocide Convention. Nonetheless, targeting a group through attacks against its female members is sufficient to establish the crime of genocide.

Sexual violence is often used as a weapon of war in ethnic cleansing. In 1992 more than 20,000 Muslim girls were raped in Bosnia according to a European Community fact-finding team. During the Rwandan genocide in 1994, over 1 million people were killed within 100 days; nearly every adolescent girl that survived an attack by the military was subsequently raped. Many became pregnant and were forced to carry out the pregnancies through rape. To make matters worse, the victims were ostracized by their families and communities. Women were psychologically destroyed, which caused some to abandon their own baby or commit suicide. In addition to rape, women and girls were forced into prostitution and trafficking during the war.

These horrors were planned by members of the core political elite, many of whom occupied positions at top levels of the national government. In the Rwandan genocide for example, perpetrators came from ranks of the Rwandan army. In most cases, where sexual violence is used as a weapon of war, the government supports this kind of structured crime, making it extremely difficult for a UN organization to intervene. Therefore, it is of great interest that the delegates construct amendments to encourage a change in the legislature of the affected countries. The objective must be to make it easier for victims to come forward, and making it socially unacceptable to rape someone.

c) Post - Sexual Violence in Conflict Zones

The negative effect that sexual violence creates on the affected families and on society is enormous. Negative short- and long term physical, psychological and social consequences follow almost every victim. Often the victims are isolated and left alone without any counseling. Especially in conflict zones, most victims are unable to receive any help, leaving them completely alone. Because of stigma, fear and lack of trust towards the government in conflict zones, barely any cases are reported. The fact that incidents are not recorded makes it impossible for a government to confirm the accuracy of statistics and stories (keeping in mind that governments might not be eager to acknowledge
IV. Major Parties Involved and their Views

As stated earlier, sexual violence is a global scourge that is found in every country. Nevertheless, in conflict zones and developing countries (as seen in the Map of the Maple Craft in 2013) sexual violence is more common. The Huffington Post revealed the top ten countries (Central African Republic (C.A.R), Colombia, DR Congo (DRC), Myanmar, Somalia, Cote d'Ivoire, Sudan, Sri Lanka, Uganda, Zimbabwe) with the most reported sexual violent acts in 2013. Maplecraft figured that two specific indicators of serious risk included the organized use of sexual violence as a war weapon and the involvement of child soldiers as victims and / or perpetrators. For example, of all confirmed cases of conflict-related sexual violence in DRC, the vast majority were undertaken by armed groups.

a) Central Africa

In Central Africa, mainly CAR, DRC, Somalia, Cote d'Ivoire, Sudan and Uganda, sexual violence is an immense threat to international peace and security. In these
countries, rape is used to terrorize civilians, with many victims being sexually assaulted in their home in front of their friends and families. These victims are systematically targeted. According to the Security Council Report S/2015/203, the numbers of rapes are currently declining in the bigger cities owing to the combined security presence of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), and the European Union Force (EUFOR). However, most of the sexual violence now occurs in the outskirts of the towns. Furthermore, these countries lack medical care, including post-exposure prophylaxis to prevent HIV transmission. To actively reduce sexual violence, CAR-governments adopted a decree, establishing a joint rapid response unit, to combat sexual violence. The Security Council Report proposes “to draft a law to establish a special criminal court that would have jurisdiction over grave violations of international humanitarian and human rights law, including conflict-related sexual violence”. These efforts and many more are essential for Central African countries to restore peace and security.

According to the United Nations Population Fund (UNFPA), in the first nine months of 2014, there have been approximately 11,800 sexual and gender-based violence acts in DRC alone. Forty percent of these cases were directly related to the dynamics of conflict. Sexual violence is used to spread fear and compel civilians especially in DRC to undertake forced labor in mining areas. The Government of the DRC began in 2014 to prosecute high-ranking army officers.

b) Other Countries

Excluding Central Africa, sexual violence is most common in the conflict zones of Colombia, Myanmar and Sri Lanka. The Security Council has confirmed that increased efforts were made by the Government of Colombia in 2014 to tackle the issue by:

- enhancing the status of sexual violence survivors so that they can receive reparations
- providing psychosocial support and free medical care
- implementing the law 1719, which explicitly recognizes that “sexual violence can constitute a crime against humanity and that there can be no statute of limitations for such crimes”
● raising awareness by establishing the 25 May as the National Day for the Dignity of Women Victims of sexual violence in Colombia
● survivors of sexual violence participating in the peace talks held in Havana
● paying particular attention to groups that face additional barriers to justice such as ethnic minorities, women in rural areas, children, lesbian, gay, bisexual, transgender and intersex individuals and women abused within the ranks of armed groups

These measures and all other efforts taken by governments to protect sexual violence, are only as good as they can be executed, which is specifically challenging in conflict zones.

c) The UN Peacekeepers

Among other instances, the UN sent peacekeepers to CAR (one of the world's poorest nations, with the highest sexual violence rates) with the agenda to quell political and sexual violence. It is shocking, that CNN later reported, that more than 100 victims of rape, "said they were sexually abused by UN peacekeepers". This incident naturally caused a loss of trust towards the UN. Peter Wilson, the UK's deputy representative to the United Nations said: "When the most vulnerable in this world -- women and children who have lost everything -- when they look to the United Nations for protection, they should do so in the belief that their suffering is over, not just beginning,"

V. Timeline of Events

As seen in the timeline below with but a few instances of rape in human history, rape has been present in conflict zones / war zones in almost every known historical era.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>Antiquity</td>
<td>Sexual violence has occurred 2 000 years ago. Greek and</td>
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Roman armies used young boys of the defeated side for homosexual intercourse.

**Middle Ages**

The Vikings carried the reputation for “rape and pillage”. War rape and female slavery were very common during the “Arab slave trade” as well.

<table>
<thead>
<tr>
<th>European Colonial Era</th>
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<tr>
<td>• <strong>Taiwan:</strong></td>
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<td>After the Dutch were expelled from Taiwan in 1662, the Chinese sexually enslaved Dutch women</td>
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<td>• <strong>Indian Rebellion:</strong></td>
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<td>As in the 19th century media began to become more relevant, reports of war rape were used as propaganda by European Colonists. For instance, a very small amount of Indian rebels raped English women and girls in America. Nevertheless, the information was greatly exaggerated by the media, to justify the colonization in the Indian subcontinent. Most of the stories posted by the English media turned out to be partially or completely false.</td>
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<td>• <strong>Boxer Rebellion:</strong></td>
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<td>The Western Forces (also known as the Eight-Nation Alliance: Japan, Russia, the British Empire, France, the United States, Germany, Italy and Austria-Hungary) raped, killed and looted Chinese civilians. Thousands of women committed suicide to avoid being raped, as thousands of women were actually raped by invading troops</td>
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<td>• <strong>German South-West Africa:</strong></td>
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<td>In South-West Africa, which was colonized by Germany, German soldiers engaged in gang rapes, before killing the victims, numerous women were also forced into prostitution by German troops.</td>
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<td>Era</td>
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<td>World War I+II</td>
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<td>Rwanda genocide</td>
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Historically rape is more common and severe in conflict countries than in non-conflict countries. There is a connection between the occurrence of sexual violence and significant uprooting of a society and the crumbling of social norms.

VI. Previous Attempts to Solve the Issue

There have been numerous approaches to counter sexual violence. What matters is, how we can improve the existing programs making them even more efficient. As sexual violence cannot be prevented by a few programs, it is an issue that needs to be addressed officially and in non-governmental contexts and on different administrative, executive, legislative levels of federal, state, provincial, departmental, county and municipal bodies. It is unlikely that the perpetration of sexual violence in conflict zones can be completely prevented. The various measures taken by the UN will have to have a long term influence on the region.

There have been numerous attempts by the UN to support conflict countries that have displayed efficiency, as well as attempts that have worsened the situation overall (e.g. the deployment of UN Peacekeeper). The Government of various countries have adopted special strategies which directly suit their own countries situation to prevent sexual violence, but most of these methods have not had huge success according to the UN Security Council Document S/2015/203. These are all small steps that have been taken to counter the issue, the UN is responsible for further addressing this topic in a more in depth matter.

VII. Relevant United Nations Documents & Other Sources

a) UN Documents
i. Human Rights Council, Resolution 14/12 (2010), Accelerating efforts to eliminate all forms of violence against women: ensuring due diligence in prevention.

This resolution focuses on the elimination of violence against women and girls. To enforce this, the resolution calls upon states to reinforce or amend domestic legislation and take measures “to enhance the protection of victims, to investigate, prosecute, punish and redress [...] and to remove gender bias in the administration of justice”. Furthermore, the resolution urges member states to place a high priority on “strengthening and implementing legal and policy measures, that promote the full enjoyment by women and girls of all human rights”. In doing so, the resolution proposes to strengthen their economic independence, by empowering women. It also supports funding towards women’s group, international and non-governmental organizations.


This resolution tries to incorporate a human rights-based approach into measures taken to prevent and end trafficking in person. The resolution also tries to bring awareness to the victims by giving them voice and ensuring a safe environment.


This report summarizes the undertaken activities by regional and sub regional organization in the fight against trafficking in person, between April
2009 and March 2010, with the intention to “promote a human rights-based approach to combating human trafficking.


In this resolution, the main focus is to support and help the trafficked people, by “protecting them from further exploitation and harm and [create] access to adequate physical and psychological care, and services, including those related to HIV/AIDS”. The resolution also encourages governments to intensify collaboration with NGO’s “to develop and implement programmes, effective counselling, training and reintegration into society of victims of trafficking”. Another aim of the resolution is to encourage governments to “consider preventing, within the legal framework and in accordance with national policies, victims of trafficking from being prosecuted for their illegal entry or residence”. Fourthly, this paper urges governments to strengthen existing legislation, or other measures, such as educational, social or cultural measures, with a view to provide better protection for victims of trafficking and to punish perpetrators, through both criminal and civil measures.

vi. Security Council, Report of the Secretary- General S/2015/203, Conflict-related sexual violence

This report of the security council concentrates on conflict-related sexual violence. The report is divided into four sections. In the first section, “sexual violence as a threat to international peace and security: overview of current and emerging concerns”, the paper displays data on all countries strongly affected by sexual violence and then presents previously used and soon-to-be used methods to fight this violence. In the second section, the focus lies on “Sexual violence perpetrated in the context of rising violent extremism”. Additionally, the report elaborates on “Activities of United Nations Action against Sexual Violence in Conflict” and the final section
concentrates on “Activities of the Team of Experts on the Rule of Law and Sexual Violence in Conflict”.

b) Other Sources

i. World Report on Violence and Health, Chapter 6., Sexual Violence. This Chapter deals with sexual violence overall and how to prevent it, on page 171, the author goes more in depth about “Rape during Armed Conflicts”.


VIII. Questions to Consider

- What is the difference between sexual assault and rape?
- To what degree is the UN able to reduce sexual violence?
- Will sexual violence increase or decrease in the future and why?
- Can the UN be trusted to send in troops into countries after the incident of the UN peacekeeper?
- Can the UN improve and be more efficient countering sexual violence in conflict zones than in the past, what would the necessary steps be to make the role of the UN more important?
- How can we find the victims of sexual violence, as they are afraid to come forward themselves?
IX. Possible Solutions

In efforts of prevention, responding to sexual violence is a fundamental step to resolving conflicts, enabling development, and building sustainable peace. In order to effectively fight sexual violence, the UN needs to obey the different strategies constructed by ATSA below:

a) **Policies and Organizational Practices** - “Encourage the development and implementation of local, state, and national policies and organizational practices to advance primary prevention and strengthen comprehensive prevention measures” (see source 4)

b) **Funding** - Increasing the Investment of money for the prevention of sexual violence, especially in conflict zones.

c) **Research** - Encourage research on the issue, to detect new prevention strategies, serving as a catalyst for positive change

d) **Public Awareness** - Increase public awareness, based on “healthy sexuality as well as sexual violence, its prevalence, and effective ways to prevent and manage sexually abusive behaviors” (see source 4)

e) **Collaborative Practices** - “Promote multidisciplinary collaborations to foster successful prevention and positive development initiatives”

f) **Prevention Strategies into Your Work** - This strategy focuses on how society can involve themselves into the prevention of sexual violence. Supporting education workshops, helping spread awareness, donating, including prevention information and links on (your) websites.

As stated by UNICEF, a step toward the prevention of sexual violence in conflict zones would be most productive if UNICEF would engage with different government sectors: Justice, social welfare, education and health (and in the legislature, civil society, community leaders, religious groups, the private sector, media, families and children
themselves). Being an active participant in one of these groups, UNICEF could impact the decisions that are made by the country concerning the issue.

In order to tackle the long term consequences which rape creates, we need to provide better and comprehensive aid and care (such as psychological and health care), primarily for the victims of the crime, as well as for their families, including the children born as the result of rape. Furthermore, the UN needs to ensure that the national military and police doctrine and training of the respected country is in accordance with the international law. To increase the monitoring and documentation of safe and ethical collection of data and evidence concerning acts of sexual violence that are committed in conflict zones, we need to eliminate the fear of reprisal which victims carry and provide justice. In the process of peacemaking, peacekeeping and peacebuilding we need to ensure that sexual violence prevention and response efforts are prioritized.

As sexual violence is one of the most serious forms of violation or abuse of an individual’s human right, governments need to do everything in their power, such as working together with NGO’s, sharing their knowledge and or experience, mobilizing resources and committing our global political will, to reduce sexual violence in conflict zones.

X. Conclusion

Sexual violence that is committed in conflict zones must be viewed as serious crime and problem as the majority of past victims have never seen justice, assistance and support for what they have endured. To effectively decrease sexual violence in conflict zones, approaches have to be taken by international organization and responsible governments. Joe Biden, the U.S. Vice President, announced on June 14. 2016, that “there is never, never, never a cultural justification for dehumanizing another human being. [...] And if you cannot consent, because you are unconscious, it is rape!”. Although general circumstances in conflict zones are different than in non-conflict zones, rape is still rape, and will still have an atrocious effect on the victim’s, its families and the society. The methods used to prevent sexual violence can all be distributed in three different levels, before, shortly after and after the perpetration. Sexual violence can be caused: in the
combination of war as a weapon, out of psychiatric disorder, lust or other reasons. "We must shatter the culture of impunity for those who commit these crimes, by bringing those responsible to justice - as critical element of our prevention efforts". It is out of utmost importance that the UN will take further actions on this issue, to minimize sexual violence in all countries in the best ways possible.

**XI. Bibliography**


Hakimi M et al. Silence for the sake of harmony: domestic violence and women’s health in central Java. Yogyakarta, Gadjah Mada University, 2001


UN Documents: all that have been used in this paper are to be found under the following URL: http://www.refworld.org/docid/415be9c24.html