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Special Representative of the Secretary-
General on Sexual Violence in Conflict

Report of

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***Sexual Violence against Men and Boys in Conflict
Situations***

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Acknowledgements

This report draws on the presentations given and the discussions held during the workshop, copies of which can be found at: <http://www.slideshare.net/osrsgsvc/presentations>.

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EXECUTIVE SUMMARY

The Women, Peace and Security agenda has had considerable success in drawing attention to the issue of sexual violence against women and girls in conflict situations, but has been silent on the related question of conflict related sexual violence against men and boys. Despite mounting evidence that this is a major issue in a number of conflict situations around the globe, such violence continues to be under-reported, under-documented and under-acknowledged, thereby preventing victims from being availed much needed assistance and from accessing justice. Cognizant of the need for policies and practices that offer appropriate responses to men and boy survivors, and that challenge deeply entrenched cultural assumptions about male invulnerability to such violence, the Special Representative of the Secretary General on Sexual Violence in Conflict convened a workshop of experts to discuss the major dimensions to be brought into consideration, as well as to map out recommendations for ways forward.

In considering the scope of the problem, the workshop highlighted examples of sexual violence against men and boys in at least 25 countries since the turn of the century, and the fact that members of armed groups and forces are themselves also vulnerable. A multiplicity of forms of such violence were highlighted, ranging from anal rape through being coerced into committing various sexual acts, to also include forms of genital mutilation. The multiplicity of possible spaces in which such violence occurs was highlighted, as was the need to be aware of the ways in which conflict-related sexual violence continues in situations of exile, as well as in what are officially post-conflict contexts. While the majority of perpetrators are believed to be men, it was also acknowledged that women can also be actively involved. It was also seen that sexual violence against men and boys builds on the same gender constructs as are evident in sexual violence against women and girls, and that the 'feminization' of men through sexual violence is an extension of the larger gender logic that informs the subordination of women. Such sexual violence is frequently used as a weapon of war with the intent of fracturing communities and reducing their capacity to resist, and gender humiliation is frequently linked to ethnic humiliation.

In exploring the impacts and consequences of conflict-related sexual violence against men and boys, the discussion focused on the five 'Ps': physical, psychological, psycho-sexual, psycho-social, and political. It thus made clear how the consequences spread beyond the individual to create domestic and social dysfunction. The discussion thus emphasized the need to consider responses that work not only with the individual victim or survivor, but also his partner, family, and community.

In considering these impacts and the distinctive needs they create, the workshop considered key similarities and differences between conflict related sexual violence against men and boys, and that against women. Most striking in this regard was the manner in which male victims are frequently coerced into active involvement in sexual violence against other men and women, as well as being coerced to harm themselves genitally through particular sexual acts with objects. When comparing how such violence relates to and differs from the better documented and understood sexual abuse against boys, the public nature of much conflict-related sexual violence was contrasted to the secretive nature of most sexual abuse, and the very distinct nature of the relationship between perpetrator and victim (as compared to trusted family member or friend in situations of child abuse) was also discussed.

While the above discussions highlighted some particular gaps in responses to conflict-related sexual violence, participants also considered the broad challenges of addressing the issue; many of the existing documents related to Gender-Based Violence focus exclusively on women and girls, leaving practitioners in field settings with virtually no guidance on how to work with men and boys. This is aggravated by wide-spread discomfort working on issues that are perceived to relate in one way or another to sexuality and sexual orientation.

Moving from direct service provision to the longer-term agenda of legal responses and the fight against impunity, the failure of many domestic legal frameworks to recognize men as potential victims of sexual violence was noted alongside the chilling effect on reporting of penal codes that fail to distinguish between consensual and non-consensual homosexual activity. International criminal law, as developed through the major international criminal tribunals for Yugoslavia and Rwanda in particular, and as synthesized in the Rome statute of the International Criminal Court, provides the most comprehensive framework for addressing this issue, supported by a range of human rights treaties and mechanisms, particularly those in defense of the rights to life, personal security, physical integrity, freedom from torture, inhuman and degrading treatment, access to health and equal protection. Importantly, the ICC also recognizes the importance of coercion. To ensure that domestic jurisdictions are able to address conflict-related sexual violence against men and boys it is thus essential to harmonise domestic frameworks in line with international best practice.

The prospects of traditional or customary justice systems being able to address the issue of sexual violence against men was given consideration, but, given its tendency to be patriarchal in structure and outlook, the mechanisms of truth-telling, reparations and institutional reform offered by transitional justice appeared to offer stronger prospects of redress to male victims.

The report makes 29 specific recommendations, grouped under five main headings:

- a) Determining the scope of sexual violence against men and boys, notably through increased screening and documentation of three key populations (refugees, combatants, detainees)
- b) Developing survivor-centered responses to men and boy survivors that begin with the individual, but when appropriate also work with families, households and communities, and encourage survivors in the establishment of self-help associations
- c) Mainstreaming male-inclusive understandings of and approaches to GBV within the humanitarian community, with immediate attention to revising key guidelines and training instruments
- d) Building on international momentum in the form of new resource allocations, strengthened communities of practice, and stronger statements of international commitment to addressing the issue
- e) Enabling survivors to access justice, and strengthening domestic and international capacity to hold perpetrators to account, principally through aligning domestic and regional frameworks with international best-practice, as established in the Rome Statute

1. OVERVIEW OF SEXUAL VIOLENCE IN CONFLICT AS A WOMEN, PEACE & SECURITY ISSUE

The issue of conflict-related sexual violence has gained increasing prominence in international policy making since the 1990s, partly as a result of shifts in the nature and visibility of a range of conflict and forms of warfare, and partly as a result of much advocacy work by feminists and women's rights activists. Sexual and Gender Based Violence (SGBV) is often used as the short-hand to reference the broader patterns of human rights abuses of which sexualised violence constitutes a part; in the last two decades donors, multi-lateral organisations and non-governmental organisations, both 'local' and 'international', have developed a focus on such forms of violence, and some considerable expertise.

Key policy moments in the development of this momentum include UN Security Council Resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013) on Women, Peace & Security. UNSCR 1820 states that sexual violence, when commissioned as a tactic of war, can significantly exacerbate situations of armed conflict, and may pose a threat to international peace and security.

UNSCR 1888 called for the establishment of the position of Special Representative of the Secretary General on Sexual Violence in Conflict, with a coordinating function for the UN Action on Sexual Violence in Conflict. This position, based out of UN Headquarters in New York, was established in 2010, with the first SRSG, Ms Margot Wallström, handing over to the current incumbent, Ms Zainab Hawa Bangura, in 2012. Resolution 1960 (2010) provided for accountability mechanisms with which to address conflict-related sexual violence, including monitoring, analysis and reporting arrangements, naming and shaming, as well as sanctions for perpetrators. Resolution 2106 (2013) provides a comprehensive operational framework that seeks to strengthen national capacities to prosecute perpetrators of sexual violence, thereby increasing accountability and ultimately enhancing prevention. The establishment of the Prevention of Sexual Violence Initiative (PSVI) to prevent sexual violence in conflict by the British Government during its presidency of the G8 has added further impetus to the overall international momentum on preventing such violence in conflict situations.

Even though the existing policy infrastructure mentioned above was developed to address all victims of sexual violence, including women, men and children, there remains little acknowledgement of the issue of men as victims of conflict-related sexual violence. There has also been limited understanding of the phenomenon itself, or of the different needs of male victims of sexual violence compared to female victims, needs which call for specific programmatic and strategic adjustments. The Security Council Resolutions from 1325-2122 focus on female victims; male victims are mentioned only once, in UNSCR 2106, some thirteen years after the UNSCR 1325 was passed. As such, the Women, Peace and Security lens may have inadvertently led to adverse and exclusionary programming practices in the field.

Other important policy documents such as the Inter Agency Standing Committee (IASC) Guidelines on Responding to GBV in Emergencies, which serve as the core reference point for practitioners in the United Nations and major International NGOS, contain no discussion of the specifics of sexual violence against men and boys. The exception to this trend is the 2012 publication of the *Need to Know Guidance Note on working with Men and Boy Survivors of Sexual and Gender Based Violence in Forced Displacement*, spear-headed by UNHCR, which provides guidance to practitioners on how to work with men and boy survivors of sexual and gender based violence.

In recent years both the international media and some academics and civil society activists have begun to break the silence about male victims (see resource list). These efforts have been given considerable additional impetus in international policy circles by the accounts of conflict-related violations committed in the Libyan and Syrian situations, as mentioned in reports of the UN's various Commissions of Enquiry from 2011 onwards.

This gradual shift in understanding is reflected in recent donor funding for the development of a screening tool for the identification of men and boy victims in humanitarian emergencies. At the international policy level the G8's Declaration on Ending Sexual Violence in Conflict, adopted in London in April 2013, recognises that:

'...future action at the international level is imperative to end sexual violence in armed conflict, to tackle the lack of accountability that exists for these crimes and to provide comprehensive support services to victims, be they women, girls, **men or boys**' [emphasis added]

UNSCR 2106, which was passed just two months later, in June 2013, was the first such resolution to explicitly mention men and boys, noting with concern that;

"sexual violence in armed conflict and post-conflict situations disproportionately affects women and girls, as well as groups that are particularly vulnerable or may be specifically targeted, **while also affecting men and boys** and those secondarily traumatized as forced witnesses of sexual violence against family members" [emphasis added].

CONCEPTUAL, POLITICAL AND STATISTICAL CHALLENGES TO INTRODUCING MEN & BOYS INTO THE SGBV DOMAIN

UNDERSTANDINGS & ASSUMPTIONS ABOUT GENDER

Notwithstanding these recent policy developments, the practical obstacles to rapid development of interventions in support of men and boy victims are numerous. They begin with widespread understandings and assumptions about 'normal' gendered behaviour within a simple male-female binary, in particular the assumption that men are naturally aggressive, sexually demanding and invulnerable, while women are naturally peaceful, sexually passive, and weak.

Applied to the issue of sexual violence in conflict this translates into the widespread view that men are always the perpetrators and women always the victims. The possibility of men being victims of sexual violence, or of women being perpetrators, is thus generally discounted. Evidence is not looked for, and the phenomenon therefore remains under-documented.

Furthermore, the field of conflict-related sexual violence couples an implicit assumption that the direction of sexual violence will be heterosexual. Discomfort with issues of sexuality in general, and homosexual behaviour in particular, further disables any contemplation of the perpetration of sexual violence against men, whether by fellow men, or by women.

In many communities, as well as in many institutions and legal systems, no distinction is drawn between consensual and non-consensual same-sex behaviour. In Uganda, for example, the definition of rape excludes men as victims, while the Penal Code a male victim of rape by another man could be penalized for engaging in acts 'against the order of nature'. As a result, even the victims of non-consensual same-sex rape may be labelled as homosexuals, and this has a serious chilling effect on reporting of such incidents.

BLURRING OF 'GENDER', 'WOMEN' AND SGBV

Much important academic work has been done both to deconstruct gender stereotypes and biological essentialisms, and to theorize women's rights. In the fields of international activism, policy and practice on conflict-related sexual violence, however, the discussion about gender has been blurred with and frequently

subsumed into a necessary struggle for women's rights in the face of historical indifference to the widespread subordination of women. Notwithstanding the importance of this struggle, the resultant discursive and policy focus on sexual and gender based violence as a women's rights issue has become, from a policy and humanitarian perspective, a serious obstacle to prevention of and response to conflict related sexual and gender-based violence against men and boys, as practitioners lack both awareness of the issues, and the appropriate experience and skills with which to respond to male survivors.

The predominance of this paradigm is evident in the fact that in most people's minds, whether in rural villages in eastern DRC or in the corridors of power in key donor states, the field of 'gender', and the sub-field within that of SGBV, is understood to be about women. SGBV scenarios are populated by male perpetrators and female victims.

UNDER-REPORTING, UNDER-DOCUMENTING, AND UNDER-ACKNOWLEDGING

While data on sexual violence against women and girls in conflicts remains inadequate, the view that, in terms of victims at least, SGBV is a women's issue, is enabled by an even more resounding lack of data on conflict-related sexual violence against men and boys. This statistical silence is itself a product of several intersecting dynamics; first, the serious under-reporting of sexual violence by male victims, most of whom fear to be labelled as homosexuals with all the stigma, discrimination and sometimes criminalisation which that entails, and many of whom encounter disbelief and/or ridicule from service providers they attempt to report to; second, the failure by organisations and authorities to document those cases that are reported; third, an under-acknowledgement of those cases that are reported; in some international criminal tribunals, for instance, the sexual nature of violence has been disguised by it being described as 'torture'. At a state level, gender stereotypes of men as aggressive and invulnerable are frequently integral to nationalism and the mobilisation of men into military forces in defence of the nation. While violence against women is seen as deplorable yet explicable within prevalent gender and sexuality norms, violence against men is not. The notions of men as victims of sexual violence, or men as perpetrators of sexual violence against fellow males, do not fit into the military ideologies and nationalist doctrines. For states parties, in particular, this may act as further disincentive to reporting or documenting violations of men and boys.

In the few situations where serious investigations into actual levels of sexual violence have been done, the disparity between levels of conflict-related sexual violence against women and levels against men is rarely as dramatic as one might expect, and raises questions about the usefulness of claims that women and girls are 'disproportionately affected' by sexual violence. While UNSCR 2106 is an important step in the right direction, its language nonetheless continues to exemplify empirically unsubstantiated assumptions about the actual dynamics and gender-specific prevalence of sexual violence in conflict situations.

INSTITUTIONAL GAPS IN APPLYING THE SGBV AGENDA TO INCLUDE MEN & BOYS

The combination of gender norms and their resultant silencing of particular forms of violence and victimhood, with the struggle for women's rights to be recognised and their needs adequately responded to, has resulted in widespread institutional gaps in responding to sexual and gender based violence against men and boys. Medical students, counsellors, social and humanitarian workers are neither trained nor funded to respond to such cases. Service providers frequently express difficulty in responding to the help-seeking behaviours of men and boys, difficulties engaging with and feeling empathy for male victims, confusion about what the violence says about the client's sexual orientation, and a lack of safe spaces within which to work with clients, or appropriate services to which to refer them for further assistance. Lawyers are not trained to challenge legal frameworks which make it impossible for male victims to seek redress through the courts. Donors create funds to address sexual and gender-based violence, but specify that the intervention must work with women and girls, or, at best, women and children. Women are generally recruited for positions requiring gender expertise to address sexual and gender based violence. Social scientists are not funded to adequately research and document the prevalence of sexual violence from a gender-inclusive perspective. As a result, the cycle of

under-reporting, under-documenting and under-acknowledging sexual violence against men and boys has been perpetuated.

WHY THIS WORKSHOP?

With the G8 declaration and subsequent UN resolution signalling a move towards more inclusive and comprehensive understandings of the extent and scope of sexual violence in conflict, the need to bring policy and practical interventions, in particular support services for men and boy survivors of conflict related sexual violence up to speed, and to relate them to the Women, Peace and Security policy agenda, as well as to existing interventions on behalf of women and girls in a manner which strengthens the prevention and response outcomes for all, is ever more apparent and urgent.

It is against this backdrop that the Special Representative of the Secretary General on Sexual Violence in Conflict, with the sponsorship of the US State Department, convened its first expert workshop on the topic of Sexual Violence against Men & Boys in Conflict Situations on 25-26 July 2013. Considered as a first step on the part of the Office of the SRSG and the wider UN Action Against Sexual Violence that she chairs, to broaden the scope of the discussion, policy and practice related to sexual violence in conflict to include men and boys, the workshop brought together practitioners, academics, policy makers and donors in the field of conflict-related sexual violence, as well as representatives of survivor groups and organisations. The programme, after an opening address by Stephen J. Rapp, US Ambassador-at-Large for War Crimes Issues, began with an overview of the state of the field, followed by more specific presentations on the consequences of sexual violence to the survivors themselves, and the opportunities and challenges to seeking legal redress. Presentations on programming and research gaps were followed by in-depth group discussions on the same.

As in all discussions about the importance of seeking interventions for the prevention of and response to sexual violence, participants' contributions reflected diverse but often complementary thinking about the issue. While some prioritise recognition of the rights of victims to access assistance and seek redress, others focus more on the harms to society of failing to address these violations and their impacts, or of leaving the impunity of the perpetrators unchallenged. All these perspectives were evident in the expert presentations, as well as the group discussions.

This report seeks to summarise and draw together the key points made in presentations and group-work.. As such it aims to provide an overview of the issues for consideration, as well as an initial set of recommendations for actions which can strengthen the response by a wide range of stakeholders to men and boy survivors of conflict-related sexual violence. It does not seek to provide detailed guidance about the practicalities of working with men and boy survivors.

2. THE SCOPE OF SEXUAL VIOLENCE AGAINST MEN & BOYS IN CONFLICT

MEN AND BOYS AS VICTIMS

Situations in which it is known that men and boys have been subjected to conflict-related sexual violence have been documented around the globe. Since 2000, cases have been documented in at least 25 countries from Latin and Central America, through Africa, the Middle East and Asia. North America is not excluded, with notorious examples of sexual abuse by US military of male captives in Iraq.

One study in Liberia found that while 42.3% of women combatants and 9.2% of civilian women had experienced sexual violence during the conflict, the same was true for 32.6% of male combatants and 7.4% of male civilians (Johnson K, Asher J, Rosborough S, et al, *Association of Combatant Violence and Sexual Violence, With Health and Mental Health Outcomes in Post-Conflict Liberia*, JAMA, 2008; 300-6). Another in DRC provided more qualitative data on the nature of sexual violence against men (Mervyn C, Safari O, Ramzani P, Burnham G, Glass N (2011) *Sexual and gender based violence against men in the Democratic Republic of Congo: effects on survivors, their families and the community*, *Medicine, Conflict & Survival* 27:4, 227-246). A Human Rights Watch report in Sri Lanka has demonstrated that repatriated former refugees can also be targets. Although it is often assumed that civilians are the primary victims of sexual violence, and that military structures are populated by perpetrators only, the Liberian case suggests high levels of victims of male-directed sexual violence within military settings. This is echoed in US military reports that in 2012, 53% of reported cases of sexual abuse within the US military were against men.

FORMS OF CONFLICT-RELATED SEXUAL VIOLENCE

It is commonly assumed that sexual violence against men and boys takes the form of penetration of the anus using the penis. This is often described using the term 'sodomy', a term which fails to differentiate between consensual and non-consensual acts, rather than rape. While anal rape of men – including gang-rape - is a common form of sexual violence, it is only one of the many forms that sexual violence against men can take. Others include:

- oral rape, as well as rape using objects (e.g. screw-drivers, bottles)
- having ropes tied to the genitalia and being pulled around by this rope
- having electric wires attached to the genitalia, through which electric shocks are administered
- linking two men using ropes tied to their genitalia and making them walk in opposite directions
- being made to dig holes in the ground, or in trees, and then to rub themselves in that hole to the point of ejaculation
- being forced to have vaginal sex with women who are also under detention
- being forced to have anal or oral sex with fellow detainees, or with brothers, or fathers
- being forced into sexual acts with the victim's spouse, while being watched by children, parents etc.
- being used as a mattress while soldiers rape their family members on top of them
- being held for lengthy periods of time as sexual slaves
- forced circumcision, castration, and other forms of genital mutilation

SPACES WHERE CONFLICT-RELATED SEXUAL VIOLENCE OCCURS

Accounts indicate that sexual violence occurs in a wide range of settings, including but not limited to: people's own homes; their neighbourhood or village; military camps and training centres; police, prison and torture cells and other places of detention. In many accounts, conflict-related sexual violence against men and boys is deliberately done with an audience, with the result that the violation is an open secret, known about by a number of individuals beyond the immediate perpetrator(s) and victim. In many situations the victim is forced to actively participate in sexual acts against fellow detainees.

It is important to note that even a very short time in any of the above settings may result in sexual victimisation. It is not uncommon, for example, for refugees to be detained without charge for a number of days. By the time they are released, they have frequently been victimised in a way which may take years to recover from.

RECOGNISING THE POST-CONFLICT DIMENSION

It is important to recognise that while much conflict-related sexual violence against men and boys occurs within the conflict setting, many victims subsequently flee into exile. Male refugee populations are likely to contain a higher proportion of male victims than the population in the place of origin. Additionally, the specificities of life in exile render refugee men and boys vulnerable to sexual violence and exploitation, which should thus be considered an extension of conflict-related sexual violence. Refugee camps can become sites of forcible recruitment and accompanying patterns of sexual violence, and host country citizens at times exercise extreme sexual violence against male refugees to signal their xenophobia; since refugee victims have little or no recourse in law, perpetrators rarely need to fear repercussions. As the rape of male returnees to Sri Lanka demonstrates, an official determination that a particular context is 'post-conflict' does not guarantee an end to conflict-related sexual violence.

THE LOGICS OF SEXUAL VIOLENCE AGAINST MEN & BOYS

Testimony from a range of survivors indicates that conflict-related sexual violence against men and boys is frequently premeditated, planned, and systematic, all of which resonates with the interpretation of sexual violence as a weapon of war. In the documentary film 'They Slept With Me', for example, survivors of sexual violence in northern Uganda describe how soldiers rounded up civilians into a warehouse, and then systematically distributed them to specific soldiers to be raped. In many accounts by male survivors the gender humiliation caused by sexual violence is tightly connected to ethnic agendas and the attempt to discredit an entire ethnic group.

While reading back from the impact of sexual violence on victims to the intentions of the perpetrators behind it carries the risk of a wrong interpretation, it is evident from many victims' accounts at least, that sexual violence against men and boys shares the same gender-based logic as sexual violence against women and girls; it is effective as an instrument of humiliation and debilitation to the extent that both perpetrator and victim share a set of patriarchal gender norms in which men are regarded as superior and women as inferior. Demonstrating to the victim and any audience to the violence that the victim is unable to defend himself, sends a clear message to all that, in terms of received gender norms about male invulnerability and men's capacity to defend themselves, the victim is a 'feminized' failure – in the words of some survivors, "They turned me into a woman".

The physical damage to victims, and the fact that many victims subsequently flee, reduces the capacity of communities to resist their attackers. At a more strategic level, the violence and the destabilisation of gender certainties that such violence entails, undoubtedly weakens social cohesion, both at family and community levels. The capacity to resist is also diminished by reducing the pool from which leaders are drawn; known victims, for example, are less likely to access leadership or military positions.

In short, sexual violence against men and boys is as effective a weapon of war as that perpetrated against women and girls, and in many instances the two are deliberately brought together by the perpetrators.

THE PERPETRATORS OF SEXUAL VIOLENCE AGAINST MEN & BOYS

The perpetrators of conflict-related sexual violence against men and boys are generally other men, though cases of abuse by women are also not uncommon; where perpetrators are working in groups, such groups often contain women as well as men. While the largest percentage of perpetrators belong to armed groups and forces (including peacekeepers, police and prisons staff), some evidence suggests that the largest percentage of victims is to be found within these groups.

3. IMPACTS AND CONSEQUENCES OF CONFLICT-RELATED SEXUAL VIOLENCE – THE FIVE ‘P’S

The impacts of conflict related sexual violence are multiple and extensive, and can usefully be summarised under five ‘P’s: Physical, Psychological, Psycho-sexual, Psycho-social, and Political. It is important to note that many of these impacts are happening in contexts where health services are struggling to respond adequately to more general health issues, and are not equipped to respond to these impacts.

The physical impacts include bruising, lacerations, abrasions and tearing of the anal and genital areas, broken bones and teeth. Tying of the genitalia which has obstructed blood-flow can cause tissue damage and atrophy of the genitalia. Rectal damage can include fissures, prolapse and resultant incontinence. Failure to treat rectal damage in good time can result in permanent scarring which makes subsequent medical interventions more difficult. In some instances of rectal damage, victims avoid eating to minimise further damage, and as a result evidence malnutrition. In addition to immediate physical damage, there is also exposure to a range of Sexually Transmitted Infections such as Urinary Tract Infections, gonorrhoea, chlamydia, hepatitis, syphilis, HIV, genital warts, etc., as well as infections resulting from a lack of treatment of open wounds. In many cases victims experience prolonged sleep disorders, chronic pain in the back, head, abdomen and rectum, chronic fatigue and gastro-intestinal difficulties.

The **psychological effects** tend to be serious and enduring, including acute stress disorders (particularly in the first three months after the incident) and Post-Traumatic Stress Disorders, which are found in up to 30% of survivors and more than a decade after the event. Depression, low self-esteem, emotional numbing, anxiety disorders such as hyper-vigilance, hyper-arousal, panic attacks, phobias and suicidal ideation are all frequent, with correspondingly higher than average levels of substance abuse. Evidence from the sexual abuse of children suggests that compulsive behaviours in adults, such as overspending, gambling, sexual obsessions, can be responses to abuse.

The concept of **psycho-sexual impacts** describes the reality that the vast majority of male victims of sexual violence report a severe impact on their capacity for intimate sexual relations. Shame at the ways in which their masculinity has been challenged by the perpetrators is coupled with confusion as to what the sexual act they have been forced into means in terms of their own sexual orientation, as well as, in many instances, physical damage to the genitalia which renders sexual activity more difficult, or painful, or simply impossible. Many victims report serious problems of impotence as a result, with younger unmarried men also expressing severe doubts about their capacity and/or wish to establish a family in the future.

The **psycho-social** impacts for male victims of sexual violence are often related to the psycho-sexual impacts. Many report difficulties sustaining their pre-existing or new relationships, and in many instances are abandoned by wives and girlfriends. Even where the couple stay together, many men report dysfunctional behaviours, ranging from spouses regularly belittling them verbally or physically, to their own withdrawal from their own children.

The physical damage resulting from sexual violence frequently prevents men from engaging in any form of physical labour, thereby seriously jeopardising their capacity to earn an income and support their families, thus undermining another key component of the patriarchal norm of the man as provider for women and children.

Where the sexual violence is known about in the wider community, the stigmatisation of the victim is often experienced by his family as well. Singly or in combination, these stresses can result in domestic violence and/or the disintegration of the family unit, unless appropriate counselling for the individual and the family can be provided. Where the issue is stigmatisation by the wider community, this may often oblige a victim and his family to seek to relocate.

The **political** impacts of sexual violence against men are closely related to the identity of the perpetrator(s). Civilian victims of violence perpetrated by government soldiers frequently report that they subsequently took a conscious decision to withdraw all active or passive support of government and government processes such as elections. Equally, some victims of violence perpetrated by armed groups at times report joining government forces to seek an opportunity for retaliation. Given that such attitudes are likely to be transmitted trans-generationally, these political impacts on the prospects of sustainable peace, and the need to address them through transitional justice processes, also need to be considered.

COMPARING CONFLICT-RELATED SEXUAL VIOLENCE AGAINST MEN & BOYS WITH SEXUAL VIOLENCE AGAINST WOMEN & GIRLS

Conflict-related sexual violence against men and boys shares many characteristics with that committed against women and girls; an essential starting point is that the gender norms and logic which make sexual violence effective are essentially similar whether the victim is female or male, namely that women – and men feminized by sexual violence – are regarded as subordinate and inferior.

Many of the physical and psychological and psychosocial sequelae outlined above are similar; it seems likely, for example, that there are many parallels between the psychological impact of being labelled a ‘whore’ and being labelled ‘gay’, given that both attract such high levels of social stigma and exclusion. Both men and women experience a challenge to their gender identity, with many women victims being denoted as ‘useless’ or ‘whores’, and many men losing not just their social identity, but also their physical capacity to fulfil basic expectations of providing protection and income to their households. The dysfunctionality that experiences of sexual violence provoke in domestic relationships is shared by both women and men victims.

Some differences surface in terms of the psycho-sexual impact; while both women and men report a loss of interest in sexual activity, men are far more likely to report confusion about sexual identity. While further research is required, there are certain patterns in terms of location of sexual violence (e.g. places of detention for men, wood and water collection points for women), that are have particular significance for the respective genders. It also appears that the experience of being coerced into ‘active’ sexual acts against others (e.g. penetrating the anus of a fellow captive) is specific to male victims, as is being coerced into inflicting sexual harm against oneself (e.g. through being coerced to penetrate an object such as a block of wood, or a hole in the ground, to the point of ejaculation).

COMPARING CONFLICT-RELATED SEXUAL VIOLENCE AGAINST MEN & BOYS WITH SEXUAL ABUSE IN PEACE-TIME

Conflict-related sexual violence against men and boys diverges from what is known about childhood sexual abuse of boys in three key areas.

4. First, CRSV frequently happens in spaces with an audience, whereas childhood sexual abuse is generally characterised by extreme secrecy. Rather than working towards breaking the silence about what happened to them, survivors tend to work to silence what is already public knowledge.

5. Second, CRSV tends to target adolescent and adult men, rather than pre-adolescent boys; as such, the violence is done to a person who is physically, psychologically, psycho-sexually and socially more mature.
6. Third, the perpetrator in the majority of child abuse cases is known to the victim, and is often in a position of trust and responsibility vis-à-vis the victim. This is very different to CRSV where the perpetrator is generally seen as the enemy. The difference in the nature of the relationship between victim and perpetrator is fundamentally different, and this is likely to impact on the psychological responses of the victim to the violence, and their overall ability to cope with the situation.

4. OPERATIONAL CHALLENGES IN RESPONDING TO CRSV AGAINST MEN & BOYS

As the international community moves to recognise the need for comprehensive responses to all survivors of sexual violence in conflict, it is confronted with substantial challenges. Many working on GBV against women and girls believe that funding for their work is inadequate to the need, and that extending work to include men and boys will further dilute these already inadequate resources. For these and other reasons, there are currently huge gaps in survivor-centred SGBV response and prevention activities when it comes to working with men and boys. While three key populations stand out as requiring sexual violence related work from humanitarian, human rights and peace-building stakeholders (namely refugees, ex-combatants, and detainees/former detainees), in 2002, only 3% of NGOs working in the area of “war rape and other forms of sexual violence” mentioned male victims.

More than a decade later, little has changed. Although some organizations have begun to develop gender-inclusive responses and case management, these are currently the exception rather than the rule. While the working tools of the GBV Information Management System of the UN are gender *neutral*, the materials provided by the UN’s own Global Protection Cluster under the heading Gender Based Violence reflect a gender-*exclusive* approach to Sexual and Gender Based Violence. The IASC’s 2005 Guidelines on Responding to GBV in Emergency Settings reference no materials on sexual violence against men and boys, and UNFPA’s e-learning course on GBV in emergency situations which is largely based on the IASC guidelines, uses exclusively female case studies and has no images of male survivors. UN Women’s Overview and How-to Guide on ‘Gender-Responsive Early Warning’ (October 2012) has virtually no indicators of gender-harms related to men and boys.

In most contexts, medical, social and humanitarian workers have no training in working with male survivors, and are thus ill-equipped to identify or respond to the specificities of such cases. Clinics, particularly within emergency settings, have neither the protocols, medication, supplies, nor the trained staff needed for adequate clinical management of the kind advocated by the IASC. The spaces within which they work are often not safe or conducive for male survivors; in some situations male survivors are referred to gynaecological units, to their own discomfort and that of the women for whom these units are intended. IEC materials such as posters and pamphlets giving information to male survivors are almost non-existent. Dominant notions of masculinity often narrow the coping strategies available to men, as well as delaying health-seeking behavior. When they do seek to access help, male survivors will therefore often present other issues rather than the core concern, and may come across as angry and threatening rather than help-seeking and therefore be barred from accessing services. Equally, staff may not know how to respond to a man who is crying, or they may assume that the victim is a homosexual, and in some countries, staff may feel they are putting themselves at risk by supporting someone they assume is homosexual. In short, the attitudes, knowledge and skills which would allow the staff to adopt a survivor centered approach characterized by safety, confidentiality, respect and non-discrimination, are not in place.

For those responding in the first instance, in addition to the particular skills required to elicit the real problems from male victims, there are also challenges in identifying the appropriate services to refer male survivors to,

particularly for medical interventions. Medical staff – including police surgeons who are required to document injuries for future legal cases - have often received no training in how to respond to the particular injuries confronting male survivors, nor are they trained to document cases in a way that will facilitate subsequent legal action. Lawyers themselves are often working with legal frameworks that are a hindrance rather than a help to male survivors seeking access to justice. A further obstacle to emergency staff is that many community groups will have attitudes that need to be addressed if they are not to further stigmatize men and boy survivors within their own community. Although it is recognized in work with women survivors that livelihoods are an important component of recovery and protection from further violence, livelihood programs for male survivors which recognize that they may have particular physical limitations during their recovery process, have yet to be established.

In some contexts, such as refugees from the Great Lakes region, survivors can be encouraged to establish support groups that provide safe spaces for sharing of experiences, as well as establishing solidarity networks and activities, and helping survivors to break down their sense of isolation and exclusion.

EXPLORING HOW GENDER-BASED VIOLENCE RELATES TO AND DIVERGES FROM SEXUALITY DEBATES

There is a long-standing tendency in Gender Based Violence work to de-sexualise sexual violence. This includes the argument that rape is about power, not about sex, and the expectation that the direction of sexual violence will be heterosexual, namely, committed by man/men against woman/women. At a practical intervention level, many service providers and their beneficiaries are uncomfortable discussing issues of sex or sexuality, or sexual orientation, whether for religious, cultural or legal reasons. This poses particular problems for male survivors who are experiencing psycho-sexual impacts of the violence done to them, and who require reassurance about sex, sexuality, and sexual orientation. In terms of legal responses, legislative framings of sexual behaviour and sexual violence can make it difficult if not impossible for male survivors to come forward.

A CHICKEN AND EGG SITUATION

One of the challenges in developing adequate responses for men and boy survivors is that there must first be a visible demand before the supply and quality of services will begin to adapt fully. Until more demands are made on suppliers of GBV prevention and response services, the supply of such will remain inadequate, yet while there is no adequate response, survivors are unlikely to come forward. One method of breaking out of this vicious circle is to implement screening of both women and men for early identification of survivors of sexual violence. Normalising the screening for everybody can prompt a change in patterns of reporting. The resultant increase in numbers requiring services will help create the pressure required for service providers to seek new resources for this area of work, and for donors to allocate new resources to it.

5. JUSTICE FRAMEWORKS FOR RESPONDING TO CONFLICT-RELATED SEXUAL VIOLENCE AGAINST MEN & BOYS

The obstacles to legal redress for men and boy victims of sexual violence in conflict situations are multiple. Even if the legal regime caters for this crime, the individual can find it very difficult to present himself to the relevant authorities, for fear of further stigmatisation and humiliation. In many countries, two fundamental challenges exist; firstly, the definition of rape is frequently gender-exclusive, in short it defines rape as something that happens to women and girls, not men and boys; second, same-sex sexual acts are criminalised *per se*, regardless of whether the behaviour was consensual or not. This is particularly the case in countries where the penal code originated from the British colonial period.

To understand the options for legal action, it is necessary to explore at least three legal regimes and their associated mechanisms, and the extent to which they are harmonised in any given context: international criminal law, human rights law, and domestic law. It is important to recognise that none of these legal regimes is static, and that there have been significant developments in legal understandings and responses to conflict-

related sexual violence in recent times, most significantly, perhaps, the recognition of sexual violence as a constituent of genocide, war crimes and crimes against humanity. It is also important to note that transitional justice can provide significant processes, whether to complement the formal legal system, or offer an alternative to it where prosecutions are not possible.

INTERNATIONAL CRIMINAL LAW & MECHANISMS

The International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the former Yugoslavia have been the principal spaces in which significant developments of contemporary jurisprudence on rape and other forms of sexual violence have taken place. They clarified international norms prohibiting rape and sexual violence, and established them as constituent elements of genocide, crimes against humanity, and war crimes. They also developed gender-neutral language to describe the victims of sexual violence. In the ICTY, in the case known as *Prosecutor v. Milosevic*, the prosecutor charged acts of forced fellatio, forced incest, and gang rape of men as persecution as a crime against humanity. In *Prosecutor v. Tadic*, the defendant was charged with persecution and inhumane acts as crimes against humanity, as well as torture or inhuman treatment as a war crime, but not with rape as a crime against humanity. In a third case, *Prosecutor v. Cesic*, the defendant, who had forced two brothers to perform oral sex on one another, was convicted of rape as a crime against humanity, as well as humiliating and degrading treatment as a war crime. In the Special Court for Sierra Leone, in *Prosecutor v. Sesay, Kallon and Gbao*, the three former RUF commanders were charged with outrages upon personal dignity as war crimes for two separate incidents that involved offenses against men and women, and the Court explicitly recognized that “both men and women can be victims of rape.”

The Rome Statute expanded the expressly enumerated sexual violence crimes in international criminal law, by adding sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and other forms of Sexual Violence of equivalent gravity to the list of war crimes and crimes against humanity. It acknowledged that sexual violence can be committed against men and women, and also included coercion as an element in the crime. Coercion can be established by evidence of some degree of force, threat or oppression. In *Prosecutor v. Kenyatta*, the Office of the Prosecutor found that there were reasonable grounds to believe that the defendants were responsible for murder, 39 reported cases of rape, and at least six cases of forcible circumcision. While the Chief Prosecutor moved to charge the incidents of forced circumcision and sexual mutilation as ‘other forms of sexual violence’ under Article 7 (1)(g) of the Rome Statute, the ICC judges disagreed, and minimised the sexual nature of the violence against male victims by categorizing it under ‘other inhumane acts’ instead.

HUMAN RIGHTS LAW & MECHANISMS

Acts of sexual violence may constitute violations of the rights to life, personal security, physical integrity, the freedom from torture, inhuman and degrading treatment, the right to health, the right to equal protection under the law, amongst others.

Key treaties in which these rights are codified include:

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Rights of the Child
- Convention Against Torture
- Convention on the Elimination of Racial Discrimination
- African Charter of Human and Peoples’ Rights

Some of those treaties have monitoring bodies that allow for individual petitions. Where a country has ratified the ICCPR and its Optional Protocol, for example, the Human Rights Committee has competence to examine

individual complaints with regard to violations to ICCPR. In at least one petition dealing with sexual torture against men, the Human Rights Committee found that Libya violated its obligations under the ICCPR when it illegally detained, tortured and raped a man.

The African Commission on Human and People's Rights, in its 2003 ruling in *Democratic Republic of Congo / Burundi, Rwanda, Uganda*, held that rape of women and girls is a violation of the right to non-discrimination (Article 2) and right to life (Article 4), thereby establishing a strong precedent for male victims of sexual violence.

National Action Plans for the implementation of UNSCR 1325 and 1820, both of which focus on women and children but contain some gender inclusive language, offer a further opportunity from a human rights perspective. Uganda's NAP, for example, calls for "all victims of sexual violence, particularly women and girls, to have equal protection under the law and equal access to justice," and sets as a goal the collection of "sex disaggregated data in connection to GBV", indicating a recognition that men too suffer sexual violence.

DOMESTIC LAW

The definition of sexual violence in most penal codes and in special sexual and domestic violence laws, often excludes men as victims of these crimes. In Colombia for instance, despite long years of conflict-related sexual violence (including against men), it was only in 2012 that, with input from the UN Team of Experts on the Rule of Law and Sexual Violence in Conflict, men were formally included as victims in the draft law on "Access to justice for victims of sexual violence".

Domestic law is therefore often at odds with international criminal law. In the case of Uganda, for example, the definition of rape used in the Ugandan Penal Code (UPC Article 123) is as follows:

'Any person who has unlawful carnal knowledge of a woman or girl, without her consent, or with her consent if the consent is obtained by force or by means of threats or intimidation... or by fear of bodily harm... commits the felony termed rape'.

Men and boys are excluded from this definition. Their difficulties are further compounded by the Penal Code's definition of 'Unnatural offences' (UPC Article 145):

'Any person who –

- (a) has carnal knowledge of any person against the order of nature;
- (b) has carnal knowledge of an animal; or
- (c) permits a male person to have carnal knowledge of him or her against the order of nature, commits an offence and is liable to imprisonment for life'

This definition, which is exclusively about the sexual act, and pays no heed to the consensual or non-consensual nature of the act, effectively criminalizes the male victims of particular forms of sexual violence (specifically oral and anal rape), and therefore has a chilling effect on reporting of such violations.

In addition, due to limited understanding of the phenomenon, the skills-sets for investigating sexual violence crimes against men and boys are under-developed. Most investigations of sexual violence conducted in conflict and post-conflict situations have focused on documenting sexual violence against women and girls. In addition, most existing tools and guidelines for documentation and investigation are designed with a male perpetrator and a female victim in mind; they contemplate a female interviewer, and spaces that are women and girl friendly.

Even when the definition of sexual violence is comprehensive and inclusive, it is met with challenges. Investigators, prosecutors, and judges have a limited understanding of the phenomenon. In DRC, for instance, even though there have been reports of sexual violence against men, and a very inclusive legislation (the 2006 law), most sexual violence crimes documented and all sexual violence crimes prosecuted have been for offences against women and girls.

The Rome Statute of the International Criminal Court offers considerable hope for domestic prosecutions in the future, but for this potential to be realized requires the domestication of the statute, and the establishment of appropriate mechanisms, such as an International Crimes Division, within the state's legal infrastructure. At present, only 65 countries world-wide have taken these steps.

TRADITIONAL AND TRANSITIONAL JUSTICE

Given the relative lack of access to justice through formal domestic procedures, coupled with the emphasis of international criminal tribunals on prosecuting those with command responsibility, survivors may seek justice through alternative mechanisms.

In principle, customary or traditional justice mechanisms, which continue to play an important role in many conflict-affected countries, could provide an option. However, many such systems tend to be patriarchal in nature. Headed by male chiefs, many stigmatize female sexual violence victims and rarely consider sexual violence against men. Without considerable sensitization, these systems therefore may provide little opportunity for male victims to seek redress. Just as it is recognised that access to justice for women and girls may be improved by working with traditional justice systems to incorporate their particular needs, so this should be considered for men and boys also.

Transitional justice mechanisms, on the other hand, potentially provide an important avenue for men and boy survivors. Truth-telling and reparations programmes, for example, could constitute important elements in their personal and community recovery processes, while institutional reform of armed forces that have perpetrated such violence could reduce the risks of re-occurrence. To date, however, male victims of sexual violence have been excluded from reparations. In Sierra Leone, for example, where a reparations programme for victims of sexual violence is being led by the National Commission for Social Action (NaCSA), all recipients to date are women, despite the fact that men and boys were also victims of sexual violence during the conflict.

It must always be recognised that the concerns that apply to women and girls, such as witness protection, risks of re-traumatising the victim, and risks of further stigmatisation in the home community, will also apply to men and boy survivors, and that there is corresponding need for gender-sensitive arrangements to be made, such as in-camera hearings.

6. RECOMMENDATIONS

A. DETERMINE THE SCOPE OF SEXUAL VIOLENCE AGAINST MEN & BOYS, AND PROMOTE THEIR PROTECTION THROUGH;

- Normalising the screening of key populations for experiences of sexual violence is essential to developing a more comprehensive understanding of the reality of conflict-related sexual violence. Key populations include:

- Refugees fleeing conflict situations upon arrival in country of first asylum, as well as long-standing refugee populations
 - Ex-combatants in Disarmament, Demobilisation and Reintegration Programmes
 - Detainees and ex-detainees
- Documentation of the results of such screening processes
 - Further strengthening the evidence base through gender inclusive Quantitative and Qualitative Research programmes, particularly in post-conflict recovery settings
 - Systematic analysis of data contained in the UN's GBVIMS
 - Including experts on GBV against Men & Boys in Sexual Violence Investigation Teams (e.g. Justice Rapid Response, UK PSVI Team of Experts) , GBV teams
 - Developing and institutionalising gender-inclusive conflict early warning indicators

B. DEVELOP SURVIVOR-CENTRED RESPONSES TO MEN & BOY SURVIVORS OF CONFLICT-RELATED SEXUAL VIOLENCE BY;

- Funding civil society actors to develop and mainstream clinical and case management protocols for men and boy survivors
- Developing and implementing training curricula for medical, psycho-social, humanitarian and legal workers, including sexual violence investigators. These must address *gaps in knowledge about, attitudes towards* male survivors, and the *technical skills* needed to work with them for physical, psychological and social recovery and reintegration.
- Working with national medical schools to ensure that modules on treating male survivors are included in medical students' genito-urinary and gastro-intestinal curricula
- Working with schools of counselling and social work to ensure that conflict related violence, and dealing with psycho-sexual impacts, are integrated into the curriculum
- Ensuring that budgets for GBV service providers can cater for medical expenses, as well as the basic needs of survivors (nutrition, medication, housing, education of children) while they undergo treatment and recuperation
- Working from a psycho-social perspective with partners, households, families and communities to reduce discrimination, stigmatisation and domestic problems
- Creating IEC materials which signal to male survivors that help is available, that they are not alone, and that breaking the silence is a key step to recovery
- Mainstreaming questions of sexual violence through incorporating them into routine data-gathering processes such as screening tools and client assessment procedures
- Encouraging survivors to establish self-help and support groups

C. MAINSTREAM MALE-INCLUSIVE UNDERSTANDINGS AND APPROACHES TO GBV WITHIN THE HUMANITARIAN COMMUNITY THROUGH;

- Creating working groups within the global and national protection clusters to ensure that men and boy survivor centred programming is developed
- Updating guidelines and other training materials available through the Global Protection Cluster to include illustrations, case studies and testimonies from male survivors. Key materials in need of revision include:
 - IASC Guidelines on responding to GBV in emergency settings
 - UNFPA e-learning on responding to GBV in emergency settings
 - UN Women How to Guide on 'Gender-Responsive Early Warning'

- Reviewing and expanding the materials available on the UN Action website to include those relevant to working with men and boys, including illustrations, case studies, testimonies, stakeholders

D. BUILD INTERNATIONAL MOMENTUM THROUGH;

7. Enlarging and developing the existing community of documentation and practice, with explicit commitment to creating bridges between UN, International NGOs, National civil society, NGOs and CBOs, and academia, e.g. through a website
8. Establishing a standing committee of experts to inform both the work of the OSRSG-SVC and that of the Preventing Sexual Violence Initiative
9. Working with states parties, on the drafting of a new UN Security Council Resolution on Men & Boy's vulnerability to GBV in conflict settings
10. Expanding the funding available to GBV prevention and response initiatives to enable them to include men and boys

E. ENABLE SURVIVORS TO ACCESS JUSTICE, AND STRENGTHEN DOMESTIC & INTERNATIONAL CAPACITY TO HOLD PERPETRATORS TO ACCOUNT BY;

11. Commissioning country by country analysis of the ways in which a) domestic legislation creates obstacles for male survivors and b) domestic and international law are at odds with one another and require harmonisation
12. Supporting Governments and Civil Society to harmonise frameworks through legal reform processes (cf. IASC 2005: 37)
13. Assisting governments to domesticate relevant international and regional instruments, including the Rome Statute, the African Charter on the rights and welfare of the child.
14. Supporting constitutional challenges on grounds of discrimination in jurisdictions in which definitions of rape are gender-exclusive
15. Updating and expanding definitions in line with international best standards, in particular to recognise rape using objects, in jurisdictions in which definitions of rape are currently focused on carnal knowledge of one person by another
16. Supporting civil society to bring petitions to regional mechanisms (e.g. African Commission on Human and People's Rights) to ensure that male victims benefit from the precedents set by rulings on the rights of women and children
17. Working with civil society and survivor groups to document survivor testimonies and to explore preferred gender-aware options for transitional justice processes
18. Working with customary justice systems to enable them to adequately respond to male victims of sexual violence

7. KEY RESOURCES

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