



## **AMNESTY INTERNATIONAL'S CALLS FOR THE PSVI CONFERENCE (28-29 NOVEMBER 2022)**

***“We are victims and continue to be victims. Our suffering did not end with the war. Still, I wish the society looked at us with different eyes. I wish we were seen as any other women and not as black sheep. We are not guilty of what happened to us.”***

-Survivor from Bosnia

***“The soldiers, they betrayed us, they said that we should come out of from our villages. They said it would be safer and that they would give us a secure place to stay. But when we came, they betrayed us. They detained our husbands and then they raped us women.”***

-Survivor from Nigeria



Amnesty International welcomes the 2022 PSVI global conference to reinvigorate commitments for the prevention of conflict related sexual violence. Whilst there has been progress since the 2014 Global Summit, much more remains to be done to secure prevention, protection and justice for survivors.

Amnesty International reiterates its 2014 [recommendations](#) to states. In addition, our research continues to demonstrate that more needs to be done to prevent sexual violence and protect the human rights of victims. Based on evidence from different countries Amnesty International recommends states take action in the following six areas.

### **1. Consult with survivors, advocates and women human rights defenders and ensure their participation in decision-making that affects their interests**

Survivors are best placed to articulate their needs and priorities and ensure any action taken to prevent sexual violence and address the harm caused is meaningful and effective. Through our research, Amnesty International continues to record huge diversity in what survivors highlight as their priorities. Even within the same country contexts, survivors are not a monolithic group and may have different concerns and priorities – especially across intersecting lines of discrimination based on age, gender, and ethnicity. Wherever possible, diverse groups of survivors must be consulted on decision-making that affects them, including plans to prevent sexual violence and ensure justice.

- In **Bosnia**, associations of survivors have provided solidarity to each other to be able to speak out about their experiences and report the crimes they have been subjected to. Their actions have led to a change in public discourse to mitigate some of the stigma and silence around sexual violence. Survivors' groups have also campaigned to ensure their needs and rights are protected, have highlighted gaps in the justice response and supported processes for compensation.

### **2. Support and enable women human rights defenders, including survivors and associations of survivors, to safely speak out**

While countries like Bosnia show what survivors' groups are capable of, human rights defenders also face barriers mobilizing and reprisals.

- Nascent survivors' groups in **Nigeria** have been working to document the abuses they have faced from both Boko Haram and the Nigerian security forces and mobilized to articulate their grievances and priorities and advocate for justice. They have collected lists of survivors whose husbands are in detention or whose family members died while confined in camps and have raised the alarm at the prevalence of sexual violence in IDP camps. However,



many of their members remain confined in IDP camps unable to freely exit, suffer from malnutrition and face reprisals for their activism including being denied food assistance in the camps.

At the same time, the privacy and confidentiality of survivors must also be respected, and they must be protected from pressure to share their accounts and informed of their rights.

- Research in **Iraq** documented how Yazidi survivors are stigmatised and feel they cannot reveal the details of rape or other sexual violence for fear of bringing shame on their families. At the same time, there has been significant pressure on women and girls who escaped IS captivity to speak to national and international media. Local media fixers and activists have often brought journalists to interview the escapees without first seeking their informed consent.

### **3. Address patriarchal social norms and stereotypes that fuel gender-based violence, including sexual violence**

Research in different countries continues to identify a context of gender-based discrimination and stereotyping (and discrimination on other grounds, such as based on ethnicity) that fuels sexual violence and is itself perpetuated by sexual violence.

- In **Myanmar**, the crimes of rape and other sexual violence perpetrated against Rohingya women and girls in northern Rakhine State took place within a wider context of sexual violence against ethnic minority women, in particular in conflict-affected areas. These patterns of abuse have been well documented by non-governmental organizations for many years, especially by women's organizations working in and on Myanmar. Independent, impartial investigations into such allegations are rare, and suspected perpetrators are seldom held to account, contributing to a culture of impunity and reinforcing patterns of discrimination, violence, and abuse against women and girls.
- Research in **South Sudan** highlights how the shame, stigma and rejection that survivors experience are often the results of discrimination and contribute to long-term societal oppression. Gender-based stereotypes also leave men and boys at risk of sexual violence and exacerbates their barriers to access services and reintegrate.
- In contexts including **Nigeria** and **Iraq** Amnesty International has documented how lack of food, water and healthcare inside IDP camps have forced displaced women to succumb to rape, (and in Nigeria, enforced prostitution), by soldiers and militia members in order to access survival levels of food, water and healthcare. Freedom of movement restrictions and enforced disappearances of men have also exacerbated the risks women face.



**4. Provide survivors of sexual violence with adequate, accessible and timely medical care and support services, including access to safe and legal abortion services and maternal health support**

Too often, national and international concern for survivors of sexual violence is not translating into effective action to ensure that they are able to access basic goods and services.

- In **Iraq** Amnesty International has documented how local and international humanitarian NGOs working with Yazidis are still underfunded, and there is no unified system of services for survivors of sexual violence. Other research in Iraq concerned with women with perceived Islamic State ties has identified cases where in the absence of safe and legal abortions, survivors of sexual violence by the security forces have self-induced abortions in unsafe circumstances. These women are also struggling to access basic goods and services and face discrimination on the grounds of gender and their perceived association with ISIS.
- Research in **Bosnia** has likewise highlighted that to achieve rehabilitation, sufficient funds and resources must be allocated on a longer-term basis to ensure that survivors have adequate, appropriate and timely access to healthcare and that psychological support and social services are provided to address their special needs. Most women Amnesty International interviewed for its research said that the absence of adequate and specialized healthcare has had a significant effect on their ability to recover from deep physical and psychological trauma and move on with their lives.

**5. Create programs of assistance and reparation for survivors of sexual and gender-based violence, including school and public educational programmes to eradicate stigma and discrimination and to break cycles of victimization and disempowerment of women and girls.**

- In **Kosovo** in March 2014, following a sustained campaign of activism and advocacy led by women's NGOs working with survivors, the rights of the survivors to reparation, including compensation were finally recognised in law. Female and male survivors were publicly acknowledged and had the right to apply for administrative reparation. However, they had to wait until January 2018 to finally apply for the status of survivor of war-time sexual violence and receive compensation in the form of a monthly payment, as well as some other limited forms of reparation. Survivors described to Amnesty International the impact that rape and other forms of sexual violence has had on their entire lives, on their physical and mental health, on their livelihoods and lost opportunities, and on their family and community relationships. Many survivors anticipated spending their compensation on healthcare they currently struggle to afford and which should be provided in addition to



monetary compensation. The law also provides survivors with priority in employment in state institutions based on a model of physical disability, where “invalids” are considered in need of rehabilitation. But this provision is meaningless for survivors, who are exempt from the requirement to prove physical harm or disability, and thus excluded from any form of rehabilitation, as currently defined by law.

- In **Bosnia** research highlighted how stigma remains one of the biggest obstacles to the better social integration of female survivors. Most survivors chose to never to speak about the violence they suffered for fear of the reaction by their families and communities in which they live. Such fear appears to be justified. The survivors interviewed by Amnesty International shared disturbing stories of rejection and humiliation, corroborating a UNFPA study on stigma in Bosnia which highlighted that two thirds of victims said they were subjected to condemnation, insults and humiliation when their families and neighbours found out that they were victims of sexual violence. Stigma has not only been manifested in their communities but has at times also pervaded how women were treated in courts.
- Likewise, research in **South Sudan** found that psycho-social distress faced by survivors is aggravated by feelings of shame, experiences of stigma and rejection by spouses and family members. Victims are blamed for what occurred and are sometimes stigmatised more than the perpetrators themselves. Survivors and families weigh their desire to seek medical and psychological support with the social cost of disclosure, and in the end often opt to conceal their distress. The silence often exacerbates both the medical and emotional problems and deters survivors from reporting crimes and accessing justice and reparations.

## **6. Legislate against sexual and gender-based violence in conflict according to the highest international human rights standards**

Almost uniformly across the contexts where Amnesty International has carried out research legislation fails to ensure that rape and other forms of sexual violence are criminalised in domestic legislation and are defined consistently with the highest international standards. Meanwhile, discriminatory rules and practices of evidence and procedure remain the norm and statutes of limitation, immunity provisions and discriminatory laws, policies and practices all create barriers to survivors seeking justice.

- In **South Sudan** for example, the definition of rape in the Penal Code is limited to vaginal and anal intercourse, therefore excluding other forms of penetration, such as oral penetration and penetration with objects. The crimes under international law of torture, crimes against humanity and genocide are not defined or criminalised as such in domestic law and therefore sexual violence cannot be prosecuted within South Sudan as any of these crimes. This raises the concern that the crimes cannot be prosecuted in South Sudan in a manner that reflects their gravity. Furthermore, modes of liability for the commission of



crimes under international law, including command and superior responsibility, are not codified in domestic law and there is a lack of safeguards to guarantee survivors are protected against inappropriate or discriminatory questioning and secondary victimization.

- In **Nigeria**, in addition to many of the same shortcomings as the law in South Sudan, the definition of rape in the criminal law requires the use of force or threat of force thus excluding the scores of documented cases where women and girls were coerced to become 'girlfriends' of soldiers and militia members if they wanted to be able to access the assistance they needed to prevent starvation.

## **RESEARCH REPORTS**

**'We will destroy everything': Military responsibility for crimes in Rakhine State, Myanmar (July 2018)**, <https://www.amnesty.org/download/Documents/ASA1686302018ENGLISH.PDF>

**'They betrayed us': Women who survived Boko Haram raped, starved and detained in Nigeria (May 2018)**, <https://www.amnesty.org/en/documents/afr44/8415/2018/en/>

**The condemned: Women and children isolated, trapped and exploited in Iraq (April 2018)**, <https://www.amnesty.org/en/documents/mde14/8196/2018/en/>

**'Wounds that burn our souls': compensation for Kosovo's wartime rape survivors, but still no justice (December 2017)** <https://www.amnesty.org/en/documents/eur70/7558/2017/en/>

**'We need support not pity': Last chance for justice for Bosnia's wartime rape survivors (September 2017)**, <https://www.amnesty.org/en/documents/eur63/6679/2017/en/>

**'Do not remain silent': Survivors of sexual violence in South Sudan call for justice and reparations (July 2017)**, <https://www.amnesty.org/download/Documents/AFR6564692017ENGLISH.PDF>

**'Our job is to shoot, slaughter and kill': Boko Haram's reign of terror in northeast Nigeria (April 2015)** <https://www.amnesty.org/en/documents/afr44/1360/2015/en/>

**Escape from Hell: Torture and sexual slavery in Islamic State Captivity in Iraq (December 2014)**, [https://www.amnesty.org.uk/files/escape\\_from\\_hell:torture\\_and\\_sexual\\_slavery\\_in\\_islamic\\_state\\_captivity\\_in\\_iraq\\_-\\_english\\_2.pdf](https://www.amnesty.org.uk/files/escape_from_hell:torture_and_sexual_slavery_in_islamic_state_captivity_in_iraq_-_english_2.pdf), (August 2018 update), <https://www.amnesty.org/en/latest/campaigns/2018/08/four-years-on-yezidi-women-struggles-continue/>.